

INTRODUCTION

Police custody plays a key part in responding to the needs of neurodivergent individuals in the criminal justice system. But, recent research has shown that their needs are not always being met. This can lead to negative experiences which result in significant personal and legal outcomes. In part, this may be due to a lack of accessible quality training on Autism which can prevent police forces from fulfilling their legal duties. It may also be due to practical barriers created by the custody process and custody setting. To improve the support of neurodivergent individuals in police custody, changes to policy and practice are needed. This policy brief outlines key changes which will help standardise best practice for supporting neurodivergent individuals in police custody in the UK.

AUTISM AND POLICE CUSTODY

Autism can influence how an individual interacts and makes sense of the world. Autistic individuals communicate and interact differently with others and process sensory information differently. Although autistic individuals are no more likely to commit an offence, they may be more likely to come into contact with police officers (Debbaut & Rothman, 2001). This is due to a risk of miscommunication and misinterpretation (Hocking, 2019; Dickie et al., 2018). Some individuals may also be at risk of 'accidental offending' in stressful situations (Hocking, 2019). This indicates that police officers and custody staff are likely to interact with autistic individuals in their role.

In police custody, autistic individuals are eligible for more support under legislation. This is outlined by the Police and Criminal Evidence Act 1984 and the Equality Act 2010. However, research by Dr Chloe Holloway found that autistic individuals are not being supported (see Hocking, 2019). The research highlighted that autistic individuals can have negative experiences in police custody. This may be due to difficulties understanding arrest and detention and coping with the demands of being in police custody. A lack of appropriate support may also affect how these difficulties impact them during detention. The research also found that autistic individuals may not be able to participate in the custody process on an equal basis with others. As a result of this, there is a risk that their welfare and legal rights may be compromised. To address this, the research emphasised the need for changes to improve the support of autistic individuals in police custody.



SUMMARY OF RECOMMENDATIONS

- 1) Police forces should have access to training on Autism and neurodiversity which is co-produced with stakeholders and reflects best evidence.
- 2) Police officers and custody staff should be given time in their schedules to complete training on Autism and neurodiversity.
- 3) All police forces should have a question on communication and sensory needs as part of their booking-in process.
- 4) The College of Policing should revise their APPs to incorporate the needs of neurodivergent individuals and standardise best practice across the UK.



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AUTISM TRAINING

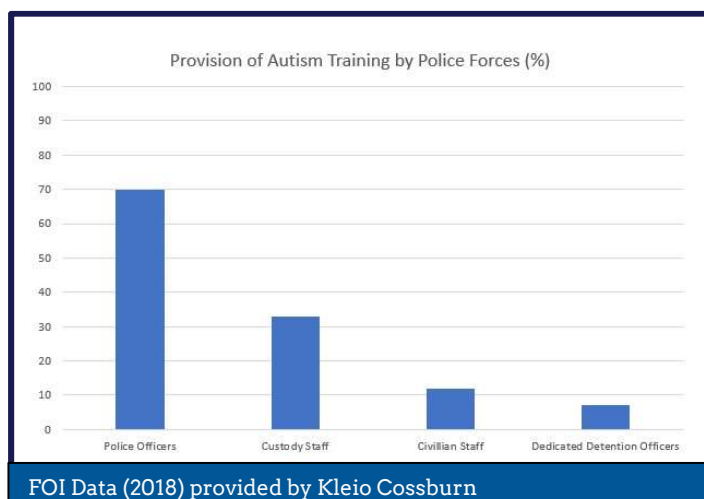
Autistic individuals have suggested that police officers do not understand Autism (Hocking, 2019; Dickie et al., 2018). They have also suggested that this affects how they respond to their behaviour (Hocking, 2019; Dickie et al., 2018). Research has also shown that this may affect how autistic individuals are supported in police custody (Hocking, 2019). Without an understanding of Autism, police officers may not recognise that someone is autistic (Hocking, 2019). They may also be unaware of support they need during the custody process (Hocking, 2019). This is because they may not know about the difficulties autistic individuals have while in police custody (Hocking, 2019). As a consequence, this can prevent them from putting legal safeguards in place and making adjustments to the custody process.

The perceived lack of understanding of Autism may be attributable to a lack of Autism and neurodiversity training (see Crane et al., 2016). Police forces are not currently required to provide Autism and neurodiversity training. This means training varies in provision and quality across the UK (Beardon et al., 2018). Recent figures highlighted that only 29 out of 42 police forces provide Autism training (see figure one). Of these, only 14 provide training to custody staff and only 5 provide training to civilian staff (see figure one). A contributing factor may be a lack of time to complete training (see Dickey et al., 2018). It may also be due to the lack of quality training accessible to police forces (see Beardon et al., 2018; Crane et al., 2016). However, where training is accessible, the format and content of the training is often insufficient. Training varies in format from an online Powerpoint presentation, e-learning, or an in-person session (Beardon et al., 2018). It has also been highlighted that training can be too general (Crane et al., 2016). Police officers have suggested that training does not focus on Autism in the context of the criminal justice system (Crane et al. 2016). They have also raised concerns about its lack of practical relevance to the policing role (Crane et al., 2016). The priorities of autistic individuals are also often overlooked in training. This is due to the lack of involvement of autistic individuals in developing and delivering training (Crane et al., 2016; Beardon et al., 2018).

