



THE OSGOODE CERTIFICATE IN MENTAL HEALTH LAW

October 2, 10, 16, 23 & 30, 2019
5 Days over 5 Weeks
In Person or Live Webcast

This unique practice-based program provides an opportunity to explore and understand the complex intersection of mental health and the legal system.

Now is the time to:

- Gain a comprehensive understanding of mental health law
- Explore consent & capacity issues and the role of the substitute decision maker
- Learn about mental health in geriatric and pediatric context
- Enhance your knowledge around privacy, confidentiality and risk assessments
- Acquire a clearer understanding of the intersection of mental health and the criminal justice system

Register today at:

osgoodepd.ca/mentalhealth

Program Directors:

Dr. Mark Pearce
Forensic Psychiatrist,
Ontario Shores Centre for
Mental Health Sciences

Barbara Walker-Renshaw
Borden Ladner Gervais LLP

Location:

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



Gain the knowledge you need to handle the challenging and sensitive area of mental health, including:

- A comprehensive overview of mental health law
- Hearing directly from perspectives of patient side counsel, hospital counsel and PPAO
- Community treatment orders: what you need to know
- Consent & Capacity Board: understanding the process and practice
- Rules with respect to emergency treatment
- Concurrent disorders: addiction and mental health
- The legal issues arising in the geriatric context
- Admission to long-term care homes
- Issues in children's mental health – an overview of clinical concepts
- Privacy, confidentiality and risk assessment
- Advocacy and mental health
- Clinical risk management in mental health settings
- Systemic issues linking mental health and the criminal justice system
- Legal and ethical issues with respect to mental health in the federal correctional system

Who Should Attend:

- Psychiatrists, physicians, nurses and other licensed medical professionals
- Health care and social service professionals
- Social workers
- Representatives from hospitals, psychiatric facilities, long-term care facilities, CCAC's and community service provider agencies
- Law enforcement officers
- Corrections and rehabilitation services representatives
- Crown lawyers, defence counsel, duty counsel
- Mental health patient advocates
- Health law practitioners
- Health care risk managers
- Government and public policy advisors

The Osgoode Certificate in Mental Health Law

One of the many challenges in dealing with mental health law issues is understanding the relevant law and its application. Often decisions must be made quickly, with inadequate information or consultation. Failure to adequately assess risk, to properly address the rights of individuals and their families, or to provide proper patient care, can compromise essential rights of an individual and his or her family, landing you and your organization in the midst of an investigation, an inquiry and even litigation.

Over the course of five intensive one-day modules and led by Program Directors **Dr. Mark Pearce** and **Barbara Walker-Renshaw**, you will learn what you need to know about Mental Health Law and acquire best practice tips from some of the most knowledgeable and experienced experts in Canada. You will come away from this program with knowledge, tools, strategies and tactics that you can immediately put to use!

“highly recommend Police Leaders across Ontario consider this excellent learning opportunity for their members involved in mental health response.”

Insp. Bruce Townley, Durham Regional Police Service (2017)

Tap into the expertise of our multidisciplinary faculty of experts, including:

Program Directors



Dr. Mark Pearce

Forensic Psychiatrist, Ontario Shores
Centre for Mental Health Sciences



**Barbara Walker-
Renshaw**

Borden Ladner Gervais LLP

Program Faculty

Joan Barrett

Deputy Director, Crown Law Office -
Criminal

Janice Blackburn

Bersenas Jacobsen Chouest Thomson
Blackburn LLP

Katharine Byrick

Borden Ladner Gervais LLP

Dr. Alice Charach

Medical Director, Child and Youth
Acute Care Collaborative (CAYACC),
Division of Child and Youth Psychiatry;
Associate Professor, U of T Department
of Psychiatry

Dr. Sarah Anne Coleman

Geriatric Psychiatrist, CAMH

Kate Dewhirst

Kate Dewhirst Health Law

Sergeant Henry Dyck

Toronto Police Services

Dr. Mark Fadel

Ontario Shores Centre for Mental Health
Sciences

Emily Griffith

Counsel, Ministry of the Attorney
General, Office of the Public Guardian
and Trustee

