



DEBATE PACK

Number CDP-2018-0022, 26 January 2018

Treatment of adults with autism by the criminal justice system

Westminster Hall, Tuesday 30 January 2018, 2.30pm

A Westminster Hall debate on Treatment of adults with autism by the criminal justice system is scheduled for Tuesday 30 January 2018 at 2.30pm. The Member leading the debate is Kevin Brennan MP.

Compiler: Sarah Pepin
Subject specialists: Sally Lipscombe (Criminal justice), Jacqui Beard (Prisons), Alex Bate (Health services)

Contents

1. Autism policy	2
1.1 General background	2
England	2
Wales	3
Scotland	3
Northern Ireland	4
1.2 The criminal justice system	4
The police investigation	5
Going to court:	
vulnerable witnesses	6
Prisons and probation	8
2. News and blogs	10
2.1 Press	11
3. Parliamentary Business	12
3.1 Debates	12
3.2 Parliamentary Questions	12
4. Further reading	17

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

1. Autism policy

1.1 General background

England

The [Autism Act 2009](#) places statutory requirements on the Government to publish an adult autism strategy and associated statutory guidance for local authorities and local health bodies on supporting the needs of adults with autism.

Section 2 of the Act states that guidance must cover, among other areas: the provision of relevant services for diagnosing autism, identification of the numbers of adults with autism at a local level and training of staff who provide relevant services to adults with autism.

Although the term 'relevant services' relates to health and local authority services, the strategy and associated guidance sets out a number of actions related to the criminal justice system. The most recent strategy, [Think Autism](#), published in 2014, has a number of actions to be led on by the Home Office, the Ministry of Justice, the Crown Prosecution Service and the National Offender Management Service (NOMS)¹, including:

- Establishment of a cross-Government group to consider issues related to autism and the criminal justice system;
- Developing police training on managing autism within justice settings;
- Sharing good practice towards prisoners with autism;
- Developing supporting material for prosecutors, highlighting issues for people with autism in the prosecution process.

The [associated statutory guidance](#) for *Think Autism* also has directions for local authorities and NHS bodies in relation to the criminal justice system, including:

- An NHS screening tool to allow decision makers within youth and criminal justice agencies to make more informed decisions about individuals with autism;
- Commissioning of appropriate healthcare within the prison system for people with autism;
- Local authorities assessing the care and support needs of those in prison, including prisoners with autism.

In January 2016, the Government published its [Progress Report on Think Autism](#), measuring performance against the criminal justice actions set out in the original strategy document.

More information can be found in the Commons Library briefing paper, [Autism – overview of UK policy and services](#).

¹ Since April 2017, NOMS has been replaced by Her Majesty's Prison and Probation Service (HMPPS)

Wales

The Welsh Government was one of the first UK administrations to publish an autism strategy in 2008, the [Autistic Spectrum Disorder \(ASD\) Strategic Action Plan for Wales](#). A [Refreshed Strategic Action Plan](#) was published in 2016.

The strategy relates to areas of devolved competence, and therefore does not specifically cover criminal justice. However, the 2016 strategy noted that:

The feedback also raised the need to widen the scope of the work we are undertaking to increase awareness amongst professional groups, particularly in areas which are not devolved to the Welsh Assembly, such as considering how we work with partners in the criminal justice field. More needs to be done so that all professionals can recognise the key signs of autism and adapt services to meet individual needs.²

In order to achieve this, a commitment was made to work collaboratively with the police, courts and National Offender Management Service to raise awareness of autism.

Although Wales produced a strategy document in 2008, it does not have any specific autism legislation. In 2017, a Private Members Bill, the [Autism \(Wales\) Bill](#), was introduced by Conservative AM Paul Davies, and leave to proceed was secured on 14 June 2017.

The Bill would require the introduction of a further strategy to meet the needs of people in Wales with autistic spectrum disorder conditions, as well as introducing requirements on local authorities, health bodies and key staff working with people with autism.³

Scotland

The Scottish Government published the [Scottish Strategy for Autism](#) in November 2011. The strategy aims to ensure that progress is made across Scotland in delivering quality services for people with autism and their families. The strategy was backed up with funding of £10m over four years.

