

## **SUBMISSION FROM THE LEARNING DISABILITY ALLIANCE SCOTLAND**

1. The Learning Disability Alliance Scotland welcomes the proposal for legislative underpinning of a national autism strategy and believes that its eventual proposals should be implemented on a consistent national way.

### **A National Autism Strategy – needed and wanted!**

2. Autistic spectrum disorder (ASD) covers a range of related conditions commonly known as, autism, Asperger's Syndrome and pervasive developmental disorder. These are lifetime conditions that vary in symptom and intensity.
3. They are characterised by a triad of impairments—
  - Social interaction where there is a difficulty with social relationships
  - Social communication where there is a difficulty with verbal and non-verbal communication
  - Inflexibility in thinking and behaving where there is a difficulty in the development of play and imagination.
4. There is a clear link with autism and learning disability. Autism is more common among individuals with learning disability, and increasingly so with severity of the learning disability. Autism also impacts on all learning, especially among more severely affected individuals.
  - As people's learning disabilities become more pronounced there is not only an increased prevalence but also an increased presence of autistic characteristics. However not all people with learning disabilities who display autistic characteristics will be diagnosed with autism
  - Over half of people with severe learning disabilities display the triad of impairments in social interaction, verbal and non-verbal communication, and imagination that is typical in autism with as many as 30% being diagnosed with autism
  - It is much harder to diagnose of autism in people with profound and multiple learning disabilities because it is harder to determine whether the impairments observed are due to gross cognitive delay or to autism.
5. The importance of autistic characteristics in the lives of people with learning disabilities means that developing a strategy is important and should cover the following—
  - Diagnosis
  - Assessment
  - Resource & care planning

- National standards
  - Education and training.
6. For a long time, autism was almost solely associated with learning disability and was similarly neglected. Over the last two decades there has been a welcome resurrection in interest and research into autism which has recognised that many people on the spectrum have no learning disability and that many people with Asperger's Syndrome are very able intellectually. However we think it is important that this adjustment does not go too far and that the relevance of autism to the lives of people with learning disabilities is not neglected. We believe that this would be recognised better within an official strategy.
  7. People with severe learning disabilities who also have autism have particular needs which are different from the needs of other people with severe learning disabilities and from people on the autistic spectrum. These needs must be recognised and addressed. A strategy backed by law and legal rights is likely to ensure that the complexities of supporting people with autism are recognised.
  8. Strong national leadership through an autism strategy should place a duty on government, local authorities and other statutory agencies to work together. Many individuals with ASD will require multi agency interventions. Again a national strategy can help to make that a reality.

### **Legislation and guidance by Scottish Ministers – needed and wanted!**

9. As stated above the introduction of an autism strategy would be broadly welcomed. A national strategy would ensure that resources are used to the greatest effect. The Learning Disability Alliance Scotland is concerned that in many aspect of social policy, there is in effect a “postcode lottery” or rather a “local authority lottery” in the delivery of support and services.
10. The general pattern is that national policies determine the general direction of travel but sufficient latitude is left to local authorities, health boards and other agencies to allow them to determine “local priorities”. However this means that local agencies are able to choose which national policies they implement and to what extent. Scotland becomes for the people affected by these policies a patchwork of different priorities where they unable to move from place to place without fear of being adversely affected.
11. A successful strategy will set a standard across Scotland for how support services are planned and developed and should be issued by Ministers as guidance under section 5(1) of the Social Work (Scotland) Act 1968.

**s5. Powers of Secretary of State.**

— (1) Local authorities shall perform their functions under this Act ... under the general guidance of the Secretary of State.

12. This compels local authorities and other agencies to carry out their duties as directed and leaves open the option of judicial review where they fail to do so.
13. We understand and support the current efforts of the Scottish Government to establish a national autism strategy but believe that such an approach would be strengthened by legislative underpinning. Social care in Scotland gives few enforceable rights to vulnerable adults. And a specific Autism (Scotland) Bill can begin to make a difference.

**Financial aspects**

14. We agree with Mr O'Donnell's argument that there are limited financial costs in implementing the Bill. It is the implementation of the strategy that will bring with it costs but these cannot be determined until we go through the process of establishing what would be in a national strategy.
15. In concluding a national autism strategy there will need to be consideration of its financial aspects. These need not be huge; there are already existing resources that could be better used if there was a degree of cooperation and consistent methods of practice. But there would be also areas of good practice that should extend across the country. We would be worried about any commitments to introduce a national autism strategy that guaranteed the need for no additional funding.

**Conclusion**

16. We feel that there is significant merit in this Bill and support its passage through committee and then the other stages of its journey through the Scottish Parliament.

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