

CLASS ACTION LAWSUIT

Court File No.: [To Be Assigned]
IN THE [APPROPRIATE COURT]

BETWEEN:

[Lead Plaintiff(s) Name(s)]
on behalf of themselves and all others similarly situated,
Plaintiff(s),

AND

**THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF [APPLICABLE PROVINCE(S)]
THE GOVERNMENT OF CANADA
Defendant(s).**

STATEMENT OF CLAIM

1 I. INTRODUCTION

1. This class action seeks a declaration that the prohibition and criminalization of cannabis and hemp in Canada were unconstitutional and unjust, violating the **Canadian Charter of Rights and Freedoms** and causing significant social, economic, and environmental harm.
2. The Plaintiffs represent a class of individuals who have suffered direct and indirect harm from cannabis and hemp prohibition, including wrongful convictions, economic losses, and missed opportunities in sustainable agriculture and industry.

3. The Defendants, including the Government of Canada and relevant provincial authorities, are responsible for enforcing and maintaining a legal framework that unjustly restricted the use, cultivation, and commercialization of cannabis and hemp, despite clear evidence of their economic, medical, and environmental benefits.
4. The Plaintiffs seek:
 - **Compensation** for damages caused by past enforcement of cannabis and hemp prohibition laws.
 - **A formal declaration** that past cannabis and hemp prohibitions were unconstitutional and in violation of fundamental rights.
 - **Expungement** of criminal records related to cannabis and hemp offenses.
 - **Policy reforms** to support the sustainable development of the hemp and cannabis industries.

2 II. PARTIES

1. **Lead Plaintiffs:** Individuals and organizations harmed by cannabis and hemp prohibition, including:
 - Individuals convicted of cannabis-related offenses.
 - Farmers and entrepreneurs whose businesses were restricted or destroyed by hemp prohibition.
 - Medical patients denied legal access to cannabis-based treatment.
 - Indigenous and marginalized communities disproportionately affected by drug law enforcement.
2. **Class Members:**
 - All Canadians who have suffered legal, economic, or social harm due to the criminalization of cannabis and hemp.
 - Families and businesses negatively impacted by the prohibition of hemp as an industrial and agricultural product.
3. **Defendants:**
 - **The Attorney General of Canada**, responsible for overseeing federal drug policy.
 - **The Government of Canada**, which legislated and enforced cannabis and hemp prohibition.
 - **The Attorney Generals of Provinces**, who implemented provincial enforcement of cannabis laws.

3 III. BACKGROUND AND LEGAL BASIS

3.1 A. Violation of the Canadian Charter of Rights and Freedoms

1. **Section 7 Violation (Right to Life, Liberty, and Security of the Person)**

The prohibition of cannabis and hemp deprived individuals of their right to life and liberty by criminalizing medical and industrial use without just cause.

2. **Section 15 Violation (Equality Rights)**

Cannabis and hemp prohibition disproportionately affected marginalized communities, including Indigenous populations, racial minorities, and low-income individuals, violating the right to equality under the law.

3. **Section 2(b) Violation (Freedom of Expression)**

The government's restrictions on research, discussion, and advocacy regarding cannabis and hemp violated freedom of expression rights.

4. **Historical Misclassification and Legislative Oversight**

The criminalization of hemp was based on its mistaken classification alongside psychoactive cannabis strains, despite scientific evidence demonstrating its industrial and agricultural utility.

5. **Economic and Environmental Harm**

The prohibition of hemp prevented economic development in sustainable industries, causing financial losses to farmers, manufacturers, and entrepreneurs. It also hindered the adoption of eco-friendly alternatives to synthetic materials.

4 IV. RELIEF SOUGHT

The Plaintiffs request the following relief:

1. A declaration that past cannabis and hemp prohibition laws were unconstitutional and violated the **Canadian Charter of Rights and Freedoms**.
2. Compensation for those who suffered direct harm due to cannabis-related convictions and hemp industry restrictions.
3. Expungement of criminal records for individuals convicted under unconstitutional cannabis laws.
4. Systemic policy reforms to promote the cannabis and hemp industries as a form of reparative justice.
5. Recognition of the historical injustices caused by the prohibition and criminalization of cannabis and hemp.

DATED at [City, Province], this [Date] day of [Month, Year].

[Name of Law Firm or Representative]

[Address]

[Email]

[Phone Number]

Counsel for the Plaintiffs