The strategy contained 26 recommendations, including four under the overarching theme of developing multi-agency working.

The Scottish Government ran a [consultation](#) from 18 October 2017 to 29 November 2017 to refresh the 2011 strategy. This proposed the inclusion of a provision to consult with bodies including in the criminal justice system to improve how people with autism are met within services. The National Autistic Society gave the following response to the proposal:

It is our view that the Criminal Justice System is failing autistic people and that this must be urgently addressed. We would therefore argue that while a consultation would be a promising first step, a stronger commitment from the government on this

² Welsh Government, [Refreshed Autistic Spectrum Disorder Strategic Action Plan](#), December 2016, p22

³ Welsh Assembly, [Explanatory Memorandum: The Autism \(Wales\) Bill](#), May 2017

issue is required. More information on what these improvement programmes would look like would be helpful; for example will they involve updating the curricula for new professionals, or the implementation of new continual professional development?⁴

The Scottish Autism Strategy is not underpinned by statute. The *Autism (Scotland) Bill* was introduced by Liberal Democrat MSP Hugh O'Donnell in 2010, however the then Government did not feel that a strategy needed a statutory basis. The consultation on the strategy was launched shortly after O'Donnell's bill was introduced, although the bill itself never became law.

More information can be found in the Scottish Parliament Information Centre's 2017 briefing on [Autism Spectrum Disorder](#).

Northern Ireland

[The Autism Act \(Northern Ireland\) 2011](#) requires the Northern Ireland Executive to publish an Autism Strategy and to report on the implementation of that autism strategy to the Assembly, at three yearly intervals.

The Autism Strategy (2013-2020) and Action Plan (2013-2016) was subsequently approved by the Northern Ireland Executive and launched in January 2014.

The structure of the Action Plan sets out thirty-four cross-Governmental actions reflecting eleven themes and associated strategic priorities, including access to justice.

A progress report on the implementation of the strategy was published in September 2015, [The Autism Strategy \(2013 – 2020\) and Action Plan \(2013 – 2016\) Progress Report September 2015](#). This noted the following achievements in relation to access to justice:

- Production of a guide for criminal justice professionals who come into contact with someone with autism;
- Piloting of a registered intermediaries scheme (communication specialists who assist vulnerable victims, witnesses, suspects and defendants with significant communication deficits to communicate their answers more effectively during police interview and when giving evidence at trial).

1.2 The criminal justice system

The National Autistic Society's website includes some general guidance for criminal justice professionals who might come into contact with people on the autism spectrum: see [Professionals: Criminal justice](#) [accessed 26 January 2018]. The guidance says:

Autistic people are more likely to be victims and witnesses of crime than offenders. They experience difficulties with social communication, social interaction and social imagination. They may have sensory difficulties and some coordination problems. Their behaviour may appear odd and can sometimes draw unnecessary attention, but in general autism is a hidden disability

⁴ Scottish Government, [Autism strategy and the Scottish Criminal Justice system: FOI release](#), October 2017

and it may not be immediately obvious to other people that the person has a disability.

The police investigation

Authorised Professional Practice

The College of Policing has issued [Authorised Professional Practice on Mental Vulnerability and Illness](#). This opens by emphasising that

Early police recognition of the possible mental health problems, learning disabilities or suicidal intent of people they come into contact with is crucial to ensuring an appropriate and effective response.

It also stresses the role of healthcare professionals, and the need to bear in mind health-based explanations for an individual's behaviour:

All police decision making on the most appropriate course of action under any circumstances should be guided and structured using the [National Decision Model \(NDM\)](#).

Decision making concerning health care matters should be made by clinically trained professionals and not police officers. When police officers are called to respond to a situation involving a mentally vulnerable person, it is important that they have access relevant information that may inform risk management. They should seek guidance from health care professionals where appropriate. Police actions and interventions should be proportionate to the requirement, using the least restrictive means to protect the safety of the individual, the public and themselves, and to prevent crime.

