

Notice for people who
lived at Rideau
between 1963 and 2009

The Rideau Regional Centre put some people in other places. This book is for those people, too.

ONTARIO SUPERIOR COURT OF JUSTICE

Please read this notice. The Court said you should get this notice. This is not an advertisement from a lawyer.

In this book, Rideau means the Rideau Regional Centre. It also means any places where the Rideau Regional Centre put people before they were discharged.

There was a lawsuit about Rideau. That lawsuit is now over, and **there is money for some people who lived at Rideau between 1963 and 2009.**

This notice explains how to ask for some of that money. If you do nothing, you will not get any money.

Please read carefully or ask for help from someone you trust.

Do you know someone who lived at Rideau?

Please share this information with them or their support person.

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BASIC INFORMATION

1. Why did I get this notice?

You got this notice because you lived at Rideau. In this book and in the Claim Form, Rideau means the Rideau Regional Centre. It also means any places where the Rideau Regional Centre put people.

Rideau also had other names. Ask for help if you are not sure if you lived there.

There was a lawsuit about Rideau. That lawsuit is over. You have a right to know about the lawsuit. The Superior Court of Justice said you should get this information about the lawsuit and your legal rights.

2. What was the lawsuit about?

Many people labeled with intellectual disabilities lived at Rideau. The lawsuit is about what happened to them between 1963 to 2009.

The government of Ontario was in charge of Rideau. Some people were harmed or hurt at Rideau and they say it was because the government did not protect them.

You can get help to understand this by calling the claims office:

i Phone: 1-800-305-2942

i TTY: 1-877-627-7027

3. What is a class action?

A class action is a type of lawsuit. The Rideau lawsuit is a class action.

Lawsuits start when someone makes a claim in court. In a class action, a few people start a lawsuit for a large group.

David McKillop lived at Rideau and he started this lawsuit for everyone who lived there. He claimed the government did not protect the people at Rideau.

Christine Victoria Grace Clarke helped David start this lawsuit against the government of Ontario.

The lawsuit is called **McKillop v. Ontario**. The file number for the lawsuit at the Court is CV-10-411191.

People who start a lawsuit are called Plaintiffs. A lawsuit is against a Defendant. In this lawsuit, David is the Plaintiff and the government is the Defendant.

The class in this lawsuit is the group of people who lived at Rideau between 1963 and 2009. You are in the class, unless you:

- i took yourself out of the class
- i got money in another lawsuit about Rideau
- i signed a release about Rideau in another lawsuit

4. What is a settlement?

A settlement is an agreement to end a lawsuit without a trial. A trial is very expensive for everyone, and no one knows who will win until it is over.

The Rideau lawsuit settled. The government agreed to put aside money for people who were harmed when they lived there.

This means there will not be a trial and the Court will not decide who wins. It also means that no one needs to tell the Court what happened at Rideau.

The settlement does not say that the government broke the law or did anything wrong. The Court will not make a decision about that.

The Court agreed that the settlement is fair. The Court said it is reasonable, and in the best interests of the people who lived at Rideau.

5. How did this settlement happen?

The government talked with lawyers for people who lived at Rideau. They found a way to settle the lawsuit.

In January 2014 the lawyers wrote to people who lived at Rideau, to tell them about the settlement. They explained that people could complain to the Court if they did not like the settlement. They also explained how to complain.

On February 24, 2014, the Court listened to complaints about the settlement. Then the Court gave permission to

make the settlement. Now, people who lived at Rideau can ask for money from the settlement.

WHO IS PART OF THE SETTLEMENT?

6. Who is part of the settlement?

You are part of the settlement if you lived at Rideau any time between 1963 and 2009.

The settlement is also for estates of people who lived at Rideau between 1963 and 2009, but who died after September 24, 2008.

You are not part of the settlement if you:

- i took yourself out of the class
- i got money in another lawsuit about Rideau
- i signed a release about Rideau in another lawsuit

Some people may need help to ask for money from the settlement. A family member or support person can help them.

7. What about families of people who lived at Rideau?

The settlement does not give anything to parents, spouses, children, brothers or sisters of people who lived at Rideau.

