



Dickie, Iain, Reveley, Shirley and Dorrity, Austin (2019) Adults with a diagnosis of autism: personal experiences of engaging with regional criminal justice services. *Journal of Applied Psychology and Social Science*, 4 (2). pp. 52-70.

Downloaded from: <http://insight.cumbria.ac.uk/id/eprint/4340/>

Usage of any items from the University of Cumbria's institutional repository 'Insight' must conform to the following fair usage guidelines.

Any item and its associated metadata held in the University of Cumbria's institutional repository Insight (unless stated otherwise on the metadata record) may be copied, displayed or performed, and stored in line with the JISC fair dealing guidelines (available [here](#)) for educational and not-for-profit activities

provided that

- the authors, title and full bibliographic details of the item are cited clearly when any part of the work is referred to verbally or in the written form
 - a hyperlink/URL to the original Insight record of that item is included in any citations of the work
- the content is not changed in any way
- all files required for usage of the item are kept together with the main item file.

You may not

- sell any part of an item
- refer to any part of an item without citation
- amend any item or contextualise it in a way that will impugn the creator's reputation
- remove or alter the copyright statement on an item.

The full policy can be found [here](#).

Alternatively contact the University of Cumbria Repository Editor by emailing insight@cumbria.ac.uk.

Adults with a diagnosis of autism: personal experiences of engaging with regional criminal justice services

Iain Dickie

Shirley Reveley PhD. (Visiting Professor and Honorary Fellow)

Austin Dorrity

University of Cumbria

Abstract

This paper reports on interviews undertaken with four adults with a diagnosis of autism, about their experiences of engaging with regional Criminal Justice Services (CJS) as victims, witnesses or perpetrators of a crime. Participants were recruited through an autism-specific charity, Triple A Project (All About Autism). These interviews comprised the second phase of a two-stage project; the first phase involved interviews with members of the charity and revealed differences in perceptual frames of reference between individual participants with a diagnosis of autism and CJS professionals that led to miscommunication and misunderstanding. Key findings from the research suggest that specific challenges with lateral thought and interpretation can mean that individuals on the autism spectrum are potentially vulnerable to finding themselves implicated as perpetrators or victims of a criminal act. This research represents an important development concerning the question of autism and criminality; the researchers sought to extend the academic discourse beyond an examination of the perspectives of professionals to give voice to the perspectives of experts by experience with a diagnosis of autism.

Key words: autism, criminal justice services, lived experiences, solution-focused interviewing

Introduction

The current paper focus on the lived experiences of individuals with a diagnosis of autism and reflects a key concern identified in the literature (Milton & Bracher, 2013, Bochel et al., 2008). This previous literature contends that the perspectives of people with a diagnosis of autism have largely been subjugated to the points of view of parents and professionals who view experiences through a non-autistic (neurotypical) lens. This means that social research looking at instances of engagement with Criminal Justice Services (CJS) has presented a largely neurotypical perspective on the behaviours of individuals with a diagnosis of autism. This neurotypical perspective on criminal situations involving contact between people with autism means that certain behaviours could be labelled as violent or disruptive, whereas the lived reality of an individual on the spectrum is that these behaviours are expressions of feelings of anxiety and distress in a particularly challenging situation (Dubin, 2017).

Bagatell (2010) notes that a criticism of academic and professional literature relating to autism-specific research is that it espouses a biomedical philosophy of autism which regards “autistic traits,” such as a desire for structure and organisation, as deficits because they diverge from social norms around social understanding and communication. However, some of the behavioural traits associated with autism are reconceptualised by autism self-advocates and proponents of a social model of autism, as resulting from processing and perceptual differences (Bagatell, 2010).

