



FASD 101

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Fetal Alcohol Spectrum Disorder

- Fetal Alcohol Spectrum Disorder (FASD) is a diagnostic term used to describe impacts on the brain and body of individuals prenatally exposed to alcohol. FASD is a lifelong disability. Individuals with FASD will experience some degree of challenges in their daily living, and need support with motor skills, physical health, learning, memory, attention, communication, emotional regulation, and social skills to reach their full potential. Each individual with FASD is unique and has areas of both strengths and challenges.

FASD is Not New

- 1973 – Recognition in early infancy due to chronic maternal alcohol consumption. Often labelled as “failure to thrive.” Social workers led this work and were often seeing children within the welfare system as susceptible.
- Clinicians Smith & Jones identified children that were not meeting developmental milestones (FAS).
- This began as a starting point identifying the effects of
 - prenatal alcohol exposure.
- 2004 – Centre for disease control encompassed it within diagnostic terms.
- 2013 – DSM-5 included ND-PAE – 315.8 – diagnostic umbrella identifying it as a brain impairment.



FASD is Not Rare

- **FASD is the leading cause of developmental disabilities!**
- **Canadian rates conservatively suggest 4% of the population.**
- **This is 2.5x more than Autism Spectrum Disorder.**
- **More than ASD, Cerebral Palsy and Down Syndrome combined.**
- **New research in 2021 has suggested prevalence rates up to 7% (May et. al., 2021).**
- **Rates of FASD are higher in special populations, including those involved in the child welfare and justice systems.**



FASD: Canadian Guidelines for Diagnosis

FASD is a medical diagnosis

The guideline recommends a comprehensive, multidisciplinary approach to be used to obtain an accurate diagnosis and a comprehensive assessment of the individuals functional abilities

Core team members include a Physician, Psychologist, Speech-Language Pathologist, Occupational Therapist, Clinic Coordinator and Social Worker

Physician: Anatomy/neurophysiology, facial features and differential diagnosis

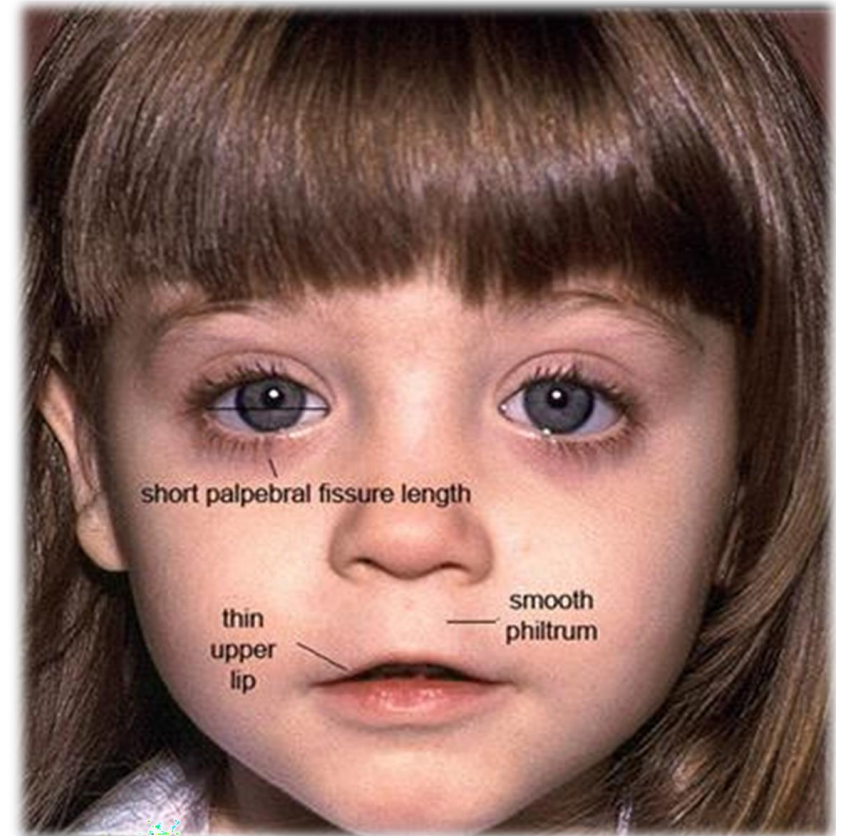
Occupational Therapist: Motor skills and sensory processing

