

B.C. move dooms kids with autism, court told

The province's refusal to fund treatment said likely to force most into institutions

By **KIM PEMBERTON**

The provincial government's position that it should not have to fund treatment for children with autism would doom many such children to lives in institutions, the B.C. Court of Appeal was told Wednesday.

Lawyer Chris Hinkson, who is representing parents of children with autism, said 90 per cent of children who don't receive treatment for the disorder end up in such care.

"The inability to communicate is one of the hallmarks of autism," Hinkson said. "These children, left untreated, will be doomed to a life of institutionalization and looking inwardly only."

Hinkson was arguing the parents' case in an appeal by the province of a B.C. Supreme Court finding that autism is a neuro-behavioral syndrome caused by

a dysfunction in the central nervous system and "is a medical disability just as cancer is and ... both require treatment."

Said the lawyer: "One of the Crown's assertions on the appeal is health care in Canada is not a universal benefit."

But, he said, that assertion goes against the United Nations Convention on the Rights of the Child — which Canada and B.C. supported and which states all children have the right to access necessary health services.

Hinkson noted that in her ruling in February 2001, B.C. Supreme Court Justice Marion Allan ruled the government discriminated against four children with autism who were denied funding for Lovaas Autism Treatment, which can cost up to \$60,000 per year per child.

A University of B.C. economist report found treating the children would result in savings of at least \$1 million per child — the amount of money that would eventually be spent on such things as hospitalization, institutionalization, and respite services.

The appeal continues.