

Brief History of British Columbia’s Community-Based Law Reform Effort to Enshrine Supported Decision Making in Legislation

Project to Review Adult Guardianship – community-based, consensus approach to law reform			Community Coalition for the Implementation of Adult Guardianship Legislation - Representation Agreement Task Group, Advocacy Task Group, support individuals to participate at Public Trustee policy/planning tables for Abuse and Neglect and for Health Care Consent and Care Facility Admission							
			Representation Agreement Resource Centre - incorporated as non-profit							
CREATING A VISION AND NEW DIRECTION FOR SOCIAL POLICY			DRAFTING LEGISLATION	PASSING LEGISLATION	IMPLEMENTING LEGISLATION		LOBBYING FOR PROCLAMATION			NEGOTIATING PROCLAMATION
1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
BC Association for Community Living and Alzheimer Society of BC obtain 3 year funding from Law Foundation for law reform initiative.	Broad range of individuals and groups throughout the province participate in discussions. There were 6 working groups: <ul style="list-style-type: none"> • Personal Supports • Future Planning • Capacity and Needs • Assistance and Advocacy • Abuse, Neglect & Self-Neglect • Consent to Health Care • Court Processes There was also an Issues & Strategies Task Group and Education & Research Task Group. 1991, PRAG produced framework document. PRAG members joined with Interministry Committee on Issues Affecting Dependent Adults to create a Joint Working Committee.	Joint government and community working committee produce report How Can We Help containing principles and outline to guide drafting of legislation.	Last minute negotiation before legislation is introduced, to ensure RA Act includes legal recognition for supported decision making. Reform package unanimously passed by legislature. Attorney General says community partnership in law reform was critical and must continue during implementation. Joint community-government forum held on implementation issues. Did not translate into action.	RATG conducts participatory action research to ensure input from those most affected is represented at implementation policy table. RATG hosts provincial conference to discuss and analyze research findings. Outcome calls for formation of Legislative Sub-Committee to use findings as basis of recommendations to government for implementation. Community Coalition lobbies with consumers for removal of Mental Health Act override from RA Act and health care consent legislation.	RATG Legislative Sub-committee presents report to Deputy Attorney General on recommendations for amendments, regulation and policy based on ground-up research. Community Coalition submits Summary of the Regulatory and Policy Issues essential to promote alternatives to public guardianship. Government cabinet shuffle results in new AG who has no history with reform. Deputy AG (1993-2000) puts community submissions ‘on the shelf.’	RARC launches Guidebook for Making Representation Agreements. Community publishes document “Promoting Alternatives to Public Guardianship: Where do we stand? which includes an Action Plan for proclamation of Representation Agreements” to enlist help of citizens and groups to lobby AG and MLAs.	Community Coalition organizes postcard campaign (Fall 1996) to ask Premier’s help to proclaim legislation. Government response is to hold a legislative review. The results are never made public. Community Coalition meets with reviewers and publishes Position Paper of its recommendations.	Community Coalition continues to push for proclamation.	Community Coalition approaches BC Coalition to Eliminate Abuse of Seniors to support proclamation of RA Act Sec. 7 & 8 as best tool to balance self-determination and safety. Ministry of Attorney General agrees to support proclamation.	

