

## E. Minimal Brain Dysfunction, Learning Disabilities, Hyperactivity, and the Gifted Delinquent

124. Minimal brain dysfunction and learning disabilities have been considered as possible causes in childhood of delinquency and later criminal behaviour. In attempting to establish whether such a relationship exists, we have found a basic difficulty. Not only are there many terms used, sometimes interchangeably, for these conditions, such as reading disabilities, hyperactivity and hyperkinesis, but there are various definitions which may apply. "There is no precise definition at the moment".<sup>68</sup> One witness stated that the term learning disabilities, "generally relates to children who are not learning up to their potential.... It is a discrepancy between their ability and their achievement."<sup>69</sup>

The condition is sometimes caused by the child having suffered actual brain damage. It may also be caused by psychological factors involving emotional conflicts and difficulties in personality development.

125. As there is no agreement on the definition of learning disabilities, there can be no agreement as to the extent of its incidence. A Canadian authority on the problem has stated as follows:

"The incidence varies according to the criteria used to define the disability, but the Canadian Association for Children with Learning Disabilities (C.A.C.L.D.) places the incidence at approximatedly 10 percent of the total childhood population and this figure, if anything, may tend to be a bit conservative."<sup>70</sup>

126. There are many possible causes of brain dysfunction in an infant. Among them are:<sup>71</sup> maternal infections, drug use or serious malnutrition during pregnancy; prematurity; lack of oxygen or trauma during birth; and after birth, malnutrition, brain infactions, trauma, and emotional deprivation. Most often, the cause is unknown.<sup>72</sup> Brain dysfunction is in turn one of the causes of learning disabilities.

127. The characteristics of children with learning disabilities are well known. Males outnumber females by about four to one. They are hyperactive with short attention spans. They have a memory problem. They have difficulty in abstract or conceptual thinking. They are highly distractible. They suffer from perseveration, that is, they repeat themselves over and over, and they have trouble in recognizing or using symbols. Many suffer from perceptual problems.<sup>73</sup>

128. What happens to the child with minimal brain dysfunction or learning disabilities? Too often it is misunderstood and treated as retarded or punished for what appears to be disobedience, laziness or inattention. "One of the hallmarks of the child with a learning disability whose problem goes undetected is the quick development of neg-