



FACTSHEET

The Case for ASD Legislation

1. Legislation is legally binding; what will be done. Strategies are what should be done.
2. Legislation will give Government recognition to ASD as a complex lifelong developmental disability (not a learning disability nor a mental health condition) which transcends all aspects of life and particularly impacts on the Departments of Education, Health and Justice. Autism is not recognised in UK legislation, yet the Welsh Assembly has developed a unique National Strategy with powers of implementation attached. There is a building UK catalogue in terms of precedence – regarding legislation being targeted to a single condition or issue in Scotland e.g. elderly.
3. Legislation will be the innovator and regulator of an ASD Strategy. An ASD Strategy set up without legislation “as a standard” permits periodic government policy reviews to eat away at the targets or principles of the original strategy.
4. Legislation will establish and protect rights and standards. In Sweden, if targets are not met then there are sanctions e.g. if a service is not provided, the government agency is punishable by law. In Northern Ireland, sanctions must exist to ensure targets are met.
5. Legislation will position ASD for resources. Legislation will ensure ring fenced ASD funding which cuts through existing structures and strategies. Legislation which cuts through existing structures and strategies will allow an ASD service to be set up with access to learning disability/mental health services etc.
6. Legislation will amend existing legislation, which does not address ASD e.g. existing disability legislation is weighted toward physical disability (e.g. wheelchair access). Legislation will address the ASD social and communication issues around access.
7. Legislation will establish access to services. Legislation will require public bodies to provide:
 - Quiet rooms
 - Visual instructions/signs
 - Family rooms in leisure centres
 - Training in ASD to emergency services/dentists/transport services. (Training in physical disability awareness or general learning disability training is inadequate.)
8. Legislation will put the ASD Community at an equal position as the rest of the community and deal with prejudices and discrimination provoked by the “invisible” nature of this disability.
9. Legislation will make it easier for members of the ASD Community to access financial support, making applications for DLA and “Blue Badges” simpler. Barriers currently exist because of the “invisible” presentation of this disability.
10. Legislation will give the ASD Community protection in the judicial system ensuring a top to bottom training regarding ASD issues and how it impacts on policing and the court system.
11. Legislation will recognise the impact on all aspects of life for families of the ASD Community.
12. Legislation will give a clear statement of Governments’ commitment to ASD to the public and will give power to issue regulations to change policy, implement standards and provide services.

Legislation must recognise the European Charter for Persons with Autism – presented at the 4th Autism-Europe Congress, Den Haag, May 10th, 1992. Adopted as a Written Declaration by the European Parliament on May 9th, 1996.

The Charter Declaration endorses ASD as a distinct category and states that these rights must be enshrined in National legislation.

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