

COURT OF APPEAL FOR ONTARIO

CITATION: Coburn (Re) 2015 ONCA 186

DATE: 20150318

DOCKET: C59264

Simmons, Juriansz and van Rensburg JJ.A.

IN THE MATTER OF: Lillian Coburn

AN APPEAL UNDER PART XX.1 OF THE *CODE*

Daniel Moore, for the appellant Lillian Coburn

Hannah Freeman, for the Attorney General

Gavin S. MacKenzie, for the Person in Charge of the Centre for Addiction and Mental Health

Heard and released orally: March 12, 2015

On appeal from the disposition of the Ontario Review Board dated July 24, 2014.

ENDORSEMENT

[1] The conclusions of the Board that Ms. Coburn continued to pose a significant threat to the safety of the public and that this risk could not be managed by a conditional discharge order are fully supported by the evidence

that was accepted by the Board (in particular that of Dr. Wilkie) and are reasonable.

[2] Ms. Coburn, while under Board disposition, continues to suffer from a major mental illness and continues to engage in behaviour of the nature and kind that formed the basis of the index offences. She is not consistently compliant with medication and she lacks insight into her condition and behaviour. In these circumstances, she continues to pose a significant threat to public safety.

[3] The Board fully considered the option of a conditional discharge, but reasonably concluded that, at least at the time of its disposition, the risk could not be managed in the community because Ms. Coburn's behaviour could not be adequately supervised.

[4] The appeal from the Board's disposition of July 24, 2014 is accordingly dismissed.

"Janet Simmons J.A."

"R.G. Juriansz J.A."

"K. van Rensburg J.A."