This paper reports on first-hand lived accounts of instances in which individuals with autism have experienced interactions with CJS providers. Introducing an autism lens into criminological research concerned with investigating the experiences of people with autism and their engagement with CJS providers offers new insights in this area of research (Dickie, Reveley & Dorrity, 2018). The focus of the paper is on the second phase of a two-year research project that sought to identify any barriers that individuals on the autism spectrum might face in interactions with CJS providers. The first paper identified a mixed response to questions about the degree of experience and confidence of professionals when working with people on the autism spectrum (Dickie, Reveley & Dorrity, 2018). The second stage, discussed in this paper, interviewed four members of the charity Triple A (All About Autism).

Literature Review

A review of the existing literature reveals that it remains challenging to accurately substantiate the degree of engagement that takes place between CJS professionals and individuals on the autism spectrum (Mayes, 2009). In particular, there is a limited amount of research undertaken from the perspective of people across the autism spectrum; this means that a bias exists in the literature surrounding the topic of autism *per se*. Autism and criminality as a discourse is dominated by accounts of CJS professionals who are largely reporting findings from a neurotypical perspective (Dubin, 2017). Allen et al. (2008) undertook a mapping exercise to identify the prevalence of autism within prison settings; their work produced some valuable data; however an issue arises from the researchers' reliance on mental health professionals operating in custodial and health settings to determine the prevalence of autism in a custodial environment. A further difficulty with the data identified by Allen et al. (2008) is that much of the evidence is based upon professionals' retrospective accounts.

Freckleton and List (2009) used case studies to examine perceptions of criminal culpability in criminal trials involving defendants with a diagnosis of autism; they adopted an analysis that largely utilises a medical perspective of autism. This means that the behaviours highlighted as making defendants potentially vulnerable to engagement with CJS are based on a medical paradigm that sees problems of social understanding and communication as being primarily behavioural and as such, behaviour is seen as symptomatic of autism. Freckleton and List (2009) are right to highlight that difference in social understanding and communication can make some people on the autism spectrum vulnerable to perpetrating behaviours that might constitute a criminal act. However, these authors fail to acknowledge how these behaviours could in turn be viewed through the application of a social philosophy of autism that ascribes to a view of autism as a difference in processing style rather than a deficit (Grandin & Panek, 2014). In other words, individuals on the autism spectrum are not solely vulnerable because they have a deficit in their ability to communicate correctly. Instead a vulnerability is created from a tendency of some authors to view experiences through a neurotypical rather than an 'autism lens' (Bagatell, 2010). Milton (2012) notes that difference in perceptual frameworks between people on the autism spectrum and neurotypical people comes from both groups struggling to accurately perceive and appreciate the emotional framework and perspectives of the other group. The authors of this current paper contend that it is important not to apportion blame through a focus on deficits, but to

appreciate how differences in communication can lead to increased levels of stress and anxiety for both parties.

Dubin's (2017) personal account of an FBI raid upon his flat in connection to his accessing of indecent material of children and adolescents via the internet, is useful in explaining how the actions of CJS professionals adversely affected his experience as an individual on the autism spectrum. The noise and disruption created by the raid left him unable to process all the information and interpret the questions asked of him by FBI investigators. Dubin's (2017) account is rare in that the focus is on a criminal justice context from the lived experience of an individual on the autism spectrum. However, there is an emerging academic literature examining contact with CJS services from the perspective of people with autism. Maras et al. (2017) examined different perspectives of courtroom officials and adults on the autism spectrum regarding the help offered to these defendants to enable them to participate fully in the legal process. Barristers and court staff felt they were reasonably equipped to support a defendant with a diagnosis of autism whilst those on the spectrum reported dissatisfaction with communication and management of their situation. Crane et al. (2016) sought the perspectives of both police and individuals with a diagnosis of autism about their experience of being interviewed by police. They too found differences in self-reported rates of satisfaction regarding police officers' ability to effectively support an individual on the autism spectrum; police officers reported higher levels of satisfaction in their ability to support an adult with autism than was represented in the feedback from participants on the spectrum, and their family members.

