Understanding FASD: A guide for justice professionals

Heather Jones
APSAD Conference November 2015

Acknowledgements

- The invaluable contributions of the Steering Group and their commitment to this project
- Support from the Chief Justice of Western Australia to translate the findings of previous research
- Funding by the Western Australian Department of the Attorney General Criminal Property Confiscation Grants Program

Previous Research

Survey 427 judicial officers, lawyers, corrective services staff and police officers in Western Australia

- 90% had heard of Fetal Alcohol Syndrome
- 64% had heard of Fetal Alcohol Spectrum Disorders
- 50% basic understanding
- 21% good understanding

Mainstream media most reported source of information (60%)

83% wanted more information about FASD

- 70% via website
- 30% via Continuing Professional Development (CPD)

Research Translation

Develop an educational intervention to prepare for the challenges facing judicial officers and lawyers so that they can:

- recognise cognitive impairments and possible FASD in young people engaging with the justice system whether as a victim, witness or offender
- identify legal implications
- consider referral for assessment if the disability is suspected
- consider decision making with respect to orders, sentencing and management

Educational Resources

- FASD & Justice website
- Equality before the Law Bench Book
- FASD & Justice videos
- Online CPD module for lawyers
- Presentations at conferences, seminars and workshops

Educational Videos

Overview: ISSUES IN THE JUSTICE SYSTEM

- The key principle of our justice system is "equality before the law"
- FASD is a lifelong disability that can impact on the capacity of a person to be fairly treated under the justice system
- How the justice system identifies and responds to FASD will have a significant impact on the outcomes for people affected by FASD, their families and the broader community

Video 1: FASD AND THE JUSTICE SYSTEM

- People with FASD may interact with the justice system at all levels and in a range of roles
- FASD may not always be diagnosed or may be misdiagnosed
- What does FASD "look like"?
Educational Videos

Video 3: REPRESENTING CLIENTS IN THE CRIMINAL JUSTICE SYSTEM
- Requesting assessments of persons affected by FASD
- Understanding how FASD may affect a person’s behaviour in relation to criminal activity

Video 4: FASD AND THE JUDICIARY
- The court needs to be guided by lawyers
- An assessment can change the court’s response

Video 5: PROTECTION AND CARE PROCEEDINGS
- Children and young people in care are a high risk group for FASD
- Practitioners in Protection and Care need to be particularly alert to the indicators of FASD

Overview: FASD and issues in the justice system

Links

FASD: Knowledge, attitudes and practice in the Western Australian Justice system

Equality before the Law Bench Book

FASD and Justice videos

Telethon Kids Institute projects FASD and Justice

Contact

Heather Jones
Manager, FASD Projects
Alcohol, Pregnancy & FASD Research Program
Telethon Kids Institute
heather.jones@telethonkids.org.au
+61 8 9489 7724

Visit our website

THANK YOU