

RCMP Class Action Settlement Approved by the Federal Court

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VANCOUVER, March 11, 2020 /CNW/ - On March 10, 2020 the Federal Court of Canada approved a national settlement in *Tiller v. Her Majesty the Queen* (Federal Court Action No. T-1673-17). The Court held that the settlement was fair and reasonable and in the best interests of Class Members.*

The settlement provides compensation for women who experienced gender or sexual orientation based harassment or discrimination while working or volunteering with the RCMP between September 16, 1974 and July 5, 2019, with 6 levels of compensation ranging from \$10,000 to \$220,000 for a proven claim. The value of the settlement is estimated to be \$100 million dollars, but the total value will depend on how many eligible claims are received. Individual compensation will not be impacted by the number of claims received.

Class Members can begin submitting claims on May 10, 2020. The last day to submit a claim is November 5, 2020.

The Federal Court also appointed three female retired justices – the Honourable Louise Otis (formerly of the Quebec Court of Appeal), the Honourable Pamela Kirkpatrick (formerly of the British Columbia Court of Appeal) and the Honourable Kathryn Neilson (formerly of the British Columbia Court of Appeal) - to act as the settlement's Assessors.

The claims process has been designed to be trauma-informed. Women who make claims to the settlement will do so through a confidential claims process. Claims at levels 1 and 2 will be assessed through a paper-based process. Claimants at levels 3 through 6 will also receive an interview with an Assessor. Claimants will not be cross-examined and will not have to testify at a public hearing.

As part of the settlement, the RCMP will issue a no-retaliation directive. Accordingly, women can make claims to the settlement without fear of reprisal.

***Class Members** are all current and former living Municipal Employees, Regional District Employees, employees of non-profit organizations, volunteers, Commissionaires, Supernumerary Special Constables, consultants, contractors, public service employees, students, members of integrated policing units and persons from outside agencies and police forces who are female or publicly identify as female and who were supervised or managed by the RCMP or who worked in an RCMP controlled workplace during the Class Period, excluding individuals who are primary class members in *Merlo and Davidson v. Her Majesty the Queen*, Federal Court Action Number T-1685-16 and class members in *Ross, Roy, and Satalic v. Her Majesty the Queen*, Federal Court Action Number T-370-17 or *Association des membres de la police montée du Québec inc., Gaétan Delisle, Dupuis, Paul, Lachance, Marc v. HMTQ*, Quebec Superior Court Number 500-06-000820-163. The Class Period is September 16, 1974 to July 5, 2019.

The settlement website is: <https://rcmpsettlement.ca/>

Class Counsel are Klein Lawyers LLP and Higgerty Law.

Quotes:

- "I hope that my story gives other women hope. I encourage women to come forward. Be brave. This is not your fault - start the healing journey." - Cheryl Tiller, Representative Plaintiff
- "I came forward because I felt I needed to do this for all women. I would be the one to stand up and say 'enough!'" - Cheryl Tiller, Representative Plaintiff
- "The settlement compensates women who were sexually harassed while working or volunteering with the RCMP. It also provides an opportunity for women to tell their stories in a safe and confidential setting. In this respect, the settlement gives these women a voice and, we hope, provides them with the closure they deserve." - Angela Bespflug, Class Counsel, Klein Lawyers LLP.
- "Many class members have lived in silence and fear, telling no one about the sexual misconduct that they were subjected to while working or volunteering with the RCMP. They self-blamed and feared retaliation. But the settlement changes that." - Angela Bespflug, Class Counsel, Klein Lawyers LLP.
- "The settlement is an acknowledgement that sexual misconduct will no longer be tolerated within the RCMP or within our broader Canadian society. It gives women a voice and an opportunity to reclaim their power." - Angela Bespflug, Class Counsel, Klein Lawyers LLP.
- "The RCMP is in the midst of a cultural shift. The goal is to create a more inclusive workplace. This won't happen overnight, and it won't happen until there is a greater proportion of women occupying senior roles within the RCMP – both at headquarters and at the detachment level." - Angela Bespflug, Class Counsel, Klein Lawyers LLP.

- "I think the settlement is also symbolic of not just a culturally transforming RCMP, but of a changing Canadian society where sexual assault and gender harassment and discrimination will no longer be tolerated. As a woman and as a lawyer, I am honoured to be part of this." - Janelle O'Connor, Class Counsel, Klein Lawyers LLP.
- "This Court approval of the settlement signals an important step for the many women who experienced harassment or discrimination while working with the RCMP because of their gender. We know compensation won't erase the trauma they endured, but it will validate their experience and will help them move forward with their lives." - Patrick Higgerty Q.C., Class Counsel, Higgerty Law.
- "The harassment and retaliation faced by those who will be compensated through this settlement is unacceptable. These women worked alongside us, within our walls, and were entitled to a safe and respectful workplace. The trust of the public flows, in part, from their perception of how we treat each other, so it is essential that the RCMP continues to improve our workplace culture and environment." - Brenda Lucki, Commissioner, RCMP
- "Although our work is not done, the RCMP is proud of the many initiatives it has undertaken to make our workplaces safe, healthy and respectful. With the introduction of new character-based leadership training, better support systems for mental health and conflict management, and new sources of expert advice like the RCMP's Management Advisory Board, we are making advances toward a better work environment for everyone." - Gail Johnson, Chief Human Resources Officer, RCMP
- "Since the passing of the Enhancing RCMP Accountability Act in 2014, we have made significant improvements to our policies and procedures for addressing harassment. Centralized complaint processing, clearer

definitions, more accessible information and support, and new mandatory training all help us move toward fair and timely resolution of harassment complaints." - Chief Superintendent Steven Dunn, Acting Professional Responsibility Officer, RCMP

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