



USER VOICE

“NEURO...WHAT?”

**NEURODIVERSITY IN THE
CRIMINAL JUSTICE SYSTEM**

MARCH 2021

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FOREWORD

For too long the criminal justice system has been ignoring a glaring and inconvenient truth. A significant proportion of service users are neurodiverse. In far greater numbers than the general public, people inside the criminal justice system live with autism, ADHD, speech/communication disorders, intellectual disabilities, learning disorders, neurogenetic disorders like Down Syndrome, traumatic brain injuries... it's a broad church.

This report, commissioned by Her Majesty's Inspectorate of Probation as part of a wider review into the topic, explores the lived experience of the neurodiverse as they negotiate their way through a system which is only designed for users who are just like the people who run it. It is based on one-to-one interviews with over 100 people with these conditions.

Their stories make for uncomfortable, even harrowing reading. Utter incomprehension, shame, an inability to read forms let alone fill them in, communication hurdles with defending lawyers, assumptions of rudeness by judges and dismissal of any suggestion that neural health may be a mitigating circumstance, inability to remember appointments, frustration, anger, confusion... the neurodiverse simply cannot play the game. So, they lose it.

No one knows this better than the police. They are, after all, our default mental health service, called in to exercise force in medical situations they are ill-equipped to understand. Situations which never should have arisen. Because, although the prison and probation services shine a light on neurodiversity, this isn't really a criminal justice issue. It's a public health issue. If there was recognition and support for these conditions then the link between neurodiversity and crime could be broken. But these people are too often ignored - until we punish them for offending.

Our lived experience report suggests a number of measures which might ease the way for neurodiverse people to navigate through the system and it highlights a huge skills deficit in police, prisons and probation services which should be tackled. There has already been an announcement from the Ministry of Justice after its wider consultation. But a few prison pilots are just not enough. The criminal justice response should be part of a much wider community response. Neurodiversity is a massive public health issue which must be addressed. It cannot be swept under the prison door any longer.

SUMMARY

Neurodiversity within the criminal justice system is an under-researched but vitally important issue. Estimates suggest that neurodiverse conditions are three times more common in the criminal justice system than in the general population. However, our findings indicate that there is limited screening for these conditions and the true figure is possibly much higher.

Neurodiversity covers many conditions related to how the brain functions such as ADHD, autism, intellectual disabilities, traumatic brain injury and motor disorders.

User Voice, a charity run by people with lived experience of the criminal justice system, directly engaged with 118 people in prison and on probation who had a diagnosed neurodiverse condition across 10 probation services in England.

This consultation was commissioned by Her Majesty's Inspectorate of Probation as part of a wider review on neurodiversity in the criminal justice system being carried out on behalf of the Ministry of Justice.

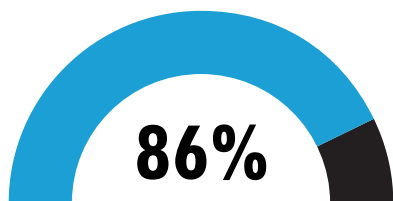
We found that most participants were not asked, assessed or diagnosed with a neurodiverse condition at any stage within the criminal justice system. This failure is significant, because without proper assessment, service users cannot receive the support they need.

Without screening and assessment, there were few referrals to specialist services, but also few basic adjustments made such as explaining essential documents or explaining court processes and proceedings. This left service users confused, frustrated and let-down.

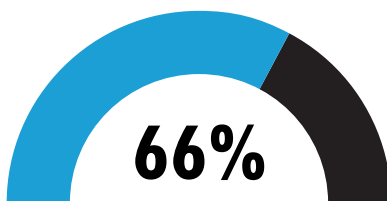
Further, without screening, staff were unaware of or lacked understanding of service users' needs and were untrained to cater to their needs.

There is a wider issue of the criminalisation of those with neurodivergent conditions that must be addressed. Yet without adequate screening and training at all stages of the system, we found that most service users with neurodiverse conditions are being failed.

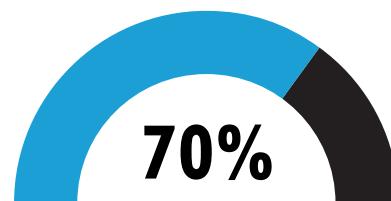
KEY FINDINGS



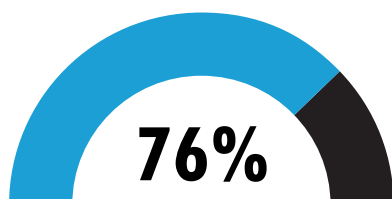
of service users had not heard the term 'neurodiversity'



of service users were not screened for neurodiverse conditions



of service users had not had any adjustments made to support their neurological needs.



of service users stated that staff in the criminal justice system did not understand their needs.



of service users had been on a programme or intervention that was designed or adapted for their needs.

