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FOR IMMEDIATE RELEASE

Rights Commissioner's inquiry results in improved access to rights information and lower detention rates for vulnerable adults, but more improvement necessary

Vancouver, B.C. – B.C.'s Human Rights Commissioner has released her [first progress report](#) to assess uptake of the recommendations from the Inquiry into detentions under the *Adult Guardianship Act* (AGA). The progress report reveals that, since the report's release one year ago, designated agencies (mostly health authorities) have all made some progress on implementing the Inquiry's recommendations, including some addressing the number and duration of detentions, and all updating their training materials and practice directives. However, some agencies have detained more people and for lengthier periods of time, therefore they have not yet aligned their practices with the Commissioner's immediate recommendations to ensure the rights of those detained under the AGA are upheld.

The Inquiry into detentions under the AGA looked at the scope and usage of the emergency powers given to designated agencies to provide emergency assistance to adults who appear to be abused or neglected and seem incapable of giving or refusing consent to receive care. The ["We're Still Here"](#) report revealed that detentions under the AGA impacted a significant number of adults who were held against their will sometimes for significant periods of time, that transparency and oversight over detention are lacking and adults' rights to fair process have not been adequately respected. The report also noted that there are disproportionate impacts on seniors, people who are unhoused and people with disabilities, including people with mental health and substance use issues, which amount to systemic discrimination.

The first of four planned recommendation monitoring reports reviewed implementation of recommendations 1a, 1b, 2a, 2b and 8 based on information provided by designated agencies and government.

"I am encouraged by the steps taken by designated agencies to address and respect the human rights, dignity and autonomy of those vulnerable in order to bring the use of detentions under the AGA into alignment with human rights standards," said Commissioner Govender. "This progress report highlights both the progress made and the gaps still remaining to bring designated agencies and the provincial government into compliance with my recommendations, and we will continue to monitor progress closely. It is vital to the rights of vulnerable adults—particularly seniors and people with disabilities—that when the state exercises extraordinary powers to detain an adult in a health care setting, this exercise of power accords with human rights protections. This means detentions must be no longer than is necessary to either address the emergency or urgently apply for a court order to authorize further detainment."

The progress report highlights important steps taken by the designated agencies, such as health authorities, to develop updated training materials and practice directives to ensure people are provided written notification with reason for their detentions within a timely manner. According to data provided by designated authorities, while five of the designated agencies fully implemented the recommendation to immediately end detentions that are longer than is required to address the immediate risk to life or health, Vancouver Coastal Health Authority and Fraser Health Authority reported detentions that were 25 days and 20 days respectively—a timeframe that appears to be longer than what is reasonably necessary to either deal with the emergency circumstances giving rise to the detention or apply for a court order to authorize further detention. The AGA does not provide designated agencies with authority to detain adults on an indefinite or long-term basis.

Additionally, fiscal constraints were noted by the B.C. government as reasons for not implementing recommendations, including extending the *Mental Health Act* rights information services to adults detained under the AGA and the assessment of community-based resources required to reduce the number and length of detentions under the AGA.

“A person should not be deprived on their liberty because they can’t get care in the community. Detention should only be used as a last resort, where necessary to keep someone alive and safe,” said the Commissioner. “It is important that we continue to track progress on these necessary changes, including changes to law and policy, to ensure vulnerable adults’ human rights are protected.”

The Commissioner will continue to monitor the status of recommendation implementation through three subsequent progress reports. The Commissioner appreciates the ongoing work undertaken by the designated agencies and their staff to bring their practices into compliance with human rights standards and protect both the safety and human rights of vulnerable adults. The next progress report is anticipated in fall 2026 and will review recommendations 2c, 3, 5a, progress on 5b, and 6 from the Inquiry report.

Resources

[Inquiry into detentions under the Adult Guardianship Act: Progress update on recommendations 1a, 1b, 2a, 2b and 8.](#)

["We're still here": Report of the Inquiry into detentions under the Adult Guardianship Act](#)

[Read the press release and background](#) (Apr. 8, 2025)

[Read the press release launching the inquiry](#) (Nov. 30, 2023)

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Media contact

To request an interview with Commissioner Kasari Govender, please contact the Manager, Communications, at media@bchumanrights.ca or 604-306-7369.

Media kit



[Visit our media kit](#) for images of Commissioner Govender, pronunciation guidance, bios and more.

About BCOHRC

BC's Office of the Human Rights Commissioner exists to address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. We do this work through education, research, advocacy, inquiry and monitoring. Learn more at:

bchumanrights.ca

About the Commissioner

Kasari Govender began her work as B.C.'s first independent human rights commissioner in September 2019. As an independent officer of the Legislature, Commissioner Govender is uniquely positioned to ensure human rights in B.C. are protected, respected and advanced on a systemic level. Her work through BC's Office of the Human Rights Commissioner has included public inquiries into experiences of hate in the pandemic and detentions under the *Adult Guardianship Act*, a report on systemic discrimination in policing, community embedded research about a range of human rights issues experienced by people living in British Columbia, public awareness campaigns about ableism and racism and guidance to government that, among other things, informed the creation of both the *Anti-Racism Data Act* and the *Anti-Racism Act*. Commissioner Govender was reappointed for a second term beginning in September 2024.

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