

Common Issues Trial to Commence for Huronia Regional Centre Class Action

On Monday, September 16, 2013 the common issues trial will begin in *Dolmage et al v Her Majesty the Queen in the Right of Ontario*, a class action brought on behalf of survivors of the Huronia Regional Centre, a provincially operated residential institution for persons with developmental disabilities, who lived there at any time between 1945 and 2009, when it finally and mercifully closed.

The Representative Plaintiffs will seek to prove that the Province breached their fiduciary, statutory and common law duties to those former residents through the negligent establishment, operation, and supervision of Huronia. Specifically, it is alleged that the Province's failure to care for and protect those former residents resulted in loss or injury, including psychological trauma, pain and suffering, loss of enjoyment of life, and exacerbation of (existing) disabilities.

The Representative Plaintiffs commenced this action in April 2009. After almost 5 years of litigation, the production of over 65,000 documents, numerous motions, pre-trials and failed mediations, the common issues trial is set to begin on Monday, September 16, 2013 before the Honourable Madame Justice Horkins at 330 University Avenue, Courtroom 5 at 10:00am. The trial is set to continue for at least four months.

The Representative Plaintiffs are eager to have their day in court and make public all the clear and immutable violations of their basic rights and dignity over a period of over 65 years by the Provincial government who swore to protect and care for them. Kirk Baert, lead counsel for the class, said "The Huronia Regional Centre was operated by the Provincial Government in a deplorable and reprehensible manner. The institution quickly became an unsafe and unhealthy warehouse for some this province's most vulnerable people. The institution was grossly overcrowded and understaffed, abuse reporting and prevention policies were ineffective or ignored, and residents were exploited as cheap labour to offset the running of the institution. Residents grew up as children in this toxic environment. The manner in which the Province operated this institution resulted in systemic abuse of the residents under their care, the most vulnerable of society."

Today, the Plaintiffs filed their written opening submissions with the court, which clearly identifies the gross breaches of the class members' rights. The Defendants were ordered to provide their written opening submissions by Monday, September 9.

Koskie Minsky LLP represents the plaintiffs in this action. For more information on this class proceeding please visit <http://www.kmlaw.ca/huroniaclassaction> or call 1-866-777-6311.