



3RD NATIONAL SYMPOSIUM ON MENTAL DISORDER: CRIMINAL JUSTICE AND COMMUNITY SOLUTIONS

Join a distinguished faculty of judges, Review Board members, defence and Crown counsel, mental health and other criminal justice experts to explore timely and challenging issues, including:

- Innovative community approaches; therapeutic, child and youth advocacy and indigenous justice models
- Using and responding to the *not criminally responsible* defence
- Best practices for interactions between police and mental health service providers
- Trending Issues before the Courts and Review Boards
- Fitness to stand trial; most recent issues

Register today at:

osgoodepd.ca/mdc

Program Chairs

Joan Barrett, Deputy Director,
Crown Law Office - Criminal,
Ministry of the Attorney General
(Ontario)

The Hon. Justice Riun Shandler
Ontario Court of Justice

Keynote Speaker

Howard Sapers, Independent
Advisor on Corrections Reform
in Ontario

Date and Time

Friday, February 23, 2018
9:00 a.m.- 4:30 p.m. EST
In Person or Webcast

Location

**Osgoode Professional
Development**
1 Dundas St. West, 26th Floor
Toronto, ON



Endorsed by Second Chance
Scholarship Foundation



3RD NATIONAL SYMPOSIUM ON Mental Disorder: Criminal Justice and Community Solutions

From the challenges facing police when dealing with mentally ill persons, through the criminal process, the use of the *not criminally responsible* defence, to trending issues before the courts and Review Boards, this ground-breaking *OsgoodePD* program will probe the crossroads of mental health and criminal justice and how community solutions can offer more suitable alternatives to incarceration. A truly expert faculty from Canada and the U.S., with representation from the judiciary, Review Board, mental health community support organizations, legal profession, policing, academia and the field of psychiatry will explore the essential and emerging issues, including:

- Practical tools and approaches that can help provide pathways away from and out of the criminal justice system for persons with mental health issues
- Jurisdictional and procedural issues as well as general strategies to consider when the NCR defence may be at play
- Lessons learned from the 2017 study of the Ontario Review Board process
- Some innovative international approaches to therapeutic justice

Who Should Attend?

Lawyers, Judges, Review Board members, law enforcement professionals, mental health court and community support workers, psychiatrists, forensic psychologists, social workers

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Agenda

8:15 a.m.

Registration and Continental Breakfast

9:00 a.m.

**Welcome and Introduction
from the Chairs**

9:15 a.m.

**Challenges and Practical Solutions
for Addressing the Needs of Accused
Persons with Mental Health
Challenges – Part 1**

The Hon. Justice Michael H. Tulloch,
Court of Appeal of Ontario, Independent
Reviewer, Independent Police Oversight
Review, Government of Ontario (Moderator)

Michael Callaghan, Assistant Crown
Attorney, Toronto Crown Attorney's Office,
Criminal Law Division, Ministry of the
Attorney General (Ontario)

Eric Girt, Chief, Hamilton Police Service

Persons with mental health issues are at an increased risk of contact with the police and involvement in the criminal justice system. This presents unique challenges for police, the courts and other justice system participants.

- Practical tools and approaches that can help provide pathways away from and out of the criminal justice system
- The complex needs of persons with mental health issues
- Current innovative approaches to address these needs including the development and expansion of situation tables, social navigator systems
- Best practices for interactions between the police and mental health services

10:45 a.m.

Refreshment Break

11:00 a.m.

Not Criminally Responsible

The Hon. Justice Michelle Fuerst,
Regional Senior Justice, Superior Court
of Justice (Ontario) (Moderator)

Dr. Philip E. Klassen, Vice-President
Medical Services, Ontario Shores Centre
for Mental Health, Assistant Professor,
Department of Psychiatry and Department
of Medicine, University of Toronto

Erin Dann, Barrister

Craig Fraser, Assistant Crown Attorney,
Hamilton Crown Attorney's Office, Criminal
Law Division, Ministry of the Attorney
General (Ontario)

Hear from an expert panel about
jurisdictional and procedural issues as well
as general strategies to consider when the
NCR defence may be at play, such as:

- Challenges of consent NCRs and bifurcated trials
- Applications to re-open post-verdict
- The meaning of "wrong" under s.16 *Criminal Code* and why this concept remains challenging
- Sleep disorders as the underlying "disease of the mind"

12:00 p.m.

Networking Luncheon

12:30 p.m.

Keynote Address

Mental Illness: Incarceration is Not the Answer

Howard Sapers, Independent Advisor
on Corrections Reform in Ontario

1:00 p.m.

