



Consent and Capacity Board

Review of a Community Treatment Order (Form 48)

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If you are the subject of a Community Treatment Order (Form 45), you are obliged to attend appointments with the physician who issued or renewed it and comply with the treatment plan the Order sets out while you live in the community.

You or someone acting for you may apply to the Consent and Capacity Board for a hearing to decide whether or not you must continue to follow the terms of the Community Treatment Order.

When may I apply to the Board?

You may apply to the Board once each time your physician completes a Community Treatment Order. A hearing will automatically be held if a second Community Treatment Order is signed and every second time thereafter.

How do I apply?

If you are a patient in a psychiatric facility, rights advisors are available at all psychiatric hospitals and all major hospitals with a psychiatric unit, to assist you in completing the Application (Form 48) and sending it to the Board.

If you cannot find an application form or if you do not know how to send the form to the Board, you may call the Board for assistance or check our web site at www.ccboard.on.ca. If you are less than 18 years of age, you can also call the Child and Family Service Advocacy Office at 1-800-263-2841.

When & where will the hearing be?

You will receive a notice from the Board with the time and place of the hearing. The hearing will take place at a location convenient to all parties. The hearing will usually be held within one week after the Board receives your application. Therefore, it is very important that you provide information on how to contact you.

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. 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.

Who are the parties to the hearing?

The parties to the hearing are you and your doctor. If appropriate, the Board may name other parties.

What will happen at the hearing?

The purpose of the hearing is to decide whether the criteria for issuing or renewing the Community Treatment Order were met. These criteria are set out in section 33.1 (4) of the Mental Health Act.

Each party may attend the hearing and invite anyone they want to come. Each party may have a lawyer, call witnesses and bring documents.

Your doctor is required to present information at the hearing to help the Board decide whether you should remain subject to a Community Treatment Order. You and your lawyer may also present evidence.

Each party as well as the Board members may ask questions of each witness. At the end of the hearing each party will be invited to summarize and the Presiding Member will then end the Hearing.

What happens after the hearing?

The Board will meet in private to make its decision. The Board will issue its 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. This request must be made within thirty days of the hearing.

The Board may confirm or revoke the Community Treatment Order.

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 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)