Good practice and positive experience included diagnosis of condition and referrals for specialist support; an appreciation of and willingness to listen to neurodivergent needs, signposting to support services, and taking time to accommodate needs.

SOLUTIONS



Decisions made at court should always consider an individual's neurodivergent conditions.



Screening service users for neurodiverse conditions at all stages of the criminal justice system.



Access to appropriate support when attending interviews in police custody.



Documents and forms must be provided in person, so the contents can be explained and follow up support agreed.



Training in neurodivergent conditions for police officers and the development of new approaches which accommodate individuals who may react adversely to physical contact.



Recognition that prison is not always an appropriate environment for individuals with neurodivergent conditions and that specialist healthcare environments may be more suitable.



Dedicated courses to support service users with neurodivergent needs, co-designed with service users, and led by people with lived experience.



Access to specialised education services to improve literacy levels, which will support them to gain employment.



Peer support and mentor mechanisms for the delivery of all programmes and interventions to help guide individuals through the criminal justice system.

ABOUT USER VOICE

User Voice is a nationwide UK charity created and run by people with lived experience of the criminal justice system. We exist to reduce offending by working with the most marginalised people in prisons and on probation. We ensure they have the opportunity to be heard, and to influence change.

User Voice operates elected Councils in prisons and probation regions throughout the UK. We give a voice to over 40,000 people per year, including nearly 23,000 in 2020 despite Covid-19 restrictions.

Service users with neurodiverse conditions are among the least well understood people within the criminal justice system and yet most in need of support. We are proud to enable them to voice their needs, to recognise their worth and to put forward their own solutions, created through experience.

We hope this report will promote greater understanding of the link between neurodiversity, offending and rehabilitation, and highlight how better screening, training and support in prison and probation services can improve the lives of people whose brains work differently, as well as the experience of providers and staff whose daily lives are touched by these same challenges.

BACKGROUND

Neurodiversity within the criminal justice system is an emerging and under-researched subject. Too little is known of how much neurodiversity exists among the people in the system, and its relationship with reoffending. The government has recognised the importance of this issue and the value in seeking views and solutions from those who live with neurodiverse conditions.

This report was commissioned by Her Majesty's Inspectorate of Probation as part of a wider review on neurodiversity in the criminal justice system¹ being carried out by the prison and probation inspectorates on behalf of the Ministry of Justice.

The England and Wales probation service is being redesigned. As an organisation with lived experience of the system in its DNA, User Voice was asked to consult neurodiverse service users about their experience of probation, and to hear what support they believe needs to be put in place.

This project, which took place in 2021 during Covid-19 lockdown, focuses on adults engaged with the probation service. The details of their experiences were heard by peer researchers who had either personal or family experience of neurodiversity, and we have presented their unfiltered feedback to the decision-makers responsible for probation services.

This consultation ensures that service user insight can guide the design of a unified probation model being implemented in June 2021. If grounded in the hard-fought lived experience and expertise of service users, we believe the future probation model can be truly responsive to the needs of those it is intended to support.

WHAT IS NEURODIVERSITY?

Neurodiversity covers a range of conditions related to how the brains function. Our consultation used a broad definition that included the following conditions:

- ADHD
- Asperger's/Autism
- Communication, speech, language disorders
- Intellectual disabilities
- Motor disorders (e.g. Tourette's)
- Neurogenetic disorders (e.g. Down syndrome)
- Specific learning disorders (e.g. dyslexia, dyscalculia)
- Traumatic brain injury

It is estimated that although only 15% of the general population has a neurodiverse condition², as many as half the people in the criminal justice system and 1 in 3 people in prison are impacted by neurodiversity³.

Comorbidity – the combination of conditions - is a significant challenge, and many of the service users we spoke to reported having more than one neurodiverse condition.

People with neurodiverse conditions can find it more difficult to understand, learn or communicate. In the criminal justice system, far more than outside it, neurodiversity creates an unequal environment which holds people back. Without understanding and support, neurodiverse people can feel isolated, and are open to unfair treatment from the moment they encounter police to the interview process, court system, prison system and beyond.

The implementation of restrictions due to COVID-19 has had catastrophic consequences for many service users across the criminal justice system. People in prison and on probation have had less face-to-face contact, and reduced access to services and support. For those whose brains work differently from what is considered the norm, the pandemic has been disastrous for their mental wellbeing.

As you will hear from the voices in this report, neurodiversity creates daily challenges for those who are impacted by it, but it can also bring about strengths that others may not possess. Ultimately, we believe that neurological differences should be recognised and respected in the same way that other human characteristics are.

HOW WE GAVE USERS A VOICE

Because of their lived experience of prison and probation, User Voice engagement staff are able to quickly and effectively build trusting relationships with service users. Through peer research, we can gain the perspective of service users which generates honest and authentic insight, enables mutual service user and service provider collaboration, and provides a positive experience for those who participate.

