

Hello again, Dan,

I wondered if you caught this chilling story in today's Winnipeg Sun? This is the type of thing I've been envisioning increasingly the past few years (although my concerns are not restricted to elderly dependents)...as you now know. What more can I say, except thank-you for listening to my concerns. I wish more had, and much sooner. I hope our family can meet you some day and that we will be able to ward off similar forcible interventions to our daughter's life and that of her caregivers, before or after my own demise. That likelihood seems diminished daily.

Always – K. (hi to David)

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Sat, June 25, 2005

Stripped of rights

By TOM BRODBECK

Thomas Hanaway, 80, never asked the government to take over his life.

But that's exactly what they've done to the Second World War veteran, cleaning out his bank account, seizing his pension cheques and assuming complete control over his life -- without even asking him or his family.

Hanaway was diagnosed with Parkinson's disease last year but lives with his wife Grace Hanaway, 79, and their son Thomas Hanaway Jr., 47, who care for him in their two-storey North End home.

Hanaway, a bit of a surly old guy with a good sense of humour, can walk and carry on a conversation. He eats on his own. He receives daily visits from home care workers, who bath and care for him.

He appears clean and well taken care of and he likes to watch TV in his living room.

For an 80-year-old man, he seems relatively lucid.

Despite that, the province's chief provincial psychiatrist has deemed

him unfit and has appointed the Office of the Public Trustee to take over all of his affairs.

His family can no longer make medical decisions on his behalf. And if he wants to spend his money, he has to get permission from the Public Trustee, which has stripped him of some of his most basic rights.

"I never asked for this," he told me, after I spent a couple of days with the family this week. "I don't want to be under their wing."

This is a story that should scare the living hell out of anyone approaching old age. And it should scare their families, too.

This isn't just a story about our nanny state overstepping its bounds a little.

This is about state control of our lives. It's about the arbitrary loss of your freedom.

"It's not like he's living alone and not being taken care of," said Tom Hanaway, Jr., who says he's in disbelief over what's happened the past two months. "We look after him."

Hanaway attends a day program for geriatric people. Staff recommended he undergo a psychiatric assessment, which took place in April. The assessment concluded Hanaway was not capable of managing his affairs due to "health problems."

The assessment was forwarded to the chief provincial psychiatrist, according to documents obtained by The Sun.

And on May 24, the director of psychiatric services, Dr. Donald Rodgers, wrote Hanaway stating he planned to issue an "order of committeeship" that would allow the Public Trustee to take over his affairs.

Amazingly, this is all legal.

The order was made June 6 and the Public Trustee immediately seized Hanaway's bank account -- without the consent of him or his family -- and began taking over all of his financial affairs. They took \$900 out of a joint account shared by him and his wife Grace, even though some of the money came from Grace's pension cheques.

"I can't believe something like this is possible," said Louise Lamaga, 57, Hanaway's daughter, an elementary school teacher living in Hadashville, about 100 km east of Winnipeg. "This is too ridiculous to

even be believable."

Lamaga is in close contact with her father and visits the family home regularly. She says he's cared for, he's fed and his affairs are all taken care of by family.

The decision to take over Hanaway's life appears to revolve entirely around the psychiatric assessment. It's unknown what Hanaway did or said that triggered the Public Trustee order.

Lamaga said she has asked the chief provincial psychiatrist for her father's file but they refused, saying it was "confidential medical information."

Lamaga says if her father is incompetent, then why would the chief provincial psychiatrist base his decision to take over her father's affairs solely on what he said without investigating further?

No home visit or face-to-face interviews were conducted with Hanaway's family before the order was made, the family says.

Dr. Rogers was unavailable for comment yesterday.

To add insult to injury, the Public Trustee is now charging Hanaway to take care of him.

They charge \$60 an hour for inspection visits and \$40 an hour for travel time. They take a 3% cut of his income -- in his case, Canada Pension Plan and Old Age Security cheques -- and if there are any legal fees, Hanaway has to pay those, too.

They even charge him GST on the fees.

I sat in on the first face-to-face meeting between the family and the Public Trustee this week at Hanaway's home, unbeknownst to the bureaucrats in the room.

It was shocking to say the least.

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