Vermeulan's (2012) concept of 'context blindness', argues that individuals on the autism spectrum can find it highly challenging to contextualise prior knowledge and learning, and apply this to another context. The importance of context blindness can be seen in Crane et al.'s (2016) research into police working with people on the autism spectrum. Their results revealed that the self-declaration of a diagnosis of autism when in custody was only 37% of their sample. Applying this to Vermeulan's (2012) concept of 'context blindness' suggests that individuals on the autism spectrum might not recognise the relevance of disclosing their autism to a CJS professional.

Dickie et al. (2018) reported on interviews, with participants from the police, probation and liaison and diversion services. The authors noted a number of participants from the police reporting that they had experienced some challenges in identifying whether a person brought into custody might be on the autism spectrum; several were reliant on the individuals concerned disclosing this information. One challenge facing CJS professionals,

in identifying whether a person might have any additional needs including autism, is that despite the fact many people across the autism spectrum share certain traits relating to processing information and reading non-verbal communication, no two people on the autism spectrum will present in exactly the same way (Baron-Cohen, 2002). Current estimates suggest a global prevalence rate of 1 in 100 individuals across all cultural and demographic groups meeting the criteria for a diagnosis of autism (Baxter et al., 2015). The heterogeneity of individuals across the autism spectrum means that the effectiveness of any ‘autism lens’ adopted by a neurotypical person is only useful up to the point that it is able to recognise and respond to differences between individuals. Identifying whether a person is on the autism spectrum is complicated by suggestions that key differences exist in the presentation of autism in men and women. Lai et al. (2017), explored social ‘camouflaging’ amongst people on the autism spectrum and note that some individuals become adept at disguising specific areas of difficulty when interpreting social cues and ambiguous, non-specific communication. Camouflaging makes it difficult to establish whether a person has accurately understood what is being communicated to them, thus some individuals on the autism spectrum may be particularly vulnerable in criminal or custodial settings as they appear to be in possession of a greater level of awareness about their current situation context than is the case. This could result in appropriate reasonable adjustments to service delivery to enable individuals on the autism spectrum to engage on an equal basis in due legal processes.

Dickie et al. (2018) interviewed 30 service professionals from the police, probation, community rehabilitation company (CRC) and liaison and diversion services found that a number of these professionals remained confused about what autism was and how it could present in an individual. Furthermore, the authors noted that a confusion over how autism is different to other physical or learning difficulties and conditions, had implications for appropriately supporting those who may be on the autism spectrum whilst in custody. Attwood (2007), and Attwood and Grandin (2006) have highlighted that opportunities to identify autism in the population are challenged by individuals on the autism spectrum particularly women masking areas of confusion and social misunderstanding. Attwood (2007) adopted the concept of ‘social echolia’ to describe the ability of individual on the autism spectrum to mimic mannerisms and intonations of peers perceived as possessing strong communication skills without possessing the ability to apply this into contextually appropriate situations. There is a danger of individuals camouflaging (Lai et al., 2017) and areas of social confusion could lead CJS professionals to wrongly assume a services user is more cognisant and self-aware of the social context than may in fact be true.

This paper reports on first-hand lived accounts of instances in which individuals with autism have experienced interactions with CJS providers. It is hoped that by introducing an autism lens into criminological research concerned with the experiences of CJS will help these providers gain new insights in this area of research (Dickie et al., 2018).

Method

Sample considerations

Theories relating to autism and the processing of information have suggested that issues with central coherence and executive functioning (Moraine, 2016) can make it particularly challenging at times for individuals on the autism spectrum to plan and organise information, including responding to open or ambiguous questions. Therefore, when designing this research it was important to identify a method that would allow participants with a diagnosis of autism to share their experiences of engaging with CJS providers as a victim, witness or perpetrator of a crime without unduly constraining their responses through a closed question format. Questions needed to be sufficiently flexible and responsive to the vocabulary and idiosyncratic meanings held by each participant. A semi-structured interview schedule was designed that would allow individual participants to share their specific experiences of being a victim, witness or perpetrator of crime; without unduly directing the context of participants answers. To achieve this the phraseology of the interview schedule was adjusted to closely align to participant's vocabulary and idiosyncratic application of specific terms and phrases. The need to adapt individualised language on themes of victimisation, perpetration and witnessing crime was necessary to account for possible challenges that participants might face regarding lateral thought and interpretation that could arise from factors related to Theory of Mind (TOM; Baron-Cohen et al., 1985), and take the unique perspective of each respondent.

