

Youth - Court-Ordered Detoxification and Assessment (PChAD)

What is PChAD?

The [Protection of Children Abusing Drugs Act \(PChAD\)](#) is an Alberta law that went into effect on July 1, 2006 to help youth under 18 years of age whose use of alcohol or other drugs is likely to cause significant psychological or physical harm to themselves or physical harm to others.

How does the PChAD Act affect me?

The PChAD Act allows your parents or guardians to ask the Court for a protection order. This law only applies to youth under the age of 18. In the application your parents must provide evidence to show that your alcohol or other drug abuse is likely to cause harm to you or harm to others. If the Court agrees with your parents or guardians that your drug use is causing harm, the Courts will send you to a protective safe house for up to ten days. This safe house will help you manage withdrawal and help you to decide your next steps. Here you will have the chance to talk to an Addiction Counselor.

How does a parent/guardian get me into the PChAD program?

Alberta Health Services (AHS) encourages parents/guardians to contact an Addiction Services office to explore all other alternatives, including voluntary programs, before applying for a protection order under PChAD.

In order for your parents to have you placed in the PChAD program, they must meet with an Addiction Counselor and then file an application with the Provincial Court of Alberta. If the Court grants the order, you can then be placed in a protective safe house.

Where will I be taken?

There are four protective safe house locations in Alberta: Grande Prairie, Edmonton, Red Deer, and Calgary. You will be taken to a location that best meets your needs, the needs of your family, and where there is a bed available.

What if I don't agree to voluntary treatment?

If you don't agree to voluntary treatment, then a judge will decide whether you will be sent to a protective safe house.

The judge will use their knowledge, experience, and sound judgment in deciding on a protection order. The judge will consider the information provided during the application process, and must be convinced that your alcohol or other drug abuse has caused or will likely cause significant

harm to you or others. Harm to you means psychological, social or physical harm. Harm to others is physical harm.

Who will take me to the safe house?

Your parents or guardians can take you to the protective safe house. However, if that is not possible because your parents/guardians don't know where you are, or because you are no longer at home, the protection order may also give the police permission to find you and take you to the protective safe house. This means that the police may search for you and enter a place they believe you may be found.

It is important for you to know that confinement under the PChAD Act does not result in a criminal record. This law does not intend to criminalize you; it intends to offer you help.

Are there options available to me to avoid going to the safe house?

When the order is invoked, you will be brought to a protective safe house. Once you are there, you will be given information about your rights, including your right to have your protection order reviewed by a judge. At a review hearing, several outcomes are possible including termination of your order. At the protective safe house, you will also receive information on how to contact a lawyer so that you can discuss your option of reviewing your order and explore all possible outcomes with your lawyer. .

Why is this happening to me?

If you find yourself in this situation, it is probably because your parents or guardians believe you need help, you are not safe and they needed to make a decision for you. You may have tried voluntary treatment several times but did not follow through or complete the program. You may not have thought of seeking help for your substance abuse.

What will happen in the 10 days at the protective safe house?

The judge may have instructed that you be confined at the protective safe house for a period of time of up to 10 days. The protective safe house staff will help you to begin withdrawal from the drugs, or alcohol.

An Addiction counselor will speak with you to learn more about your alcohol and other drug use. They will help you to decide what parts of your life have been affected by your drug use, what you might want to do about it and where you could go after your stay at the protective safe house. The counselor will also work with you to make recommendations on a treatment plan for you to follow after you are discharged. Your parents/guardians will be required to get involved in the process.

This is also a difficult time for you and your family. Counselors will work with you and your family, helping everyone to deal with the situation and come up with solutions to the problems.

Do I have to stay?

Yes, you have to stay for the period of time stated in the court order unless, after the assessment, everyone agrees that it would be better for you to go to another program instead.

However, you have the right to request the Court to review the court order that placed you in the protective safe house. As soon as you arrive, the staff at the protective safe house will provide you with information explaining how you do this. Once the judge reviews your request, he or she can shorten your length of stay or even terminate the original order. At the review, your stay may be lengthened if you have not yet been assessed, completed detoxification or have not stabilized while in the program.

Is this like jail?

No. A protective safe house is a safe place where specially trained staff provide you with round-the-clock help. You will have a room, bed and meals. There will be games, and things to do when you are feeling better. Staff will be there to help you during your stay.

Will I have a "record"?

All your personal information is highly confidential and access to records is highly protected. It is important for you to know that confinement under the PChAD Act does not result in a criminal record. This law does not intend to criminalize you; it intends to offer you help.

Who will have access to my file?

Only you will receive a copy of the assessment and Alberta Health Services will keep a copy on file. In accordance with privacy laws, the assessment can only be shared with other people if you agree to share the information and sign a release form.

There are a few situations where your information may be shared with others without your consent. The counselor will make sure you know and understand those special situations, prior to the release of your information.

What is detox?

Detox is the short form of detoxification, which means a person is withdrawing from the effects of alcohol and other drug abuse.

The goals of detoxification in the PChAD protective safe house include attending to the person's basic needs and health concerns.

What is assessment?

Assessment is an evaluation of potential harm related to what you are doing, what types of drugs you are using, and whether you are ready to change.

What are my legal rights?

If you are confined in a protective safe house under a PChAD Court order, you will be given the following information in writing:

- A copy of the protection order
- Information concerning your right to ask the Court for a review hearing with a request to review form
- Information concerning your right to contact a lawyer and you will also be given the phone number to the Legal Aid Society

You will have the following verbally explained to you:

- The content of the protection order
- Your right to ask the Court for a review of the protection order
- Your right to contact a lawyer Informed that if a request for review form is filed with the Court, it will be reviewed within two days.
- Informed that you have the right to decide how and what personal information is shared as regulated by the Health Information Act.

You have a right to appeal the protection order at any time. If you make a request for review and it is heard, the Court may make an order confirming, varying or terminating the original order. The Court can also extend your 10 day confinement by up to another 5 days if the Court is satisfied that you require further assessment, detoxification or stabilization.

If you decide to appeal the order, there will be adults to help you through this process.

What is my parents'/guardians' role in the process?

Your parents or guardians need to be there and be a support to you in order for you to build a new "non-using" life. They need to learn and understand what the challenges will be and how they can support you when things get tough. That's the reason we require parents/guardians to participate in your treatment program while you are residing in a protective safe house. How much participation can vary and will depend on your family's needs. Alberta Health Services – Addiction and Mental Health Services offers programs ranging from general information sessions to family counseling.

What happens afterwards?

When you have completed your stay at the protective safe house, you will be discharged to your parents. You will have your assessment and the recommended treatment plan. We will work with you to place you in programs where you can continue your treatment and recovery. The next move is up to you. We hope you choose to continue with recovery.

Want to know more? Call the 24-hour Help Line at 1-866-332-2322.