

Panel of experts answers questions on medical, legal, education rights

Retarded children, their medical, legal and educational rights, were the topic of discussion at Sunshine School in Hornby last week.

Moderator Don Gentleman, area superintendent of the North Halton Board of Education, introduced a panel of experts to parents and teachers. Panelists were public health nurse Betty Mercer, doctor C.A. Thompson, dentist Ken McCauley, lawyer David Thompson, educator John Graham and executive director of the North Halton Association for the Retarded Eric Taylor.

The following questions and answers were given:

Q. What service, if any, can a public health nurse perform to alleviate worry, and sometimes hopelessness, in a home with a new mental retardate?

Betty Mercer: Through home visiting we can give support to parents by interpreting the doctor's diagnosis. We can help with feelings of hopelessness, guilt and fear and be reassuring. We help parents to work through the crisis and make them aware of community services available.

Tell parents
Q. How would you reveal to new parents the fact that their new baby is mentally retarded? Is there any literature available in your office? Do you know who to contact for help with this?

Dr. Thompson: Each patient is an individual with a difference in the degree of retardation. It's sometimes difficult to tell at birth except in the case of severe retardation. I believe parents should be told as soon as possible. Sometimes a doctor doesn't know for sure and needs consultation with a pediatrician. There is much literature on the problems available.

Child's fears
Q. Do you find the fears of a retarded child harder to dispel than those of a normal child?

Dr. McCauley: Yes, the fears are more difficult to dispel. Some children are cooperative and once they trust it's difficult to dispel the trust. Retarded children are more difficult to reason with.

Q. Should a retarded person be allowed to marry?

David Thompson: A licence cannot be issued to a mentally defective person. However, it's possible to be retarded and not mentally defective. For practical purposes there is no ban on marriage for retarded persons. Lawyers don't make judgement but interpret the law as it is. I believe the state should not be allowed to slot people. If two people are capable of living together they don't have to be married to do so. Yes, I believe a retarded person should be allowed to marry.

Public education
Q. Does the Board of Education have any program in which there is a study for students in senior public and high schools on the subject of mental retardation? Could this be put in the curriculum so we can start educating the public at an earlier age?

John Graham: There is a greater awareness now and it will become greater as more teenagers serve as volunteers. It's possible to put it in the curriculum, but more important that students see and work with the children.

New parents
Q. Does the Association have classes for new parents of a retarded child to assist

them in accepting their retarded child and helping them with their child?

Eric Taylor: Yes. The Association feels it is its duty to acquaint parents of their services available. The nursery school workers offer support to families.

Q. Do retarded children require more dental care than normal children?

Dr. McCauley: No, however their oral hygiene is not always adequate. In exceptional cases there are tremendous problems.

Making a will
Q. How might one best make out a will to benefit the retardate? What in your opinion is the best type of legacy to leave a retarded child to assure his good care and treatment after his parents' demise?

David Thompson: People want guarantees that if they leave something to a child the child won't lose the benefits under the Family Benefits Act. The best way is to leave money in the form of a trust will to benefit the child or to leave his share to the North Halton Association for the Mentally Retarded with no strings attached. An adult could cease to receive government benefits until the estate money is used up. A lawyer must know when you make your will just what you want and what are your motivations.

Can't learn
Q. How many children are sitting in Opportunity Classes in our public schools—and perhaps in our schools for retarded children—who are judged to be low in intelligence yet are there because they don't want to learn or are unable to learn, because of emotional problems in their home life? This could stretch back to the very first few months of life when the learning process begins. How closely is the family life looked into before a decision is made that the child is incapable of learning?

John Graham: Some children do function less well because of emotional problems and we try not to place them. Some move in and out of the sheltered environment. We have the child assessed by a medical doctor, the teachers and psychologists. It is common for further assessment to be requested.

How to cope
Q. Do you guide young parents to acceptance of a retarded child, and do you show them how to cope with the situation? How do you proceed in this matter?

Betty Mercer: Yes. Many different ways are used. We provide the parents with someone to talk to, we introduce the parents to centres for assessments and we work closely with schools and recreation departments. We introduce parents to other parents of retarded children so they may help each other by offering mutual support. Parent relief is often the most difficult problem. The Oaklands Centre in Oakville offers it for six years of age and over but it's still a problem with preschoolers. The situation is compounded if the child is physically and mentally handicapped. Those parents need a night out and sometimes people don't want to take the responsibility for a different child. I believe a registry of people who would do this kind of work should be set up.

Care of mother
Q. What care should a young mother-to-be take to do

all she can to ensure a healthy baby?