MacDonald (2011), in discussing solution-focused approaches, argues that adopting a questioning style that is factual, rather than emotive, as well as keeping closely to an individual's vocabulary and idiosyncratic meanings, better enables a participant to share their thoughts and perspectives. While the solution-focused method was initially created as a psychological approach to support counselling and nursing patients who were struggling to identify solutions to a specific area of difficulty of challenge in their lives, the research team for this study adapted this method to undertaking research with participants with a diagnosis

of autism. The adoption of this approach reduced potential areas of confusion that could arise through using a traditional interview design.

Bliss (2008) focused her research on counselling clients who were recognised as being on the autism spectrum. Bliss adopted the solution-focused method in her questioning and argues that questions that utilise a client's individual frame of reference better enables them to communicate their unique experiences. It is thought that specific challenges with TOM (Baron-Cohen, 2002) mean that people on the autism spectrum can struggle to identify how to respond to questions that adopt an outside frame of reference. The approach taken by the researchers in this study utilises a theoretical basis aimed at the promotion of a dialogue that will ensure a mutuality of understanding between researcher and participant (Bliss, 2014).

Participants

Participants were approached to discuss involvement within the research; they were given information in a format suitable to their individual communication needs (principle 2 of the Mental Capacity Act). Only participants who demonstrated that they had mental capacity and therefore able to give informed consent were selected (Mental Capacity Act, 2005). Consent was achieved verbally and in writing prior to commencing interviews, and checked again throughout the process. The interview schedule focussed on exploring the following: 1) any contact between participant and CJS as either a victim, witness or perpetrator of a crime; 2) where contact has taken place between participants (CJS) providers, were providers aware of the person's autism?; 3) identification of situations where individuals felt vulnerable to becoming victims of crime; 4) situations in which individuals recognised their actions or behaviours led them into trouble with CJS providers; 5) exploration of support networks- who or where might an individual go to if they felt that they might be in trouble and need additional support; and 6) did participants feel that CJS providers made appropriate accommodations that accounted for individual needs.

Results and Discussion

The analysis of interviews adopted a thematic approach (Braun & Clarke, 2006); the interview transcripts were independently coded by each researcher, and it was agreed that codes were assigned to a unit of data with a specific meaning. This method of inter-rater

analysis could be viewed as enhancing the trustworthiness (or reliability) of the data (Graneheim & Lundman, 2004).

A major theme identified within previous literature is the potential for miscommunication arising from interactions with CJS personnel. Dickie et al. (2018) investigated the level of awareness and understanding about autism among CJS providers and found that a number of professionals were uncertain of how to identify autism. They reported difficulty in differentiating behavioural traits relating to autism from other conditions including Obsessive Compulsive Disorder or Attention Deficit Hyperactivity Disorder. For example:

Well I know there's an overlap with other things but there's OCD type of trait isn't there? The sort of doing something, routines, for security. Trying to sort of clarify somebody's understanding. If somebody doesn't understand what you're on about, or why you've got to have these rules or why you've got to do something if you don't want to. It's quite sort of subtle in a lot of the people - not a lot of people, we don't get a lot of people that have got the label autism" Professional (**Police Interviews; Participant 2**)

I don't know. I guess by the time I'm working with somebody they're over 18 and normally it's picked up in - well at least the people that I've worked with, that I've known have been on the spectrum, it's been picked up through school. I don't know if I would notice it myself particularly. I don't know. I guess some of the similar traits that from past experience that I've found. Some things for example like liking things to be in order; liking routine and structure"- Professional (**Police Interviews; Participant 1**)

The findings from the previous study have guided the identification of the themes within the current data set, and the parallels can be seen within the discussion.