Speech and Language Pathologist: Language, processing, communication

Psychologist: Intellectual, academic, memory, executive functioning, adaptive behavioural, mental health

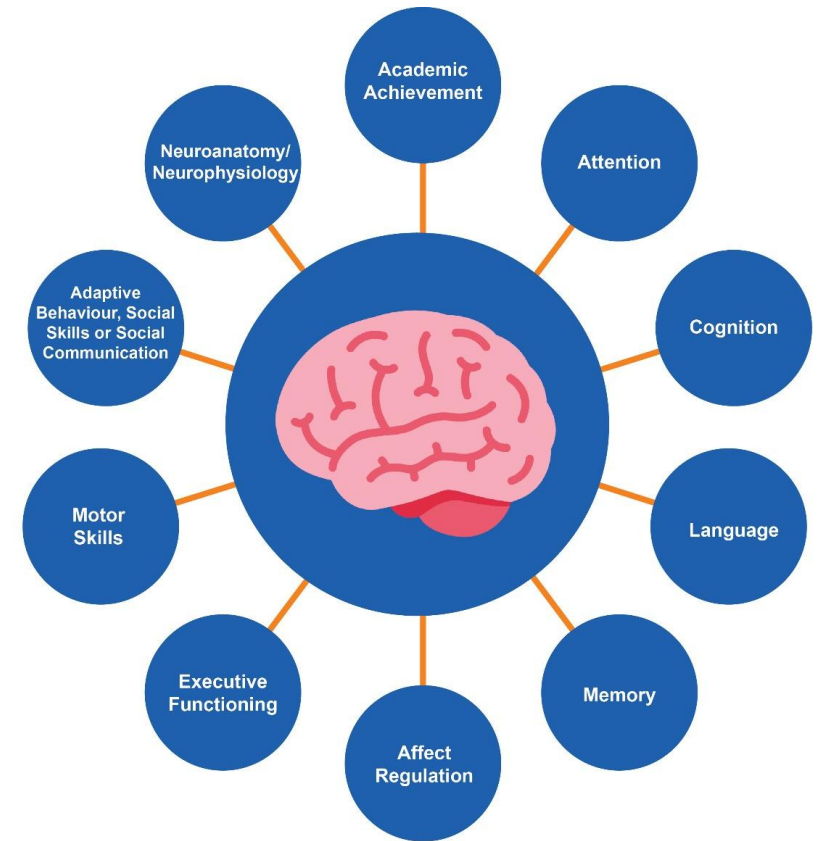
Diagnostic Criteria

- The guidelines require significant impairment in at least 3 brain domains, that have resulted due to prenatal alcohol exposure.
- **There are 2 possible FASD Diagnoses:**
 - **FASD with Facial Features**
 - Confirmed or unconfirmed PAE
 - **FASD without Facial Features**
 - Confirmed PAE
- ***At-Risk for FASD due to PAE –2016**
 - Designation: Clinical concern about development
- **Approximately 10% of children display the sentinel facial features, resulting in FASD being a truly hidden disability.**



The Hidden Disability

- There are 10 brain domains that may be impacted by prenatal alcohol exposure. The individual's capacity within these areas are measured during the assessment and diagnostic process.
- It is important for parents and professionals to understand how the affected brain domains are often the underlying reason for the most difficult behaviors of children and adolescents with FASD.
- Brain differences in FASD can have an impact on
 - behavior and learning.
- **Diane Malbin, an expert of FASD and brain-based behavior, suggests that since the individual with FASD's behavior is a result of brain "differences", this warrants a different approach to managing the individual's behavior.**



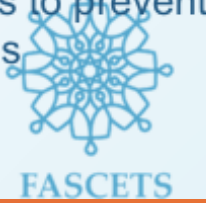


Accommodations Grid

Setting: Justice System

Chronological Age: 25

1 Task or Expectation	2 Brain has to	3 Primary symptoms FA/NB	4 Devel. Age (estimate)	5 Secondary Behaviors	6 Strengths	7 Accommodations
Understand rights	Understand abstractions	Difficulty with abstractions	12	Compliance	Concrete, Literal	Simplify.
Show up for court dates or appointments	Plan, manage time	Difficulty with executive functions, planning	14	Denial, Defense, Blame	Willing, Relational	Utilize supports to prevent problems
Comply with orders	Remember, generalize	Poor memory, difficulty generalizing	15	Breach, Anger, Avoidance, Aggression	Determined, Persistent	Reduce number of tasks Show rather than tell
Learn from mistakes	Store, retrieve, apply information, inhibit impulses	Difficulty, retrieving, applying information, impulsive	10	Re-offense	Wants to please	Establish informed networks to prevent problems



