

Forensic Aspects of Neurodevelopmental Disorders

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Forensic Aspects of Neurodevelopmental Disorders

A Clinician's Guide

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Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment,
a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of
education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781108832588

DOI: 10.1017/9781108955522

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First published 2023

Printed in <country> by <printer>

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

ISBN 978-1-108-83258-8 Hardback

ISBN 978-1-009-36094-4 Paperback

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Every effort has been made in preparing this book to provide accurate and up-to-date information
that is in accord with accepted standards and practice at the time of publication. Although case histories
are drawn from actual cases, every effort has been made to disguise the identities of the individuals
involved. Nevertheless, the authors, editors, and publishers can make no warranties that the information
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any drugs or equipment that they plan to use.

About the Cover Page

Artbox London (www.artboxlondon.org) is a registered charity and social enterprise that runs art workshops, trips to galleries, puts on exhibitions and creates sales opportunities for people with learning disabilities and autism. Through exhibitions and an online presence, Artbox London aims to raise the visibility of people with learning disabilities and autism in our community and in the wider art world, improving attitudes towards this group. Artbox London curates and displays artists' work for exhibition. This brings art made by people with learning disabilities and autism into the mainstream, changing attitudes about what they can achieve. Work by Artbox London artists has previously appeared on the cover of the *British Journal of Psychiatry* and the *Oxford Textbook of Psychiatry of Intellectual Disability*. The cover of this book was created by Hisba, who is passionate about abstract art, and is continually finding new ways to experiment with shapes and materials. Architecture, art history, textiles and different cultures are among the most important themes in her art and these are continually referred to in her sketchbooks and outcomes. Her work includes geometric pieces based on combinations of triangles or of quadrilaterals, and pieces with fluid lines referencing Japanese woodblock prints.

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Foreword by the Rt Hon Lord Bradley

I would like to thank the editors for inviting me to write the foreword for this new handbook on *Forensic Aspects of Neurodevelopmental Disorders: A Clinician's Guide*.

It is the case that people with neurodevelopment conditions including autism spectrum disorder, attention deficit hyperactivity disorder and intellectual disability have similar characteristics to the majority of offenders with lower-level mental health needs and therefore, with effective risk management, could be better treated outside prison. People with neurodevelopmental conditions are likely to have a number of vulnerabilities, including high rates of coexisting mental health problems, and are often subject to similar disadvantages such as lack of employment, access to housing and family support, as others in the criminal justice system. Further, they may also exhibit behaviours likely to increase the complexity of their presentation, which act as destabilisers, for example substance use.

It is also the case that all too often hospital care or community services to support people with neurodevelopmental conditions is difficult to access outside specialist services, with many falling between the gaps in services, or caught by eligibility criteria geared more towards those without serious mental health problems. This can have further adverse effects, with clinicians working in specialist services making it clear that, without proper levels of support and appropriate interventions, the issues faced by individuals with neurodevelopmental conditions may inevitably escalate to crisis level before they come to the attention of health services or the criminal justice system, with the potential for more restrictive interventions and poorer outcomes.

Following my review of people with mental health problems or learning disabilities in the criminal justice system published in 2009 [1], research into the needs of people with neurodevelopment conditions has advanced significantly. However, the increasing awareness of what should be available to support this group has not always extended widely or deeply enough in all relevant services, with clinical staff often accepting that they are poorly prepared to meet their needs and advocate on their behalf. This lack of awareness at a service delivery level can mean that this group of people are not always considered a priority by commissioners when requests are presented to enhance current services or develop new initiatives. Additionally, while it is widely acknowledged that these groups are over-represented in the criminal justice system, exact numbers are difficult to quantify for a number of reasons, including the problems of identification using the current screening tools.

This lack of attention to, and poor understanding of, people with neurodevelopmental conditions is likely to impact negatively upon their experiences in the criminal justice system. With their support needs continuing to be missed, they may have difficulty understanding legal proceeding and court processes, limiting their ability to fully participate and engage meaningfully. This must be addressed to ensure equity and justice, by introducing a genuine multi-agency approach that does not just rely on guidance and reports but on agreed protocols and a clear delivery model for implementation. The recent evidence review of neurodiversity in the criminal justice system by the Joint Criminal Justice Inspectorate [2] identified several new initiatives which could make a huge difference in this area if provided universally.

Liaison and diversion services have now been rolled out across the country, which should enable early identification of people with neurodevelopmental conditions and the opportunity,

where appropriate, to divert people away from the criminal justice system or support their needs within it. However, in a 10-year review of my report, it was still the case that for too many people are sentenced to prison without the identification of their needs and certainly without a comprehensive pre-sentence report on their vulnerabilities being available to the judiciary [3].

This handbook, therefore, is an important additional tool that will help to improve awareness of the complex issues faced by people with neurodevelopmental conditions, bringing together best practice informed by the latest research. The content has been designed as an easy reference book and is suitable for both specialists and non-specialists working with or supporting such an important group of people.

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3. Bradley RHL, Marriott C, Hughes S, Sobowale I, Dawson P, Gibbs P. Mental ill-health and fair criminal justice. *The Guardian* 2019, 21 June.

Terminology Used in the Book

The terms used across chapters have varied as a reflection of the diversity of authors working across different countries, using different diagnostic frameworks and depending on the context in which the term is being used or cited. Intellectual disability, learning disability, intellectual developmental disorder and developmental disabilities are all interchangeable. Autism, autism spectrum disorder and autism spectrum condition are used interchangeably. Autistic is the preferred term used by neurodivergent people. Neurodevelopmental disorders and neurodevelopmental conditions are all also used interchangeably throughout the book.

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