The settlement gives money to some estates. If someone lived at Rideau any time between 1963 and 2009, their estate can ask for payment if they died after September 24, 2008.

8. I am not sure I am part of the settlement.
What should I do?

To check if you or someone you know is part of the settlement:

- i Phone 1-800-305-2942
- i TTY 1-877-627-7027
- i Visit www.RideauClassAction.ca
- i Send a letter to
Rideau Class Action Administrator
3-505, 133 Weber Street North
Waterloo, Ontario
N2J 3G9
- i Send an email to rideau@crawco.ca

WHAT IS IN THE SETTLEMENT?

9. What does the settlement say?

The settlement says:

i The government will put aside 20.619 million dollars for people who were harmed at Rideau. The lawyers' fees and expenses will be paid from this settlement.

i There may be money left over after everyone is paid. This money goes to programs for people labeled with intellectual disabilities and their families. Those programs could get up to 1.7 million dollars.

i The government must apologize using a law called the Apology Act.

The settlement also gives ways to remember what happened at Rideau. For example:

i People who do research can see papers about Rideau. But they must follow rules that protect the privacy of people who lived at Rideau.

i There will be a sign at Rideau that says:

From 1951 to 2009, one of the largest institutions in Canada, was located in Smith Falls, Ontario. During that time, many thousands of children and adults with developmental disabilities and other conditions resided at Rideau Regional Centre. In 2014, the Government of Ontario issued an apology to those former residents who were harmed for the conditions over time. This memorial is dedicated to all who lived there.

There will be a ceremony for the sign. The following websites will have information about when the ceremony will take place:

<http://kmlaw.ca/Case-Central/Overview/?rid=115>

www.RideauClassAction.ca

www.news.ontario.ca

<http://www.mcass.gov.on.ca/en/mcass/index.aspx>

A video of the ceremony will be available here:

www.mcass.gov.ca/en/dshistory

If the people who now own Rideau allow them, the government will put a sign on Rideau that says:

Rideau Regional Centre (Ontario Hospital School)
site from 1951 to 2009. To honour all those who
lived there.

There may still be some money after all these things are done. That money will go back to the government.

You can find more information in the settlement. You can get a copy from the claims office website:

www.RideauClassAction.ca

10. I was harmed when I lived at Rideau.
How much money could I get?

You could get up to \$2,000 if you fill in a form to say that you were harmed.

You could get more money by writing about how you were harmed. The claims office will read your form. Then the claims office must look at the settlement to decide how much to pay you. The settlement gives different amounts of money for different kinds of harm. You could get up to \$42,000.

The office must also check how many people file claims. There might not be enough money to pay everyone the highest amount they should get. If there is not enough money, everyone who is supposed to get money will still be paid. They will just get less money.

11. How does the claims office decide how much money to give me?

The claims office reads your Claim Form to find out how you were harmed or abused. The office also wants to know when the harm or abuse happened.

It is okay if you do not remember when it happened. On the Claim Form, write that you do not remember.

There are many kinds of harm or abuse. The settlement talks about sexual abuse and other kinds of abuse.

The settlement gives levels of abuse. The claims office reads your Claim Form to decide what level happened to you.

12. How does the claims office decide the level of sexual abuse?

The claims office looks at your Claim Form and at the settlement. In the settlement, there are three levels of sexual abuse. This book calls them Level 1 sexual abuse, Level 2 sexual abuse and Level 3 sexual abuse.

Here are some examples of sexual abuse that might be Level 1 or Level 2:

- i Touching or making you touch someone else in a sexual way when you do not want to
- i Making you touch yourself in a sexual way when you do not want to
- i Kissing when you do not want to
- i Making you watch, listen or talk about sexual things when you do not want to
- i Making you show parts of your body like your breasts, penis, vagina and anus
- i Making you stand or walk around naked

These are only some examples. Many other kinds of Level 1 and Level 2 sexual abuse might have happened to you. You should write about them on the Claim Form.

Level 1 sexual abuse: You were sexually abused one time only. That might be Level 1 sexual abuse.

Level 2 sexual abuse: You were sexually abused two or more times. That might be Level 2 sexual abuse.