Challenges and Practical Solutions for Addressing the Needs of Accused Persons with Mental Health Issues – Part II

Camille Quenneville, CEO, Canadian
Mental Health Association, Ontario Division
(Moderator)

Sheldon Kennedy, Lead Director,
Sheldon Kennedy Child Advocacy Centre,
Co-Founder of Respect Group

Judge Michael Yavinsky, Supervising
Judge, New York City Criminal Court
for Brooklyn

Therapeutic justice is now at the forefront
of public dialogue but lacks a consistent
framework. Hear from a panel of experts
on therapeutic justice models and lessons
learned from other models including
Indigenous justice programs, international
approaches and approaches used in the
children and youth context.

2:30 p.m.

Refreshment Break

2:45 p.m.

Trending Issues before Review Boards – Part 1: Results of the Interdisciplinary Study of the Ontario Review Board

Dr. Sandy Simpson, Chief of Forensic
Psychiatry, Centre for Addiction and Mental
Health, Associate Professor and Head of the
Division of Forensic Psychiatry, Department
of Psychiatry, University of Toronto

Jamie Cameron, Professor, Osgoode Hall
Law School, York University, Alternate Chair,
Ontario Review Board

An in depth review and critique of
the Ontario Review Board process, its
implications for access to justice and
the therapeutic rehabilitation of
forensic patients

3:15 p.m.

Trending Issues before the Courts and Review Boards – Part 2

Jamie Cameron, Professor, Osgoode Hall
Law School, York University, Alternate Chair,
Ontario Review Board (Moderator)

Michael Feindel, Crown Coordinator,
Ontario Review Board, Ministry of the
Attorney General (Ontario)

Janice E. Blackburn, Partner, Bersenas
Jacobsen Chouest Thomson Blackburn LLP

- Is a *Charter* remedy illusory in Ontario
Review Board proceedings?
Re Chaudry, 2015 ONCA 317 (CanLII)
and *Re Starz*, 2015 ONCA 318 (CanLII)
- Sentencing assessments: when to
ask and how to get them
- Fitness to be sentenced: why it keeps
arising and how to resolve it

4:15 p.m.

Wrap-up by Chair

4:30 p.m.

Program concludes

Our participants say it best:

*"A consistently high standard program,
very well organized with a good
variety of topics and excellent
speakers."*

Crown Attorney

*"Really excellent group of speakers,
very informative, good presenters of
very complex information."*

Law enforcement mental health responder

*"The content was current, relevant and
at a level that was understandable."*

Mental health support case worker

*"I appreciated the interdisciplinary
approach to the topics. It is a multi-
faceted issue and needs to be
addressed as such."*

Psychiatrist

*"Absolutely outstanding program all
around. Very informative!"*

Criminal lawyer

Chairs

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Deputy Director, Crown Law
Office - Criminal, Ministry of the
Attorney General (Ontario)

The Hon. Justice Riun Shandler
Ontario Court of Justice

Keynote Speaker

Howard Sapers
Independent Advisor on Corrections Reform in Ontario

Faculty Includes

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Bersenas Jacobsen Chouest
Thomson Blackburn LLP

Michael Callaghan, Assistant
Crown Attorney, Toronto Crown
Attorney's Office, Criminal Law
Division, Ministry of the Attorney
General (Ontario)

Jamie Cameron, Professor,
Osgoode Hall Law School, York
University, Alternate Chair,
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Board, Ministry of the Attorney
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Attorney, Hamilton Crown
Attorney's Office, Criminal Law
Division, Ministry of the Attorney
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**The Hon. Justice Michelle
Fuerst**, Regional Senior Justice,
Superior Court of Justice (Ontario)

Eric Girt, Chief, Hamilton Police
Service

Sheldon Kennedy, Lead Director,
Sheldon Kennedy Child Advocacy
Centre, Co-Founder of Respect
Group

Dr. Philip E. Klassen,
Vice-President Medical Services,
Ontario Shores Centre for Mental
Health, Assistant Professor,
Dept. Of Psychiatry and Dept. of
Medicine, University of Toronto

Camille Quenneville, CEO,
Canadian Mental Health
Association, Ontario Division

Dr. Sandy Simpson, Chief of
Forensic Psychiatry, Centre for
Addiction and Mental Health,
Associate Professor and Head
of the Division of Forensic
Psychiatry, Department of
Psychiatry, University of Toronto

**The Hon. Justice Michael H.
Tulloch**, Court of Appeal of
Ontario, Independent Reviewer,
Independent Police Oversight
Review, Gov't of Ontario.

Judge Michael Yavinsky,
Supervising Judge of the New
York City Criminal Court for
Brooklyn

Registration Details

Fee per Delegate

\$495 plus HST

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details. Please inquire about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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LSUC (ON): 7h (4h Substantive, 3h Professionalism)

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