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MEDIA RELEASE

Class Action against Dr. Norman Barwin

Ottawa – April 5, 2018

Since we issued the Statement of Claim in November 2016, we have been in contact with over 150 individuals who have been adversely affected by Dr. Barwin's fertility practice going back as far as 1978.

We are now aware of 11 individuals whose parents went to Dr. Barwin for assistance with fertility and DNA investigation discloses that he is their biological father. In some cases, the intention was for Dr. Barwin to use the sperm of the male of the couple. In others, a specific anonymous sperm donor had been selected. Instead, it turns out that Dr. Barwin himself is the biological father.

In addition to the individuals conceived with Dr. Barwin's biological material, we have also become aware of:

- 16 individuals who were to be conceived using their father's sperm and who are not a biological match to their father. In these cases, the biological father is unknown.
- 35 individuals who were to be conceived using anonymous donor sperm and may not be a biological match with intended donor. In these cases, the biological father is also unknown.

At the time of preparing the original claim, we were only aware of problems with Dr. Barwin's fertility practice while he operated out of the Broadview Fertility Clinic. But from the claimants we have seen, it is now clear that these problems also occurred while Dr. Barwin practised out of the Fertility Clinic at the Ottawa General Hospital and going back as far as the 1970s.

We have also learned that there are individuals who stored sperm with Dr. Barwin which was later transferred to other fertility clinics. Subsequent investigation disclosed that the sperm had been contaminated with another unidentified individual's sperm. The parents were no longer able to use the sperm.

We have also been contacted by numerous men who are concerned about what happened to the sperm they stored with Dr. Barwin. They are concerned that their material may have been used to conceive a child that they do not know about.

We are in the process of amending the Statement of Claim to capture these new developments. At the same time, we are finalizing the materials for the certification of the class action. Once the action is certified as a class action, the next step will be to establish the process for the claims to be adjudicated and resolved. We expect the action to be certified in the coming months and the framework for resolution to follow after that.

As part of the resolution process, we are working on solutions for everyone in the class action. We are working on a framework to allow those individuals who were not conceived with the intended sperm but also not Dr. Barwin's sperm to ascertain who their biological fathers are and any half-siblings. For those who were conceived with Dr. Barwin's material, we are working on a method for preserving their ability to collect health information from Dr. Barwin now and in the future.

Anyone who wishes more information may contact us directly at:

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