Here are some examples of Level 3 sexual abuse:

- i Someone put or tried to put something in your mouth, vagina or anus when you did not want them to
- i Someone made you put or tried to make you put something in your mouth, vagina or anus
- i Someone made you put or tried to make you put something in another person's mouth, vagina or anus

Many kinds of sexual abuse might have happened to you. The claims office decides the level for each kind you write about. If the claims office decides there is more than one level in your form, then only the highest will count. You may get more money for the higher levels of sexual abuse.

13. How does the claims office decide the level for other abuse?

The claims office looks at your Claim Form and at the settlement. In the settlement, there are three levels of other abuse. This book calls them Level 1 other abuse, Level 2 other abuse and Level 3 other abuse.

Level 1 other abuse

Here are some examples that might be Level 1 other abuse:

- i Calling you names, insulting or yelling at you
- i Hitting you with a hand or with anything else
- i Kicking, pinching, choking, slapping
- i Being rough
- i Tying you up or locking you up
- i Giving you too much, too little or the wrong medicine
- i Putting you in showers, baths, tubs or water that is too hot or too cold
- i Leaving you outside for too long, or when it was too hot or too cold
- i Leaving you alone when you needed help or not letting you go to the doctor, dentist, hospital or infirmary
- i Taking away things you need, like your glasses or your wheelchair

- i Not giving you enough to eat or drink
- i Not letting you talk to your family or friends
- i Someone telling you they will hurt you or hurt your friends, family or pets, even if no one was hurt
- i Someone making you do any of these things to other people

These are only some examples. Many other kinds of Level 1 abuse might have happened to you. You should write about them on the Claim Form.

Level 2 other abuse

Did you have cuts, bruises, broken teeth, scars, or other marks on your body? That might be Level 2.

Level 3 other abuse

It might be Level 3 if you:

- i had broken bones or an injury that lasted a long time
- i had an injury that changed how you look
- i passed out or went unconscious
- i were hurt so that you needed to rest for some days
- i were hurt so that you went, or you should have gone, to the doctor, hospital or infirmary

Many other kinds of abuse might have happened to you. The claims office will decide the level for each kind that you write about. If the claims office decides there is more than one level in your form, then only the highest will count. You may get more money for the higher levels of abuse.

14. The Claim Form says I may need to swear an oath or make an affirmation. What does that mean?

When you swear an oath, you promise to tell the truth on the Bible.

Maybe you do not believe in the Bible or do not want to use the Bible. Then you can make an affirmation. You do not use the Bible to make an affirmation. But you still promise to tell the truth. An affirmation is as serious as swearing an oath.

You must swear an oath or make an affirmation to claim Level 3 other abuse or Level 3 sexual abuse.

You swear the oath or make the affirmation in front of someone who is a commissioner for oaths, a Notary or a lawyer. To find a free commissioner, Notary or lawyer, call or email the claims office:

- i Phone: 1-800-305-2942
- i TTY: 1-877-627-7027
- i Email: Rideau@crawco.ca

15. Will I lose government services or social assistance if I get settlement money?

No. This settlement is separate from Ontario government services in the community, group homes, or in your own home. It does not affect developmental services, supports or funding from the Ontario government.

And it does not affect social assistance from the Ontario government. Social assistance can be Ontario Disability Support Program money. This is the same as ODSP. There are also other kinds of social assistance. Settlement money will not change the kind of Ontario social assistance you get, how much you get, or how long you get it.

16. How do I show this money in my income tax? Do I pay tax on it?

You are getting the money because you were harmed or hurt at Rideau. Make sure to write on your taxes that this money is for pain and suffering. There is no tax on money for pain and suffering.

17. Can I get out of the settlement now?

No. It is too late to get out of the settlement. The deadline has already passed. You had to get out by June 19, 2011.

If you got out before the deadline, then you cannot ask for money from the settlement.

HOW TO ASK FOR MONEY FROM THE SETTLEMENT

18. How can I ask for money from the settlement?

You must fill in a Claim Form and send it to the claims office. You can get the form at www.RideauClassAction.ca. You can also call 1-800-305-2942 to ask for the form. TTY users can call 1-877-627-7027.

