

Double-talk from Dosanjh Leaves Children Hanging Again BC Government Defies Supreme Court Decision On Autism Treatment

On July 26, a decisive judgment came down in BC Supreme Court — the government violates the rights of children with autism by denying them medically necessary treatment. After two weeks of government refusal to explain how they would satisfy the Supreme Court ruling against them, Premier Ujjal Dosanjh appeared on Monday, August 14 on CKNW's Bill Good radio show. The premier said he understood the Supreme Court decision regarding autism treatment is important, and agreed proper autism treatment is a health issue, not a social services issue as the government has long contended. The Premier said the Minister of Health would be "looking into it." Meanwhile, the Deputy Minister of Health continued refusing to meet with the petitioning families and their lawyers. Finally, last Friday, instead of obeying the court's ruling, Dosanjh's government filed an appeal demanding it be set aside.

The government waited until the period for appeal was only hours from expiration, after a month of ignoring Justice Allan's order that they prepare submissions on how they would remedy decades of abuse against a group of seriously ill children. The appeal is literally groundless — the government lawyers list no errors made Justice Allan; they simply want her decision overturned. The judgement states the government of this province discriminates against children with autism and is violating their Constitutional rights. This government is now clearly stating they are bound and determined to continue this harmful Charter violation.

Ironically, the very format of the case of Auton et al versus the Attorney General and the Medical Services Commission of BC was set up at the government's request — and while Premier Dosanjh headed the Ministry of Attorney General. Originally filed as a class action suit, government lawyers had instead firmly requested a Judicial Review proceeding. Their argument at that time, over a year ago, was that they were only interested in receiving a clear decision from the courts on their responsibilities towards children with autism. Now that they have the decision they so firmly requested, they refuse to abide by it, and instead are embarking on further delays and legal maneuvering. As a result, children who desperately need treatment for their condition are again being denied.

Four decades of scientific study have proven that Lovaas-ABA treatment is the only medical treatment effective against autism and is *most* effective when started with autistic children as early in life as possible. Years of appeal against a decision the government refuses to accept will waste untold tax dollars and force families who can ill afford it to devote more of their shrinking resources to continue the fight. Most importantly, this legal maneuvering by the government will result in another generation of children with autism being lost to the ravages of the condition, instead of receiving the treatment that the BC Supreme Court has ruled is their constitutional right.

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**For more information about autism and Lovaas-ABA treatment, please call Families for Early Autism Treatment of British Columbia (FEAT BC) at 534-6956
For a copy of the BC Supreme Court judgement, go to www.featbc.org/downloads/decision.htm**