

Manitoba Ombudsman

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January 22, 2009

The Honourable Raymond E. Wyant
Chief Judge
Provincial Court of Manitoba
5th floor – 408 York Avenue
Winnipeg MB R3C 0P9

Dear Chief Judge Wyant:

Re: Inquest into the Death of Paul Laurent JOUBERT

I am writing to advise of the results of the inquiries made by my office concerning the inquest report recommendations dated August 3, 2007, issued by the Honourable Judge Ken Champagne into the death of Paul Joubert (39 years of age).

Mr. Joubert was transferred from the Brandon Correctional Centre to the PsychHealth Centre within the Health Sciences Centre, in Winnipeg, Manitoba on December 21, 2004. He came to his death at the PsychHealth Centre on January 31, 2005, as a result of hanging. The manner of death was determined to be suicide.

The Chief Medical Examiner called an inquest pursuant to subsection 19(3) of *The Fatality Inquiries Act*. The inquest report was released on August 9, 2007.

As you are aware, it is the practice of my office to follow up on inquest recommendations if they involve a provincial department, agency or municipality. In this case my office made inquiries with Manitoba Health and Healthy Living (MHHL). The following are the recommendations and the responses received.

RECOMMENDATION ONE

I recommend that the policies outlining the different levels of observation utilized at PX3 be maintained as they allow for the appropriate balance between safety in the environment and treatment of the patient.

MHHL RESPONSE

Manitoba Health does not plan to take any action in response to recommendation #1. This recommendation affirms policies that are already in place therefore no changes or action is required.

RECOMMENDATION TWO

I endorse the change of the ceiling tiles throughout the PsychHealth Centre at the Health Sciences Centre in Winnipeg, Manitoba. I recommend that the Province of Manitoba conduct a review of all facilities in the Province where mentally ill patients reside to ensure the ceilings are safe, secure and inaccessible by residents.

MHHL RESPONSE

Prior to the release of the inquest report, the Winnipeg Regional Health Authority (WRHA) replaced ceiling tiles in 75 in-patient bedrooms located on seven wards in the PsychHealth Centre with funding made available from the Department. The work was completed this past winter.

The WRHA then performed an assessment of inpatient ceilings in the other mental health sites in Winnipeg. A report dated June 8, 2007 was received on August 16, 2007 following a request by the Department. Preliminary cost estimates were provided to upgrade Winnipeg's remaining facilities.

Following receipt of the inquest report on August 3, 2007, the Department conducted an inter-provincial and international scan of mental health facilities; a search of guidelines for design recommendations, and; an assessment of critical incidents related to ceilings to determine best practice. The Department has chosen to include all facilities/units that are listed in The Mental Health Act as designated mental health facilities in its review, as well as Crisis Stabilization Units (CSU). The Department has made contact with all Regional Health Authorities that operate psychiatric facilities/units and/or CSUs regarding the inquest recommendations and current ceiling construction. Two psychiatric centres not operated by Regional Health Authorities have also been contacted (Selkirk Mental Health Centre and Eden Mental Health Centre) and will be included in the review.

The Department will conduct on-site visits with each facility that is included in the review to determine if any changes are required and will assist with developing a cost estimate for retrofitting where required. Once the provincial review is complete the Department will return with a proposal to central government with a provincial upgrade plan and funding requirement. It is the goal of the Department to complete site visits, and cost estimates by late 2007 and to have the work well underway by the spring of 2008.

MHHL further advised my office on January 16, 2009 that:

The authorities that operate the four Crisis Stabilization Units in the province all reported that they comply with the recommendations contained in the Inquest Report, and that further upgrading is not required.

Funding has been secured to upgrade ceilings in the following 12 facilities:

- *Grace General Hospital*
- *St. Boniface General Hospital*
- *Seven Oaks General Hospital*
- *Victoria General Hospital*
- *Thompson General Hospital - Mental Health Unit*
- *Dauphin Regional Health Centre*
- *The Pas Health Complex - Psychiatric Unit*
- *Brandon Centre for Adult Psychiatry*
- *Brandon Child & Adolescent Treatment Centre*
- *Brandon Centre for Geriatric Psychiatry*
- *Brandon Westman Crisis Services*
- *Eden Mental Health Centre*

To date, all 12 facilities have commenced active planning and are at various stages of completion ranging from project initiation to ongoing construction. The Eden Mental Health Centre is the most advanced project, and they expect to have the work completed by the end of January 2009. Funding to upgrade the older areas of SMHC will be requested as part of MHHL's capital construction plan.

Based on our review of this matter, it would appear that reasonable consideration has been given to the above noted recommendations. As such, our file concerning the Paul Joubert Inquest Report has been closed.

Yours truly,

Original Signed By

Irene A. Hamilton
Manitoba Ombudsman

cc Ms Arlene Wilgosh, Deputy Minister of Health and Healthy Living
Dr. A. Thambirajah Balachandra, Chief Medical Examiner