Conditions of FASD

- **Primary Conditions:** Direct impact on the brain and body of individuals prenatally exposed to alcohol. The person can not control these types of neurodevelopmental behavioural characteristics.
- Attention, Cognition, Language, Memory (inconsistent recall), Neuroanatomy/Neurophysiology, Executive Functioning, Adaptive Functioning, Motor Skills, Affect Regulation, Sensory Processing, Auditory Processing, Impulse Control.
- Slow Processing Pace-”10 second kid in a 1 second world”
- “You Did It Yesterday, Why Can’t You Do It Today?”
- Abstract Thinking
- Expressive Language Stronger Than Receptive Language
- **Importance of early identification –supporting interventions**

Conditions of FASD

Adverse Outcomes: characteristics that are preventable and may occur when primary characteristics are misunderstood and unsupported.

Fatigue and Frustration
Poor Self-Esteem , Feelings of Failure
Overwhelmed, Shuts Down
Disruptions at School and at Home
Acts out, Shows Aggression

When Adverse Outcomes Are Not Addressed : characteristics that are preventable and may occur when Primary and Secondary Characteristics are misunderstood and unsupported.

90% of individuals with FASD may experience some form of mental health concern in adulthood

Trouble with the Law
Inappropriate Sexual Behaviour
Drug and Alcohol Addiction
Homelessness
Problems with Employment
Unable to care for own Children

Remember...

- “It’s a brain thing.”
- When you see
- behaviour...
- Think Brain, Not Blame.



Paradigm Shifts and FASD

(pre & post survey of parents)

From:

To:

Won't.....

Can't

IS the problem.....

HAS a problem

Doesn't work.....

Has trouble starting

Acts immature.....

Is dysmature

Doesn't try.....

Tired of failing



Sounds of Understanding Differently

1. Manipulative → *Doesn't understand, lacks flexibility*
2. Unmotivated, lazy → *Shut down, overwhelmed, exhausted*
3. Intentional, deliberate, on purpose → *Doesn't get it, doesn't remember*
4. Doing it to me → *It's not personal or on purpose*
5. Acting like a baby → *Is developmentally young for his age*
6. Is not interested → *Needs help remembering or starting or finishing*
7. Controlling → *Rigid, has difficult shifting gears*

One person's definition of beauty may be simply overwhelming to another!...



Fit between technique and ability

Strategy example: Talking

Assumption about Brain Function:

Store information / memory....
Retrieve information.....
Make links.....
Abstract.....
Generalize.....
Predict.....
Process **quickly**.....

Common brain differences associated with FA/NB

Difficulty with memory
Difficulty retrieving information
Difficulty forming links
Concrete
Difficulty generalizing
Difficulty predicting
Processes **slowly**



Reframe the Behaviour

Statements Made to the Police

People affected by FASD are easily led to confess to things they did not do.

The Reid Technique (and its variations) are very problematic

Don't rely on the statement from the end of an interrogation

Ask to see the video and the transcripts

New Zealand case-Pora v the Queen (2015) UKPC 9 provides a cautionary tale

Bail and Probations Conditions

FASD affected individuals often find themselves with breach of bail and probation condition charges

These breaches are treated as though the person is willfully ignoring conditions when that may not be the case

Conditions may not be fully or properly explained

Ask more questions to ensure the person understands what it means to abide by a particular condition

Use of visuals can be helpful in explaining

Creative Solutions Work

Individuals with FASD
may not do well in
group settings

Difficulties with
interpreting non-verbal
and verbal cues can
lead to inappropriate
behaviour or sharing

Don't set the person up
to fail

Think creatively about
options that can
address concerns and
that are feasible for the
person

Learn what the person
enjoys doing and who
they are comfortable
working with

How Do You Examine or Cross- examine Someone Affected by FASD

- Simple syntax is best
- Not one long sentence: “The witness for the crown saw two men running from the store with a stereo”
- Rather use three shorter sentences:
 - The crown’s witness saw two men
 - The two men were running from the store
 - They were carrying a stereo