All peer researchers on this consultation had either personal or family experience of neurodiversity. Shared experience enables User Voice staff to connect with neurodiverse service users and adopt a sensitive and informed approach.

HOW WE FOUND NEURODIVERSE SERVICE USERS

Since April 2020, we have engaged with over 20,000 service users, principally via remote engagement. In 14 prisons, we set up a free 0800 line that is staffed 7 days a week. In the community, service users were encouraged to call our staff members to provide feedback on their experiences with probation.

In addition to our regular method of engagement, we approached probation Equality & Diversity Leads and Learning Disability groups such as Autism Partnership Boards to raise awareness of the consultation and offer their networks of service users the chance to take part.

ENGAGEMENT

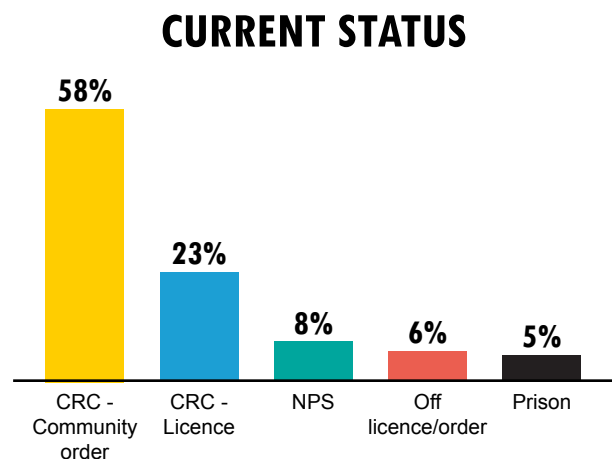
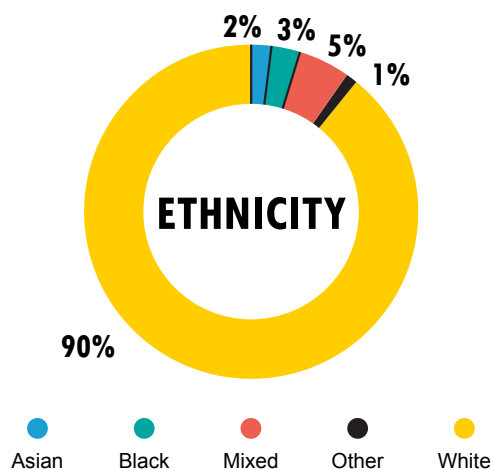
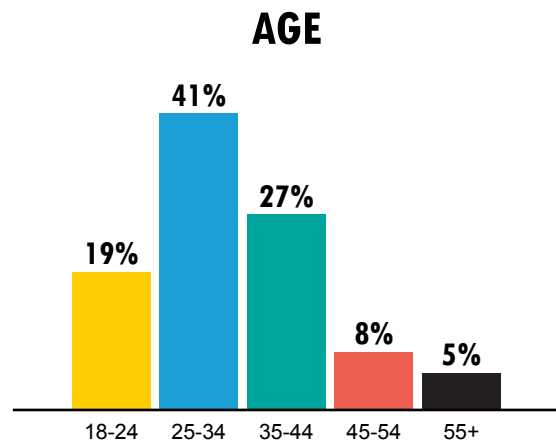
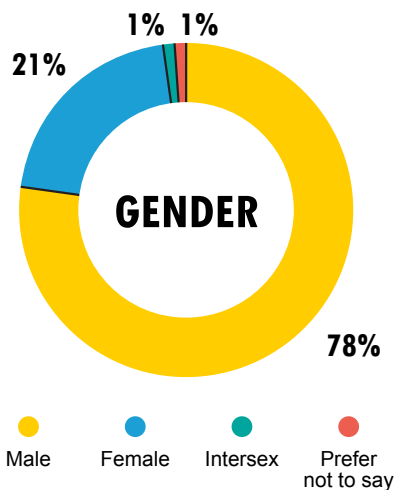
We conducted semi-structured interviews with service users via telephone. Trained peer researchers engaged service users in conversation and recorded their responses. Inclusion was an incredibly important factor in this project due to the range of neurodiverse conditions we encountered. By speaking to people rather than asking them to self-completed questionnaires, we enabled everyone to participate who wanted their voice to be heard.

We believed it was vital that we adopted a conversational interview approach which allowed our staff to discuss complex topics and explain specific terminology, such as the word neurodiversity itself. Interviews lasted between thirty minutes and two hours. This approach ensured that rich, quality data was collected in a method that accommodated the specific needs of the service users we engaged with.

