



British Columbia's
Office of the Human Rights
Commissioner

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FOR IMMEDIATE RELEASE

Commissioner launches inquiry into involuntary detentions under *Adult Guardianship Act*, orders health agencies to release data

Vancouver B.C. – B.C.'s Human Rights Commissioner has ordered seven health agencies to provide data on involuntary detentions of vulnerable adults. Data obtained under the orders will contribute to the Commissioner's new inquiry into the exercise of emergency powers under the *Adult Guardianship Act (AGA)*.

The AGA is legislation that permits 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 help. This emergency assistance potentially includes involuntary detention in care facilities for extended periods.

"There are many unknowns about the AGA," said Commissioner Kasari Govender. "There is no publicly available information on how often detentions take place, how long people have been detained or the demographics of who is being detained. While the intent of protecting vulnerable adults is laudable and important, transparency about how agencies are exercising these powers is vital for upholding the rule of law and ensuring accountability to human rights standards."

The Commissioner's inquiry into detentions under the AGA will shed light on the scope and usage of the emergency powers it bestows and determine whether detention practices comply with human rights law and standards.

"Something as serious as being held against one's wishes should not be shrouded in secrecy," emphasized Commissioner Govender. "Freedom from arbitrary detention is a human right—one which I will seek to protect through this inquiry. I cannot understate the importance of ensuring AGA detentions strike a reasonable balance between ensuring the safety of vulnerable adults and respecting their autonomy."

The agencies ordered to provide data include Fraser Health Authority, Interior Health Authority, Island Health Authority, Northern Health Authority, Vancouver Coastal Health, Community Living BC and Providence Health Care. Additionally, the Ministry of Attorney General, the Ministry of Health and the Public Guardian and Trustee will be asked to provide information.

The Commissioner also plans to host a Community Roundtable in the coming months. This will provide an opportunity for community organizations working with people who have been subjected to the exercise of powers under the AGA to share their perspectives and contribute to the understanding of these detention practices.

If the inquiry finds the AGA or its usage threatens or violates human rights law or principles, the Commissioner will issue recommendations to bring both law and practice into compliance.

More information about the inquiry and how to participate can be found on the Commissioner's website at bchumanrights.ca/aga-inquiry.

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Media contact

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

Media kit

[Visit](#) our media kit for images of Commissioner Kasari Govender and other resources.

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

B.C.'s Human Rights Commissioner, Kasari Govender, started her five-year term on Sept. 3, 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 centres listening deeply to British Columbians to inform educational materials, policy guidance, public inquiries, interventions, community-based research and more that protects marginalized communities, addresses discrimination and injustice and upholds human rights for all.

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