

Autism



WHAT IS AUTISM?

Autism is a lifelong neurodevelopmental difference. Autistic people may think, communicate and interact with the world in a different way to neurotypical people.

Autism has many different features, and no two autistic people are the same. However, there are some common autistic traits. These may include cognitive and communication strengths. For example, some individuals may:

- Have strong attention to detail
- Be creative and visual thinkers
- Be honest and truthful in very direct ways

Some autistic people may also have cognitive or communication differences, which can make communication in neurotypical settings more challenging, for example:

- Executive functioning differences, which can affect planning, focussed attention, task initiation and other skills. Differences in this area may drive a need for routine and lie behind difficulties adapting to changes and transitions.
- A narrow range of interests, strict adherence to routines, repetitive behaviours and very intense interests.
- Difficulty predicting what is going to happen next.
- Sensory differences, including over or under-stimulation from external stimuli such as smell, heat, light, noise or touch.
- Difficulty seeing things from different perspectives.
- Difficulties understanding non-verbal communication or the intent of language

Autism can co-occur with conditions such as a learning difficulty or disability, attention deficit hyperactivity disorder (ADHD) and epilepsy. Some autistic people may have mental health conditions such as depression and anxiety.

UNDIAGNOSED AUTISM

Many autistic people do not have a diagnosis. This is particularly common within the criminal justice system, where individuals may not have had access to support or services over the course of their lifetime.

It is important to consider whether the court user you are working with may have undiagnosed autism, in order to adapt your communication to improve their participation and to make appropriate interventions (e.g., requesting an intermediary assessment). The following presentations may indicate that your client has autistic traits:

- Difficulties with the use and understanding of language, which make social interactions more challenging
- Struggling to understand the verbal information you provide
- Very direct responses, or speaking at length about a particular topic and frequently digressing to speak about that topic.
- Sensitivity to sensory stimuli in the environment e.g., light and noise
- Heightened anxiety or difficulty regulating their emotions during meetings, conferences and hearings

1%

of people in the UK are autistic (National Autistic Society, 2022)*

5-7%

of people referred to liaison and diversion services by the courts are autistic (Criminal Justice Joint Inspection, 2021)*

19%

of people in UK prisons have autistic 'indicators' (Criminal Justice Joint Inspection, 2021)*

Communicourt is the largest Managed and Approved Service Provider of intermediaries for defendants and respondents, in criminal and family courts. We passionately believe that everyone has a right to a fair trial.

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Intermediaries are impartial and our duty is to the court. We are not witnesses or advocates. This information is intended as a guide only to help you decide if your client needs our support.

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IMPACT ON COMMUNICATION

The traits associated with autism may cause difficulties with your client's use and understanding of language, making social interactions more challenging.

- They may have difficulties with social communication such as understanding 'social rules' (e.g. conversational turn-taking), understanding non-verbal communication and may have different preferences regarding eye contact (note that reduced eye contact does not mean an individual is not listening).
- Your client may speak at length about topics of interest to them, which are not relevant to the situation. They may not respond to social cues to return to the topic of conversation.
- They might find it difficult to see things from another's point of view or interpret others' behaviour. They may see things in 'black and white' terms or demonstrate empathy differently.
- Your client may have difficulty understanding non-literal language or drawing inferences from information. They may not understand sarcasm or humour.
- Their speech and language skills may be limited. While some autistic people have above average language skills, others may be non-speaking, or have difficulty expressing themselves verbally. They may also struggle to process and understand verbal information.
- Emotional changes may have a considerable impact upon your client's communication skills. For example, when upset, they may have more marked communication difficulties.

Every autistic person is different. For this reason, their presentation and difficulties throughout court proceedings can vary considerably. There is no 'one size fits all' approach and it is important not to make assumptions about your client's communication skills. An intermediary assessment will explore each area of communication to identify strengths, difficulties and recommendations to assist your client at court.

TIPS FOR LEGAL PROFESSIONALS

- **Introduce yourself** and your role and allow plenty of time for rapport building. Ask about your client's interests and discover what is important to them.
- **Ask your client** what they find helpful and unhelpful when communicating about their case or at court. They may have good insight into strategies which assist them.
- **Be mindful of the environment**, it can be helpful to ask if the room is suitable e.g. not too bright or noisy. Adapt the setting where possible.
- **Consider gesture and expression**. Some autistic people may find gesture and facial expression helpful in supporting understanding. Others may find extraneous gesture or facial expression distracting or confusing.
- **Use short sentences and simple, concrete language**. Avoid ambiguous or figurative expressions.
- **Give clear expectations and instructions**, it can be helpful to discuss topics in a predetermined order, you could write them down and tick them off as you go along.
- **Allow extra time for processing** information and check your client's understanding with direct comprehension questions. E.g., "What does bad character mean?" and "What will happen next in court?"
- **Outline 'next steps'** and advise your client of any changes in advance to prepare them. Timetables can be helpful.
- **Use visual resources** (if this is a strategy your client finds helpful). Many autistic people find visual resources, like diagrams, helpful when processing information. Your client may prefer to use these types of resources discreetly, so be sensitive to this wish. If your client has the required level of literacy, diaries, phone calendars, reminders and post-it notes may also prove helpful. Ask your client which tools they use in everyday life.

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- Use 'comic strips' to assist your client to reflect on the thoughts and feelings of others. E.g., draw out a simple version of an event, add speech and thought bubbles, ask your client to consider how each 'character' may have felt or viewed the event.
- Outline 'next steps' clearly in advance. Knowing what to expect, what will happen and who they will be speaking to can help reduce anxiety. Visual resources, timetables, calendars and pictures (e.g., of where they will go and who they will meet, where appropriate) may be helpful.

ABOUT RESOURCES FOR AUTISM

Resources for Autism is a registered charity, providing practical services for children and adults with a diagnosis of autism and for those who love and care for them.

The charity has a team of trained, enthusiastic and kind staff and volunteers offering a wide range of support. All staff are autism specialists who understand communication and sensory needs.

Explore the Resources for Autism website to [access their training](#), to find [anxiety management resources for autistic adults](#), to learn more about [their services](#) and to [donate to their important work](#).

BOOKING AN INTERMEDIARY ASSESSMENT FOR YOUR CLIENT

If you are concerned about your client's ability to communicate effectively and participate in legal proceedings, Communicourt can help. We will assess your client to understand their communication needs and how these might affect them in court. Your client does not need to have a diagnosis.

We produce comprehensive reports. This will identify any particular communication issues and make recommendations to help you and your client throughout proceedings.

If intermediary assistance is recommended, one of our highly trained intermediaries can be there throughout proceedings to facilitate those recommendations.

Our experience means we can recommend solutions that make a tangible difference and support the justice system in getting a fair result.

HOW TO GET SUPPORT



BOOK ONLINE

Refer your client for an assessment through our online booking system [communicourt.co.uk](https://www.communicourt.co.uk)

5 minutes

FUNDING

We will send you a quote that you need to send to HMCTS and Legal Aid for them to approve funding

24 Hours

BOOK THE ASSESSMENT

Once you have funding in place, please let us know. We will then arrange an assessment

4-6 weeks

ASSESSMENT

The 3 hour assessment can be carried out in person or remotely. You will then receive a report

7 days

BOOK COURT DATES

We will send booking forms which must be signed by the court. Once received we will then book your intermediary

Throughout the trial

Statistics references: *National Autistic Society [Website] www.autism.org.uk/advice-and-guidance/what-is-autism, Accessed: September 2022
*Criminal Justice Joint Inspection (2021) [Neurodiversity in the criminal justice system: A review of evidence](#), Accessed [online]: September 2022