Officers should also consider the possible explanations for an individual's behaviour, including physical illness, injury or neuro-disability, mental ill health, a learning disability and intoxication (caused by medication, illicit drugs or alcohol). Mental health problems and illness exist along a continuum of severity and even those with severe and enduring mental illness may have episodes of functioning very well and may have episodes of crisis.

The Authorised Professional Practice also sets out guidance on communication, including advice on de-escalating situations and "asking the right questions", and cross-refers officers to guidance from the National Autistic Society. This includes the general guidance [Professionals: Criminal justice](#) [accessed 26 January 2018] and also [Autism: a guide for police officers and staff](#) (2017).

PACE Code C: appropriate adults

If a person is in police detention, statutory guidance issued under the Police and Criminal Evidence Act 1984 (PACE) requires the police to ensure that an appropriate adult is called if they suspect (or are told in good faith) that the person "may be mentally disordered or otherwise mentally vulnerable".⁵ The National Autistic Society explains the role of the appropriate adult in such circumstances:

An AA must be called to the police station to act as a safeguard and provide independent support to a vulnerable suspect.

⁵ [PACE CODE C: Revised Code of Practice for the detention, treatment and questioning of persons by Police Officers](#), 2017

Appointment of an AA should be based upon a person's vulnerability and not on their perceived intellect. An autistic person may have clear and fluent speech, but may still find communicating verbally and nonverbally very difficult, especially in stressful situations and with strangers.

The role of the AA is to support, advise and assist the detainee to make sure they understand what is happening at the police station during the interview and investigative stages. The AA also facilitates communication between the detainee and police, and makes sure the rights of the detainee are respected.

The AA must be present when the custody officer informs the detainee of their rights and entitlements and during the caution. If either of these have already been carried out before their arrival they must be repeated in their presence. The AA must also be present during interviews, and may intervene if they feel communication needs to improve, advise that a break is needed or recommend that the detainee should seek legal advice. Finally, they should also be present when the detainee is asked to agree and/or sign any documentation.⁶

Going to court: vulnerable witnesses

The Youth Justice and Criminal Evidence Act 1999 sets out a range of "special measures" that can be used to facilitate the gathering and giving of evidence by vulnerable and intimidated witnesses.

Special measures are designed to help vulnerable witnesses give their best evidence in court and help to relieve some of the stress associated with giving evidence.

Vulnerable witnesses are those listed in s16 of the 1999 Act, which includes all child witnesses (under 18) and any witness whose quality of evidence is likely to be diminished because they:

- are suffering from a mental disorder (as defined by the Mental Health Act 1983);
- have a significant impairment of intelligence and social functioning; or
- have a physical disability or are suffering from a physical disorder.

Crown Prosecution Service (CPS) guidance says:

Some disabilities are obvious, some are hidden. Witnesses may have a combination of disabilities. They may not wish to disclose the fact that they have a disability during initial and subsequent needs assessments. Different witnesses on the autistic spectrum may have very different needs.⁷

The range of available special measures is set out in sections 23 to 30 of the 1999 Act and includes:

- screens, to shield the witness from the defendant;
- live links, to enable the witness to give evidence from outside the court through a televised link (s24 YJCEA);
- evidence given in private, with the press (except for one named person) and the public being excluded from the court;
- removal of wigs and gowns by judges and barristers;

⁶ National Autistic Society, [Autism: a guide for police officers and staff](#), 2017, p25

⁷ CPS website, [Legal guidance: special measures](#) [accessed 26 January 2018]

- video-recorded interview, in which the witness gives evidence by way of a pre-recorded video interview rather than in person;
- use of an intermediary, who is allowed to explain questions or answers so far as is necessary to enable them to be understood by the witness or the questioner but without changing the substance of the evidence;
- use of aids to communication, such as a communicator or interpreter, or a communication aid or technique.

It is for the court to determine whether any particular witness is eligible for special measures and, if so, which (if any) of the special measures would be likely to improve the quality of evidence given by the witness.

