



Infant Mental  
Health Promotion  
**IMHP**

# Infant Mental Health from the Bench

## Module 1

# Understanding Infant Mental Health

Transcript of  
Video Panel Discussions  
(with added citations)

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# Infant Mental Health from the Bench

## Transcript of Video Panel Discussions

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### Panelists

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**Justice Andrea Moen**, Court of Queen’s Bench of Alberta

**Justice June Maresca**, Judge of the Ontario Court of Justice

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# Module 1 – Understanding Infant Mental Health

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## Why is early brain development so critical?

### Dr. Judy Cameron

You are born with almost all the brain cell you will ever have, and cells connect to each other. That's what they are genetically programmed to do. Early in life lots of areas of the brain are connecting, but then as a child grows and gets older you have fewer connections and the real key is which connections stay and which connections get pruned away which is the term that neuroscientists use for that. The ones that get used most stay. So early development is when children are using their brains and governing what connections stay and what connections go (National Scientific Council on the Developing Child, 2007).

## So how is that impacted by persistent conflict in a child's home?

### Dr. Judy Cameron

Persistent conflict distracts the child from doing things that they might otherwise be doing. So, let's say you have a very young child who is learning how to focus their attention on an adult and read emotions and expressions. If there is a lot of conflict and the child is distressed and doesn't know what's going on, they won't spend as much time learning to evaluate emotions and expressions, and they won't be as good at it (National Scientific Council on the Developing Child, 2012).

## What about a situation when there is high conflict in a child's home between the parents - what impact would that have on a child?

### Jean M. Clinton

Very intense negative impact on the child. We know as Dr. Cameron has said that the brain is built by the experience. In particular in the early years it is the relationships that the infant has with their caregivers that builds those connections. So, we know from science that even when babies are sleeping and parents are arguing, when those kids have been studied in the machines, their brains are acting differently if they are living in a high conflict situation (Graham, Fisher & Pfeifer, 2013). We now are seeing the impact of high conflict even when children aren't experiencing it directly. What does that do, as Dr. Cameron has said, the stress pathway the way that you deal with conflict later in life, the learning pathway are all being wired in the earliest years. If the energy is being sucked up by paying attention – is this dangerous, do I have to listen here – then other areas of the brain are not going to have the same access to learning. So, toxic stress, that's un-buffered stress and high conflict have a major impact on children's brains, even when they are sleeping. When they are in a relationship with a caregiver that is warm, responsive, we would call it psychologically minded maybe, but when you have someone who is able to soothe you, help you deal with that stress, then that stress is less (Bick & Nelson, 2016).

## **When kids are exposed to conflict on a regular basis, constantly, how does that influence gene expression?**

### **Dr. Judy Cameron**

It will change gene expression. Every time a brain cell fires it not only sends a message, but it expresses genes. Many people think that you are born with the genes you have. How can you change genes? Turns out you are born with your genes but only some of your genes are regulating the function of cells. The genes that are expressed are doing the regulation, so if you change which genes you are reading then you are going to have different signals conveyed in that cell. Stressful experiences are going to change which genes are utilized by that brain cell and are directing the function of that area of the brain. There are multiple ways then that you are getting effects of stress on the brain. You're changing connections, you're changing gene expression, you're changing the secretion of hormones that regulate stress responses and you're changing how the child sees the world. So what gets activated when the child is looking, the world changes. They are lifetime changes and they have long-term impact. If you look at the child's mental health or physical health when they are much older, 50 or 60 old, there is a big impact of early life experiences on function (National Scientific Council on the Developing Child, 2010).

There has been some very good work called the Adverse Childhood Experience Study or ACE Study (citations) and what you see is that children who have had a lot of adversity early in life have a higher probability of having mental health problems like depression, they have a higher probability of addictive disorders, they have a higher probability of diseases that we don't even think have to do with the brain. They are more likely to be obese, have diabetes, have heart attacks. Early adversity has an effect on how the brain and the body operate, and that's sustained throughout the life. (Anda & Felitti et al, 2006)

## **How do you determine if the conflict is consistent or not, and how important is that?**

### **Jean M. Clinton**

In infants, they're not talking yet. So oftentimes judges will ask – how will I know that this infant is being affected by the constant, or even episodic conflict. So, how infants express themselves – their physiology, eating, sleeping, learning how to crawl, they are the things that get interrupted. A baby that becomes apathetic, not responding as well to facial cues, becoming more irritable, failure to thrive meaning not even growing. I have seen infants who really are depressed they are just so withdrawn. Even before the development of language, the body – these things get embedded as Dr. Cameron is saying and they remember, not necessarily with words, but it gets embedded in there (Brandt, Perry, Seligman, & Tronick, 2014).

## **How might a judge use this information to inform decisions that they have to make or case conferences?**

### **Justice Andrea Moen**

Especially decisions judges have to make we have to be careful about what we bring into the courtroom. Normally we are only supposed to pay attention to what we hear in the courtroom and that would include experts. The difficulty is in family law in most courts across the country we don't have experts that come in to tell us these things. So from my perspective it is really important

that we learn about these things so that we can apply them. In the court that I deal with it is custody and access of warring parents. It's usually serious custody access because they can't make decisions themselves, and so when I go and hear these cases or do case management, I bear in mind the things that I have heard or learned about the brain when I'm thinking about how the children are, where the children are going to live and what circumstances they are going to live under. So, this has been important information for me as a judge (Jaffe, Crooks & Bala, 2005).

### **Justice June Maresca**

I would agree that education of judges is critical in this. We need to understand how babies, infants, toddlers react in situations of high conflict so that we can address those kinds of things in decision-making and the orders that we impose. I think one of the problems though that I see in our system is that it's a very adversarial system. The high stress that these infants and toddlers are experiencing in the home sort of gets translated when their parents come to court, and their parents are now in a situation of high stress, high conflict, it's an adversarial system, so one of the things I think judges have to be mindful of is that Judges must be mindful of how is how that gets carried back, in and of itself, to whatever happens in whatever orders we make in the final analysis. So I think as judges we need to think a lot about what kind of atmosphere we create in our courtrooms in terms of problem solving for parents, and what kind of orders we impose at the end of the day, and how that stress and conflict is going to translated through those orders and back into the home, which is a real problem (Freeman & Freeman, 2003).

## **How can judges get the information they need?**

### **Justice Andrea Moen**

I'm going to come at this lightly differently because all judges who are appointed to the bench come with their own set of knowledge, and their own (what could be called) prejudices, but I use the word very broadly – but their own way of looking at the world. So when we go to our judges courses and learn about things like this, it can help to displace some of those attitudes and things that we come with, but when it comes down to the actual courtroom itself, how we think about what a family should be doing has a very big impact on the orders that we make. But we can ask the parties, if there are counsel we can ask them to go get information about this and come back and talk to us, we can ask questions ourselves – but learning about these things does have an impact on how we look at cases I believe (Mahoney, 2015).

### **Dr. Judy Cameron**

I think something that really needs to be remembered is that the child having a receptive attentive adult who cares about them is what is important. And, if it isn't going to be the parents, if they are in the midst of conflict, having another adult who provides that will be very valuable to this child and help buffer the stress. And so children can be placed in daycare or placed in preschool. In a situation where there will be a caring adult, and that will very significantly buffer the situation going on in the home (National Scientific Council on the Developing Child, 2004).

### **Jean M. Clinton**

One of the judges, just adding, one of the judge I presented to in Alberta, I say that every child should have one adult whose eyes light up when they enter the room, and she came up to me after and said, "that is now going to be one of my orders...that you must find at least one adult whose eyes light up for this baby or little one."

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