



LEGISLATIVE ASSEMBLY

David Reville, MPP  
Riverdale

TO: Caucus  
FROM: David Reville  
RE: BILL 190 - An Act to Amend the Mental Health Act

For the information of Caucus, I intend to put additional amendments to give effect to the following:

- 9 other areas*  
*clarify & strengthen*
1. Rebut the presumption that a patient under 16 is incompetent.
  2. Remove judicial authority to order psychiatric treatment (Bill 190 provides an adequate mechanism).
  3. Add Official Guardian to list of substitute decision-makers.
  4. Prevent psychosurgery except on consent of a voluntary, competent patient.
  5. Prevent limiting the definition of "clinical record".
  6. Provide rights notice to persons detained on a Form 1 (Application for Psychiatric Assessment).
  7. Clarify status of a patient pending appeal.
  - ~~8. Broaden definition of "common-law" spouse.~~
  - ~~9. Prevent forced treatment of a voluntary patient.~~
  10. Ensure rights advice *on applications for* ~~in~~ treatment orders ~~remain in the Act.~~
  11. Ensure annual review of certificates.

The passage of these amendments, together with the amendments we have convinced the Government to bring forward, will result in Canada's most progressive Mental Health Act, even if we do not prevail on "competent over-ride".

June 1, 1987  
opseu:593

*Community mental health*