The form gives instructions. Please read them carefully. Ask for help if you do not understand. Then fill in the form, and send it to the claims office.

After you mail your form, Canada Post will stamp the mailing date on the envelope. That date must not be after August 5, 2014.

So you should mail it by August 5, 2014.

Send the form to:

Rideau Class Action Administrator

3-505, 133 Weber Street North

Waterloo, Ontario

N2J 3G9

19. Should I send anything else with the Claim Form?

You should send any letters, papers or photos about abuse with your form. These might be papers from doctors, counselors, family, friends, support people or anyone else who knows what happened to you.

20. Can I get help with my Claim Form?

Yes. Your family member or support person can fill in the form.

You can also call for help:

- i Phone 1-800-305-2942
- i TTY 1-877-627-7027

And you can get help online at www.RideauClassAction.ca

There are also workshops for help with the forms.

Here are dates and times for some of the workshops:

City	Workshop Date(s)	Workshop Hours	Location Name	Location Address
Barrie	May 7 & 8, 2014	9:00 AM - 6:00 PM	Holiday Inn Barrie Hotel & Conference Centre	20 Fairview Rd, Barrie, Ontario, L4N 4P3
Brockville	May 28, 2014	9:00 AM - 6:00 PM	Brockville Conference Centre	7829 Kent Blvd, Brockville, Ontario K6V 6N7
Carleton Place	May 8, 2014	1:00 PM - 3:00 PM	People First of Ontario (People First)	355 Moffatt St., Carleton Place, ON K7C 3L6 Phone:(613) 257-7111
Chatham	June 11, 2014	9:00 AM - 6:00 PM	Chatham-Kent John D. Bradley Convention Centre	565 Richmond St, Chatham, Ontario N7M 1R2
Etobicoke	May 21, 2014	9:00 AM - 6:00 PM	Travelodge Hotel Toronto Airport	925 Dixon Rd, Toronto, Ontario M9W 1J8
Hamilton	May 22, 2014	9:00 AM - 6:00 PM	Crowne Plaza Hamilton Hotel & Conf Center	150 King St East, Hamilton, Ontario L8N 1B2
Kingston	May 26 & 27, 2014	9:00 AM - 6:00 PM	Days Inn & Conference Centre	33 Benson St, Kingston, Ontario K7K 5W2
Kitchener-Waterloo	April 23, 2014	9:00 AM - 6:00 PM	Crawford Canada	180 King St South, 5th Floor, Waterloo, Ontario, N2J 1P8
London	April 29, 2014	9:00 AM - 6:00 PM	Delta London Armouries Hotel	325 Dundas St, London, Ontario N6B 1T9
Newmarket	May 15, 2014	9:00 AM - 6:00 PM	Holiday Inn Express & Suites Newmarket	100 Pony Drive, Newmarket, Ontario L3Y-7B6
North York	June 17, 2014	9:00 AM - 6:00 PM	Holiday Inn Express Toronto-North York	30 Norfinch Drive, North York Ontario M3N 1X1
Orillia	April 9, 2014	To be determined.	To be determined.	You can find out where and what time ARCH will hold the workshop by visiting www.archdisabilitylaw.ca or calling: phone 1-866-482-2724 or TTY 1-866-482-2728.
Ottawa	April 29, 2014	To be determined.	To be determined.	You can find out where and what time ARCH will hold the workshop by visiting www.archdisabilitylaw.ca or calling: phone 1-866-482-2724 or TTY 1-866-482-2728.
Ottawa	May 29, 2014	9:00 AM - 6:00 PM	Courtyard Ottawa Downtown	350 Dalhousie St, Ottawa, Ontario K1N 7E9

