

# Autism Research Review

I N T E R N A T I O N A L

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Reviewing biomedical and educational research in the field of autism and related disorders

## Facilitated communication: courts say "no"

In the first court decisions in the U.S. involving allegations of sexual abuse purportedly made via facilitated communication (F/C), two New York judges made independent rulings that allegations made by F/C could not be considered as evidence because the validity of F/C has not been established.

In the first case, in Ulster County, a 16-year-old autistic girl with no speech had allegedly accused her father and grandfathers of sexual molestation, using F/C. (The father told ARRI that both grandfathers had been dead many years. The "facilitator" had never bothered to ask about them.) There was no physical evidence, nor any other kind of evidence, to support the allegations. Both parents faced criminal charges—the father, for alleged molestation, and the mother, for not reporting the father. The case was before the court for over 10 months.

On September 15, Judge K. K. Peters issued her verdict: that allegations made by F/C lack the credibility required to press charges against persons accused of wrongdoing. One day later, Judge M. R. Buck issued a similar decision in an Onondaga County case,

In the second case, a 10-year-old Down Syndrome girl was said to have used F/C to accuse her father of sexual molestation. Although this girl had some capacity to speak, the allegations were (purportedly) made only through the "facilitator," and never through speech. The father was forced to move out of the family home in January and faced a jail sentence if the allegations were found to be true. Again, there was no physical evidence of abuse.

Annette Muir, a lawyer assigned by the court to represent the child's interests, was reported by the *Syracuse Herald Tribune* to have said that she is convinced there was no abuse: "Her teacher misinterpreted the communication because she was 'brainwashed' by the Biklen group."

Douglas Biklen, a leading advocate of F/C, was disappointed by the rulings. The *Syracuse Post-Standard* quoted him as saying, "It's a very frustrating situation . . . Why should a person with a disability be disallowed . . . because there is not enough research . . . even when they can validate their case themselves." But in Australia, where F/C has a longer record in the legal system, Professor Alan Hudson of Melbourne was quoted as saying, "In the past 12 months I've been involved in either conduct-

ing or acting as a consultant for the conduct of 12 [F/C] cases. Eleven of those have been completed and there wasn't one where the assessment team concluded that the person could communicate using facilitated communication." *Newsweek* (9-21-92) notes that in some cases, children from Spanish- or Hindi-speaking homes allegedly have made accusations in fluent English.

Alan Zweibel, attorney for the family of the autistic girl, said, "My clients have been horribly damaged by the accusations . . . It is their intent to seek legal redress from the

government agencies involved and those who have so cavalierly forced an invalid and untested treatment upon a community of individuals so vulnerable to manipulation."

It seems likely at this point that a great deal of litigation will ensue nationwide as accused families begin to seek damages from their accusers. The director of one nationally known, highly regarded program told ARRI that she is having informed consent forms prepared to protect her agency from the fallout from the forthcoming legal battles between the accused and the facilitators.

## F/C proponents, skeptics face off

Douglas Biklen of Syracuse University calls it a challenge to "autism orthodoxy." The Amazing Randi calls it a fraud. Rosemary Crossley of the DEAL program in Australia calls it "a chance for people to take charge of their lives." Eric Schopler, editor of the *Journal of Autism and Developmental Disorders (JADD)*, says it "may well succeed in setting autism services back 40 years."

Few topics have generated as much controversy in the field of autism as Facilitated Communication (F/C), a procedure in which a nondisabled individual holds or touches the hand, arm or shoulder of an autistic person to help the disabled person communicate on a typewriter or computerized device (see ARRI 4/4, 5/1, 5/4, 6/1). While a few parents and professionals have employed the technique for decades, F/C didn't truly "arrive" until Syracuse educator Douglas Biklen visited the DEAL Center in Australia and wrote of his experiences in the *Harvard Educational Review (HER)* in 1990.

Biklen was so impressed with the work of the DEAL center—whose nonverbal autistic students, using F/C, appear to make remarkably insightful and intelligent conversation—that he established a similar program in New York. F/C workshops have since spread throughout the country, and virtually every major newspaper, news magazine and news show has run a story on F/C. Recently, articles in the *Harvard Educational Review* and the *JADD* have fueled the controversy over whether or not F/C is "real"—as have numerous allegations of child abuse (40 in the Syracuse area

alone) made on the basis of F/C communications (see adjacent article).

### JADD editorial skeptical

Eric Schopler, who directs the TEACHH program at Chapel Hill as well as editing the *JADD*, writes in the latest issue that "since the first media promotion of 'Facilitated Communication,' we have had the opportunity to observe this technique with many clients of all ages, including those with autism. Although a few were clearly able to use this technique, many were unable to do so, or were capable of a less restrictive communication technique."

Schopler believes the promotion of F/C as an almost universally effective approach involves "an especially pernicious form of sales technique."

"[Proponents] claim that F/C requires faith and a trusting relationship to be effective," he says. "They claim that research is inappropriate because it interferes with the trusting relationship."

"Young students are told in F/C workshops that they will fail at this technique if they lack trust," Schopler adds. "This is tantamount to emotional blackmail."

### HER: Biklen vs. Cummins and Prior

In the summer 1992 issue of the *HER*, Biklen and Robert Cummins and Margot Prior once again air contradictory views on the validity of F/C (see previous Biklen/Cummins-Prior debate in ARRI 4/4, 5/1).

Biklen is convinced that the often highly sophisticated conversation of non-verbal, low-functioning autistic individuals using F/C is real. His theory, outlined in the *HER*, is that communication skills lie buried in

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