



Take Notice: Information supplied based on our opinion reading - The Constitution, Conventions, law, Case Law, Rules, Regulations and Standards in the Republic of Ireland only. This sheet is drafted by lay litigants and might not be correct.

This is not legal advice, but the opinion of the author(s). Please consult your legal advisor

First APS edition: January 2009

Revised: 16 July 2014

First ACF edition: 19 September 2020 – Banner

Broken Heart Syndrome

Introduction

This opinion replaces the previous opinion with the same title that was published January 2009, but had to be withdrawn after serious criticism and objections.

The author never admitted that the criticism and objections were justified and, in the light of new research and publications as listed hereunder, this matter is highlighted again.

Most target parents and alienated children (Parental Alienation) are at risk of developing broken heart syndrome.

Broken heart syndrome can be fatal and was proven as such during several family law proceedings. In one case the mother¹ developed a fatal Acute myocardial infarction (heart attack) in court. In a separate case, a father² suffered a fatal heart attack while he was preparing to commit suicide. Both victims were known to the author.

What is Broken Heart Syndrome

It is officially now known as Takotsubo cardiomyopathy, stress cardiomyopathy or apical ballooning.

The person suffering from broken heart syndrome, will experience it as heart problems and it often causes all the effects of a heart attack.

Broken heart syndrome -

- is usually set off by emotionally sensitive events. For example In the case of parental alienation; because of child care proceedings and the resulting legal abuse syndrome, is a form of post traumatic stress disorder
- causes angina, a sudden, severe chest pain

¹ Hayley Gascoigne, 32, Hull Combined Court Centre. <https://www.dailymail.co.uk/news/article-5898137/mum-died-broken-heart-collapsed-family-court-hearing-cardiac-arrest.html>

² Child care matter – in camera – child taken in care at birth in Ireland then adopted out in the UK.

- causes shortness of breath
- causes irregular heart beating
- causes an inability of the heart to pump enough blood
- causes low blood pressure
- can cause fainting
- can cause heart failure and even death.

Recognising and Treating Broken Heart Syndrome

It is important that therapists, advisors and other professionals have knowledge of this condition and advise their clients accordingly.

This serious condition was previously wrongly interpreted as “attention and sympathy seeking”.

The victim must seek urgent medical advice and care. The medical professional should be notified that it is Broken Heart Syndrome / Takotsubo cardiomyopathy / Stress Cardiomyopathy or Apical ballooning. (ICD 11 code: BC43.5 Stress-induced cardiomyopathy).

The condition is usually treated with a short stay in a hospital. Most people recover from broken heart syndrome within a few days to a week if the underlying psychological cause is addressed.

In cases of legal proceedings, the legal professional should be notified and instructed to discuss the issue with the opposing party.

Causing Broken Heart Syndrome is an offence of causing serious harm

This is a matter that should be reported to An Garda Síochána by the victim. The therapist, advisor or other professional is also compelled to report the matter if the victim did not report it.

In some cases, broken heart syndrome is not observed and suicide follows. The suicide of the target parent or the child should be highlighted as causing serious harm.

Hereunder a copy and paste from the relevant act. (Only the relevant parts).

Note the interpretation of harm and serious harm, the offence and the need of certification by the medical professional.

Non-Fatal Offences against the Person Act 1997 Interpretation.		mobility of the body as a whole or of the function of any particular bodily member or organ;	
1.—	(1) In this Act— “harm” means harm to body or mind and includes pain and unconsciousness; “serious harm” means injury which creates a substantial risk of death or which causes serious disfigurement or substantial loss or impairment of the	Causing serious harm	
		4.—	(1) A person who intentionally or recklessly causes serious harm to another shall be guilty of an offence. (2) A person guilty of an offence under this section shall be liable on conviction on indictment to a fine or to

	imprisonment for life or to both.		certified without proof of any signature thereon or that any such signature is that of such practitioner.
Evidential value of certain certificates signed by medical practitioners.			
25. —	(1) In any proceedings for an offence alleging the causing of harm or serious harm to a person, the production of a certificate purporting to be signed by a registered medical practitioner and relating to an examination of that person, shall unless the contrary is proved, be evidence of any fact thereby		(2) In this section “ registered medical practitioner” means a person registered in the General Register of Medical Practitioners established under section 26 of the Medical Practitioners Act, 1978.

Reference to applicable publications on the matter.

In most references, older women are seen as the most vulnerable. From experience, the author found that both men and women involved in long term litigation, are vulnerable.

These references were last accessed on Monday 11th May, 2020.

- <https://www.heart.org/en/health-topics/cardiomyopathy/what-is-cardiomyopathy-in-adults/is-broken-heart-syndrome-real>
- <https://my.clevelandclinic.org/health/diseases/17857-broken-heart-syndrome>
- <https://www.mayoclinic.org/diseases-conditions/broken-heart-syndrome/symptoms-causes/syc-20354617>
- <https://www.health.harvard.edu/heart-health/takotsubo-cardiomyopathy-broken-heart-syndrome>
- <https://icd.who.int/browse11/l-m/en#/http://id.who.int/icd/entity/478139552>
- and many more...

About this document

The original document with the same heading, written by a member of APS and peer reviewed by Dr Michael Corry, was originally published in 2009 and well accepted.

During court proceedings in Cork, the document was presented as evidence. Legal representation for the opposing side persuaded the court that it is a fictitious condition, not recognised at all and that the argument should be rejected by the court. The court ruled accordingly.

APS removed the document from the web page after serious criticism. but did not agree that it is a fallacy, as was demanded by the opposing side.

Broken heart syndrome was recognised in Japan as Takotsubo cardiomyopathy in 1990. In 2017 the condition was officially recognised worldwide.

(Andries van Tonder)

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Comments and suggestions by email to andy at aps dot ie

