Minutes – Executive Policy Committee – October 21, 2025

REPORTS

Item No. 8 Settlement of Actions of Brian Anderson, Allan John Woodhouse and Clarence Clifford Woodhouse (Court of King's Bench File Nos. CI24-01-45827, CI24-01-48528, and CI25-01-45828)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the payment of $7,000,000 as a contribution towards a global settlement to resolve the Claims be approved.

2. That the City enter into and deliver such agreements with some or all parties to the Claims as determined to be reasonable by the City Solicitor / Director of Legal Services to implement the settlement of the Claims.

3. That authority be delegated to the Chief Administrative Officer to approve and execute the agreements referred to in Recommendation 2 in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

4. That in the event Recommendations 1 to 3 are not approved, an over-expenditure of $500,000 be approved to the Legal Services Department 2026 operating budget to continue the engagement of external legal counsel, and incur related litigation costs, including expert fees and other disbursements.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

ADMINISTRATIVE REPORT

Title: Settlement of Actions of Brian Anderson, Allan John Woodhouse and Clarence Clifford Woodhouse (Court of King's Bench File Nos. CI24-01-45827, CI24-01-48528, and CI25-01-45828)

Critical Path: Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Pledger	A. Pledger, Interim City Solicitor	T. Graham	J. Dunford

EXECUTIVE SUMMARY

The City of Winnipeg ("City") was named in three actions ("Claims") filed by Brian Anderson, Allan John Woodhouse and Clarence Clifford Woodhouse (the "Plaintiffs"). The Claims also name Manitoba and Canada, and allege wrongdoing that led to the 1974 wrongful convictions and incarceration of the Plaintiffs (and Russell Woodhouse) for killing Ting Fong Chan in 1973.

The City participated in a Judicially Assisted Dispute Resolution ("JADR") process and negotiated a contribution to a global settlement of the Claims, subject to Council approval.

RECOMMENDATIONS

1. That the payment of $7,000,000 as a contribution towards a global settlement to resolve the Claims be approved.

2. That the City enter into and deliver such agreements with some or all parties to the Claims as determined to be reasonable by the City Solicitor / Director of Legal Services to implement the settlement of the Claims.

3. That authority be delegated to the Chief Administrative Officer to approve and execute the agreements referred to in Recommendation 2 in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

4. That in the event Recommendations 1 to 3 are not approved, an over-expenditure of $500,000 be approved to the Legal Services Department 2026 operating budget to continue the engagement of external legal counsel, and incur related litigation costs, including expert fees and other disbursements.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Settlement of claims against the City in excess of $750,000 must be approved by Council.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommended settlement is not approved, the City will need to incur significant external legal and related costs to continue the litigation. The required over-expenditure will be funded from the General Revenue Fund.

If approved, the settlement will be funded as an expense recorded in the General Revenue Fund in 2025. This will result in a draw down of the Financial Stabilization Reserve Fund.

HISTORY/DISCUSSION

Brian Anderson, Allan John Woodhouse and Clarence Clifford Woodhouse (the "Plaintiffs") were convicted in March 1974 for the murder of Ting Fong Chan in 1973. Each was incarcerated and paroled. After a review by the Criminal Conviction Review Group, the federal Minister of Justice quashed the Plaintiffs' convictions and ordered new trials. The Crown called no evidence at the re-trials, acknowledging that a miscarriage of justice occurred. The Chief Justice of the Court of King's Bench acquitted the Plaintiffs. Apologies have been issued by the Court and the Manitoba Minister of Justice.

The three actions filed by the Plaintiffs (the "Claims") are nearly identical and name the Province of Manitoba and the Attorney General for Manitoba (collectively "Manitoba"), the City, and the Attorney General of Canada ("Canada").

If the Claims are not settled, next steps include the exchange of documentary disclosure, examinations of the parties, and the retainer of experts regarding liability and the assessment of damages. These steps are expected to take years and cost hundreds of thousands of dollars.

The Claims include several causes of action, namely misfeasance in public office, false arrest, false imprisonment, conspiracy, negligent investigation, malicious prosecution, constitutional (Charter) and human rights violations, and breaches of statutory duties.

Representatives from the Public Service, along with the City's external counsel attended a Judicially Assisted Dispute Resolution to attempt to reach an early resolution of the Claims. If the settlement is approved, the Claims will be discontinued.

The Claims were reported to the City's insurers who provided coverage during the periods captured by the causes of action. The Public Service is currently negotiating insurers' contribution to the settlement. The insurance payout is expected to be less than the settlement amount.

In addition to the Plaintiffs, Russell Woodhouse was also convicted in 1974 (of manslaughter). The federal Minister of Justice recently ordered a new appeal of Russell's conviction to the Manitoba Court of Appeal following a post-mortem conviction review (Russell died in 2011).

FINANCIAL IMPACT

Financial Impact Statement — Date: October 6, 2025

Project Name: — **First Year of Program** 2025

Settlement of Actions of Brian Anderson, Allan John Woodhouse and Clarence Clifford Woodhouse (Court of King's Bench File Nos. CI24-01-45827, CI24-01-48528, and CI25-01-45828)

	2025	2026	2027	2028	2029
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 7,000,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 7,000,000	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ 7,000,000	$ -	$ -	$ -	$ -

Additional Comments:

Direct Costs represent the settlement amount requested. Sufficient funds are available in the Financial Stabilization Reserve.

Randy Bernard

Randy Bernard, CPA
Manager of Finance & Administration (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Risk Management
- Winnipeg Police Service

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Legal Services
Prepared by: Ashley Pledger, Interim Director
Date: October 3, 2025
File Nos: CL.1/ 2024 (52), CL.1/ 2024 (53) & CL.1/2025 (24)