

# Understanding and Accommodating Individuals Living with FASD within the Canadian Legal System

Wednesday, April 18, 2012 | Hyatt Regency Hotel | Vancouver, BC

## general information

This program is a part of the 5th National Biennial Conference on Adolescents and Adults with Fetal Alcohol Spectrum Disorder (FASD): *It's a Matter of Justice* to be taking place on April 18 - 21, 2012.

## program

Please see the other side of this flyer for a detailed program of this full-day session.

## audience

The primary target audience are judges, lawyers and other justice professionals, but the session is open to include anyone interested.

## continuing education credits

All participants will receive a certificate of attendance stating the amount of educational hours.

The Law Society of BC: Pre-Approved provider.

Law Society of AB: For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

The Law Society of MB: Manitoba lawyers may report this program for up to 5.5 hours of eligible CPD activity.

The Law Society of SK: The Pre-Conference Day has been approved for up to 6.5 CPD hours by the Law Society of Saskatchewan.

The Law Society of NT: The Law Society of the Northwest Territories does not accredit programs or providers as part of its Mandatory CPD requirements. It is up to each member to determine if a course they participate in are valid and relevant to their specific needs. That being said, FASD in the justice system is very relevant to criminal law and other areas of practice, especially in the North. The Law Society approved the advertisement of this event as a possible avenue for obtaining CPD hours as required by the Law Society.

Washington State Bar Association: Pre-Conference Day has been approved for 5.5 CLE credits in WA.

Alaska Bar Association: Alaska Bar members can claim credit for attending CLE programs that are accredited by any other CLE jurisdiction (note that Washington State Bar Association has approved this educational activity).

## location

The Hyatt Regency (655 Burrard Street, Vancouver, BC, Canada)

Reserve today to avoid disappointment by calling toll free: 1-888-421-1442. Let hotel reservations know that you are booking under the Adults w/ FASD 2012 Conference room block to receive the reduced rate of \$159 (single/double occupancy). The rooms can be shared at only \$80 per person; however, it is your responsibility to find a roommate.

The Hyatt Regency is conveniently located a couple of blocks from the "Vancouver City Center" Canada Line Skytrain stop. The Canada Line travels directly from the YVR Airport, and it takes roughly 25 minutes to get to "Vancouver City Center." The hotel is also only one block from the Burrard Skytrain Station stop. Alternatively, for those taking buses, many buses stop on Burrard Street across from the hotel.

## registration

To register for this program only, please click [HERE](http://137.82.158.150/getdemo.ei?id=114&s=_6A80WGMBQ) ([http://137.82.158.150/getdemo.ei?id=114&s=\\_6A80WGMBQ](http://137.82.158.150/getdemo.ei?id=114&s=_6A80WGMBQ)).

The pre-conference fee includes conference material, refreshment breaks and a certificate of attendance. We strongly encourage you to take advantage of the early-bird rate of \$175 (\$156 + HST) which is offered if you register before/on March 12, 2012. The fee after that date will increase to \$225 (\$201 + HST).

If you are interested in registering for the full conference, please visit our website at [interprofessional.ubc.ca](http://interprofessional.ubc.ca).

## enquiries

If you have any questions about this program or the conference, please contact Jo Nam, Senior Program Assistant at UBC Interprofessional Continuing Education at +1-604-822-2801 or email her at [jo.ipce@ubc.ca](mailto:jo.ipce@ubc.ca).

## sponsored by



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8:00am Registration - Exhibits Open

## 8:30am Welcome Address

**Alan Markwart**, BA, BEd, MA, Senior Executive Director, Provincial Services, BC Ministry of Children and Family Development, Victoria, BC

### Opening Prayer

**Maureen Kennedy**

## 8:45am Opening Keynote - An Update on FASD and the Law: Rethinking the Criminal Justice System

**Rod Snow**, BA, LLB, LLM, Partner, Davis LLP; Past - President, Canadian Bar Association, Whitehorse, YK

### Keynote Panel - Access to Justice: Understanding and Accommodating Individuals with FASD within the Canadian Legal System

Facilitator: **Alan Markwart**, BA, BEd, MA, Senior Executive Director, Provincial Services, BC Ministry of Children and Family Development, Victoria, BC

Panel Members: **Corey La Berge**, BA, MA, LLB, Barrister & Solicitor, Onashowewin Justice Circle, Winnipeg, MB

**Jenny Reid**, Barrister & Solicitor, Prince Rupert, BC

**Jonathan Rudin**, LLB, LLM, Program Director, Aboriginal Legal Services of Toronto, Toronto, ON

**The Honourable Judge Sheila P Whelan**, Judge, Provincial Court of Saskatchewan; President of the Canadian Association of Provincial Court Judges, Saskatoon, SK

**(TBC) Krista Rey**, Probation Officer, Community and Youth Corrections, Winnipeg, MB

#### Learning Objectives

1. Become familiar with the Canadian Bar Association Resolution (10-02-A) on FASD and the Criminal Justice System and recent developments since its adoption
2. Develop an understanding of the practical implications and challenges faced by the legal profession in accessing justice for those living with FASD and their families