Police forces need to provide Autism and neurodiversity training to all police officers and custody staff. Training can help improve the support of autistic individuals in police custody. It can improve knowledge of Autism and neurodiversity. This can help police officers and custody staff identify the needs of individuals arising from diversity. By tailoring training to their specific roles, they will also be able to better understand their needs in police custody. This will help them to identify what specific adjustments are needed to help them. But, it is important to involve neurodivergent individuals and police forces in the development of this training. This will help to ensure that the content reflects their needs and priorities (see Hocking, 2019; Dickie et al., 2018). Otherwise, the effectiveness of Autism and neurodiversity training will be limited.

Therefore, it is recommended that:

- **Police forces should have access to training on Autism and neurodiversity which is co-produced with stakeholders and reflects best evidence**
- **Police officers and custody staff should have time in their schedules to complete training on Autism and neurodiversity**



...Without an understanding of Autism, police officers may not recognise when an individual is autistic ... they may also be unaware of the support they need ...



IDENTIFYING COMMUNICATION AND SENSORY NEEDS

While training can improve the support of autistic individuals, changes are also needed to the custody process. Research has found that autistic individuals may not disclose medical information during the booking-in process (Hocking, 2019). Detainees are asked about any medical illnesses, learning disabilities and mental health conditions. However, autistic individuals may not disclose that they are autistic at any of these points (Hocking, 2019; Dickie et al. 2018; Crane et al., 2016). On the one hand, this may be because it is not clear what medical information is needed and why (Hocking, 2019). On the otherhand, this may be because they do not think Autism or other neurodiversities are medical conditions (Hocking, 2019). A further issue is that not all individuals may have a formal diagnosis.

One consequence of non-disclosure is that custody staff may not identify that an individual needs support. This may also mean that a proportion of individuals who need support in police custody do not receive it. To ensure that neurodivergent individuals receive support, it is important to encourage disclosure. This could be achieved through making adjustments to the booking-in process. Custody staff should ask: 'Do you have any conditions which may affect your communication and/or sensory processing such as Autism?'. This would make it clear that autistic individuals should disclose that they are autistic. It would also help to identify a range of individuals with different communication and sensory needs. Custody staff would also be able to identify what specific adjustments are needed to support these individuals.

Therefore, it is recommended that:

- **Police forces should have a question on communication and sensory needs as part of their booking-in process**

CASE STUDY: NOTTINGHAMSHIRE

The Nottinghamshire Autism Police Partnership ('NAPP') is a working-group of academics, autistic individuals and police officers.

NAPP have been working to co-produce an Autism toolkit for police forces. This includes a training package for custody staff and visual aids to support autistic individuals in police custody. They have also created a training video which illustrates the experiences of autistic individuals during the custody process. These materials were produced following focus groups with autistic individuals and custody staff and reflect the priorities of these groups.

NAPP have also been working with Nottinghamshire police to make their custody suites Autism friendly. They are assisting with the design of a new custody suite in Nottingham to help identify ways of improving the custody environment for vulnerable detainees. This includes: i) adjustable lighting ii) improvements to the teletronic system and iii) the use of visuals and textures.



Members of the NAPP – Dr Danielle Ropar, Dr Chloe Holloway, Dr Nell Munro, Professor John Jackson, Dr Katie Maras, Mr Iain Dickie, Mr Panda Mery, Mr Nicholas Clarke, Dr Larry Arnold, Miss Sophie Phillips, Miss Alice Corbally, Ms Kleio Cossburn, Mr Dan Alford, Inspector Duncan Collins, Inspector Tracey Lovegrove and custody staff at Nottinghamshire police force.

THE CUSTODY ENVIRONMENT

Autistic individuals can be over or under sensitive to sensory input. This may cause anxiety or distress and can even result in pain. Research has identified several sensory demands in police custody which can be difficult for autistic individuals (Hocking, 2019). These include: i) small spaces ii) bright lights iii) lack of natural lighting iv) loud noises and v) the temperature (see Hocking, 2019). The visual design of police custody can also be problematic (see Hocking, 2019). For example, the lack of pictures and different textures may create difficulties. Colour may also be a concern. These sensory demands can increase anxiety for some autistic individuals. In some cases, the combination of the different demands of being detained can lead to a desire to escape police custody (see Hocking, 2019). This is because anxiety can make it even more difficult to cope with sensory input.

To help support autistic individuals, the custody environment needs to be made accessible. This can be achieved through physical changes, technology and improvements to the visual design (see Hocking, 2019). Initial findings highlighted some ways to improve the custody environment. These include: i) changing the lighting ii) creating a quieter area iii) using pictures and iv) using neutral matte colours (Hocking, 2019). However, the standard the custody environment outlined by national policy. Police forces are required by the Home Office to ensure that their police stations meet certain design guidelines. The conditions of police detention are also outlined by the College of Policing. Because of these standards, police forces may be unable to make certain adjustments to the custody environment. This can prevent them from meeting the sensory needs of neurodivergent individuals. Consequently, this may mean not all police stations are accessible to neurodivergent individuals. To ensure police stations are accessible, policy needs to reflect the needs of neurodivergent individuals.

Therefore, it is recommended that:

- **The College of Policing should revise their APPs to incorporate the needs of neurodivergent individuals and standardise best practice across police forces.**



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FURTHER INFORMATION

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