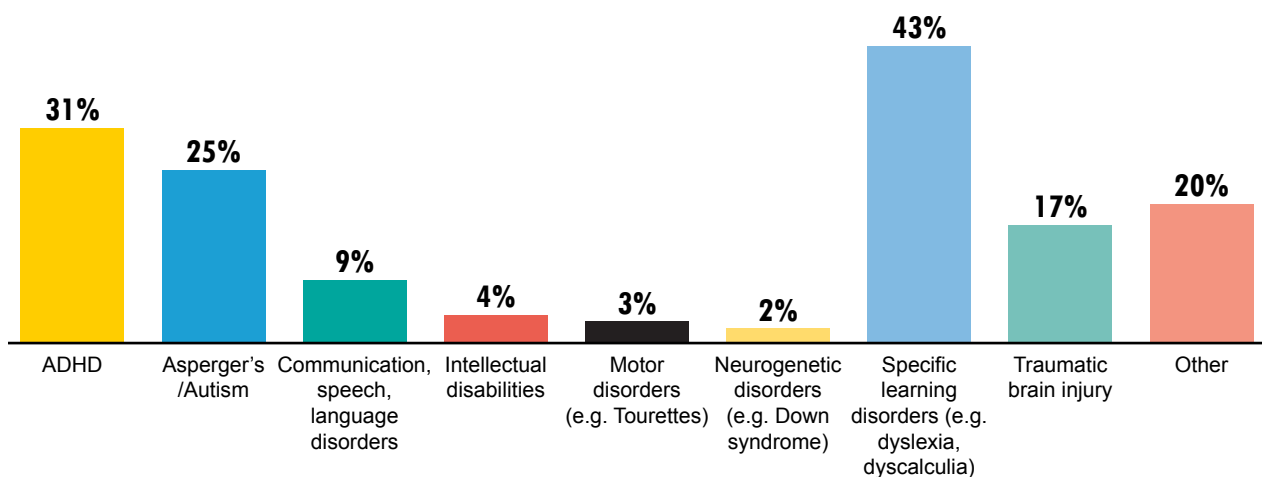
WHO WE SPOKE TO

We directly engaged 118 service users from 10 probation services across England. All of those who took part reported at least one of the neurodiverse conditions considered in our definition, and many reported having more than one neurodiverse condition.

The demographics of service users we engaged with were:



NEURODIVERSE CONDITION



WHAT THEY SAID

The questions we asked service users covered a range of subjects relevant to the wider review. Through data and unfiltered feedback, we can highlight the difficulties service users with neurodiverse conditions face while on probation, the level of adjustments made to accommodate their needs, how knowledgeable staff are about neurodiversity, and any positive outcomes that service users have experienced.

CHALLENGES

We identified the following areas as common issues affecting individuals with neurodiverse conditions.

LITERACY

Because reading and writing are central to almost every stage of the process, service users with literacy issues struggle to navigate the criminal justice system. Our participants described the negative emotions caused by failing to understand documents or complete literacy-based tasks. As a result, they could not successfully engage with services and support, or develop the skills to successfully move on with their lives.

UNDERSTANDING WHAT IS GOING ON

Individuals explained that their neurological condition prevented them from understanding exactly what was happening at different stages of the criminal justice system. They described feeling overwhelmed and scared at not being able to fully understand what was happening.

MEMORY LOSS

Service users explained that memory loss due to their neurodiverse condition meant they often struggled to remember appointment times for probation.

FITTING IN

Service users noted that their neurological condition prevented them from being able to easily adjust to the routine and demands of the criminal justice system. Individuals struggled to fit into the system, and, instead of being supported, felt excluded. Some people struggle to adjust to sudden changes in routine.

"I can't read properly or fill out forms. It gets me overwhelmed and then I get emotional and have panic attacks."

(Female interviewee, 28)

"When first arrested, the police did not have an appropriate adult present such as a social worker due to my autism. When they gave me the indictment, I couldn't understand it, I did not understand the court process and my barrister did not understand why I failed to understand what was going on, as they did not recognize my conditions. I had to communicate by letter whilst on remand which I couldn't do and my barrister never came in prison to see me."

(Male interviewee, 36)

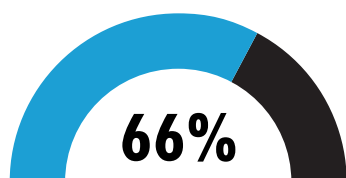
"I also have trouble remembering things and asked to be reminded of appointments the day before but was told by my RO that this wasn't done and she couldn't help me with that."

(Female interviewee, 28)

"When I was in prison I struggled to adjust to a new routine and found myself getting frustrated and lashing out. Guards and other people in prison mocked me."

