

**Relevant Forms and Sections under the Mental Health Act**

The Forms and Sections of the Mental Health Act are used to guide the implementation of involuntary care. This is not a comprehensive list of all Forms and Sections under the Mental Health Act.

<b>Form/Section</b>	<b>Issued by</b>	<b>Reason</b>	<b>Details of Involuntary Admission</b>	<b>Police Involvement</b>
<b>Form 1</b>	Physician who has examined the patient	Belief that an individual is at risk of harming themselves, others, or is unable to care for themselves due to mental health issues.	Authorizes involuntary admission to a hospital for 72 hours for psychiatric assessment. A Form 1 is valid for 7 days.	Police can assist in apprehending the individual and safely transporting them to the hospital/ psychiatric facility for assessment if needed.
<b>Form 2</b>	Justice of the Peace	A concerned individual (e.g., family, friend) has reported that the person is likely a danger to themselves or others or is unable to care for themselves due to mental health issues.	Authorizes involuntary admission to a hospital for psychiatric assessment. A Form 2 is valid for 7 days.	Police can assist in apprehending the individual and safely transporting them to the hospital/ psychiatric facility for assessment if needed.
<b>Form 9</b>	Officer in charge of psychiatric facility	An individual who is involuntarily detained in a hospital/ psychiatric facility leaves the facility without permission.	Authorizes the return to the hospital/ psychiatric facility for involuntary admission. A Form 9 is valid for 30 days.	Allows police to apprehend an involuntarily admitted patient who has left the hospital without permission and return them to the nearest hospital/

				psychiatric facility.
<b>Form 47</b>	Physician who issued the Community Treatment Order	Individual under a Community Treatment Order is non-compliant with their treatment plan.	Authorizes involuntary admission to a hospital for psychiatric treatment or re-assessment after non-compliance with a Community Treatment Order. A Form 47 is valid for 30 days.	Police are authorized to apprehend and return the individual to the hospital/ psychiatric facility for treatment.*
<b>Section 17</b>		A police officer has reasonable grounds to believe the individual is acting disorderly, suffering from a mental disorder, and poses a risk of harm to themselves or others.	Enables immediate apprehension and transport to a hospital for psychiatric assessment.	Police have direct authority to apprehend an individual without the need for a Form 1 or 2, based on their observations of the person's behavior.  For more details on grounds for apprehension, see below.

References: <sup>1,2</sup>

<sup>1</sup> Ontario Hospital Association. (2023). A Practical Guide to Mental Health and the Law in Ontario.  
<https://www.oha.com/Legislative%20and%20Legal%20Issues%20Documents1/A%20Practical%20Guide%20to%20Mental%20Health%20and%20the%20Law%2C%20Fourth%20Edition%2C%202023.pdf>

<sup>2</sup> Center for Addictions and Mental Health; Ontario Police College; St. Joseph’s Health Care London. (2004).

\* Hamilton Police Services leverages officers from the Crisis Response Branch, who have received Crisis Intervention Training and have extensive experience responding to persons in crisis, to respond to Form 47. Officers bring individuals directly to the issuing physician to avoid waiting in the emergency department to be treated.

**Mental Health Action, Section 17, Action by police officer**

Where a police officer has reasonable and probable grounds to believe that a person is acting or has acted in a disorderly manner and has reasonable cause to believe that the person,

- a) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself;
- b) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her; or
- c) has shown or is showing a lack of competence to care for himself or herself,
- d) and in addition the police officer is of the opinion that the person is apparently suffering from mental disorder of a nature or quality that likely will result in,
- e) serious bodily harm to the person;
- f) serious bodily harm to another person; or
- g) serious physical impairment of the person,

and that it would be dangerous to proceed under section 16, the police officer may take the person in custody to an appropriate place for examination by a physician. 2000, c. 9, s. 5.<sup>3</sup>

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“Not just another call...police response to people with mental illnesses in Ontario”  
[https://www.forcescience.org/wp-content/uploads/2011/11/Not\\_Just\\_Another\\_Call.pdf](https://www.forcescience.org/wp-content/uploads/2011/11/Not_Just_Another_Call.pdf)

<sup>3</sup> Government of Ontario. (2015). Mental Health Act.  
<https://www.ontario.ca/laws/statute/90m07#BK0>