

British Columbia needs a vastly over-hauled Mental Health Act. Under the present act, the most fundamental principles relating to freedom of the individual can be ignored.

1. Mental Patients' rights are not guaranteed by law.
2. The grounds for certification of involuntary patients are too broad, and review of the grounds for certification is difficult to obtain.
3. Mental patients do not have the right to refuse even the most extreme treatment.
4. Mental patients can be detained indefinitely behind locked doors without ever having broken the law and without ever having been sentenced by a court.

The members of the Mental Patients Association are not lawyers and we cannot present a draft proposal for a revised Mental Health Act set out in nicely phrased legalese.

However, M.P.A. members can, and properly do, demand that the revised act be written in such a manner that the abuses in the above mentioned points are eliminated. And we can, and do, propose a list of patients' rights that should be written into the legislation.

Mental patients have always been treated as prisoners with no basic rights. M.P.A. proposes that some basic amenities, and the person's right to them, be enforced and safeguarded. A hospital should not be a prison. It should, if anything, be a place where people can retreat from pressure in order to get over the effects of that pressure.

M.P.A. urges that the following Mental Patients' Bill of Rights be enacted as law in the Province of British Columbia.

A Bill of Rights

Each person detained in a mental health facility shall have the following rights, a list of which shall be prominently posted in all wards of all in-patient facilities and in all mental health centres. These rights shall be brought to the attention of, and explained to, any person being treated or detained in the facility. Each person in the facility shall have the right to:

- refuse all forms of treatment or therapy;
- to see visitors freely every day;
- to have a reasonable access to a private telephone, both
- to make and receive confidential calls;
- to have reasonable access to writing materials including stamps;
- to mail and receive unopened correspondence;
- to have provisions made so the person may register to vote;
- to have ready access to printed and verbal information
- to explain thoroughly the various treatments, their methods, procedures, benefits and effects;
- to have the choice of physician or other persons providing services in accordance with the policies of each agency and within the limits of available staff;
- to solicit and use independent medical and other professional opinion at public expense if necessary;
- to wear one's own clothes and use personal possessions and to keep and be allowed to spend a reasonable sum of the person's money;
- to have access to individually locked storage space for his own use;
- to have privacy within the space limitations of the facility;
- to be notified of the whereabouts and availability of services within the facility;
- to be given free access to reading materials from the library of the facility as well as publishers' book lists;
- to be allowed wherever possible to continue with educational or employment training;
- to refuse to work in the facility unless on a voluntary basis;
- to receive new and suitable clothing upon discharge and to have social security arrangements made in the facility if the person in question has no visible means of support;
- to see all hospital and medical records;
- to have all records destroyed after five years upon written request of the patient;
- to conjugal visits;
- to be present at all hearings or reviews in which there is possible loss of freedom;
- to sue any and all persons associated with injustices committed against the patient;
- to strict confidentiality of records unless written consent is given by the patient;
- to the least restrictive form of treatment available.■



MPA Renews Call for Patients' Rights Bill

By MARILYN SARTI

FOR REFERENCE
USE ONLY

**Abuses in
Mental Health Act
Must Stop**