Dr. Misha Hartfeil

Forensic Psychiatrist, Ontario Shores
Centre for Mental Health Sciences

Naveen Hassan

Borden Ladner Gervais LLP

Dr. Bernard le Foll

Medical Head, Concurrent Outpatient
Medical & Psychosocial Addiction
Support Service, COMPASS, Acute Care
Program, CAMH; Head, Alcohol Research
and Treatment Clinic, COMPASS, Acute
Care Program, CAMH; Head, Translational
Addiction Research Laboratory, Campbell
Family Mental Health Research Institute,
CAMH; Professor, Departments of
Family and Community Medicine,
Pharmacology, Psychiatry and Institute
of Medical Sciences, U of T

Dr. Yona Lunsky

Director, Azrieli Adult
Neurodevelopmental Centre, H-CARDD
Director and Senior Scientist, CAMH,
Professor and Developmental Disability
Lead, Department of Psychiatry, U of T

Gavin S. MacKenzie

Clinical Legal Counsel, CAMH

Anna Marrison

Borden Ladner Gervais LLP

Jane Meadus

Staff Lawyer and Institutional Advocate,
Advocacy Centre for the Elderly

Kendra Naidoo

Legal Counsel, CAMH

Michael D. Newman

Vice-Chair and Senior Lawyer Member,
Consent and Capacity Board of Ontario

Jane Paterson

Director, Interprofessional Practice,
CAMH

Lonny J. Rosen

Rosen Sunshine LLP

Jonathan Rudin

Program Director, Aboriginal Legal
Services

Shelagh Scanga

St. Joseph's Health Centre - Toronto

Jessica Szabo

Borden Ladner Gervais LLP

Michele Warner

Legal Counsel, CAMH

Carla Whillier

Barrister & Solicitor

Dr. Treena Dawn Wilkie

Staff Psychiatrist, CAMH; Consultant
Psychiatrist, Mental Health Court -
Toronto Old City Hall and Toronto Jail

Agenda

MODULE 1

October 2, 2019

8:45 a.m. – 4:30 p.m.

Overview of Mental Health Law

- An overview of the civil and forensic systems, as well as the systemic issues/themes in mental health
- Civil commitment under the *Mental Health Act*
- Admission to hospital and procedures
- Psychiatric assessment criteria
- The role of the patient advocate and patient rights
- Advising a client under care in a health care facility
- Ethno-cultural diversity and mental health
- Access, stigma and cultural competency
- Barriers to care in diverse populations

Providing Care in a Legalized Environment

- Understanding the system under which mental health hospitals operate and the care that is provided under the current system

Perspectives: A Panel Presentation by Patient Side Counsel, Hospital Counsel and PPAO

- Mental health law through various lenses
- This session includes presentations from panel members followed by a group discussion

Faculty

Dr. Bernard le Foll

Gavin S. MacKenzie

Dr. Mark Pearce

Jessica Szabo

Barbara Walker-Renshaw

MODULE 2

October 10, 2019

8:45 a.m. – 4:00 p.m.

Consent, Capacity and Substitute Decision Making

- Consent to treatment under the *Health Care Consent Act*
- Patients' rights to refuse treatment
- Capacity to make decisions (respecting treatment, admission to a care facility, personal assistance services and management of property)
- Overview of the *Substitute Decisions Act*
- Rules with respect to emergency treatment
- Summary of case law relating to capacity assessments
- The roles and responsibilities of the substitute decision-maker
- Difference between attorneys and guardians under the *Substitute Decisions Act*
- Explanation of "best interest" under the law
- Rules relating to community treatment orders
- Issues related to property

Mock Consent and Capacity Board (CCB) hearing and panel discussion on the CCB's process and practice

Faculty

Emily Griffith

Dr. Misha Hartfeil

Kendra Naidoo

Michael D. Newman

Dr. Mark Pearce

Lonny J. Rosen

Barbara Walker-Renshaw

Carla Whillier

MODULE 3

October 16, 2019

8:45 a.m. – 4:00 p.m.