The National Autistic Society guidance for police draws particular attention to the use of intermediaries:

An intermediary is an impartial expert in communication who can assist the police and the court in obtaining evidence from vulnerable witnesses and defendants, including autistic children and adults.

An intermediary's role includes conducting an assessment of the person's communication needs, and providing person-specific recommendations and strategies about:

- i. how police and the court can communicate information and questions effectively and appropriately (prior to and during questioning)
- ii. how best to communicate when preparing the person for the various stages of the criminal justice process
- iii. how to monitor and manage anxiety associated with giving evidence where it impacts upon communication
- iv. how to appropriately use communication aids and/or devices to support communication ('props').

Ultimately, the intermediary's role is to help the person communicate with the police and vice versa and to assist the police and the court to achieve best evidence.

An intermediary can be appointed for witnesses at the investigation stage or pre-trial. It may be possible to acquire the assistance of an intermediary for a suspect interview, but if this is not possible, an intermediary may be appointed at the trial stage if the case proceeds and the court permits.⁸

Although the 1999 Act only covers special measures for witnesses other than the defendant, the court has an inherent jurisdiction to ensure that the defendant has a fair trial, and it may exercise this to allow a vulnerable defendant to be assisted by an intermediary:

In *C v Sevenoaks Youth Court* [2009] EWHC 3088 (Admin) it was held that the court has an inherent power to appoint an intermediary to assist a defendant to prepare for the trial in advance of the hearing and during the trial so that he can participate effectively in the trial process. This appointment is not made pursuant to a special measures direction under the Youth Justice and Criminal Evidence Act 1999, but is part of the court's duty to take such steps as are necessary to ensure that a youth

⁸ National Autistic Society, [Autism: a guide for police officers and staff](#), 2017, pp25-6

has a fair trial, not just during the proceedings, but beforehand as he and his lawyers prepare for trial.

There may be occasions when the use of an intermediary would improve the trial process, but this does not mean that it is mandatory for an intermediary to be made available. Judges are expected to deal with specific communication problems faced by a defendant or witness as part of their ordinary control of the judicial process. When every sensible step taken to identify a suitable intermediary has been unsuccessful, the next stage is not for the proceedings to be stayed, but for the judge to make an informed assessment of whether the absence of an intermediary would make the proposed trial unfair. It would be most unusual for a defendant who is fit to plead to be found to be so disadvantaged by his condition that a properly brought prosecution would have to be stayed. That would be an unjust outcome where, on the face of the evidence, a genuine complaint has properly been brought against the defendant : *R v Cox* [2012] EWCA Crim 549.⁹

Prisons and probation

Prison Service Instructions

[A Joint Inspection of the Treatment of Offenders with Learning Disabilities within the Criminal Justice System: Phase Two – in Custody and the Community](#), 2015, sets out what is required of prisons with respect to those who have learning disabilities by reference to Prison Service Instruction 32/2011, [Ensuring Equality](#). The inspection report states that it uses the term learning disability to include people with an autism spectrum disorder.

The PSI recognises that those with learning disabilities may not realise they have a disability, and those who are suspected of having a disability must be assessed on ‘reception’ into the prison. The PSI makes no specific provision for those already in the system but it is clear that prisons are under a duty to act in relation to prisoners with a learning disability. The policy encouraged prisons to adapt the way they communicate with learning disabled prisoners so they can understand better what is being said to them. It is also clear that such prisoners should not be discriminated against in terms of the Incentives and Earned Privileges (IEP) level based on behaviour which may have adverse consequences for prisoners with a learning disability. This may include matters such as timekeeping, cleanliness, and obeying instructions.

Autism Accreditation

From 2014 the National Autistic Society (NAS) worked with HMP YOI Feltham to develop specialist Autism Accreditation Standards for prisons. HMP YOI Feltham was the first prison to achieve Autism Accreditation in 2016. In March 2015 the Ministry of Justice encouraged prisons and young offender institutes in England and Wales to apply for the National Autistic Society’s [Autism Accreditation](#). NAS is currently working with a number of prisons and YOIs regarding accreditation.

