



RIGA2023CONFERENCE

ENSURING RESPECT FOR AUTONOMY IN MENTAL HEALTHCARE

13 November 2023 - Symposium for legal practitioners

Autonomy and mental healthcare: a legal analysis

As an introduction to the Conference, the Symposium will lay out the theoretical and legal framework for protecting human dignity and freedom in mental healthcare.

It will consider opportunities to align national legislation regulating mental healthcare with international human rights law to protect human rights in practice and secure respect for autonomy in mental healthcare.

11:30 – 12:00 Welcome coffee

12:00 – 12:30 OPENING OF SYMPOSIUM

- Juris Jansons, Ombudsman of Latvia
- Lauma Paegļkalna, Parliamentary Secretary of the Ministry of Justice
- Prof. Sanita Osipova, dr. iur., professor of the Faculty of Law of the University of Latvia, senator of the Supreme Court, key-note speech “Human dignity, equality, inclusive society”

12:30 – 13: 30 KEY PRINCIPLES IN SECURING AUTONOMY IN HEALTHCARE

Chair: Prof. Māris Taube, Dr.med., President of the Latvian Psychiatrists' Association, Professor at the Department of Psychiatry and Narcology at the Faculty of Medicine of Riga Stradins University and Head of the Riga Psychiatry and Narcology Center

- Main aspects of autonomy, assoc. prof. Signe Mežinska, Faculty of Medicine and Institute of Clinical and Preventive Medicine, University of Latvia
- The functional model of capacity – some thoughts from England & Wales, Alex Ruck Keene, Barrister, 39 Essex Chambers, visiting Professor at the Dickson Poon School of Law, King's College London
- Autonomy in theory and practice: patients' perspective, Stephanie Wooley, European Network of (Ex)Users and Survivors of Psychiatry

13:30 – 14:00 Coffee break

14:00 – 15:30 HUMAN RIGHTS AND AUTONOMY IN MENTAL HEALTHCARE



Presidency of Latvia
Council of Europe
MAY – NOVEMBER 2023
Présidence de la Lettonie
Conseil de l'Europe
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Chair: Jerneja Turin, Chair of the ENNHRI working group on the Convention on the Rights of Persons with Disabilities

- Protection of autonomy and personal freedom of persons with mental disabilities in the case law of the European Court of Human Rights (ECHR), Ms Boglarka Benko, lawyer at the European Court of Human Rights.
- Observations regarding autonomy in mental health institutions - European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Mari Amos, member of the CPT, researcher at the University of Latvia
- UN CRPD: autonomy of persons with psychosocial disabilities in healthcare, Jorge Araya, Secretary of the UN CRPD Committee
- Future directions of mental health law in Europe, Dr. Oliver Lewis, Barrister, Doughty Street Chambers, London (UK)
- Discussion

15:30 – 16:00 Coffee break

16:00 – 17:00 TOWARDS HUMAN RIGHTS BASED APPROACH IN MENTAL HEALTH: NATIONAL LEGAL CHALLENGES

Chair: Laurence Lwoff, Head of Human Rights and Biomedicine Division, Council of Europe

- The Irish approach to assisted decision making, Prof Deirdre Madden, University College Cork, School of Law
- Experience of Latvia: Case Law of Latvian Courts concerning the treatment of mental difficulties, Dr. iur., MD Solvita Olsena, Ph.D. Laura Kadile, Faculty of Medicine, University of Latvia
- Discussion and conclusions

Closing

- Jānis Kārkliņš, the Ambassador Extraordinary and Plenipotentiary of the Republic of Latvia to the Council of Europe