



INSTITUTE OF  
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## ***NEWS RELEASE***

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# **FASD Jury calls for changes to legal system**

## **Consensus Development Conference on Legal Issues of FASD wraps up with release of draft Consensus Statement**

Edmonton – The first-ever Consensus Development Conference on Legal Issues of Fetal Alcohol Spectrum Disorder (FASD) wrapped up today with the release of the distinguished Jury's draft Consensus Statement. More than 300 delegates heard two days of expert evidence and then listened this morning as the draft statement was read aloud.

The 14-member Jury was Chaired by the Honourable Ian Binnie, former Justice of the Supreme Court of Canada. The Jury cites the Supreme Court of Canada's recognition of over-representation of Aboriginal people in the justice system, and says "the over-representation of people with FASD in correctional facilities is of overlapping and equal concern."

The Jury calls for a wide range of adjustments to Canada's legal system to better recognize and respond to the needs of people with FASD. A few highlights of their draft recommendations:

- Keep people with FASD out of the criminal justice system as much as possible
- Provide more-stable placements and enhanced transition planning for children with FASD placed in care, as well as FASD-specific training for everyone in the child protection system
- Mandate training for judges, lawyers, and others in the system to recognize FASD
- Provide a full medical examination of every child taken into care or into a correctional facility, including a screen for FASD
- Provide access to rapid FASD assessment and diagnosis at critical points in the justice process, eg sentencing
- Adjustments to criminal laws for people with serious mental disabilities including FASD, including protections for adults with mental disabilities similar to some existing protections for youth in the youth Criminal Justice Act; increased emphasis on rehabilitation as a goal of sentencing; recognizing mental disability as a factor in the degree of responsibility of an accused; and more flexibility in sentencing people with mental disabilities

The Jury will revise the draft and publish the final statement as soon as possible. The conference was sponsored in part by the Government of Alberta and organized by the Institute of Health Economics (IHE). Another major conference, the First International Conference on Prevention of FASD, opens Monday, September 23, with a speech by Premier Alison Redford.

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