⁹ CPS website, [Legal guidance: Mentally disordered offenders - Measures to enable mentally vulnerable defendants to participate in their trial](#) [accessed 26 January 2018]

A [blog post](#) written by NAS for the charity Clinks, explains the requirements of the accreditation:

The standards require prisons to look at all aspects of the prison, from induction to preparation for release and everything in between. It encourages joint working of the agencies within a prison, which in turn provides a consistent approach and a better working relationship within the prison.

Training is key to gaining Autism Accreditation, helping staff to understand the different ways autism can affect prisoners and how to support them. Some of the prisons have looked at different ways of delivering this: online, face-to-face, and autistic people and family members, with experience of the CJS, coming in to the prison to share their own lived experience. We also help staff think about how they can adapt the physical environment of the prison, which can affect prisoners, particularly those who are extremely sensitive to things like sound and light. One prison has involved autistic people in this and has asked them to provide staff with information about what aspects of the prison environment they find particularly challenging.

NAS has said that in 2015 the then Minister for Prison, Probation and Rehabilitation, Andrew Selous also asked them to look at developing accreditation standards for probation services. NAS [said in April 2017](#) that these were being piloted.

2. News and blogs

Thinking Person's Guide to Autism

[What happens to autistic people in prison?](#)

24 April 2017

Mental Health Today

[Supporting prisoners who have autism](#)

Sophie Goodchild March 2017

Clinks

[Autism Accreditation in prison](#)

Clare Hughes 30 March 2017

Inside Time

[The criminal justice system and autism](#)

31 January 2017

The Conversation

[Britain's criminal justice system doesn't know what to do about autism](#)

16 January 2017

National Autistic Society

[Award-winning Accreditation programme in the prison service](#)

2016

University of Salford Research Hub

[Unlocking the knowledge and experience of autism in the prison: a staff and inmate perspective](#)

Clare Allely 2016

British Psychological Society

[Adults with autism in the criminal justice system](#)

November 2016

BMJ

[Autism is underdiagnosed in prisoners](#)

Alexandra H Lewis and Clare Hughes 17 August 2016

University of Bath

[Train police to adapt to autism, urge researchers](#)

22 February 2016

Ministry of Justice

[Prisons seeking National Autistic Society help to improve support for prisoners](#)

27 March 2015

Law Society Gazette

[Autism and the criminal justice system](#)

Graeme Hydari 29 November 2013

2.1 Press

2BR News

[Burnley probation service working to improve things for people with autism](#)

2 April 2017

Times

[Is prison the right place for autistic offenders?](#)

1 June 2017

Independent

[Britain's criminal justice system doesn't know what to do about autism](#)

18 January 2017

Guardian

[Police 'need training' to improve treatment of people with autism](#)

20 February 2016

3. Parliamentary Business

3.1 Debates

[Joint Enterprise](#)

HC Deb 25 January 2018 c444-77

[Mental Health in Prisons](#)

HC Deb 10 January 2018 c82-105WH

[Autism Community: Mental Health and Suicide](#)

HC Deb 30 November 2017 c551-76

[Safeguarding Adults with Learning Disabilities](#)

HC Deb 17 October 2017 c244-66WH

[Prisons and Court Bill](#) (Second reading)

HC Deb 20 March 2017 c662 (extract)

Cheryl Gillan:

The Lord Chancellor is very generous in giving way to me twice. She will be aware that people with autism are disproportionately represented in the criminal justice system. Young Offender Institution Feltham was the first prison to have accreditation as autism-friendly, which it has found has reduced violence and helped people with mental health problems. I understand that 20 other prisons are currently going through the accreditation process. Will she give consideration to making sure that all establishments go through the accreditation process, because I believe it will deliver a safer environment in prisons for our officers and for those incarcerated?

Elizabeth Truss (Lord Chancellor and Secretary of State for Justice):

I will certainly look at that. I know my right hon. Friend has a long record of standing up for people with autism and making sure they have proper support.