Key Themes

1. Attribution. Weiner's (1974) theory of attribution represents an important dimension in considering how an individual, be they CJS provider or service user, takes their prior experiences and learning about a social group or culture and applies this learned information to identifying and interacting with others they associate as belonging to a specific group. Using this theory to examine interactions between CJS providers and people on the autism spectrum it becomes apparent that an individual has pre-conceived notions that can

influence their ability to identify autism in a service user. Acknowledging how individual understandings and perspectives on how a person with autism could present means that service users who maybe on the autism spectrum could be missed as that individual's presentation does not match to an individual criminal justice professional knowledge and understanding of autism.

A further difficulty demonstrated in the example below is that misunderstanding the perspectives of the interviewing police officer and allowing his own attributions of police as 'knuckle draggers' to influence his responses during the interview:

"So, the version of the natural order of things, the smart person is being told what a naughty little boy he is by an absolute knuckle-dragging, clone????? And that's what annoyed me to the point you just -????? I'm sorry it all sounds very cynical and - when I was being interviewed by these people, I was, you know, I was cynical and, you know, scathing of them all the time, you know, when we'd write I'd say 'you know, there's a fucking apostrophe needed there you know. That's like - I couldn't accept anything, you know, the inability to write properly, you know. If anybody gets a word wrong, you know, you know how some Any examples like that I would say is, I would correct them. I would be the Smart Alec; I would be - I enjoyed it; I absolutely enjoyed the, in a way, this sounds, the nothing else to lose. You're sitting next to two morons and you just play..., - they don't understand people who actually work along logical lines, even when they've done illogical things, because logic can be suspended. **(Participant 1)**

This participant is not only potentially vulnerable to further incriminating himself by speaking at length when he is not asked to, but a degree of context blindness (Vermeulan, 2012) exists in his failure to recognise what information is appropriate to share with the interviewing officers in this situation.

The example reveals an important aspect of the relational dynamic between the participants and interviewing officers, in particular, the effusive use of language expressed by the participant to the officers in question and his keen grasp of grammar could potentially distract service professionals from accurately recognising the distress and potential vulnerability of this person. In comparing this quote with that from the CJS professionals it becomes apparent that a number of professionals could fail to identify the person as being on the autism spectrum and not responding to that person's specific needs.

2. Miscommunication. Although the participants' confident grasp of language could be viewed as an example of camouflaging behaviours (Lai et al., 2017); it might be more appropriate to suggest that attributions of autism as being a 'communication difficulty' could prevent the officers from recognising underlying needs that might be present here (Weiner, 1974). There is therefore the danger of creating a perfect storm in which the opportunity for miscommunication and missing the other person's true intent could create unnecessarily aggravation and frustration, particularly where inflammatory labels and language are used to describe serving officers (e.g., "slow", "knuckle dragging", "incompetent").

Baron Cohen et al. (1985) have argued in their TOM work that acknowledging how other people can have different thoughts, feelings and perspectives around the same situation can be highly challenging for people on the autism spectrum; such a theory ignores the perspectives of Milton and his 'Double Empathy Hypothesis' (2012). Milton (2012) asserts that it is equally challenging for neurotypicals to accurately understand and interpret a situation from the perspective of an individual on the autism spectrum. The authors of the current paper would assert that opportunities for misunderstanding and miscommunication do not solely arise from deficits in the perspectives of people on the autism spectrum or neurotypicals; but rather from a difference in understanding the perspectives of individuals with a different communication style.

