



Consent and Capacity Board

Review of Informal Status Person Aged 12 to 15 (Form 25)

Applying for a Review of Informal Status Person Aged 12 to 15 (Form 25)

If you are or have ever been admitted to a psychiatric facility on the consent of a family member, your guardian or the Public Guardian and Trustee, you are called an informal patient. If you are an informal patient and you are at least 12 years of age but not yet 16, you may apply to the Consent and Capacity Board for a hearing to decide whether or not you need to stay in hospital.

When Can I Apply?

As long as you are an informal patient, you may apply to the Board once every three months. Whether or not you apply to the Board, a hearing will be held once every six months to decide whether or not you need to stay in hospital.

How do I apply?

Fill out an application (Form 25) and send it to the Board. You can get the form from hospital staff or from a rights adviser. You can also call the Child and Family Service Advocacy Office at 1-800-263-2841.

How do I find a rights adviser?

When you are admitted as an informal patient, a rights adviser should be sent to see you. You may also ask that a rights adviser come to visit you. The rights adviser can explain your rights and help you to apply to the Board. A health practitioner or someone else working in your facility can help you to contact a rights adviser.

You can also call the Child and Family Service Advocacy Office at 1-800-263-2841.

When and where will the hearing be?

After you send the form to the Board, you will receive a notice with the time and place of the hearing. The hearing will take place at the psychiatric facility. The hearing will usually be held within one week after the Board receives your application.

Do I need a lawyer at the hearing?

It may be a good idea to have a lawyer represent you but you do not have to have one. If you are in a psychiatric facility, you may speak with a rights adviser. The rights adviser can explain your rights, help you to apply to the Board and help you find a lawyer. You may also contact a lawyer on your own or through the Lawyer Referral Service. Their number is listed in the White Pages under The Law Society of Upper Canada and in the Yellow Pages under Lawyer Referral Services. You may be entitled to a Legal Aid lawyer free of charge.

In some cases, the Board can order that legal representation be arranged for you before the hearing is scheduled. If you come to the hearing without a lawyer, the Board may order that legal representation be arranged for you.

What will happen at the hearing?

You may come to the hearing and invite anyone you want to be there.

The Presiding Member will welcome everyone, introduce the members of the Board and explain how the hearing works.

Your doctor will explain why he or she thinks that you should stay in the hospital. You will have a chance to present your views and the Board will take these into consideration. You or your lawyer may call witnesses and bring documents.

What happens after the hearing is over?

After the Board has heard what everyone has to say and the hearing is over, it will meet in private to make its decision. The Board may order that you be discharged from the hospital, or that you remain in the hospital. In making its decision, the Board considers the following:

- √ Whether you need observation, care and treatment of the kind that the psychiatric facility can provide
- √ Whether your needs can be adequately met if you are not an informal patient in the psychiatric facility
- √ Whether there is an available alternative to the psychiatric facility in which your needs could be more appropriately met
- √ Your views and wishes; and
- √ Any other matter that the Board considers relevant.

You will be given the Board's decision within one day. The Board may also issue written reasons explaining its decision. Written reasons will be issued if any of the parties request them within thirty days of the hearing.

Can I appeal the Board's decision?

A decision by the Board can be appealed to the Superior Court of Justice.

Contact Us

If you would like to contact the Board or fax an application, please use any of the numbers below:

CCB Numbers
Greater Toronto Area Phone: (416) 924-4961 Fax: (416) 924-8873
Outside Greater Toronto Area Phone: 1-866-777-7391 (Toll Free) Fax: 1-866-777-7273 (Toll Free)