(Male interviewee, 25)

SCREENING

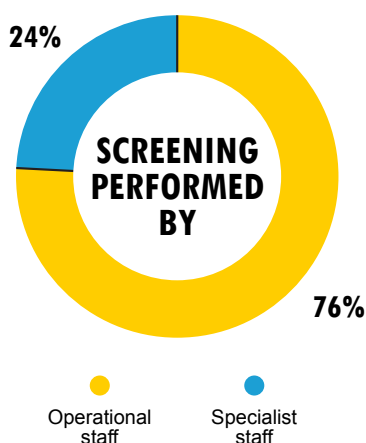
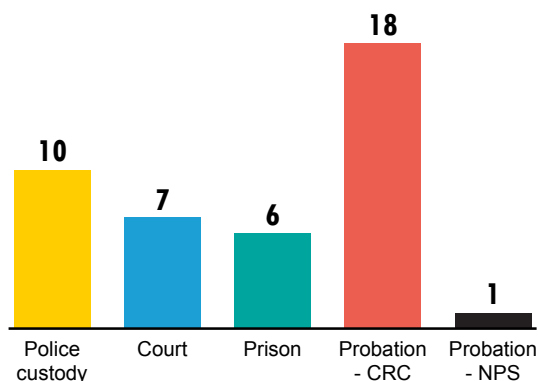


Two thirds (66%) of service users had not been asked, assessed, or diagnosed with a neurodiverse condition during their journey through the criminal justice system.

We asked individuals if through their journey of the criminal justice system, they had ever been asked, assessed or diagnosed with the following conditions: ADHD; Asperger's; autism; dyslexia; dyscalculia; Motor disorders (e.g. Tourette's); Communication, speech & language disorders; Intellectual disabilities; Neurogenetic disorders (e.g. Down syndrome); Specific learning disorders; Traumatic brain injury.

For those service users who had been screened (asked, assessed, diagnosed), we asked where in the criminal justice system this had taken place, and if they had been screened by specialist or operation staff.

SCREENING LOCATION



86% of the service users we spoke to had not heard of the term Neurodiversity.

POSITIVE EXPERIENCE

There were two clear positive outcomes for service users who had been screened.

DIAGNOSIS

Service users explained that screening led to diagnosis of conditions, which they were not previously aware they had. Individuals stated that the diagnosis gave them a great sense of relief and enabled them to begin to understand their actions.

"During my pre-sentencing report the woman I spoke to asked if I had any disabilities and I said no. At the end of the interview, she spoke about autism and said that she was going to state that I demonstrated characteristics of someone with autism and was recommending some tests be done. Court proceedings were adjourned until they were done, and I found out I was autistic and everything seemed to make sense."

(Male interviewee, 28)

REFERRAL

A common positive outcome of the screening process was for individuals to be referred to specialist support services. Service users spoke positively of the support they received as a result of the referrals.

"I was referred to an NHS specialist and I got answers for why I was so irritable and depressed and forgetful. I honestly can't thank them enough for helping me figure it out."

(Female interviewee, 27)

ADJUSTMENTS TO THE SYSTEM

70% of service users we spoke to had not had any adjustments made for them to support their neurological needs.

Service users provided a range of examples where adjustments had not been made and the impact that had on them.

LACK OF LITERACY SUPPORT

Service users who struggle to read and write are given documents without explanation or sufficient support, preventing them from engaging with services. In prison, residents are required to fill out written application forms for jobs, putting those with literacy issues at a disadvantage.

"I don't even try to read the information they give me... I have no idea what they mean. This creates problems because they then say, 'well you've had the information.' No, I have not – I have been given a piece of paper not the information."

(Male interviewee, 57)

During the pandemic, the probation service has increasingly relied on text messages as a method of communication with service users, and yet it has not adapted to the needs of service users who said they could not understand them.

FRUSTRATION

Frustration at not being understood or listened to is a common theme in the consultation. Service users were frustrated at the lack of adjustments being made for their neurodivergent needs, and the sense that they were not believed. Participants recognised that frustration contributed to their offending behaviour.

"Because my condition is not understood and even when I tell people it's ignored, this had led to me becoming increasingly angry and then causes me to lash out or close down, so it seems I'm being uncooperative."

(Female interviewee, 31)

LOW SELF-ESTEEM

Individuals detailed how the lack of adjustments made for them in the criminal justice system severely affected their self-esteem and made them feel worthless. A lack of empathy contributed to the deterioration of their mental health and feelings of depression.

"Being made to feel like I have to fit into the boxes they create rather than them adjusting the size and type of box - I shouldn't be made to feel different and awkward."

(Female interviewee, 31)

LET DOWN

Service users reported an overwhelming sense of feeling let down by the system, which they perceived as not caring about them.

"I feel let down, the system claims to care and to want to help but they don't, they just let us disappear into it and become another statistic."

(Male interviewee, 28)

POSITIVE EXPERIENCE

30% of service users we spoke to had adjustments made for them to support their neurological needs.

For service users where adjustments had been made for their neurodiverse condition, the following examples were provided as instances of best practice.

LITERACY SUPPORT

Service users recounted that they had been provided with easy read materials which gave them a sense of agency, as they did not have to rely on someone else for explanation.

“Under probation I have been given easy-to-read materials and my officer explains everything to me in easy chunks as well. I felt awful with the judge, I felt like I was worthless to be honest, but my probation officer has helped me to start to see my self-worth I guess.”

