Commissioner for the Long-Term Care Homes Public Inquiry Slated to Release Anticipated Report

July 24, 2019

Over 10 months after closing submissions were heard, the Honourable Justice Eileen Gillese will be releasing her report in the Long-Term Care Homes Public Inquiry on July 31, 2019.

The Long-Term Care Homes Public Inquiry was established in 2017 following the conviction of Elizabeth Wettlaufer, a former registered nurse who pled guilty to eight counts of first degree murder, four counts of attempted murder, and two counts of aggravated assault to offences committed while working in long-term care homes in southwestern Ontario.

The primary objective of the inquiry was to investigate the events leading to these offences with a view to avoiding similar tragedies in future. The inquiry also had the broad mandate of examining the circumstances which allowed these events to occur, including the effect of any relevant policies, procedures, practices, and oversight mechanisms.

The inquiry proceeded in three stages. First, community meetings were held in Woodstock and London — near the populations directly affected by Wettlaufer's offences. Impact on community members was assessed by giving individual residents the opportunity to speak and to file written statements. Next, the inquiry held participation hearings in order for the commissioner to decide who would be granted standing to participate in the public hearings. Fifty applicants sought standing to participate in the public hearings. In the final stage, the inquiry held public hearings, which gave participants — 30 of the initial 50 who applied — the opportunity to examine, challenge, and add to the results of the inquiry.

The public hearings took place over 37 days between June and September of 2018. Evidence was heard from approximately 40 lay witnesses and three expert witnesses. While lay witnesses contributed to the fact-finding process, expert evidence focused on policy issues connected to the offences. Over 180 exhibits were filed over the course of the hearings.

The commissioner was invited to consider a number of suggestions raised by the parties on closing submissions, including:

- increased funding for long-term care homes in an attempt to reduce nurse to resident ratios;
- altered hiring practices to allow employers access to more substantive information regarding the employment history of nurses;
- increased education, training, and awareness concerning reporting obligations under current legislation (as well as increased protections for whistleblowers);
- increased frequency of autopsies and inquests for deaths in long-term care homes;
- improved inspection and surveillance practices in long-term care homes;
- increased availability of pharmacists in order to improve medication management; and
- broader public awareness of abuse and neglect in long-term care homes.

While the inquiry is expected to produce recommendations most directly relevant to long-term care homes, some of these suggestions, if adopted, may have peripheral effects on healthcare services provided to patients in long-term care homes.

BLG will provide an update following the release of the public inquiry report on July 31, 2019.

By

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