

THE VOICES OF PEOPLE WITH LIVED EXPERIENCE OF NEURODIVERSITY IN THE CRIMINAL JUSTICE SYSTEM



Methodology

The aim of our work was to provide some further understanding of the impact of neurodiversity upon people who have gone through the Criminal Justice System, and to demonstrate the difference that good practice and personalised support can make.

To do this, we filmed seven people of various ages and with a variety of experiences. One of the participants was female, the rest were male, all were adult. All those involved have a learning disability, autism or both. The individuals fully consented to working with us and to being filmed.

Whilst this work aimed to draw out individuals' experiences of Prison and Probation services, we had to recognise the impact of other services encountered earlier along the pathway. For example, where an individual's neurodiversity was known to or recognised by the Police, their experience of later services such as Prison or Probation was often more positive.

Strategy

As we spoke to participants about their experiences, the key message was that **people need support that is appropriate to their individual needs from the point of arrest through to the end of their probation.**

Some people were lucky and did receive the support they needed; others did not. The quality of support that was provided had a clear impact on the outcomes for the individual. This link between support and outcomes shows the importance of a joined-up approach to ensure all neurodiverse people have the support they need. For example:

Danny served 22 years in prison for a range of offences. His first offence was for non-payment of a fine for being drunk and disorderly and his offending behaviour included putting a brick through his own solicitors' window and calling the police himself as he felt unable to cope without support outside of prison. During Danny's time in custody, his learning disability and low literacy were not recognised and he received no additional support at any point. However, after his last release, he became known to a voluntary organisation, which referred him for an assessment. His learning disability was discovered, he received a small amount of community support and his offending behaviour stopped.

In contrast, **Kenny** tells how his learning disability was recognised because the Police spoke to his carers after his arrest. Kenny explains how supportive the Police were when they arrested him and how they made reasonable adjustments such as rewording their questions when he couldn't understand things. He also had an Appropriate Adult. Although he found court scary, Kenny says the judge was helpful and that he had help during the hearing. Every now and then, he needed a break and the judge permitted this.

Kenny explains that he understood the requirements of probation and has largely been able to comply with these. Kenny believes that the Justice System has treated him fairly and possibly due to this, has tried hard to engage with it and to stay out of trouble.

Screening

Several people told how they had gone through at least part of the Criminal Justice System without their neurodiversity being discovered. However, they also told us how transformational the diagnosis had been for them. Frequently, it was the persistence or insight of one member of staff that brought about this change. For several people, the recognition of their neurodiversity and the support this unlocked brought about a cessation in criminal behaviour.

Stephen Paul explained how he had been in prison for four years before his probation officer requested an assessment for him via a parole hearing. This assessment led to his neurodiversity being recognised, his transfer to a hospital setting for rehabilitation, and ultimately to a successful release with support in the community.



I should have had an assessment before sentencing.



In prison I was self-harming and being bullied, the psychologist who did my IQ test said I was very vulnerable.



When I was in hospital I didn't think I would ever get out, now I'm living a good life in the community!

Graham explains how he was constantly getting into trouble due to anger and drunken behaviour. He tells how the perseverance of a Drugs and Alcohol Worker changed his life by sending him for an assessment for autism. Once his autism was identified and he understood his condition, he became better able to live with it.



She was like a dog with a bone and wouldn't give up on me.



Getting a diagnosis enlightened me to understand why I behaved in the way I did.

Kim says that her autism wasn't recognised for years after she first started to get into trouble.



At the time I didn't know I had autism.

Development of Services

We heard many times about the importance of having well-trained staff who are able to understand and meet the needs of the person in front of them. Frequently, small adaptations such as clear explanations and a little more time make a big difference to people. One participant who had been well supported to understand his probation conditions mentioned the use of Easy Read materials. This was in contrast to his experience of support to understand his IPP. He says that the use of Easy Read at this moment too would have made a big difference to his understanding.

In order to make reasonable adjustments and use resources appropriately, staff need to be aware of issues faced by many neurodiverse people, particularly in areas such as understanding, processing and retaining information.



I got on great with my probation officer – I actually trained her up (in learning disability awareness!)

Not many people we spoke to had a good experience of accessing courses. A notable exception to this was one individual's participation in a victim awareness programme. He described how he wrote to his victims and heard back from a person who, on hearing that he 'had been sectioned', offered him forgiveness.



I wrote to my victims and said how sorry I was.



I was sent to another prison for courses but they weren't adapted. I had to do a lot of handwritten work.

Many people found support as they moved through the various elements of the Criminal Justice System to be somewhat disjointed. **Danny** spoke about the need for greater continuity and spoke about having one individual who got to know the person and followed them along the pathway.



There should be somebody who is with you all the time as you go through the system.

Some people benefited from courses that they took during prison or probation.



In one prison we did loads of different lessons.



Probation sent me to English lessons – I enjoyed that.

Partnership Working

Some of those we spoke to believe they would have been less likely to have entered the Criminal Justice System, or that they would have committed fewer crimes if they had received early support. They described how they had little or no community support as they got into trouble.



I went to court and got a fine but didn't know how to pay it so I ended up in prison.



Maybe if I'd been taken to hospital more than the police station ...

Throughout the interviews, it became clear that alongside health, there needs to be a good interface with the mainstream community services offered by statutory and voluntary services. We heard how vital community support can be in supporting desistance. For example, without support, people find themselves in situations which can lead them towards criminal behaviour.



I buy friends. One day without knowing it, I bought myself a drug baron who moved into my flat.



I got told to wait on the street, they never came back and the next thing I knew was a tap on the shoulder. Before I knew it I was being charged with suspicion of burglary.

Voluntary services often provide light touch, easier to access, community based services and sign post people, if needed, to adult social care where they can get more formal support. For example, **Graham** explains how it was suggested by the PFG (People Focused Group) that he should seek further support via Social Services. Voluntary services are also commissioned to provide support to people who are neurodiverse.

Many interviewees mentioned their particular service provider and recognised the part they have played in supporting them to change their offending behaviour. At their best, strong partnerships between Criminal Justice Services, Adult Social Care and the Voluntary Sector deliver effective, person-centred and empowering support. This gives the people who use their services a great chance to develop the skills they need to enjoy a full and law-abiding life in their community.



Yeah, I have good support. (Integrate) helped me to get good work, they got me a nice house (and) make sure I have a good staff team.

Summary

Whilst our participants faced a number of difficulties during their Criminal Justice pathway, they also encountered a range of great staff who understood and made every effort to meet their needs. The voices of people with lived experience challenge those with responsibility for policy and operations to create an environment that enables staff to provide the personalised support that neurodiverse people need.