How Do You Examine or Cross-examine Someone Affected by FASD cont'd

- Not: “ is the man with the scar you saw at Jimmy’s house party that night the same one who came to your house the next morning?”
- Instead:
- Were you at Jimmy’s party that night?
- Did you see a man with a scar?
- Did the man with a scar come to your house?
- When did he come?
- (See communicating effectively with indigenous clients- <https://www.aboriginallegal.ca/communication-with-indigenous-clients.html>)

Accommodations in Court for an Accused/Offender/Witness with FASD

Accommodation for someone with FASD includes knowing that their attention span may be shorter so they may need frequent breaks

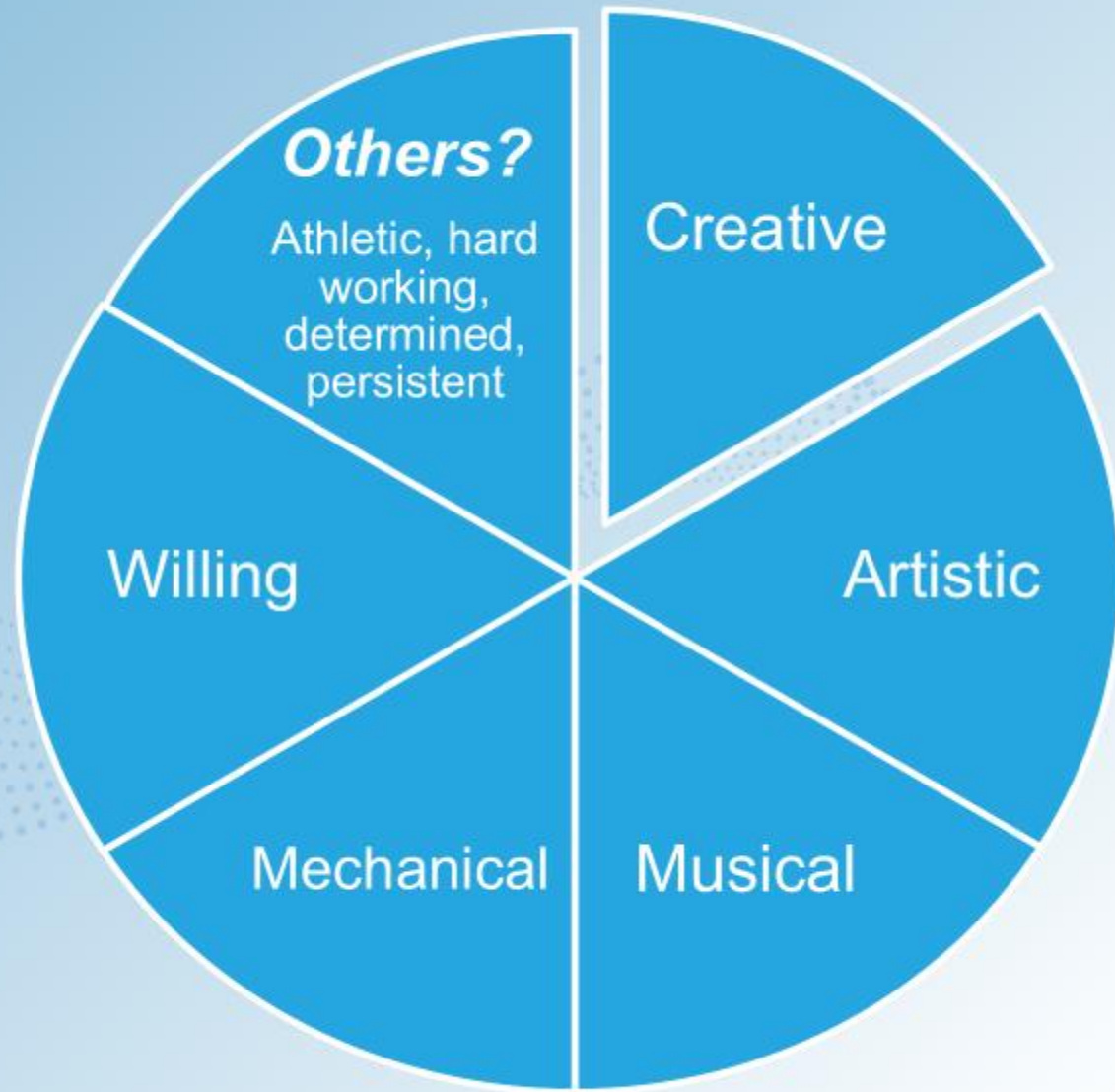
It may be difficult for them to sit still for long periods of time

The lighting and noise in the courtroom may be distracting

How do you alert the Court to these issues?

