

My presentation will be in 3 parts. First, I want to talk about the relation between mental health issues and behaviour that is incompatible with the law. Then I want to give some examples of teenagers who got in trouble. I have known some of them personally and some have been known to some of my colleagues. Finally, I will make some suggestions around things we could improve.

### The relation between mental health issues and behaviour incompatible with the law

In order to have a clear understanding of how to help youth who get in trouble with the law, it is important to understand what takes them there. The reality is that not everything can be blamed on being a teenager. It is not unusual for teenagers to test and experiment. They want to know how far they can go in terms of their own abilities and endurance. They also want to know how far they can push the limits of the system. But for most healthy teenagers, once they got in trouble, they quickly adjust and they return to their usual behaviour of reasonable compliance.

As a society, our problem is with the youth who escalate, those who continue to choose behaviour that will most likely lead them into more trouble in spite of the fact that they hate the consequences. For those teenagers, for some reason, their need to choose this behaviour is more important or more relevant than the need to avoid the consequence. The reality is that children and teenagers do not keep on doing things that damage relationships that are important to them.

So let's make sense of this. Children are born with no sense of what is right and what is wrong. It is something that they learn from their parents. By the way their parents treat them, by the way they interact with each other and with the world around them, children learn about respect, tolerance, acceptance, assertiveness, etc. As individuals, there are all kinds of things that we learn without actually being taught. Just by observation and experience.

In some situations, the parents fail to teach right and wrong. It may be because they are neglectful, or even abusive, and it may be because, with the best intentions, they just do not know how to do it (especially if it was not showed to them by their own parents). There are also situations where parents have to deal with all kinds of things (financial problems, health problems, work issues, etc.) that make them unavailable (or not available enough) to their children.

When parents provide poor care—whether it is intentional or not—children start seeing their parents as people who do not have their best interest in mind, since they do not appear motivated to meet their needs. As children, we know that we are vulnerable and we need to see our parents as people who are going to be there for us. When there is neglect, children revise their position and start seeing their parents as people they should not trust. Since we establish relationships with other adults (baby sitter, teacher, coach, etc.) based on our

relationships with our parents, neglected children extend this lack of trust to other authority figures because they see them as social substitutes for their parents.

It is important to understand here that the way children perceive things may sometimes have more of an impact than the way things actually are. Ex: father who lost custody of son because he was in the army. The son was unable to trust his father when he got custody back after a few years of significant abuse.

As human beings, we do not follow the rules of people we do not trust because we do not believe that those rules are favourable to our wellbeing. It becomes a question of survival. I do not do what people who do not care about my wellbeing tell me to do. So if I do not trust the adults around me to meet my needs, who do I trust? I only have myself left.

Being neglected does not only teach children not to trust authority, it also teaches them that they are responsible for their own wellbeing and for their own safety. If they want their needs met, they have to make it happen. They learn to take matters in their own hands rather than ask adults and trust that they will do what needs to be done. The problem is that children or teenagers do not have the skills to take things into their own hands so the results are often not positive.

I also observed that neglected children come to confuse what they need and what they want, so they can work as hard to meet a want than they would to meet a need. For them, to have a want not met becomes as dangerous as having a need not met. (ex: Maggie and her pierced ears) They become on survival mode in both situations.

To summarize, when children do not learn from their parents what is right and what is wrong because their parents failed to teach them this very important information, children and later teenagers make their own rules according to what they can make sense of with their incomplete experience, their lack of knowledge and their lack of skills. It is not surprising that their system of reference is faulty. Also, because at this young age, they have a tendency to be self-centered, the guidelines they establish for their behaviour is more focused on their own needs than on what is good for the society.

With that in mind, let's look at some examples. I have some examples where things did not go well. I chose those examples because we are here, in part, to find what we need to improve. But there are many examples where things have gone well. As part of the Intervention & Diversion committee, there have been many cases where the youth's involvement and his-her parents' involvement have been enough to help the teenager modify his-her behaviour. Also, in my work at Community Mental Health, I have worked with teenagers who were on probation. It seems that the fact that they had to keep their behaviour under control for several months helped them learn to make better choices.

