

The Compassionate Intervention Act

- Questions & Answers

The Compassionate Intervention model of care focuses on supporting residents with severe substance use disorders who are not able to seek help, despite a serious and imminent risk of harm.

The proposed legislated framework is a Saskatchewan-made approach to involuntary addictions treatment of adults to preserve life and support long-term recovery.

What is *Compassionate Intervention*?

Compassionate Intervention is a proposed addiction treatment model that will allow adults with severe addictions to be treated when they are unable to ask for help themselves. This will only happen in rare cases where a person's substance use puts their own life or the lives of others at serious and imminent risk. The goal is to see more people get the help and support they need to overcome addictions and live healthy lives in recovery.

Involuntary addictions treatment gives people a chance to withdraw from substances and start recovery with medical and mental health support by intervening before it is too late.

Why is this *Compassionate Intervention* needed?

Right now, addictions treatment is voluntary, but people with severe addictions can lack the capacity to get help even when their lives are in danger. In many cases these people often deal with mental illness, trauma, and other health problems.

Communities are also affected by rising addiction-related health and safety concerns.

Will families be able to request *Compassionate Intervention* for someone?

Anyone can apply to the Provincial Court for an order to have someone assessed if they meet the required criteria. This could include family members, community leaders, etc. Law enforcement can also intervene if a person's substance use is putting their own life or the lives of others at serious risk.

Legal officials and health-care professionals will play an important role in helping to inform this legislation and implementation.

How is this different from the current Complex Needs Facilities (CNF)?

CNF is short-term care for people who are intoxicated and have been detained by police under The Summary Offences Procedure Act (SOPA). CNF offers medically supervised support for up to 24 hours.

Compassionate Intervention is for people who need longer-term help with complex substance use problems.

Will *The Compassionate Intervention Act* infringe on someone's human rights?

Like other laws already in place, such as *The Mental Health Services Act* and *The Youth Drug Detoxification and Stabilization Act*, this law will include steps to protect people's rights. There are several checks and protections built into the process to make sure compassionate intervention is used fairly and only in the most serious situations:

- The process begins only when a person is at serious risk due to substance use. They may be brought to a Compassionate Intervention Assessment Centre by police, referred by a medical professional, or through a judge's warrant.
- At the Compassionate Intervention Assessment Centre, the person is stabilized and assessed within 24 hours. Staff review evidence and make a recommendation based on strict criteria.
- A panel, including a legal chair, an addiction specialist, and a community representative, hears both sides and decides if the person meets the legal threshold for an in-patient or out-patient recovery order.
- At all stages, the person is entitled to free legal representation by a patient counsel.

Will evidence be needed to take someone into compassionate intervention?

Yes. Evidence must show that the person has a severe substance use disorder and is at risk of substantial harm to themselves or others in the immediate or imminent future. Police may be required to provide observations or a report. Warrants and referrals also rely on evidence.

What will happen when someone is taken to a Compassionate Intervention Centre for assessment?

The person will be medically stabilized and assessed, and their case will be reviewed. The assessment includes a medical evaluation, evidence such as a conveyance report or addictions-related police history, and input from addictions and mental health professionals. If the person meets the criteria, the panel may issue a recovery order.

What is the role of the Panel?

The panel is comprised of a legal expert, an addiction specialist, and representative community members. The panel reviews the evidence and input from a multidisciplinary team, as well as the submissions of the patient, and ultimately decides if the legal threshold is met. If the panel determines the threshold has been met, they may order either an In-patient or Out-patient Recovery Order.

What is an in-patient order?

An In-patient Recovery Order is a legal order requiring someone to receive treatment in a secure treatment facility.

What is an out-patient order?

An Out-patient Recovery Order is a legal order requiring someone to participate in community-based care (such as counselling or treatment programming).

Where will treatment be offered?

It will be rolled out in a phased approach, with eventual locations across the province.

Will transportation to treatment be available for individuals under this legislation?

A fulsome transportation plan will be developed and implemented when the phased approach is expanded across the province.

What happens if the individual refuses to engage in any programming/aspect of treatment while under mandatory care?

Individuals who have capacity to make their own decisions will have the right to refuse treatment.

The care team will explain the benefits and reason for treatment at all stages.

In *The Compassionate Intervention Act*, capacity means the ability to understand the information relevant to a treatment decision and to appreciate the reasonably foreseeable consequences of making or not making a decision.

Lack of patient engagement in an out-patient order may lead to reassessment. The panel may decide on an in-patient order if community-based care is not working.

How is this different than probation orders and community treatment orders etc.? Will clients be on multiple orders concurrently?

This is a health-based treatment, not part of the criminal system. However, clients may have overlapping legal orders. Coordination between health, justice, and community services will be key to managing multiple orders.

What if the patient wants to transition to the voluntary system?

Patients can request a review if they believe circumstances have changed from the original recovery order.

A panel will review the new information and decide on the patient's care, which may result in discharge from compassionate intervention and transition to voluntary services.

What happens after treatment?

Compassionate intervention will focus on helping people build the personal, social, and community supports they need to achieve long-term recovery.

After compassionate intervention treatment, patients will be connected to a full range of services to support their recovery.

People who complete compassionate intervention will continue to get support after leaving the program. This includes a plan for ongoing care and services to help with recovery.

How will compassionate intervention fit in with services that already exist in the province?

Saskatchewan offers care from early prevention all the way through long-term recovery. People leaving compassionate intervention will be given access to all available programs which include:

- In-patient treatment programs
- Out-patient and virtual programs
- Transitional and recovery supports such as safe housing, peer groups, and ongoing aftercare.

These services help people stay safe, build strong recovery supports, and lower the chance of relapse after leaving compassionate intervention.

How will Indigenous people be supported through the process?

The Compassionate Intervention system is being designed with input from Indigenous stakeholders to ensure cultural safety and trauma-informed care.

How long until Compassionate Intervention is in place?

We plan to pass legislation as quickly as possible so that those in need of compassionate intervention can receive it in a timely manner.