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Representation Agreement Resource Centre (RARC) - provides education and assistance, is clearinghouse for people's experiences, trains volunteers - Nidus eRegistry developed in 2002 in partnership with Juricert Inc., Law Society of B.C. and Gateway File Systems							RARC changes name to Nidus Personal Planning Resource Centre (and Registry)			
PROCLAMATION	DEFENDING THE RA ACT WHILE TRYING TO PROMOTE REPRESENTATION AGREEMENTS						INITIATING COMPROMISE TO CREATE CERTAINTY FOR THE RA ACT	LOBBYING TO SEVER	LOBBYING FOR PROCLAMATION	
2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<p>Selective proclamation of reform package, Feb. 28/00:</p> <ul style="list-style-type: none"> • RA Act • Health Care Consent • Response to Abuse Neglect • Public Guardian & Trustee Act <p>Did not proclaim reforms to guardianship system, care facility admission or registry.</p> <p>Kept EPA under POA Act for transition period.</p> <p>Legislative review on prescribed class of consultants for RA Act Section 9 additional powers.</p>	<p>Recommended amendments from consultation including community are passed to clarify and streamline legislation.</p> <p>Legislative review to consider if one planning tool for everything under RA Act or keep EPA under POA Act.</p>	<p>Government announces will keep EPA under POA Act.</p> <p>Will keep routine finances and legal services under Sec. 7 & 8 of RA Act.</p> <p>Repeal of reforms in PGT Act. No community-based advisory board or mandated evaluation. No public consultation.</p>	<p>Repeal of reforms to health care consent legislation (03/04) No Review Board (for appealing finding of incapability or health care provider selection of substitute decision maker); no prescribed advocacy to ensure rights and support for adults at risk; loss of other reforms in support of adults' rights to assistance but perceived as difficult for system to uphold.</p>	<p>Legislative review – AG announces proposal to eliminate RA Act. Community is told on March 10.</p> <p>Community mounts campaign to save RA Act.</p> <p>May 13, Attorney General announces in legislature government will not make changes.</p>	<p>RARC Board holds meeting with founding groups to ask if they want supported decision making legislation as it is not being promoted or used by the community and this is affecting RARC's capacity and sustainability – 'use it or lose it.'</p> <p>Government announces legislative review on Dec. 22.</p>	<p>Bill 32 introduced in legislature April 27.</p> <p>Community campaigns against advance directives.</p> <p>Bill does not proceed. Government holds consultation on advance directives.</p> <p>RARC submits proposal Charting the Court Ahead to Deputy AG as a win-win for settling the legislative framework.</p>	<p>Bill 29 is introduced and passed, based on community's proposal.</p> <p>Bill 29 includes amendments to streamline RA Act, make EPAs more like RAs. Introduces advance directives as legal tool for substitute consent.</p>	<p>Ministry of AG calls meeting with stakeholders and discusses process for implementation to involve stakeholders working together to draft standard forms for RAs, EPAs, Ads.</p> <p>Working groups never convened.</p> <p>Ministry staff posted their proposed Regulations on website for comment.</p>	<p>Implementation stalled by economic downturn: adult guardianship amendments too costly.</p> <p>Community lobbies to sever personal planning amendments from adult guardianship amendments.</p> <p>Bill 13 passes with amendment to allow severing and enable proclamation of personal planning amendments separate from those related to adult guardianship.</p>	<p>Nidus' recent published research and 10 years of practice provide opportunity for input to implementation from those most affected – no movement on proclaiming amendments.</p> <p>BC RA Act is recognized by a scientific panel of the World Futures Council as one of the best policies in the world for people with disabilities – and Nidus is credited with being the driving force behind the legislation.</p>

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<p align="center">Nidus Personal Planning Resource Centre and Registry - provides education and assistance, is clearinghouse for people's experiences, trains volunteers - Nidus has to move office 2012, new online system for Registry is launched in 2014</p>									
PROCLAMATION OF AMENDMENTS	CENTRE FOR EXCELLENCE ON PERSONAL PLANNING & SUPPORTED DECISION MAKING – PROMOTING BEST PRACTICES								
2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
<p>Nidus President presents at international conference in Vienna on BC RA Act.</p> <p>Community groups write Liberal candidates running for leadership of party following resignation of Gordon Campbell. New premier, Christy Clark, announces on Feb. 4 that the personal planning amendments come into effect on Sept. 1st.</p> <p>Min. of Health program - Choices In Supports for Independent Living (CSIL) incorporate RAs in policy.</p> <p>Nidus selects software development company – Gravit-e Technologies to develop new online system for Registry. October 17 Media partnered on the design.</p> <p>Nidus revises and creates new resources. After viewing govt forms on Sept. 1/11 upload basic RA7 and RA9 forms to Nidus website.</p> <p>On Sept. 1st – Nidus launches online celebration of certainty for RAs with special website at http://niduspersonalplanning.tumblr.com/</p>	<p>Nidus working on rebuild of the Personal Planning Registry.</p> <p>Nidus must move by March 31st. Relocate to one-room space in Holy Trinity Church at Hemlock & 12th Avenue in Vancouver.</p> <p>Nidus receives 3 year grant from United Way of the Lower Mainland.</p> <p>CLBC contract , Notary Foundation</p> <p>Ministry of Health publishes My Voice: Guide to Advance Care Planning. It includes info on RAs and government forms.</p>	<p>Changes to <i>Adult Guardianship Act</i> announced – based on Ombudsperson's Report about statutory guardianship.</p> <p>Organized workshop at Inclusion BC Conference in Van. for visitors from Czech Republic.</p> <p>CLBC contract July 2013 to Mar. 31/2014.</p> <p>Notary Foundation small project grant for fact sheets and material in Chinese.</p>	<p>Nidus recipient of Scotiabank-UWLM Community Spirit Award (seniors). CTV makes video.</p> <p>Nidus re-launches Personal Planning Registry online. Launch event & demo for professionals June 12th.</p> <p>Small grant from Law Foundation.</p> <p>Nidus promotes September as Personal Planning month in partnership with BC Courthouse Libraries Society. Kick-off event and public launch of Registry at VPL on Sept. 15.</p> <p>AGA changes come into effect Dec. 1st</p>						