



Mentally ill youth 'in harm's way'

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Arrested, shackled, isolated, assaulted, shocked with tasers and left untreated for years - this is the grim picture of youth mental illness in New Brunswick, as detailed in a scathing new report by the province's Ombudsman and Child and Youth Advocate, Bernard Richard.

The report was the result of a two-year examination of the realities facing mentally ill young people and makes 48 recommendations, which Mr. Richard characterized as a "line in the sand" challenging his government to improve provincial services.

"We are deliberately placing young, vulnerable children directly in harm's way," he wrote. "The approach is so fundamentally contrary to Canadian values that the average Canadian would be amazed to learn that it happens as routinely as it does."

Mr. Richard initiated the investigation after being approached by several families whose children were suffering without adequate treatment, but said his findings are likely representative of other parts of the country as well.

In the report, he graphically outlines the cases of seven young men and women who suffer from various mental health issues, including one 13-year-old girl with chronic schizophrenia who was arrested after pushing her mother down a set of stairs. The mother was told that social services could not intervene unless she pressed charges, and she did so hoping her daughter would be admitted to a mental health facility. Instead, the girl was convicted and sent to a young offenders facility where she was isolated, handcuffed, shackled and strip-searched, practices Mr. Richard described as "wholly indefensible."

Mr. Richard said that provincial ministries fought over who was responsible for the girl's care and expense, a process that paralyzed her treatment.

"I have four sons and three grandchildren, so I think 'but for the grace of God,' I could have had to face this at some point in my life," Mr. Richard said yesterday.

"These are our most vulnerable, and in a country like Canada, we need to be doing a better job."

One young man profiled was sexually assaulted by a guard at one facility, and Mr. Richard described another who killed himself while awaiting treatment.

He also revealed that three of the young people profiled in the report are currently being treated at the Spurwink treatment centre in Portland, Me., at a cost to the province of more than \$500,000 a year for each individual. In the United States, the young people have access to specialized schools, community-based work programs, psychological, psychiatric and medical therapy services, and appear to be responding to treatment.

Mr. Richard said the fact that the young people are doing better in the United States illustrates that it is the system, not the illness, that represents the biggest hurdle to the young people's mental health.

"We have to ask ourselves ... why [the youth] had to be sent out of province and out of [the] country in order to start making significant progress," he wrote.

His report recommends the designation of a New Brunswick minister responsible for child and youth services, the creation of a community-based residential facility and the decriminalization of youth with mental health disorders, meaning young people would not be charged for actions that are clearly the result of an illness.

Tracy Ryan, executive director of the New Brunswick division of the Canadian Mental Health Association, said she agreed with all of Mr. Richard's recommendations and the issues raised are not unique to her province.

"This could apply anywhere across the country," she said. "The lack of services available is near universal."

Elizabeth Ridgely, executive director of Toronto's George Hull Centre, said that even in Ontario, which has 81 children's mental health centres, many families face waiting lists for treatment.

"It's never enough," she said. "And these kids can't really wait, the problem just gets worse and worse."

Parental intervention

Britney Spears's father fought for legal control over his troubled daughter's mental health treatment, and Amy Winehouse's dad implored her to go to rehab when she said no, no, no.

But in Canada, how do parents get a say in their grown children's psychiatric treatment when their mental health has deteriorated past a point where they can care for themselves?

According to Pamela Khan, an expert on legal and ethical mental health issues at the University of Toronto, the first step is to have your child undergo a capacity assessment by a psychiatrist.

Called a Form 33, the assessment is usually done in a hospital or mental health facility. If individuals appear to be a danger to themselves or others, they can be detained in hospital for 72 hours under a Form 1, or two weeks under a Form 3.

A capacity assessment will determine whether the individual is capable of consenting or refusing treatment, and is based on their ability to understand their condition and how it can be treated.

"If they are then declared to be incapable to consent, then there's a hierarchy as to who would be named as the substitute decision maker," Ms. Khan said. "Normally, parents are high on the list unless the person is married and then it would be a spouse."

Ms. Khan said transferring consent is done with great consideration and individuals are able to appeal the decision at a consent and capacity board.

"It is binding by law under the mental health act," she said of the transfer. "I can't force anyone to take a medication unless we have substitute consent."

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