

For Immediate Release

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## **VANCOUVER COASTAL IGNORES THE MENTAL HEALTH ACT**

Vancouver Coastal Health, in the Marek Kwapiszewski case, has demonstrated again it is ignoring the Mental Health Act and is not responding adequately to the needs of the severely mentally ill.

The revelation comes in a statement by a Vancouver Coastal representative, cited in the Vancouver Sun August 26, that under the Mental Health Act, the criterion for committal is whether the person poses a danger to himself or others.

This is simply wrong. The lead criterion for involuntary admission, which is in Section 22 of the Act, is “to prevent the person’s...substantial mental or physical deterioration.”

The meaning of this lead clause in Section 22 is also spelled out unequivocally in the Guide to the Mental Health Act issued by the Ministry of Health.

“It makes one wonder whether the people at Vancouver Coastal know how to read,” said NSSS president Herschel Hardin. “It’s just an astonishing statement, or would be astonishing if it hadn’t already become clear that Vancouver Coastal has long been ignoring the Act or trivializing it.”

The statement also confirms NSSS’s analysis of the system failure leading to Marek Kwapiszewski’s death by suicide – Vancouver Coastal’s de facto requirement of dangerousness for involuntary admission when the Act specifically says otherwise.

“It’s more than an academic question,” Hardin said. “Lives are at stake as well as the right of the mentally ill to treatment and to be free of their psychosis. Marek Kwapiszewski could have been and should have been admitted. The wording of Section 22 is there for a purpose, to help the severely mentally ill who don’t have insight into their own illness, even if they’re not holding a knife at the moment or standing at a bridge railing.

“The Mental Health Act doesn’t exist for the convenience of Vancouver Coastal. It’s there to allow the severely mentally ill to get the treatment they need.”

This latest confirmation of how and why Vancouver Coastal frequently fails the mentally ill underscores again the need for a shake-up of senior mental health management, called for by NSSS in its original submission on the Kwapiszewski case, June 26, 2009. (The letter, to Vancouver Coastal CEO David Ostrow, is available on the NSSS website, [www.northshoreschizophrenia.org](http://www.northshoreschizophrenia.org); please go to the Media Centre page.)

NSSS has also recommended that Vancouver Coastal undertake an intensive program of workshops to establish the broad, pro-active character of Section 22 and the clinical rationale behind it, so that the fundamental mistake made in the Kwapiszewski cases never happens again. (The exact recommendation, the first of four recently submitted to the Vancouver Coastal board, is also available on the NSSS website's Media Centre page, as is other background on the Kwapiszewski case.)

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