Ten Ways to Modify Your Approach to be FASD Informed:

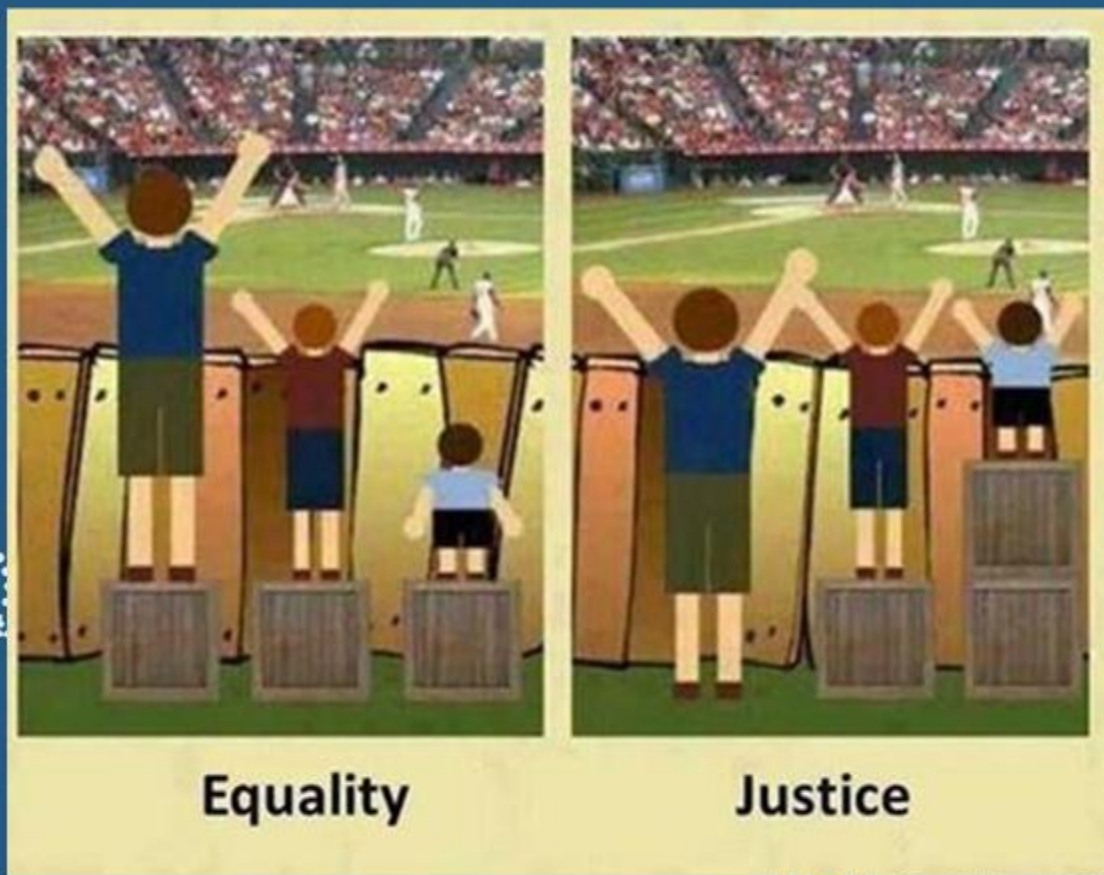
- 1. Slow down
- 2. When offering direction or delivering instruction, do so step-by-step
- 3. Use plain and concise language
- 4. Avoid abstract language and metaphors. People with FASD are concrete thinkers. Explain things as clearly as possible.
- 5. Test for understanding by asking the individual to explain in their own words their understand of what is happening.
- 6. Modify the setting if they appear distracted.
- 7. Individuals with FASD are often visual thinkers and learners. If you are having problems communicating with words, try using pictures.
- 8 . Translate complex ideas or documents into understandable terms. For example, explain a bail or probation condition in plain language
- 9. Individuals with FASD may not understand the Charter of Rights or other rights if you use language that is complex for them. Explain their rights in plain language.
- 10. Remember: People with FASD are often experiencing multiple challenges that are more effectively addressed outside the justice system, for example through involvement of social services or health supports. Think about this individual, how FASD manifests itself for them, and be creative.



Strengths and Interests



Creating a good fit = ↓ Frustration & “Behaviors”



Equality

Justice

Equal ≠ Fair

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Thank you for
your time
today!

Questions?

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