10:15am Break - Exhibits Open

## 10:30am Understanding FASD and Neurobehaviour within the Context of Youth Justice

**Julianne Conroy**, PhD, Registered Psychologist, The Asante Centre for Fetal Alcohol Syndrome and The University of British Columbia

Having a diagnosis of FASD means that the developing brain has been affected by prenatal exposure to alcohol. When there has been significant prenatal exposure to alcohol, multiple areas of brain function are impacted. These deficits are the pathway to the behaviour we see when a youth with FASD is in trouble with the law. The behaviour has a neurological basis, but is also influenced by postnatal experiences. This session will demonstrate the connections between screening, assessment, and implications for the justice system based on our years experience with the Asante Centre Youth Justice Program.

#### Learning Objectives

1. Describe the brain domains that are assessed when a diagnosis of an FASD is made
2. Describe the implications of the neurological deficits associated with FASD for involvement in the justice system
3. Describe important environmental factors that interact with the neurological deficits caused by prenatal alcohol exposure in understanding the individual with FASD

## 11:30am Communication Deficits and FASD, Implications for the Justice System

**Kristal Bodaly**, MSc, RSLP, Speech Language Pathologist, Asante Center, Maple Ridge, BC

This session will provide an overview of the communication deficits and delays often present in individuals with FASD. It will include a general overview of the aspects of communication which may be affected by prenatal alcohol exposure and the implications these deficits have on an individual's ability to engage and participate in the legal process. Suggestions regarding communication supports for individuals with FASD will be highlighted.

#### Learning Objectives

1. Gain a basic understanding of the communication impairments often associated with FASD and how that affects participation in the legal process
2. Gain a general understanding of appropriate supports and accommodations to support individuals with FASD

12:30pm Lunch (on your own) - Exhibits

## 1:30pm FASD: What Legal Professionals Need to Know

**Fia Jampolsky**, LLB, Lawyer, Cabott & Cabott, Whitehorse, YK

**Corey La Berge**, BA, MA, LLB, Barrister & Solicitor, Onashowewin Justice Circle, Winnipeg, MB

This session provides practical implications for lawyers/legal professionals in understanding FASD, neurobehaviour and its impact on the criminal/legal system, from obtaining counsel, to determining disposition/sentencing, to identifying appropriate support/resources.

#### Learning Objectives

1. Explore practical considerations for effectively representing individuals living with FASD within the legal process
2. Discuss how the Youth Criminal Justice Act (YCJA) and other legislative framework can be applied and amended to more effectively address the unique needs of those living with FASD
3. Describe helpful strategies for accommodating clients with FASD and explore legal and systemic challenges to accessing justice

## 2:30pm FASD and the Charter: A Time For Action

**Jonathan Rudin**, LLB, LLM, Program Director, Aboriginal Legal Services of Toronto, Toronto, ON

This session will provide a discussion of past challenges and current issues related to the Canadian Charter of Right and Freedoms and its application to understanding and accommodating those living with FASD involved in the legal system.

#### Learning Objectives

1. Determine when and how to use the Charter to challenge discriminatory aspects in criminal law and in the allocation of benefits and resources
2. Plan the Charter challenge: including identification of the right case, the right experts and the costs
3. Develop a network to assist in challenges in different jurisdictions

3:30pm Break - Exhibits Open

## 3:45pm Intersectoral Collaboration - A Model for Understanding and Accommodating Youth Living with FASD Involved in the Canadian Legal System: The Manitoba Youth Justice Program

**Garry W Fisher**, PhD, CPsych, Psychologist, Manitoba Adolescent Treatment Centre; Assistant Professor, Department of Clinical Health Psychology, Faculty of Medicine, University of Manitoba, Winnipeg, MB

**The Honourable Judge Mary Kate Harvie**, Judge, Provincial Court of Manitoba, Winnipeg, MB

**Corey La Berge**, BA, MA, LLB, Barrister & Solicitor, Onashowewin Justice Circle, Winnipeg, MB

**Dan Neault**, Program Coordinator, FASD Youth Justice Program, Winnipeg, MB

**(TBC) Krista Rey**, Probation Officer, Community and Youth Corrections, Winnipeg, MB

This panel will provide an example of how one jurisdiction has been attempting to make headway in the intersectoral accommodation of individuals living with FASD who are involved in the Canadian legal system.

#### Learning Objectives

1. Identify key elements of an effective, integrative collaboration among health, social and legal systems in supporting individuals and families living with FASD
2. Understand the challenges of those living with FASD through an interdisciplinary /multi-systemic perspective
3. Describe promising practices in accommodating and supporting youth living with FASD involved in the youth justice system

## 4:45pm Closing Remarks

**Alan Markwart**, BA, BEd, MA, Senior Executive Director, Provincial Services, BC Ministry of Children and Family Development, Victoria, BC

5:00pm Adjourn