

# Neurodiversity in the CJS

## Evidence review



# **About the evidence review**

# Themes

- Screening and identification
- Adjustments to existing services and support
- Programmes and interventions
- Training and support for staff

# Methodology

1. Call for evidence
2. Consultation with people who have personal experience of the CJS
3. Round table events
4. Deep dives (police, prison and probation)

# I. Call for evidence

- 143 submissions received
- Representatives from a wide range of organisations submitted evidence
- Police, courts, prison and probation (NPS & CRC) all covered
- Broad range of neurodivergent conditions covered
- Additional documentation also submitted

## 2. Personal experience consultation



- Video recorded interviews with seven individual members of the KeyRing Working for Justice group
- All had a learning disability, autism or both
- Individuals and organisations also shared their experiences of the CJS directly with HMI Prisons.



- Semi-structured interviews with 118 service users with neurodiverse conditions
- Range of neurodiverse conditions included

### 3. Roundtable events

- Six sessions hosted by the Inspectorates
- Representatives from Government, HMPPS, HMCTS, police forces, College of Policing, NHS England, Royal Colleges, education providers, academia and third sector organisations



- Additional roundtable facilitated by Clinks
- 17 attendees representing voluntary sector organisations

## 4. Deep dives

- Seven police forces
- Six National Probation Service areas
  - + two Community Rehabilitation Company areas (overlap with NPS areas)
  - + NPS Regional Equality Leads
- Eight prisons
- Interviews and focus groups with selected staff
- Online staff survey for all staff
- Interviews with individual prisoners (*prisons only*)



# **Key findings**

# Key findings: Data and prevalence

- There is no single reliable data source from which prevalence of neurodivergence in the CJS can be estimated
- Data is not consistently or systematically collected or aggregated in any part of the system
- Specific challenges:
  - Neurodiversity 'umbrella' covers a range of conditions
  - Co-morbidity adds complexity
  - Conditions are often undiagnosed

# **Derek's story**

# Key findings: Screening and identification

- Inconsistency – multiple tools in use
- Too much reliance on self-disclosure
- Failures to use or share information effectively
- Incompatibility of IT systems
- Individuals may be subject to no – or multiple – screening
- Screening may - or may not - lead to appropriate adjustments or onward referral

# Key findings: Provision (adjustments)

- Environmental and sensory adaptations
- Alternative ways of communicating
- Changes to staff behaviour
- Providing 'supporters' to help navigate the system
- Flexible delivery of interventions, programmes and education
- Some useful ways of communicating and transferring information about individual needs (cards, 'passports' etc)

# Key findings: Provision (programmes and initiatives)

- Some promising local pathways and partnership initiatives (CJS working with local authorities, health, third sector etc)
  - Often time-limited and potentially fragile
  - Focus either on a single ND condition, or wider vulnerability (rather than neurodivergence more generally)
- Few offending behaviour programmes are targeted at - or adapted for - neurodivergent people
  - Magistrates not always aware of them
  - Mainly for people convicted of sexual offences

# Key findings: Staff training and support needs

- General lack of awareness, understanding and confidence re neurodiversity
- Recognition that frontline staff can't become experts in every condition
- What staff most want is 'practical hints and tips' for working with neurodivergent individuals
- Awareness-raising delivered by individuals with personal experience seems to be powerful and effective
- What service-users want from staff (primarily) is to be listened to and treated as an individual

# Key findings: Impact of Covid-19

## Serious negative impacts:

- Screening delayed or reliance on self-report
- Minimal face-to-face contact with practitioners
- Cessation of activities and keywork within prisons
- Programmes suspended or curtailed
- Staff training not happening

## But a few positive findings:

- Some adaptations made to services because of Covid-19 actually suit neurodivergent individuals better



# Recommendations to the Lord Chancellor and Secretary of State for Justice

## **Main Recommendation:**

- In order to improve outcomes for neurodivergent people within the criminal justice system a coordinated and cross-government approach is required. To give the leadership and direction needed, the Ministry of Justice should work with the Home Office, Department for Health and Social Care and the Department for Education and the Welsh Government to develop an overarching national strategy. This strategy should be developed together with people with personal experience of neurodivergence.

# Recommendation: Screening

- A common screening tool for universal use within the criminal justice system should be introduced, supported by an information sharing protocol specifying how information should be appropriately shared within and between agencies, to make sure that necessary adjustments and extra support are provided for individuals as they progress through the criminal justice system.

# Recommendation: Prevalence

- Screening data should be systematically collected and aggregated to provide a more accurate assessment of the prevalence of neurodivergence to inform needs analysis and service planning at all levels of the criminal justice system.

# Recommendation: Training

- A programme of awareness-raising and specialist training should be developed and delivered to staff working within criminal justice services. For frontline staff this learning should be broad-based, mandatory, raise awareness of neurodivergent conditions and how they impact on communication and be supported by practical strategies for working with neurodivergent people. More specialised training should be provided for staff whose roles require it. The programme should be developed and delivered in consultation with people who have personal experience of neurodivergence.

# Recommendation: Adjustments

- Adjustments to meet the needs of those with neurodivergent conditions should be made throughout the criminal justice system. Relevant departments and bodies should work together to anticipate needs and make adjustments in anticipation of needs. Simple and largely low-cost changes to create neurodiversity-friendly environments, communications and staff culture are likely to benefit those coming into contact with the criminal justice system, regardless of neurodivergent conditions, and should be made as soon as possible.

# Recommendation: Working together

- Criminal justice system agencies should work together and with other statutory and third sector organisations in a coordinated way, to understand and meet the needs of neurodivergent individuals in the community, prevent offending and support rehabilitation.

## Next steps

*The Ministry of Justice should provide an action plan to address these recommendations within three months, followed by updates on progress at six and 12 months*