3.2 Parliamentary Questions

[Ex-offenders](#)

Asked by Cheryl Gillan

The Minister will be aware that people on the autistic spectrum are disproportionately represented in the criminal justice system and that people with autism have great difficulty in finding jobs. Can he reassure me that when he looks at the consultation on the health and disability Green Paper, he will look specifically at people with autism and ex-offenders with autism, as only 16% of people with autism are currently in employment?

Answered by: Damian Hinds | Department for Work and Pensions

My right hon. Friend highlights an important point. I know my hon. Friend the Minister for Disabled People, Health and Work will be looking very closely at the issue of people with autism. This also highlights that one of the key determinants for post-release employment is what happened with the individual before they were convicted, and it highlights again the importance of making sure nobody is left behind. In our work, we pay particular attention to all these groups who face particularly difficult barriers in getting into work.

HC Deb 9 January 2017 c8

[Criminal Proceedings: Mental Illness](#)

Asked by: Kevin Brennan

To ask the Secretary of State for the Home Department, pursuant to the Answer of 8 November 2016 to Question 51510, on criminal proceedings: mental illness, if she will ensure that appropriate places of safety are extended to people with autism.

Answered by: Sarah Newton | Home Office

If a person with Autism Spectrum Disorder appears to be suffering from a mental disorder and is deemed in need of immediate care and control, a police officer may remove that person to a place of safety under sections 135 and 136 of the Mental Health Act 1983. If a person with Autism Spectrum Disorder does not appear to be suffering from a mental disorder and is not in need of care and control, a place of safety as defined in the Mental Health Act 1983 would not be an appropriate environment. In these cases appropriate alternative measures of support should be sought in line with the needs of that individual.

12 December 2016 | Written question | 56458

[Topical Questions](#)

Asked by: Huw Merriman

I, too, attended the all-party group on autism's visit to Feltham and was inspired by what the governor and his team are doing. Will the prisons Minister consider using the forthcoming prisons Bill to improve the life chances of the 5% of the prison population who are estimated to suffer with autism?

Answered by: Andrew Selous | Ministry of Justice

I am grateful to my hon. Friend for showing serious interest in the issue. I was pleased that he was able to go to Feltham yesterday. I am not sure that we need to legislate; we need to spread the good practice from Feltham across the prison system, and I hope that the reform prison governors will be in the lead in doing that.

HC Deb 14 June 2016 c1630-1

[Prison Reform](#)

Asked by: Cheryl Gillan

When developing reform prisons, will the Secretary of State take into account the experience of Feltham young offenders unit, which has become the first autism-accredited prison in the country? I led a cross-party visit by the all-party parliamentary group on autism to the prison yesterday, and saw how that was helping to reduce violence and assisting rehabilitation. Will the Secretary of State give me an assurance that each reform prison will work towards accreditation for autism and will eventually be able to achieve that accreditation before it begins to operate?

Answered by: Michael Gove | Ministry of Justice

My right hon. Friend is a fantastic campaigner for individuals living with autism, and I will absolutely ensure that reform prisons and others learn from Feltham. A disproportionate number of people in custody live with various mental health and other problems, and many of them are on the autistic spectrum.

HC Deb 14 June 2016 c1620

[Prisoners: Meaningful Work](#)

Asked by: Barry Sheerman

May I remind the Minister and the recumbent Secretary of State that one of the real problems that we face—it is World Autism Week—is that when prisoners go into prison, they are not assessed properly for autism, literacy skills and many other things? Could we have a system in which autism is important? Many people who go into prison are on the autism scale.

Answered by: Andrew Selous | Ministry of Justice

I am delighted that the hon. Gentleman has raised this issue, and I am extremely proud that the United Kingdom has the world's first autism-accredited prison in Feltham, which I visited recently with my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan). I want more prisons to go down that route, and he is absolutely right to raise the issue.

HC Deb 26 April 2016 c1271

Cybercrime: Autism ([32017](#) , [32018](#))

Asked by: Barry Sheerman

To ask the Secretary of State for the Home Department, what assessment she has made of the level of involvement of autistic people in cybercrime offences (32017) ; what assessment she has made of the level of vulnerability of people on the autism spectrum to various aspects of cybercrime (32018).

