

# Mental Health Act reform petition

by Scott McKinnon

On October 30th the Citizens Commission on Human Rights (CCHR) was on campus gathering support for a petition. The petition is aimed at having changes made in Alberta's Mental Health Act. The CCHR intends to have the Mental Health Act modernized to reflect the Canadian Charter of Rights.

Specifically, the petition is aimed at allowing mental health patients the right to have side-effects of treatment explained to them or a suitable guardian, or to be able to seek legal council.

The petition also attempts to raise public awareness about abuses the CCHR believes to exist in the psychiatry field.

Murray Schneider, a spokesman for the CCHR, says, "the (Mental Health) act is in desperate need of reform", and some treatments being used presently are "cruel and damaging to patients".

According to Kevin Feehan, a lawyer involved in the field of mental health, "the vast majority (of patients) treated are on a voluntary basis" where treatment is done with "full consent".

Even in cases where an individual is involuntarily committed to an institution, consent of the patient is usually sought to begin treatment.

The use of ECT (electroconvulsive therapy) commonly known as "shock treatment", in the view of the CCHR is highly dangerous and even deadly. Research data has raised serious doubts as to the usefulness and safety of the treatment.

Feehan states "ECT is never given without full consent" and is almost never used except in rare cases of suicidal depression.

Another concern of the CCHR is the severe and somewhat dangerous side-effects of drugs used in treatment.

Again according to Feehan, "All patients are given a side-effect list"

produced by an independent source (the American Medical Association), and then asked for consent in starting treatment.

In cases where a patient is unable to make their own decisions the court appoints a legal guardian to make decisions on behalf of the patient.

C. Trabold of the Community Guardian Resource, an organization which assists guardians of dependent adults, says that within the limitations set by the court "a guardian gives informed consent" for the patient. The guardian is as fully informed as if he were the patient himself.

Trabold says that there is a "sincere effort" on the part of the guardians which "is beneficial to the individual (patient)".

As the last Alberta Mental Health Act was introduced in 1972, it pre-dates the Charter of Rights, and needs reform in that respect.

The Durrey Report of 1982 made suggestions to what those reforms should be. The report influenced the federal government's Unilateral Mental Health Act, which acts as a model that every province is expected to approximate.

The Alberta government is presently drafting a new Mental Health Act, but as of yet has not pinned itself down on a specific date of release.

This new act is expected to include: (1) permitted treatment of involuntary patients outside of an institution, (2) appointment of a board to hear patients' appeals over treatment, and (3) grant involuntary patients the legal right to refuse consent of a treatment.

Though the new Mental Health Act was due in May of this year, it is still in the works. The efforts of groups such as CCHR, the opposition in the legislature, and social workers to speed up the process have yet to bear fruit.

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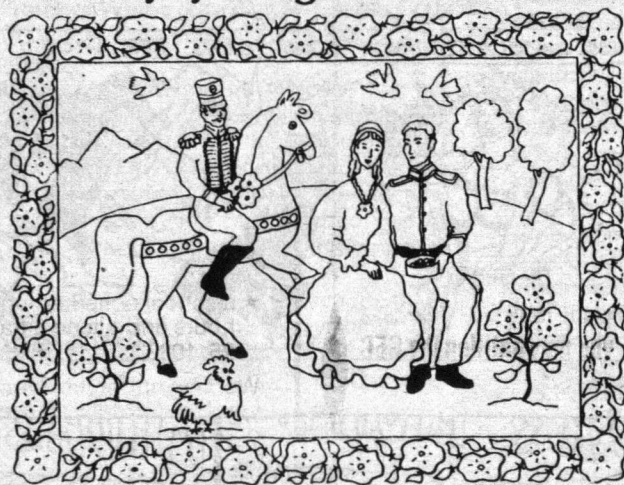
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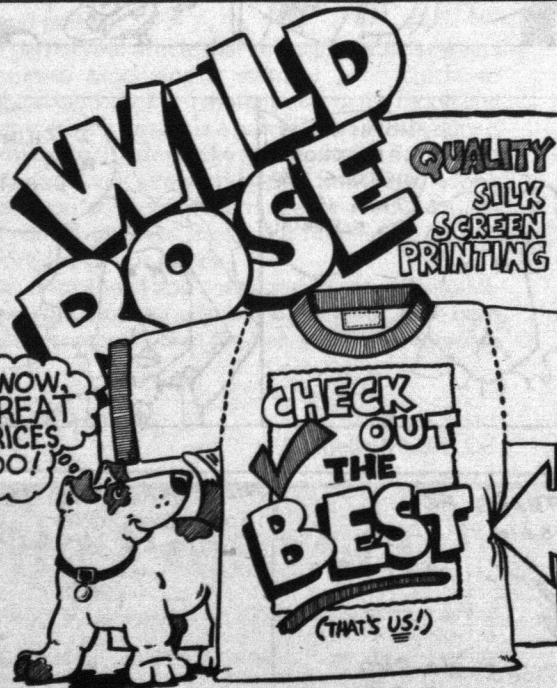
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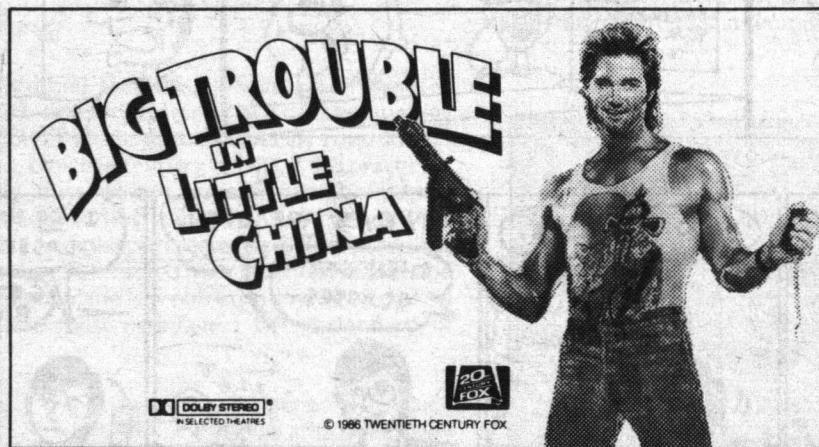
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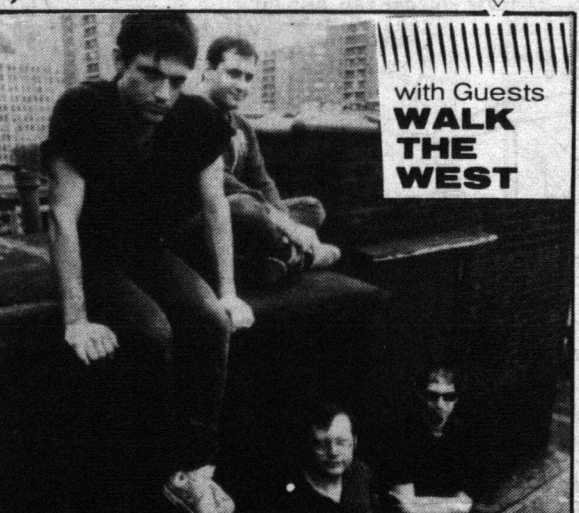


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