

Federal Court



Cour fédérale

Ottawa, November 25, 2019 – A decision was issued today by the Honourable Simon Fothergill of the Federal Court in files T-2111-16 and T-460-17 :

**IN THE MATTER OF SHERRY HEYDER v. ATTORNEY GENERAL OF CANADA
IN THE MATTER OF LARRY BEATTIE v. ATTORNEY GENERAL OF CANADA**

Summary: The Federal Court has certified two class actions brought on behalf of women and men who experienced sexual misconduct while serving in the Canadian Armed Forces, the Department of National Defence, or as Staff of the Non-Public Funds, Canadian Forces. The Court has also approved a Settlement Agreement negotiated between the Representative Plaintiffs and the Government of Canada.

These class proceedings were commenced following the External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces by former Supreme Court of Canada Justice Marie Deschamps. One of the key findings of the External Review was that "[...] there is an underlying sexualized culture in the [Canadian Armed Forces] that is hostile to women and LGTBQ members, and conducive to more serious incidents of sexual harassment and assault. Cultural change is therefore key. It is not enough to simply revise policies or to repeat the mantra of “zero tolerance”. Leaders must acknowledge that sexual misconduct is a real and serious problem for the organization, one that requires their own direct and sustained attention."

The Settlement Agreement provides financial compensation in an aggregate amount of up to \$900 million through an efficient and non-adversarial claims process. The Settlement Agreement also contemplates numerous systemic changes and programs. These include a restorative engagement program and other measures to rebuild the relationship between class members and the military, and promote culture change.

A copy of the decision can be obtained via the Web site of the Federal Court:
<https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/424929/index.do>