Dr. Thompson: Many pregnant mothers worry about deformities but keep their priorities to themselves. In the case of a hereditary factor the mother should get a genetic work-up at the Hospital for Sick Children in Toronto. The age of the mother is a factor—mongolism rises drastically at 40 and over. Today a test of the fluid around the fetus allows an examination of the cells. In some cases the termination of the pregnancy is recommended. It's important for all pregnant women to come to the doctor for prenatal care. I don't think diet is terribly important as the problem. However, some medication does and shouldn't be taken in the first three months of the pregnancy.

Frightened of dentist
Q. What is done when a retardate needs dentistry and is too frightened to have work done in the office? Is there anywhere a parent can take a retarded child where people are trained to handle them for

dental problems and check-ups?

Dr. McCauley: The same care is given as to a normal patient. A local anaesthetic can be used. The Ontario Crippled Children's Centre has facilities for the retarded and also the Hospital for Sick Children. Appointments can be arranged through the dentist but the centres are already overcrowded. Teeth should be done in the dentist's office, where possible.

Q. If retarded adults wish to join a record club, etc., which at times requires their signatures, can they legally do so?

David Thompson: Everyone is bound by a contract, no matter what the understanding of the contract is. Our whole economy turns on contract and we must be bound by a contract, no matter who we are.

How bad?
Q. How severely retarded should a child be before parents consider him for an institution?

Eric Taylor: There were no alternatives for a long time.

Severely retarded children who are not aware of their own existence will always require institutional care. If they can stay at home they should; and if for any reason they can't, residences should be available. I think retarded children should leave their families. I left mine and I think it's necessary.

Q. Generally speaking, how aware are mentally retarded people of their handicap in relation to so-called normal people?

Eric Taylor: They are more aware of their handicaps than we are. The question most asked by handicapped when they come out of an institution is, "Am I retarded? What does that mean?" There are lots of people who aren't retarded but are sure stupid!

Who's incompetent?
Q. The term "certified incompetent"—what does it mean in regards to mentally retarded people, and what is the procedure involved should anyone feel a mentally retarded adult should be certified thusly?

David Thompson: As soon as a person is admitted as a resident under the Developmental Services Act of 1974, he is tested to see if he can handle his estate. If incompe-

tent, a public trustee automatically becomes the manager of that person's estate. It's not fair that on one doctor's say-so a person may be certified incompetent. The resident can request a public trustee to look after his affairs. A mentally retarded adult over 18 can sign himself from one public residence to another. Residents in Orillia can sign themselves out.

Retarded criminals
Q. Are there any special considerations given to mentally retarded adults in the courts, should they commit a criminal offense? This is anticipating, of course, that their knowledge of the law is somewhat limited?

David Thompson: There is no special consideration given. Once a retarded person is

in trouble with the law they need a legal aid immediately. With major offences you are not guilty because you do something, but it must have been done with intent and the knowledge it was wrong. It would be a very severely retarded person who didn't know an act was wrong if he did it. His retardation won't protect him, even though his moral sense may not be as refined as others. Sentencing of the retarded is difficult. Jail will not have much of an effect, so do you fine him or put him on probation?

Sterilizing retarded
Q. What are your views as a lawyer on the subject of sterilization of the mentally retarded, with or without a consenting parent? Should a trainable retarded person be

allowed to bring a child into the world?
David Thompson: I speak as a lawyer and not personally. In the case of a female, sterilization is a major operation and consent is needed. Before the age of 16 the decision may be made by the parents. After 16 it must be made by the patient. The doctor is faced with the problem of legality of consent. A doctor could be liable for damages more difficult. The state doesn't have the power to decide. That power could be extended to anyone and be abused.

What now?
Q. What plans do you have for Sunshine School after everyone has been integrated into the regular school system? The Association worked very hard to provide a school for these children.

John Graham: We have no plans to close the schools and sell them. The school will be

used by other children with physical handicaps, or as a clinic.
Q. What happens if integration doesn't work?
John Graham: We aren't burning our bridges. This has happened in other schools in the province and no board has turned back yet. There will not be complete integration but we will share the facilities of the regular schools. It won't be as protective an environment but normal children, teachers, and parents will be educated about the retarded children coming into the schools.

(Children from Acton and Georgetown will be attending Park School in the fall. An addition is being made to the school to accommodate the retarded child. Milton children will stay on at Sunshine School until room can be found within the regular schools. Plans are being made to build onto a Milton public and high school.)



SHOWING ceramics in the ARC Industry workshop in Hornby last week are Elizabeth Lees and Gayle Caves.

200 visit ARC

The Adult Rehabilitation Centre (ARC Industry) in Hornby celebrated its tenth anniversary last Thursday with an open house, with over 200 people attending.

Workers were busily performing their duties for the guests to see, while ceramics were being sold elsewhere in the building. The majority of the visitors came at night according to director Bernice Isham, who tagged the event "very satisfactory".

The next open house will be in November for the Christmas bazaar. However, in the meantime, the director says, they have a lot of lawn chairs to re-web and hope to have a bowling banquet.

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