Peterborough	June 2, 2014	9:00 AM - 6:00 PM	Holiday Inn Peterborough-Waterfront	150 George St N, Peterborough, Ontario K9J3G5
Sarnia	May 1, 2014	9:00 AM - 6:00 PM	Holiday Inn Sarnia Hotel & Conference Centre	1498 Venetian Blvd, Sarnia, Ontario N7T 7W6
Sarnia	May 9, 2014	To be determined.	To be determined.	You can find out where and what time ARCH will hold the workshop by visiting www.archdisabilitylaw.ca or calling: phone 1-866-482-2724 or TTY 1-866-482-2728.
Scarborough	April 30, 2014	5:00 PM - 8:00 PM	Lawson Dining Hall (Community Living Toronto)	1712 Ellesmere Road, Toronto, ON - RSVP to (647) 729-1635 or fzanatta@cltoronto.ca
Scarborough	June 5, 2014	9:00 AM - 6:00 PM	Delta Toronto East	2035 Kennedy Rd, Toronto, Ontario M1T 3G2
St. Catharines	May 13, 2014	9:00 AM - 6:00 PM	Holiday Inn & Suites Parkway Conference Centre	327 Ontario St, St. Catharines, Ontario L2R 5L3
Sudbury	May 6, 2014	9:00 AM - 6:00 PM	Holiday Inn Sudbury	1696 Regent St, Sudbury, Ontario P3E 3Z8
Toronto	April 8, 2014	5:00 PM - 8:00 PM	Foster's Club House (Community Living Toronto)	40 Birch Ave., Toronto ON - RSVP to (647) 729-1205 or shutton@cltoronto.ca
Toronto	May 14, 2014	To be determined.	To be determined.	You can find out where and what time ARCH will hold the workshop by visiting www.archdisabilitylaw.ca or calling: phone 1-866-482-2724 or TTY 1-866-482-2728.
Windsor	June 9 & 10, 2014	9:00 AM - 6:00 PM	Holiday Inn Hotel & Suites Windsor (Ambassador Bridge)	1855 Huron Church Rd, Windsor, Ontario N9C2L6
Windsor and Chatham	May 8, 2014	To be determined.	To be determined.	You can find out where and what time ARCH will hold the workshop by visiting www.archdisabilitylaw.ca or calling: phone 1-866-482-2724 or TTY 1-866-482-2728.

There may be more workshops in your community.

For help with your form, please call:

Phone 1-800-305-2942

TTY 1-877-627-7027

21. When do I get the money?

You must send in your form by August 5, 2014. The claims office will look at your form to decide whether to pay you. If the office decides to pay you, the money will come in a cheque.

The office needs time to look at all the forms. This can take many months. Please be patient.

22. What if the claims office says I cannot get any money?

If the claims office decides you cannot get any money, they will send you a letter or an email. You can add more information to your Claim Form and ask the office to look at it again. But you must send the information right away because there is a deadline.

23. I want the claims office to look at my form again. What is the deadline to ask for that?

Check the date on the letter or email from the claims office. You must ask within 21 days of that date. It could be hard to figure out when this is. Ask for help.

24. What if I do not get enough money?

The office will decide how much money to send you. They decide based on the rules in the settlement. After you send in your form, you cannot argue about the amount of money. So it is a good idea to write as much as possible in your form.

YOUR LAWYERS

25. Who are my lawyers? Do I need to pay them?

Koskie Minsky LLP is a law firm in Toronto, Ontario. The Court said that lawyers at this firm would work on this lawsuit for people who lived at Rideau.

You do not need to pay the lawyers. The settlement pays for their work. The lawyers worked on this lawsuit for four years. The Court has decided that the lawyers will receive about 4.27 million dollars plus tax for their work.

And in those four years, the lawyers also needed many things for the lawsuit. Their law firm paid more than 500 thousand dollars for those things. The Court has decided that the lawyers will get this money from the settlement, too.

The Court has decided the payment is fair and reasonable.

FOR MORE INFORMATION

26. How can I find out more about the lawsuit and the settlement?

This notice gives main points. There is more information in the settlement. You can get a copy from www.RideauClassAction.ca.

You can also ask questions. You can ask your questions by:

- i Mailing a letter to
Rideau Class Action Administrator
3-505, 133 Weber Street North
Waterloo, Ontario
N2J 3G9
- i Sending an email to rideau@crawco.ca
- i Calling toll-free 1-800-305-2942
- i Calling toll-free TTY 1-877-627-7027

You can get a Claim Form from the website, or by calling the toll free numbers.