



BRITISH
COLUMBIA

October 26, 2022

Ref. 632264

Joe Gormley
President
Pathways Serious Mental Illness Society
205 – 1865 Marine Drive
West Vancouver BC V7V 1J7

Dear Joe Gormley:

Thank you for your letter of August 23, 2022. I am pleased to hear of the support provided by Pathways Serious Mental Illness Society to persons experiencing schizophrenia and other serious mental illnesses, and to their family members.

With respect to the matter of the advice which will be provided to patients by the new rights advisors, you will be interested to know that once Bill 23: the *Mental Health Amendment Act*, 2022 is proclaimed in force, new Section 51 will require a rights advisor to explain and discuss the effect that the “event” (for example, an involuntary admission) may have on the patient’s autonomy, including with respect to decisions to give, refuse or revoke consent to one or more types of care. The intention of the Legislature in including this provision is that the rights advisor would explain the effect of the event on the patient’s ability to consent to both psychiatric treatment and other health care. I note that the rights advisor amendments do not change Section 31 of the *Mental Health Act*, which states that for patients who are involuntarily admitted, psychiatric treatment authorized by the director of the facility is deemed to be given with the consent of the patient.

Involuntary detention of persons with mental health disorders raises a number of complex issues impacting the liberty and autonomy interests of patients. With the rights advisor amendments, the Province has introduced legislation that will help people experiencing a mental-health crisis better understand their rights and the supports available to them.

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I appreciate hearing the views of your society on these complex issues.

Sincerely,

A handwritten signature in dark ink, reading "Murray Rankin". The signature is fluid and cursive, with the first name "Murray" and the last name "Rankin" clearly distinguishable.

Murray Rankin, KC
Attorney General and
Minister Responsible for Housing

pc: The Honourable John Horgan
The Honourable Adrian Dix
The Honourable Sheila Malcolmson