

We believe that the following legislation and policy was created to make the families of people with Autistic Spectrum Disorders (ASD) too afraid to ask for the services that they need, thus avoiding having to fund those services. We also believe that, although this legislation will affect us more than most, other disabled people and their families will be greatly affected, and that this legislation and policy has the potential to affect a great many more people outwith these groups.

For more information, please visit our website and read our Briefing Paper:-
www.autismrights.org.uk

Adults with Incapacity Act (Scotland) / Mental Capacity Act (rest of UK)- reclassifies Autistic Spectrum Disorders (ASD) as a *`mental disorder`*, when it is internationally classified as a developmental disability.

Mental Health Act (Scotland and rest of UK have separate but equivalent legislation)- permits the forced drugging in the community of both adults and children with a *`mental disorder`*, through the use of Community Treatment Orders (CTOs). (Here it should be noted that the Department of Health's own study on international experience of the use of these powers in other countries found that they simply did not work.)

Just as controversially, depression, *`conduct disorders`*, *`personality disorders`* and *`oppositional defiance disorders`*, are classed as mental disorders and, as such, are covered by this Act. Between 10 and 20 percent of the population are considered by some mental health professionals to have a *`personality disorder`* - with the risk for this *`disorder`* being greater for those living on benefits or on low incomes.

Adult Support and Protection Act (Scotland) – the equivalent is soon to be drafted for the rest of the UK - gives local authority officials the power to force a *`vulnerable`* person out of their home, without even informing them that such a decision is under consideration, without giving them a right of appeal and with the power to imprison any family member who tries to prevent such a blatant abuse of human rights.

The definition of *`vulnerable`* is highly contentious within this legislation, as it could also cover people with physical disabilities, women who are victims of domestic violence and the elderly.

SIGN clinical guidelines for children with ASD (Scottish guidelines are the first, but reflect practice UK-wide) - recommend the use of highly toxic drugs to control children with autism, without any recognition of the absence of appropriate services for these children and the effect that this has on their behaviour.

This legislation and policy must be seen in the context of:-

- 1. The ongoing treatment of those adults who have, through the lack of services that are appropriate to the needs of people with ASD, found themselves ensnared within the mental health sector, where parental access is denied and highly toxic drugs are used to control them, contrary to disability legislation and most particularly the European Charter for the Rights of Persons with Autism.** Notably, there has been suppression of free speech on this particular issue, through the interdict served some years ago by Fife Health Board on BBC Scotland's Frontline Scotland programme, which had produced a programme on the incarceration of adults with ASD in mental hospitals in Scotland.
- 2. The common practice of blaming parents for any perceived *`problem`* that a child with ASD may have - even to the extent of accusing them of having Munchausen's Syndrome by Proxy.** It should be noted that a disproportionate number of mothers of

children with ASD have been accused of MSBP (some of whom have had their children taken into care), and that the government's guidelines on MSBP overlap with the international clinical criteria for a diagnosis of ASD.

3. **The dangers of `service integration` in a database state which has no service standards appropriate to the needs of our children and which conflates `children in need` with `children at risk` in its collection and collation of data.** This is particularly controversial in the context of the aforementioned government guidelines for Munchausen's Syndrome by Proxy .
4. **The absence of service standards (including a blanket ignorance amongst professionals about ASD across all service sectors), the generic nature of disability legislation, and the dependence of disability and human rights legislation on other legislation for their practical use, which makes people with ASD so much more vulnerable to the effects of the interaction of all of this legislation and policy.** There is nothing to usefully support the rights of people with a disability that is quite different from either learning, physical or sensory disabilities.
5. **The absence of standards, enforcement, accountability and rights have led to a massive waste of taxpayers' money on services and initiatives that are, quite simply, `designed to fail`.** School education, which is one of the supposed linchpins to enable the inclusion of children with autism in society is, as with all other services, designed to fail. We know that this overall failure suppresses demand – it is up to government in the UK to demonstrate that this is not their intention.

We are letting government know in no uncertain terms that our children are
disabled - not disposable.

We call on supporters of the Convention on Modern Liberty to support us in our campaign.

Autism Rights is fielding a speaker at the Convention on Modern Liberty. Lisa Blakemore-Brown, a psychologist and author who is expert in Autistic Spectrum Disorders (ASD), will be speaking during the afternoon session entitled `Child's play? Equality and young people`. Please take the opportunity to listen to a professional who has championed the rights of children with ASD and their families and who, as a former government adviser, has an inside track on the whole Munchausen's Syndrome by Proxy scandal.