(Female interviewee, 58)

TIME & FLEXIBILITY

Service users stated they had been given longer appointment times with their probation officer due to their neurodivergent needs, which made them feel more at ease. Extra time enabled probation officers to fully explain what was required of individuals, and left service users feeling supported and better able to engage with support services.

“My officer goes slowly with everything and is patient with my stutter - she also has (before the pandemic) someone come into meetings to help me combat my issues. It made me feel supported for the first time ever.”

(Male interviewee, 41)

APPROPRIATE ADULT

A service user commented that they had been provided with an appropriate adult at court to explain proceedings, and this enabled her to understand what was happening and feel a little less stressed.

"I was given the opportunity to speak to the custody nurse and she did an assessment and put things in place for me to get support... I was given an appropriate adult... at court they did support me through it, and this helped me to understand what was going on and be a little less stressed."

(Female interviewee, 41)

STAFF UNDERSTANDING

76% of service users stated that staff in the criminal justice system did not understand their neurological needs.

FEELING MISUNDERSTOOD

Individuals outlined several examples where staff, and other service users, had failed to recognise they had a neurodivergent condition and therefore did not understand or account for their behaviour. A lack of understanding by staff has also led to the false impression that individuals were simply acting up.

"People think I am being rude or that I am weird because I 'don't look or sound' like I have autism. The police thought I was resisting arrest, the judge thought I was being rude and in prison I was attacked a few times because people thought I was being disrespectful to them."

(Male interviewee, 35)

LACK OF UNDERSTANDING

Due to a lack of understanding of neurodivergent conditions, no adjustments were made, and service users were not provided access to an appropriate adult. They were also at higher risk of being breached as probation staff failed to consider how their neurodivergent conditions affected their ability to successfully comply with their licence or order.

"I have been breached and had to go back to court. I feel really isolated and like my RO doesn't understand who I am."

(Male interviewee, 28)

POSITIVE EXPERIENCE

24% of service users felt staff in the criminal justice system did understand their neurological needs.

For those service users who felt understood, the following areas were identified as to why they felt this way.

LISTEN TO SERVICE USERS

Staff listening to service users was regarded as being absolutely critical to making individuals feel understood.

SIGNPOST TO SUPPORT

Offering practical support to service users and connecting them to appropriate services was another key component to making individuals with neurodivergent conditions feel understood.

FLEXIBLE, ACCOMMODATING APPROACH

Service users recalled instances where staff took account of their neurodivergent conditions and how they impacted their ability to comply with demands or the conditions of a probation order. Probation staff understood a service user's memory loss and took preventative measures to ensure that the individual did not miss appointments.

TAKING THE TIME TO EXPLAIN

Taking the time to explain the contents of documents was another key contributor to service users feeling understood.

"They listened and did not focus on the offence. They focussed on me as an individual and the circumstances leading up to the offence and this helped me feel valued and listened to."

(Female interviewee, 42)

"They listened to me, due to my issues the courts could of sent me to prison for the offence but they took my conditions into account, and it prevented me from going to prison."

(Male interviewee, 34)

"Put me in touch with the appropriate adult service and went out of their way to help me feel at ease."

(Female interviewee, 41)

"My probation worker and everyone I spoke to at the police station helped me with the reading and explained everything for me."

(Female interviewee, 20)



PROGRAMMES & INTERVENTIONS

95% of service users had not been on a programme or intervention that was specifically designed or adapted for neurodivergent needs.

Only 5% of the people we spoke to had been on an intervention either designed or adapted to their neurodivergent needs, uncovering a clear need for change in provision. However, for those service users whose conditions were accommodated, there were many vital benefits.

POSITIVE EXPERIENCE

ONE-TO-ONE SUPPORT

Service users outlined instances where they had originally been ordered to attend group interventions, but this was subsequently amended to one-to-one work. Individuals explained that they were better able to engage with support offered in an individual rather than group setting. Moreover, simply the amendment itself and its acknowledgement of an individual's neurodivergent needs was regarded as very important and service user's felt valued and listened to as a result.

"I was originally ordered to attend a DID's course, and my RO took this back to court so I could do one-to-one work with her and a support worker instead...I felt much more able to engage and do the work I needed to do, as well as feeling valued and listened to. This has helped me to move forward and get the extra support I need."

(Female interviewee, 42)

TAILORED GROUP SUPPORT

An individual recounted how they attended a group specifically for people with a neurodivergent condition. The service user spoke positively about the group leader's accommodating approach and how being part of a group of people with similar experiences gave them a sense of belonging.

"I don't know what it was called, but it was for people who suffered with Asperger's or autism and the leader was so patient and kind. I felt like I belonged, like I was a part of something and that it would all be okay because someone actually cared enough to help me."

(Male interviewee, 41)

ADDITIONAL TIME FOR SUPPORT

Two service users highlighted the importance of course facilitators apportioning additional time during sessions, which enabled them to better explain information and clarify each individuals' responses.

