

BY EMAIL

July 12, 2016

The Honourable Eric Hoskins, MPP
Minister of Health and Long-Term Care
Ministry of Health and Long-Term Care
10th Floor, Hepburn Block
80 Grosvenor Street
Toronto, ON M7A 2C4

Dear Minister Hoskins:

Re: Teresa Pocock's forced admission to an Ontario long-term care home violated her human rights

At age 49, Teresa Pocock was forced against her will into an Ontario Long-term Care Home. The traumatic experience shattered her trust and created psychological distress. These events compelled her to leave her home province of Ontario where she was living at the time. She moved to B.C. where she is flourishing as an emerging artist and is also a BCCLA member.

We believe and support Ms. Pocock's statements that she did not want to be put into a nursing home.

The BC Civil Liberties Association is concerned that the Ministry has violated Ms. Pocock's rights, which are protected by the UN Convention on the Rights of Persons with Disabilities, the *Charter of Rights and Freedoms*, and Ontario law.

We are gravely concerned that the government, through its actions, appears to condone the forced placement and mistreatment of developmentally-disabled adults. We understand that your ministry conducted a 14-month long investigation into Ms. Pocock's treatment. We understand that, despite uncovering evidence of institutional wrongdoing, the Ministry of Health and Long-Term Care produced a report that concluded that government agencies had done nothing wrong. However, Ministry documents obtained under a *Freedom of Information and Protection of Privacy Act* ("FOIPPA") request suggest that the investigation found indications that the law may have been broken in Ms. Pocock's case, resulting in a violation of her rights.

The information that has been provided to us about Ms. Pocock's case strongly suggests that Ms. Pocock's rights under the Convention on the Rights of Persons with Disabilities and the *Charter of Rights and Freedoms* were violated when she was forced into long-term care against her will.

Ms. Pocock's right to decide where she lives under Article 19 of the Convention was violated when an Ontario social worker conducted her Capacity Assessment without proper consent and against Ms. Pocock's written legal directions in her 1995 Power of Attorney. Moreover, the evidence that has been provided to us suggests that the social worker falsely indicated on the consent form that he had reviewed Ms. Pocock's Power of Attorney when in fact he had not done so.

We are deeply troubled by the findings of the Ministry's investigation. The documents provided to us through the FOIPPA request that were obtained from your Ministry, in our view, support Ms. Pocock's assertions that she was wrongly deprived of her liberty.

We urge you to issue a formal apology to Ms. Pocock without further delay.

The following individuals and organizations join the BCCLA in calling on the Ontario Ministry of Health and Long-term Care to uphold the laws of Ontario and Canada to defend Ms. Pocock's human rights and liberty.

Sincerely,



Josh Paterson
Executive Director of the British Columbia Civil Liberties Association



Michael Bach
Vice-President of the Canadian Association for Community Living



Canadian Association
for Community Living
Association canadienne pour
l'intégration communautaire

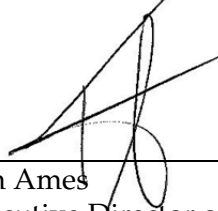
Diversity includes. On se ressemble.



Faith Bodnar
Executive Director of Inclusion BC



inclusionBC



Tim Ames
Executive Director of Plan Institute



for caring citizenship



Kory Earle
President of People First of Canada

PEOPLE
FIRST
OF CANADA



PERSONNES
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