Answered by: John Hayes | Home Office

The National Crime Agency (NCA) is a non-ministerial government department, however it is accountable to Parliament via the Home Secretary. As such I have contacted the NCA to inform my answer to you.

During the course of cyber-dependent crime operations over the last five years (including SOCA Cyber and Metropolitan Police Central e-Crime Unit led operations) and based on recorded data following a subject's arrest we are unable to determine the level of involvement of autistic individuals in cybercrime offences, or the level of vulnerability of individuals on the autism spectrum to various other aspects of cyber crime.

The NCA are now embarking on research in partnership with Academia, Private Industry and Special Interest groups to explore the possibility of links between Autism and cyber-dependent crime. Understanding gained from this research will inform the NCA on best practice for managing operations and educational Prevent activity.

30 March 2016 | Written question | 32017, 32018

[Prison Education](#)

Asked by: Barry Sheerman

Does the Minister agree that all Governments, all Ministers and all parties have failed to do very much of significance in prison education? When I chaired the Select Committee on Education and Skills, we looked at this issue. I hope the new inquiry, which I welcome, will look at that because our recommendations are still relevant today. Is he aware that children with special educational needs, and particularly those with autism, often end up in prison? Will he examine the work of the Shannon Trust, which tackles the issue of literacy in prisons and gets prisoners teaching prisoners?

Answered by: Michael Gove | Ministry of Justice

The Shannon Trust work is excellent and I am happy to commend it to the House. The work it does—its Toe by Toe programme—ensuring that prisoners can mentor others and help them to read is exemplary. The hon. Gentleman's broader point is right; if we look back at the past, we see that we have not placed sufficient emphasis on ensuring that when prisoners are in custody we give them the tools to transform their lives for the better. That is absolutely vital and I know that he agrees with me

on treating offenders as potential assets—as people who can contribute—rather than concentrating exclusively on the mistakes they have made in the past.

HC Deb 8 September 2015 c203

[Mental Health](#)

Asked by: Cheryl Gillan

May I welcome the Minister to her position? Autism is a lifelong developmental disability, which often mistakenly gets classified under mental health issues, especially in the criminal justice system where too many people do not get the help they need. I am heartened that many prisoners are now seeking accreditation from the National Autistic Society for the skills and the support required for people with autism, but we need better understanding in our courts and in the Crown Prosecution Service. Will the Minister update me on the long-awaited aide-mémoire and support material for the CPS prosecutors that the Department was going to produce after the Think Autism adult strategy was published?

Answered by: Caroline Dinenage | Ministry of Justice

I thank my right hon. Friend for her very kind welcome. I would like to praise her for her ongoing commitment to this really important issue, particularly her work steering the Autism Act 2009 on to the statute book. We are clear that we need a system that ensures that the most vulnerable have access to the right support and help. That is why we are putting in place a programme of reforms to improve the experience of vulnerable victims and witnesses in court, as well as enhanced protection outside.

HC Deb 23 June 2015 c747

4. Further reading

[All Party Parliamentary Group on Autism](#)

National Autistic Society, [Criminal justice](#)

Government guidance

[Progress report on strategy for adults with autism](#), Department of Health and Social Care, 14 January 2016

[Adult autism strategy: statutory guidance](#), Department of Health and Social Care, 26 March 2015

['Think Autism': an update to the government adult autism strategy](#), Department of Health and Social Care, 14 November 2014

Department of Justice and National Autistic Society Northern Ireland, [Autism: a guide for criminal justice professionals](#), 2014

HM Inspectorate of Probation and HM Inspectorate of Prisons, [A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system - phase two in custody and the community](#), March 2015

Alexandra Lewis and others, [Improving the management of prisoners with autistic spectrum disorders \(ASD\)](#), Prison Service Journal, 226, July 2016, p22-6

A. Lewis and others, [Development and implementation of autism standards for prisons](#), Journal of Intellectual Disabilities and Offending Behaviour, 6 (2), 2015, p68-80 [Author-produced version, published by White Rose Research Online]

About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publically available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcinfo@parliament.uk.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).