"BBR course, the facilitator talks more slowly and explains any questions or information in a way that I understand, and they understood my difficulty in responding verbally to questions, so they assisted me with getting the right words out by interpreting what I was trying to say and reading it back to me and asking is that what I meant. It helped me to understand the course and the questions, and they limited the amount of talking I needed to do by helping me answer questions by their own interpretation and asking me if that's what I meant to say."

(Male interviewee, 19)

SOLUTIONS FROM SERVICE USERS

All the solutions below came directly from insights from service users. Core principles and areas of focus emerged which can be applied across the criminal justice system. There are also solutions aimed towards amending specific parts of the system, improving staff behaviour, and increasing the effectiveness of programmes and interventions.

GUIDING PRINCIPLES

PEER SUPPORT

Peer support mechanisms must be embedded throughout the criminal justice system. The shared and specific experiences of peers with neurodivergent conditions means that current service users will better relate to and engage with peer support. Peer support will help service users with neurodivergent conditions to navigate the criminal justice system.

LITERACY

The criminal justice system must better accommodate the needs of individuals who have low literacy levels. Intensive support needs to be provided to people who struggle to read and write. The system itself also needs to be re-designed to have less of a reliance on literacy-based tasks.

AWARENESS AND UNDERSTANDING

There needs to be a concerted effort to raise awareness of neurodivergent conditions among criminal justice staff. This would result in staff having a greater understanding of how the various conditions impact service users and their ability to engage with the criminal justice system.

A practical way to ensure that courses are led by individuals with a great understanding of neurodiversity, is to staff them with people who have lived experience of neurodiversity in the criminal justice system.

TIME

Time needs to be designed into each stage of the criminal justice system to make it possible to provide the support that service users need. Time would enable staff to build better relationships with service users, understand their specific needs and offer tailored and intensive support where appropriate.

STRENGTHS-BASED APPROACH

A strengths-based approach needs to be adopted that celebrates and looks to build on the diverse abilities of individuals, rather than solely focusing on the negatives, which contributed to their offending.

SOLUTIONS: ADJUSTMENTS & STAFF

1. LITERACY

EMPLOYMENT

Individuals need access to specialised education services to improve literacy levels, which will enable them to gain employment.

EXPLANATION

For service users with low literacy levels, documents and forms must be provided in person, so the contents can be explained and follow up support agreed.

2. AWARENESS & UNDERSTANDING

There needs to be a concerted effort to raise awareness of neurodivergent conditions among criminal justice staff. This would result in staff having a greater understanding of how the various conditions impact service users and their ability to engage with the criminal justice system.

3. LISTEN

WORK WITH SERVICE USERS

Service users must feel that staff in the criminal justice system are working with them, rather than telling them what they must do. To achieve this, staff must listen to service users with neurodivergent conditions, and recognise their expertise by experience, to truly understand what support they need.

ASK SERVICE USERS

Staff must have open conversations with service users about their needs and the kind of support that should be in place.

INDIVIDUAL APPROACH

Listening to service users would enable an individual approach to be taken. Service users stressed that everybody was different and simply because two people have the same condition, this did not mean they behave in the same way. Therefore, it is crucial for staff to get to know the individual and offer tailored support based on their specific needs.

TIME TO LISTEN

Investment is needed to ensure resources and time are available, to better engage with service users and fully understand their needs. Service users have recognised that whilst investment may have an up-front cost, in the long term it would result in savings by supporting individuals to progress permanently out of the criminal justice system and avoiding the cycle of re-offending.

"I would like support to help me with this so I can move on and do things like get a job and do things for myself like fill in a simple form."

(Male interviewee, 31)

"I would have liked people to firstly ask me how my condition affects me and then act upon this, instead of just ticking the box to say they have asked me."

(Male interviewee, 44)

"I would like people to explain to me what is on the paper, especially when I tell them I can't read. They just ignore what I say, so I have now given up on telling them."

(Male interviewee, 57)

"They can't keep treating people the same – they are not the same, they are individuals with very different needs. All we want is to be understood and not judged and treated like we are thick."

(Male interviewee, 20)

"I would like them to understand and listen to what I say, not judge everyone the same and jump to conclusions. Maybe if they at least tried, this would help them to understand and have a better awareness, which would lead to support for me."

(Male interviewee, 34)

"I would like them to take on board what I am telling them, instead of making me feel like I have to justify myself. If I was in a wheelchair, they wouldn't ask me to walk, so why do they ask the impossible when it's something they can't see? It's so frustrating."

(Male interviewee, 33)

4. APPOINTMENT REMINDERS

Whilst this may take place in some areas, a standardised approach to appointment reminders needs to be implemented in probation services.