Howlin (2004) argues that a number of people on the autism spectrum are vulnerable to unintentional engagement with CJS providers, as in their attempt to follow the letter of the law specifically, the spirit of the law in its application is at times lost or misunderstood. Patterson (2008), in a case study examining the lived reality of prisoners with a diagnosis of autism, suggests that participants were vulnerable to bullying and intimidation by other inmates as a result of these prisoners struggling to identify with written and sometimes amorphous social etiquette that exists between prisoners. Patterson (2008) gives a specific example in which one of the research participants reported fellow prisoners for queue jumping during mealtimes. The difficulty with applying social rules into new and different social contexts reflects Vermuelan's (2012) concept of 'context blindness' as the prisoner in question struggled to identify how a rule against queue jumping at meal times, should perhaps be overlooked to help build relationships and support networks with fellow prisoners.

Participants in the current study also show instances of unintentionally complicating a situation in which they have become engaged with CJS providers through specific challenges in recognising how their communication could be received; particularly in times of stress. Participant 2 talked about situations when he might get into trouble with the police:

“OK so contacts where I’m - it’s been sort of anxiety, so I can get loud because when talking to the police I might take them literally or not, kind of appear to be contradictory or pedantic or anything like that....It might look like kind of like my own kind of knowledge of law and kind of thing, questioning a police officer’s behaviour because they weren’t necessarily - they were maybe investigating, looking into something, but they weren’t so I could easily get into trouble even when I’m - and this has happened with the police, where I’ve done nothing wrong but my brother, who’s a policeman said ‘you’ve just actually talked yourself into a cell’.”

(Participant 2)

In considering context blindness (Vermuelan, 2012) and a strict adherence to perceived rules and regulations, a vulnerability is identified in the following participant as without any guise or attempt to deceive or alter their explanation of events, the participant presents himself as an ‘open book’ and readily supplies the officer with information on the case they are investigating. In terms of feeling understood by the police, the respondent offered the following:

“So the incident I’m thinking about, I was pressurised by a friend to drive his car and was resistant to do it. There was an accident; the car crashed and we were all arrested and I was told - I gave my account to the officers in the interview room and one of the officers - and at the end of it one of the officers said ‘that’s strange; we’ve never really heard that in here’ and I went ‘what?’ and I was very confused and they went ‘the truth’. So even the police officers were genuinely surprised that somebody in an interview room was telling the truth, even though the consequences, the ramifications were very severe, whereas the person whose car it was, who pressured me into driving it because they were injured, even though I didn’t have insurance and things like that, they lied ?????? and they got away with criminal - they even drove the car and they escaped prosecution; I didn’t. It wasn’t my car; I didn’t take it without permission and I ended up being banned from driving.” **(Participant 3)**

3 Vulnerability. A significant theme emerging from the interviews was the perception of vulnerability; in particular, how participants could be susceptible to victimisation. A specific challenge reported by participants relating to issues with TOM (Baron-Cohen et al., 1985), concerns participants reporting specific challenge in accurately

identifying the true intentions of other people. In exploring whether this respondent is able to identify other people's intentions the response is illuminating:

“No I'm not no. The incident I was talking to you then when I was physically attacked, because of my experience in kind of mental health, I was attempting to kind of reduce the conflict but I thought it was - the reason for the conflict was the thing that the person was saying, like, 'you don't like me; why don't you like me?' I do like him. I may - but that wasn't the issue; they were just a violent sociopath who wanted to hurt someone and I was taking every single step - at every single step I was assuming that what they were saying was true so I didn't have any idea that their motives were violent towards me and - so yeah, up until the point when I was severely attacked and then I knew and even then I still refrained from defending myself appropriately.” **(Participant 2)**

It can be complex for some individuals on the autism spectrum such as the participant above to respond to a situation they found themselves in if the situation is clouded by difficulties in accurately ascertaining the perspectives and intent of the other person, in this case the attacker.

