

7<sup>TH</sup> ANNUAL

# MENTAL HEALTH LAW FOR CHILDREN & YOUTH

Do you have a clear understanding of the complex legal issues relating to children & youth mental health law? Do you know how to anticipate, prevent and manage them?

Engage with experts. Over one **comprehensive** day, you will gain **practical** and **up-to-date** information that you can put to work immediately following the program, including:

- The current state-of-affairs in children and youth mental health
- Coordination and collaboration amongst community mental health providers
- Understanding the prevalence of substance abuse amongst children and youth with mental health issues: what does it look like?
- Mental health and addictions in the school system

**LUNCHEON KEYNOTE ADDRESS:** YouthSpeak on *"Substance Misuse"*

Register today at:

[osgoodepd.ca/mental-health](http://osgoodepd.ca/mental-health)

## Program Chairs

**Michele M. Warner**  
Legal Counsel, Centre for Addiction  
and Mental Health (CAMH)

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

**Kate Hunt**  
Legal Counsel, Centre for Addiction  
and Mental Health (CAMH)

## Date and Time

April 8, 2019  
8:30 a.m. – 4:00 p.m. EDT  
In Person and Webcast

Online Replay:  
May 6, 2019

## Location

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

Health Leadership  
& Learning Network

EDVANCE CHRISTIAN  
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# Mental Health Law for Children and Youth

Legal rights and responsibilities in mental health law are complex and when the issues relate to children and youth, they are increasingly challenging.

This annual *OsgoodePD* program brings together legal, healthcare, mental health and education professionals for a comprehensive one-day update on the essential, current and emerging issues, together with practical legal advice on how to deal with them.

## Topics Include

- What advocacy support is most appropriate?
- Emerging trends in mental health among children and youth
- What are your organization's obligations as children/youth transition through the system?
- Privacy, confidentiality and information sharing in the context of children and youth with mental health challenges

Don't miss the chance to engage with experts and walk away with the knowledge, tools, strategies and tactics that will help you anticipate, prevent and manage these complex legal issues.

## Who Should Attend?

- School Administrators/Directors of Education/Supervisory Officers
- Mental health leads
- Teachers
- Health care risk managers
- Representatives from hospitals, psychiatric facilities and community care agencies
- Psychiatrists, physicians, nurses and other licensed medical professionals
- Lawyers in private practice specializing in health, criminal or education law
- Crown lawyers
- Government and public policy advisors
- Expert witnesses and mental health consultants
- Mental health patient advocates
- Social workers
- Health and social service professionals
- Law enforcement officers
- Corrections and rehabilitation service representatives

*“Topical, timely and a good selection of well-informed presenters.”*  
**Brian Jamieson**, Senior Communications Officer, Ontario College of Teachers (2018)

*“Very knowledgeable speakers who spoke about a variety of mental health legal issues.”*  
(2018 attendee)

## Agenda

**8:00 a.m.**

**Registration**

**8:30 a.m.**

**Welcome and Case Study Introduction from the Chairs**

**Michele M. Warner**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

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

**Kate Hunt**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

To prepare you for the day's session, the program chairs will present a complex fact scenario that's designed to get you thinking about some of the key issues that will be discussed throughout the day, including:

- Mental health diagnosis & advocacy
- Transition planning between community partners
- Early identification & intervention
- The impact of concurrent disorders on children & youth

**8:45 a.m.**

**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

**10:00 a.m.**

**Refreshment Break**

10:15 a.m.

### Understanding Mental Health Laws Relating to Children and Youth

**Kate Hunt**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

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*

11:15 a.m.

### Understanding Mental Health Law in the School Setting

**Shivani Chopra**, 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*
  - *Municipal Freedom of Information and Protection of Privacy Act*
  - *Youth Criminal Justice Act*
  - *Occupational Health and Safety Act*
- 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

12:15 p.m.

### Luncheon and Keynote Address by

### YouthSpeak on “Substance Misuse”

1:15 p.m.

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

**Moderator:**

**Kate Hunt**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

**Panelists:**

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

**Mary Jane Dykeman**, DDO Health Law

**Mark Mycyk**, Lead, Child Welfare Data Services, Ontario Association of Children’s Aid Societies

**Alex Yeaman, MCA, RP** (Master of Criminology, Registered Psychotherapist), Youth Mental Health Court Worker, Turning Point Youth Services

- Overview of relevant privacy laws
- New privacy framework for Ontario’s child and youth sector: impact on the collection, use and disclosure of and access to personal health information held by ministry-funded and licensed service providers
- 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, etc..?
- Keeping the rights of the child top of mind: the balance between providing mental health services and ensuring effective outcomes, while respecting privacy

2:15 p.m.

**Break**

2:30 p.m.

### Collaborative Approach to Mental Health and Addictions: Getting Students Back into the Classroom

**Moderator:**

**Michele M. Warner**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

**Panelists:**

**Samira Ahmed**, Staff Lawyer, Justice for Children and Youth

**Caroline Thibault**, Assistant Crown Attorney, Ministry of the Attorney General (Ottawa)

- The basics: what we know about mental health and addictions amongst children and youth
- The prevalence of substance abuse amongst children and youth with mental health issues
- What does it look like? What form does it take?
- The impact of addiction on children and youth in areas such as:
  - academic success
  - social relationships
  - legal status
  - physical health and well being
- What help is available to them?
- Addiction/substance abuse issues being seen in schools
- How are these challenges being addressed? What supports are available?
- Youth mental health courts: what are they and how are they different?

3:30 p.m.

### Case Study: Bringing it all Together

**Michele M. Warner**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

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

**Kate Hunt**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

In this interactive afternoon session we will analyze the case study introduced at the beginning of the day, identify the issues that have been highlighted and discuss best strategies.

This group discussion will reinforce your understanding of the issues and provide you with best practices and tools you can put to work to address these issues immediately.

4:00 p.m.

**Program Concludes**

## Chairs

**Michele M. Warner**  
Legal Counsel, Centre for  
Addiction and Mental Health  
(CAMH)

**Kate Hunt**  
Legal Counsel, Centre for  
Addiction and Mental Health  
(CAMH)

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

## Faculty

**Samira Ahmed**  
Staff Lawyer, Justice for  
Children and Youth

**Mark Mycyk**  
Lead, Child Welfare Data  
Services, Ontario Association  
of Children's Aid Societies

**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

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

**Caroline Thibault**  
Assistant Crown Attorney,  
Ministry of the Attorney  
General (Ottawa)

**Shivani Chopra**  
Hicks Morley Hamilton  
Stewart Storie LLP

**Michele M. Warner**  
Legal Counsel, Centre for  
Addiction and Mental Health  
(CAMH)

**Mary Jane Dykeman**  
DDO Health Law

**Alex Yeaman, MCA, RP**  
(Master of Criminology,  
Registered Psychotherapist),  
Youth Mental Health Court  
Worker, Turning Point Youth  
Services

**Kate Hunt**  
Legal Counsel, Centre for  
Addiction and Mental Health  
(CAMH)

## Registration Details

### Fee per Delegate

**\$545 plus HST**

Fees include attendance, program materials, lunch and break refreshments. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://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.



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours: LSO (ON): 6h 15m CPD (3h 15m Substantive; 1h Professionalism; 2h EDI)



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca)

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