



Autism Society Canada
Société canadienne de l'autisme

Supreme Court of Canada Overturns Lower Court Decisions in Autism Treatment Case

For immediate release

November 19, 2004 Ottawa – Children with Autism Spectrum Disorders (ASD) and their families did not find the support they were looking for today when the Supreme Court of Canada released its decision in the *Auton* case. The Court overturned decisions of the British Columbia Supreme Court and Court of Appeal ordering the B.C. government to fund medically necessary treatment for ASD.

“Today’s ruling is obviously not what we were expecting, and we are saddened for the children and their families involved in this particular case,” said ASC President Peter Zwack. He also noted, “There are over 180 other legal actions currently in progress involving more than 1,600 families seeking access to scientifically validated autism treatment for their children. Given that the Supreme Court’s decision turned on the provisions in the B.C. *Medicare Protection Act* and the fact that, at the time of the trial in 2000, ABA/IBI was still an emerging treatment for ASD, we anticipate that the direct application of the *Auton* decision to the other ongoing legal actions will be limited.” He ended by confirming, “Work will continue toward universally available and accessible medically necessary treatment for people with Autism Spectrum Disorders if they and their families wish to pursue this path.”

ASC is a federation of Canada-wide provincial and territorial autism societies whose collective memberships represent the largest body of individuals affected by ASD and their families in Canada. ASC will continue to support the provision of accessible scientifically validated effective treatments and required services and will be looking to Health Canada to play a leadership role in ensuring that people with ASD have access to such insured health services.

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