Special Issues in the Geriatric and Pediatric Contexts

- Concurrent disorders: addiction and mental health
- Clinical issues in the treatment of elderly patients
- Assessment and management of older people with psychiatric disorders
- Working with older people with primary neurological disorders, including dementia, that have complex psychiatric manifestations
- The role of the Public Guardian and Trustee in investigations and treatment decisions
- Issues in admission to long-term care homes – both the patient advocate and institutional representative perspectives
- Challenges and limits in providing family centered care

- Legal Issues arising in the context of dual diagnosis
- Issues in children’s mental health - an overview of clinical concepts

Faculty

Katharine Byrick

Dr. Alice Charach

Dr. Sarah Anne Colman

Dr. Mark Fadel

Naveen Hassan

Dr. Yona Lunsky

Jane Meadus

Dr. Mark Pearce

Jonathan Rudin

Barbara Walker-Renshaw

- Clinical risk management in mental health care settings
- Legal aspects of search and seizure in mental health settings and intersecting privacy issues

Interactions with the Police in the Mental Health Context

Faculty

Kate Dewhirst

Sergeant Henry Dyck

Anna Marrison

Jane Paterson

Dr. Mark Pearce

Barbara Walker-Renshaw

Michele Warner

- Mental health issues and youth criminal justice
- Legal and ethical issues with respect to mental health in the federal correctional system

Treatment of the Mentally Disordered Accused and Assessment of Risk of Violence

Faculty

Joan Barrett

Janice Blackburn

Dr. Mark Pearce

Shelagh Scanga

Barbara Walker-Renshaw

Dr. Treena Dawn Wilkie

MODULE 4

October 23, 2019

8:45 a.m. – 4:15 p.m.

Privacy, Confidentiality and Risk Assessment

- Privacy, confidentiality and mental health care
- Who is in the circle of care, and who is not?
- Advocacy and mental health
- Best practices for sharing information with families, disclosing information to the police and lockbox/corrections requests
- Duty to inform and violence risk assessment
- Practical strategies to minimize risk and maintain reliable documentation
- How to respond in a crisis; how to run the “huddle”

MODULE 5

October 30, 2019

8:45 a.m. – 4:30 p.m.

The Forensic System

- First interactions with the justice system: mobile crisis, mental health diversion, jails, corrections and the police
- Systemic issues linking mental health and the criminal justice system
- Essential components of the defence of “not criminally responsible”
- Forensic mental health and the *Criminal Code*
- Ontario Review Board hearings
- Challenges and tools for assessing violent and sexual offenders
- Treatment of the mentally disordered accused

“This is an extremely valuable course for anyone working with individuals who may be covered by Mental Health Law - even if you think you have a good understanding of it...!”

Registration Details

Fee per Delegate

\$3,395 plus HST

Fees include attendance, program materials, lunch and break refreshments. Visit www.osgoodepd.ca/financial-assistance for details 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 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information please contact:

Bernard Sandler, Program Lawyer at 416.619.8930
or email bsandler@osgoode.yorku.ca

“Excellent program with each module filled with an abundance of important material. Great presenters who are leaders in their areas of practice.”

“I have a better idea how to navigate the legal system and help clients.”

Certificate of Program Completion

You will receive a certificate upon completion of ***The Osgoode Certificate in Mental Health Law***. Participants must attend all program modules and pass the post-program multiple choice assessment to receive a certificate.

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/mentalhealth



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

Eligible CPD Hours - LSO (ON): 32h 30m CPD (26h Substantive; 2h 15m Professionalism; 4h 15m 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.

MAINTENANCE OF CERTIFICATION

Attendance at this program entitles certified Canadian College of Health Leaders members (CHE / Fellow) to **16 Category III** credits towards their maintenance of certification requirement.

