

# Health & Safety: News

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## CAMH Fined \$70,000 After Workers Assaulted

August 13, 2009

Toronto, ON - The Centre for Addiction and Mental Health (CAMH), in Toronto, was fined \$70,000 today for violations of the Occupational Health and Safety Act (OHSA) after workers were assaulted.

On November 14, 2007, in CAMH's 1001 Queen St. W. Secure Observation and Treatment Unit, a patient woke in the middle of the night and began wandering. After unsuccessfully trying to persuade the patient to return to bed, a nurse radioed for help. The patient punched the nurse who arrived to help. The first nurse fled to the nursing station but was unable to lock the door. The patient entered the station and started punching a third nurse and the second nurse, who was now on the scene. Security staff arrived but could not access the unit because they did not have a key. One nurse was able to open the door from the inside while the patient was distracted. Security subdued the patient.

CAMH pleaded guilty and was fined \$35,000, under the OHSA, for failing to ensure that security personnel had key access to the Secure Observation and Treatment Unit in the event of an emergency.

On September 17, 2008, in CAMH's Assessment and Treatment Unit, 1001 Queen St. W., a nurse was temporarily watching a patient who was under constant supervision. The patient began molesting and forcing the nurse towards the washroom. The nurse screamed, but no one heard. At the washroom door, the nurse escaped when the patient was startled by another patient. There was a personal alarm system in place in the building, but it was not in use in that unit. Also, there were no written procedures in place for the use of personal alarms.

CAMH pleaded guilty and was fined \$35,000, under the OHSA, for failing to provide written measures and procedures pertaining to the use of personal alarms.

The fines were imposed by Justice of the Peace Peter Gettlich. In addition to the fines, the court imposed a 25-per-cent victim fine surcharge on the total, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

## **Court Information at a Glance**

Location:

Ontario Court of Justice  
Old City Hall  
60 Queen St. W  
Toronto, ON

Judge:

Justice of the Peace Peter Gettlich

Date of Conviction:

August 13, 2009

Defendants:

Centre for Addiction and Mental Health

Matter:

Occupational Health and Safety

Conviction(s):

OHSA, section 25(2)(h)

Ontario Regulation 67/93, section 9(1)

OHSA, section 25(1)(c)

Crown Counsel:

Alexandra Bednar

## **Contacts**

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