

8th Annual
Mental Health Law for Children & Youth
May 12, 2020

AGENDA

8:00 Registration and Continental Breakfast

8:30 Welcome and Introduction from the Chairs

Dr. Sharon Pyke, Superintendent of Education, Greater Essex County District School Board

Kathryn A. Hunt, Barrister & Solicitor

8:35 A Clinical Overview

Alice Charach, MD, MSc, FRCPC, Medical Director, Child and Youth Acute Care Collaborative (CAYACC), Division of Child and Youth Psychiatry, Associate Professor, Psychiatry, University of Toronto

- The current state-of-affairs in children and youth mental health
- Emerging trends in mental health among children and youth
- Common psychiatric disorders in children and youth: who is getting treatment? Where?
- What are the challenges to mental health service delivery?
- Early identification and early intervention
- Lessons learned from parents, youth and service providers on the challenges between children/youth and adult mental health services

9:45 Understanding Mental Health Laws Relating to Children and Youth

Kathryn A. Hunt, Barrister & Solicitor

Key differences exist between children/youth and adult mental health laws. Having a thorough understanding of the legal regime governing this area and how it guides your work is critical.

This review of the legislative framework will give you an up-to-date foundation for what comes later in the conference. The intersecting legislation includes:

- Health Care Consent Act*
- Mental Health Act*
- Personal Health Information Protection Act*
- Child, Youth and Family Services Act*
- Youth Criminal Justice Act*

10:45 Refreshment Break

11:00 Understanding Mental Health Law in the School Setting

Lauri A. Reesor, Hicks Morley Hamilton Stewart Storie LLP

This session will focus on mental health laws applicable in a school setting including:

- A review of key pieces of legislation including:
 - Education Act
 - Ontario Human Rights Code
 - MFIPPA
 - YCJA
 - OHSA
- Understanding intersecting duties including:
 - duty to accommodate students with disabilities
 - duty of care to provide a safe school
 - duty to protect individual privacy
- Understanding protocols and policies: steps for supporting mental health
- Parental consent for service
- IPRC: review of process
- Dealing with human rights complaints

12:00 Luncheon

12:45 Privacy, Confidentiality & Information Sharing in the Context of Children and Youth with Mental Health Challenges

Moderator:

Kathryn A. Hunt, Barrister & Solicitor

Panelists:

Mary Jane Dykeman, DDO Health Law

Samira Ahmed, Staff Lawyer, Justice for Children and Youth

Dr. Sharon Pyke, Superintendent of Education, Greater Essex County District School Board

- Overview of relevant privacy laws
- Common issues in the sharing of information among health care providers and other organizations
- When can youth consent to the disclosure of their personal health information?
- What information can be shared with family members? With police? With school personnel?
- Common issues in the education context: what information can be shared among school personnel, with parents, with community service providers?
- Keeping the rights of the child top of mind: the balance between providing mental health services and ensuring effective outcomes, while respecting privacy

2:00 Refreshment Break

2:15 Representing Children in Family Law

Interacting with the OCL: Best Outcomes and Best Interests

Shelley D. McIntyre, Counsel, Personal Rights Department, Supervisor, West & Central West Regions, Office of the Children's Lawyer, Ministry of the Attorney General (Ontario)

- What is the Office of the Children's Lawyer (OCL)?
- Understanding the role of child's counsel
- Involvement with collateral sources of information – educators have important information
- How OCL uses information from collateral sources to provide context to their position

3:00 Childhood Trauma and Mental Health

Elisa Romano, Ph.D., C.Psych, Professor, School of Psychology, University of Ottawa, Registered Clinical Psychologist in Ontario

- Theoretical framework for understanding childhood trauma
- Definition of trauma and its broad impacts (including mental health)
- Children in out-of-home care
- Complex trauma
- Trauma-informed responses

4:00 Program Concludes