CASE 1

Youth has a first assault while defending a girl

He is referred to Intervention & Diversion and some of the suggestion made by the committee cannot take place because the mother has anger issues that are not under control. In the end, the youth is compliant.

He gets in trouble with the law again and is put on probation.

When I met with him, he told me that probation was much better because he will not have to do any community work.

CONCLUSION: He did not learn anything from his experience with I&D and nothing changed in the family.

#### CASE 2

14 year old ADHD teenager who came to live with his father after being asked to leave by his mother. (Rejection)

He started with small thefts, in the family, at school, then it involved some hunting rifles

He was eventually sent to Miramichi (around 95) and there, he was assaulted sexually.

A few years later, he was in court as a sex offender

I visited Miramichi and my perception is that it is a good place to work on improving the quality of relationship that teenagers establish and to develop a good understanding of the consequences + or – of their behaviour. But the company is not always good.

#### CASE 3

A young teenager got angry at another student in his school and they got into a fight. He gets in trouble and is angry. In the bathroom, he tells one of his friends 'I am going to kill him' of course not meaning it. The friend goes to the principal who goes to the police. Charges are laid, he goes to court and is put on probation.

He becomes so anxious that he may say something that will have major consequences without expecting it that he now refuses to go to school.

He had a history of neglect and perceived his grandmother as neglectful while she was his saviour.

#### CASE 4

A young boy, less than 10 years old with sexual deviance. Sexual abuse is suspected but never substantiated.

Eventually goes in care to protect his young siblings.

As some point, DSD is looking at treatment facility, they find a centre in Ontario. The family refuses and he is returned home.

It is likely that this boy will eventually do something inappropriate and will find himself in the court system, because we do not have the expertise with this type of problems.

#### CASE 5

I can think of another teenager, this one a little older, who was also inappropriate sexually. He was living in a family who did their best but who had limited skills. Eventually, he was on probation and during that time, he participated in a program designed to help young sex offenders. He was not able to learn from that program and eventually was remanded to Miramichi. This would have most likely been avoided if we had the expertise to help youth with this type of problems.

#### OTHER CASES

- Youth who get in trouble with the law in relation with addiction issues. If the teenager does not want to work on his problems and does not want to change and if his parents are in denial that he has addiction issues, it is very unlikely that the system will be able to help him. He is then likely to reoffend.
- Youth who commit offenses several times and all they get are warnings. They end up laughing at the system and believing that they can do what they want. They will reoffend until they are stopped.

Before we look at what we can improve, let's look at what we do well to make sure to continue doing that.

- Good collaboration between probation officers and clinicians at CMH
- Good approach used by police officers with youth that will keep the youth more receptive to services.
- There are times when the measures that were used (I&D, probation, Miramichi) was exactly what the youth needed.

#### What we need to improve

- Get better at knowing when to take the soft approach (Intervention and Diversion) and the strong approach Miramichi, and the in between. Communication between justice system and mental health. Some youth laugh at the fact that they do not have stronger consequences while some youth are damaged by the consequences that are used.
- The parents need to be accountable. They need to be involved in the intervention. In case where the youth has been in trouble with the law before and the previous, softer intervention did not improve the situation, it is realistic to believe that the parenting is an issue and that the quality of the relationship youth-parents is an issue. If those things

are worked on, the functioning of the youth is likely to improve. If there is no change in the relationship with the parents, it is unlikely that there will be a change in the functioning of the youth. Parents are agent of changes in their child's life, they need to use their power of influence.

- DSD's approach is to work with the whole family, at MH, the child and adolescent team also uses a family approach and involve the parents regularly, but when it comes to the Court, with youth the same age, the youth is the only one considered. I have seen examples where the parents say, in front of the teenager, that the condition of the probation are not reasonable and I have seen parents not calling when the curfew is not respected. It leads the teenager to believe that he should not follow those rules. He just has to do his time and make sure not to get caught next time.