4. Mate crime. A further theme identified that is related to vulnerability is the opportunities for mate crime to arise from interactions with neurotypical peers. In questioning the role of victim and perpetrator as the example below demonstrates, it is sometimes hard to neatly separate. This apparent “360-degree vulnerability” is demonstrated below by the fact that whilst the participant is vulnerable to suggestion by peers to engage in illegal actions or behaviours, as the participant describes, it was a rigid belief in how age equates to wisdom that led him to engage in criminal behaviours. Alternatively, the participant could be viewed as a victim as he is co-opted into actions without being fully aware or cognisant of his actions:

“when I was younger I was always misled by the wrong people because I didn't understand things properly sort of thing so it ended up being that oh yeah, yeah they're older than me. It always used to be that that was the case, you know, that well they're older than me, maybe only by a year or two, but they're still older than me, so therefore they're wiser than me. That's what I used to be – I used to take that phrase literally, yeah – older and wiser but no, now it's – so I always used to think that what they're doing is right. That's why a lot – that's why when I was younger I used to get

involved with – well I used to get involved with – I don't take it myself but a lot of my friends used to take drugs and that sort of thing on a regular basis, because they were older than me. I just looked at them and thought 'oh well, fine'." **(Participant 4)**

This respondent has experienced instances in which his focus was locked on his current context and his ability to think beyond the immediate circumstances was challenging. Dubin (2017) noted in his account of the criminal justice system, that a particular challenge was understanding how his accessing pornographic material of children was related to the physical harm of a child in its production, as the material in question was digital and no physical act had taken place. Dubin (2017) notes that it was only after he was arrested and enrolled in a therapy programme that he was able to make the link to how the production of child pornography had to involve the physical harm of the child involved. The same participant talked about the circumstances that led him to shoplift:

I spent money on scratch cards and I didn't have any money for my shopping so yeah, yeah ... I've never?????? – I think I did know it was wrong but at the time I were very much in the here and now sort of thing so therefore at the time I thought ????? it's fine, yeah but I don't think of the consequences later on in the future. Yeah, yeah that makes sense." **(Participant 4)**

As this quote illustrates, it can be very difficult for some individuals on the autism spectrum to accurately identify and consider how their actions might have future ramifications. Baron-Cohen (2002) identified that issues with executive functioning and central coherence can make it challenging for individual on the autism spectrum to plan and organise information and identify how their immediate actions or behaviours could influence future activities and relationships. Grandin and Panek (2014) have suggested that in terms of accessing and retaining information some individuals on the spectrum might learn new information and process it differently to neurotypical peers. They further argue that the synaptic pathways in the brains of people on the autism spectrum are differently wired, meaning that it is harder to transfer a piece of information or learning from one area of knowledge into a new area. In the example below one bad experience within a specific relationship could be overgeneralised and come to cloud and influence interactions in future relationships:

"That event, it severely affected me. It caused me long term depression and anxiety. I became a lot more isolated. I lost some friendships and relationship; they fell apart

because of it. But it's also made me more cautious. It's made me - it's made me question that instinct of drive to trust people. It did erode my ability to trust others because even people that I valued and I cared about believed the lie so what do you do? ” **(Participant 2)**

Bogdashina (2003) looking at sensory processing differences in individuals on the autism spectrum, suggests the possibility of a delay in immediately responding to physical sensations in a different or challenging situation. In highlighting the autism and sensory processing differences a person on the spectrum may appear more or less vulnerable than may be the case. This represents a challenge in CJS settings that service users' needs might go unrecognised or be ignored (Dickie et al., 2018).