5. PEER SUPPORT

AT COURTS

Peer support mechanisms can help guide individuals through the criminal justice system. Service users stressed how important it was that peers were regarded as independent of the system, and therefore service users would be more likely to engage with them.

PRISON/PROBATION MENTOR

Peer support should be offered in the form of a mentor role, to offer in-depth support to individuals.

6. ARREST & INTERVIEW PROCESS

Police officers need training regarding neurodivergent conditions and to develop approaches which accommodate individuals who may react adversely to physical contact. Individuals should always have access to appropriate support when attending interviews in police custody.

7. APPROPRIATE ENVIRONMENTS

Decisions made at court should always take into account an individual's neurodivergent conditions. Prisons are not always an appropriate environment for individuals with neurodivergent conditions and that specialist healthcare environments may be more suitable.

"I would like them to listen to what I am saying and then make any adjustments that will work for me. All they say all the time is, 'well it's a cost thing.' Well, they don't realise that it costs them a lot more by me keep coming into the system because they don't support me and this increases my anger issues and causes me to offend."

(Male interviewee, 29)

"Appointment cards with probation officers' names and a piece of paper that shows what each session of a programme is about."

(Male interviewee, 46)

"A mentor or someone who can come to appointments etc. with me. Just someone who respects my boundaries and understands them and me."

(Female interviewee, 31)

"I would have liked to have had the opportunity for someone to be with me at interview who was trained in how to recognise that my stress was aggravating the situation and be able to advocate for me."

(Male interviewee, 51)

"I should of maybe been sent to a secure hospital not prison where there are staff there who know how to deal and treat and understand someone like me with all my conditions."

(Male interviewee, 36)

SOLUTIONS: PROGRAMMES & INTERVENTIONS

1. PEER SUPPORT

Peer support mechanisms must be incorporated into the delivery of all programmes and interventions.

RELATABLE SUPPORT

Only people with similar conditions truly understand the challenges they experience. Including peers who service users can relate to and engage with.

EXPLAIN THE PROCESS

As peers can better understand the specific challenges facing people with neurodivergent conditions, they can better explain processes and offer practical support that is more likely to be accepted.

EXTRA CAPACITY

Through assistance to staff in areas such as literacy, peer support mechanisms can increase the criminal justice system's ability to meet the needs of service users.

MENTORS

Mentors with lived experience of the criminal justice system can support individuals as they move through the different stages.

SAFE SPACES

Provide groups exclusively for neurodivergent service users, which create a safe, supportive environment for those with adverse experiences in other group settings.

2. TRAINING FOR STAFF

Staff who deliver programmes and interventions must be trained around neurodivergent conditions and how they can impact service users.

3. PEER DESIGNED, PEER LED COURSES

Offer courses created specifically for service users with neurodivergent needs, designed in partnership with those who best understand their needs, and led by people with lived experience of neurodiversity and the criminal justice system.

4. ONE-TO-ONE SUPPORT

Recognise that group settings can be intimidating and counterproductive for people with neurodiverse conditions and provide the opportunity for one-to-one support.

5. VALUE STRENGTHS

Adopt a strengths-based approach that celebrates and builds on the diverse abilities of individuals, rather than solely focusing on the negatives which contributed to offending.

6. PROMOTE LITERACY

Services should recognise and support lower levels of literacy by reducing reliance on written communication through paperless courses, providing Easy Read materials and improving access to specialist education courses.

7. TRAIN MEMORY

Specific courses should be available aimed at improving memory for service users whose conditions impact cognition and information retention.

8. GIVE TIME

Allocate additional time during courses and interventions to enable staff to fully explain what is required and provide service users the space to complete tasks.

"I think there should be peer support who understand what it's like to have these conditions and to tell me what's what with probation and the system. Peer support during programmes to help fill out forms and paperwork and to explain questions so that I can answer them as accurately as possible."

(Male interviewee, 34)

"With people who understand similar experiences and a place that is safe for you to do any work they want you to do, which is useful and supportive. Instead of putting you in a group of idiots who just make fun of you and take the piss."

(Male interviewee, 34)

"More one-to-one and not groups as this causes my ADHD to go through the roof. All the other people egg me on and I play up to it because that's how I have always coped - by being the class clown I don't stand out. I do much better on a one-to-one than a group because of this."

(Male interviewee, 33)

"Staff need to focus more on strengths instead of weaknesses and what you can do right instead of the offence."

(Male interviewee, 63)

"More easy read things for me so I don't need to keep asking and everyone looking at me...Have better material like easy read and less big words."

(Female interviewee, 53)

ENDNOTES

- 1 <https://www.justiceinspectorates.gov.uk/hmiprison/about-hmi-prisons/evidence-review-on-neurodiversity-in-the-criminal-justice-system>
- 2 https://orca.cf.ac.uk/135354/1/2020_There_To_Help_3.pdf
- 3 <https://www.sciencedirect.com/science/article/abs/pii/S0165178116318789?via%3Dihubv>



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