# Fetal Alcohol Spectrum Disorder: Knowledge, attitudes and practice within the West Australian justice system

## Researchers

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## Summary

The aims of the research were to:

* assess justice professionals’ awareness and knowledge of FASD;
* assess the perceived impact of FASD on practice within the justice system;
* and identify the information needs relating to FASD for the justice system in Western Australia.

Separate surveys were undertaken within four sectors of the WA justice system, this included: justice system: judicial, legal, corrections and police. Even though response rates to the survey were low (23 per cent), responses were relatively consistent across sectors. Over 90 per cent of judicial officers, lawyers and Department of Corrective Services (DCS) staff, and almost 75 per cent of police officers were aware of Fetal Alcohol Syndrome (FAS). Awareness of Fetal Alcohol Spectrum Disorders (FASD) was lower than for FAS across all sectors.

Each survey assessed:

* socio-demographic characteristics;
* knowledge of FASD;
* sources of information about FASD; and
* information and training needs.

## Outcomes

More than 75 per cent of judicial officers, 85 per cent of lawyers and DCS staff, and almost 50 per cent of police officers perceived FASD as relevant to their work.

Knowledge about FASD was highest amongst DCS staff, who were more likely to report having a good understanding of how FASD affects children and adults (44 per cent) rather than participants from the other sectors.

Almost 80% of all participants agreed that FASD is a real condition. However when participants were asked to describe their understanding of FASD differences were found between the judicial, legal and corrections sectors in being able to identify key aspects of FASD. Across all four sectors of the justice system most participants reported only a basic understanding of FASD and how it affects individuals.

Participants across all sectors reported recognition of suspected FASD among individuals they dealt with, and raised concerns about the management of these individuals within the justice system.

Approximately 60 per cent of participants from the judicial and legal sectors, 67 per cent of staff from the corrections sector, and 43 per cent from the police sector reported ever dealing with a person who may have been affected by FASD.

Most participants (72 per cent) indicated a need for more information about FASD, including how to improve the identification of individuals in need of specialist assessment, and guidelines on how to deal with people with FASD. The research also found strong support across all sectors for the development of appropriate alternative or diversionary sentencing options for people with FASD.

Critically the research highlights the importance of access to services and programs for the appropriate diagnosis and management of people with FASD both within the justice system and the wider community. There was widespread agreement (judicial officers 79 per cent and lawyers 92 per cent) that the assessment and diagnosis of FASD would improve the possibilities for people with FASD and would prevent their continued engagement with the justice system over time.

Overall the research found that the WA justice system is poorly prepared and resourced to consider the neurocognitive impairments associated with FASD and that training and resources for those working in the justice system are required.

## Recommendations

The research makes the following recommendations for the effective management of individuals with FASD within the justice system including:

1. training and education to improve awareness of the specific impairments associated with FASD that impact on the treatment of individuals with FASD across the justice system of WA;
2. training and education to describe how individuals with FASD should be managed;
3. improved methods for the identification of individuals with FASD and referral for specialist assessment;
4. identified specialist diagnostic services for FASD;
5. information to enable the appropriate recognition and management of an individual’s neurocognitive and behavioural impairments within the justice system;
6. effective alternative sentencing options;
7. programs and resources to provide appropriate treatment for the underlying fixed brain injury; and
8. management and supportive environments specific to the needs of individuals with FASD.

Ultimately, the findings from this work emphasise the need for change within and outside of the justice system to prevent the continued engagement of people with FASD with the justice system. Participants recognised the importance of a co-ordinated cross-sector approach to the development of policies to improve both the recognition of, and response to, FASD.

## Further research

The strong engagement established among project partners provides a valuable foundation for continued collaboration to facilitate the development of locally appropriate resources and interventions to enable the more effective identification and management of people with FASD in the WA justice system.

There is also a need to develop effective early intervention programs to prevent children and youth with FASD appearing, or reappearing, before the courts.

[view the report](/wp-content/uploads/Final-report-fasd-justice-system.pdf)