Bagatell (2010) and Willey (1999) writing through an autism lens on interactions with neurotypical peers, have both highlighted that a number of bad experiences individuals on the spectrum have had led some people to become increasingly withdrawn and isolated from society as there is a perception that neurotypicals do not tell the truth so cannot be trusted. One participant explained the impact such events can have:

“It severely affected me. It caused me long term depression and anxiety. I became a lot more isolated. I lost some friendships and relationship; they fell apart because of it. What was the question again?...It has but it's also made me more cautious. It's made me - it's made me question that instinct of drive to trust people. It did erode my ability to trust others.” **(Participant 2)**

It is important to reflect upon Lai et al.'s (2017) concept of social camouflaging wherein an individual's presentation which appears calm and relaxed might be incongruent to feelings of stress and anxiety they were experiencing internally in that moment. This can be seen reflected here.

Linking to CJS Providers Research

Finally, it is important to note that not all engagements with CJS providers were viewed as negative with some participants feeling that their needs were sensitively responded too. While the first participant identified earlier in the discussion section presented negative attributions to the police officers and court officials that they then engaged with, the participant below communicates a feeling of understanding and positive regard toward the officer that they engaged with:

“I was obviously nervous. ?????????? get involved with the Police, yeah you get a bit nervous but with him understanding me it made me feel more ... he sort of sat down; gave me a cup of tea, cup of coffee – whatever it was, sort of thing and, you know, he just sat – he just had a normal chat really more than anything; more like a normal, informal chat than it was like in these interviews sort of thing and I thought I found, the last thing I was caught for was in Sainsbury’s, you know – it was the same there sort of thing. He was strict and firm but we had a laugh and he understood that there was something wrong sort of thing and, you know, he said ‘oh it’s an issue that we need to get sorted somewhere in the future, you know? Somewhere in the future’ ... I have to admit the Police here are very good, you know?” **(Participant 4)**

In this example, there is no anger or animosity expressed toward the arresting officer, instead there is a sense of gratitude for being afforded respect and understanding. An almost stoical reaction to the participant’s arrest and acknowledgement of the officer doing his job parallels Allen et al. (2008), research into the prevalence of autism in prison settings. They interviewed prisoners with a diagnosis of autism and identified that the most important determinant of a positive experience with the CJS was not whether the individual was found guilty by the court but that they were treated with understanding and respect.

Conclusion

This research represents an important development concerning the question of autism and criminality; the researchers sought to extend the academic discourse beyond an examination of the perspectives of professionals to give voice to the perspectives of experts by experience with a diagnosis of autism. It is only through the triangulation of research data to present and engage with the perspectives of all actors, whether they are victim, witness or perpetrator of a crime or service professional; that social research discourse on autism and criminality can evolve to consider circumstances through an autism lens as well as from a neurotypical perspective; which has largely thus far dominated the criminological discourse in this area of research.

Although this paper represents only a snapshot into the experiences of adults with a diagnosis of autism and their interactions with the CJS. It is apparent that although the participants were vulnerable to contact with CJS providers through issues relating to perceptual differences and its effect on communication, in terms of the offences identified there was no evidence to suggest that the nature of these crimes were of a specific type.

Limitations and recommendations

A limitation of this research is that the researchers were unable to secure the inclusion of female participants, therefore it remains impossible to identify from the current data whether a difference in experiences of individuals with a diagnosis of autism is affected by gender. Difference in the presentation of autism between men and women on the autism spectrum is an important area for emergent research. Attwood (2006) suggests there is a possibility that the needs of women on the autism spectrum are being missed by professionals as the presentation of behaviours of a number of women is covered (camouflaged) and therefore might reflect a bias toward a more typical male presentation (Weiner, 1974).

A recommendation of future research into the lived experience of people on the autism spectrum with experience of engagement with CJS providers would be to widen the participant base allowing for inclusion of a wider range of social demographic characteristics. By looking to collect demographic information such as age, gender, ethnicity and employment status, future research within this area might be able to establish stronger connections around what commonalities might exist between individual service users with a diagnosis of autism across the UK.

References

- Allen, D., Evans, C., Hider, A., Hawkins, S., Peckett, H. & Morgan, H. (2008). Offending behaviour in adults with asperger's syndrome. *Journal of Autism and Developmental Disorders*, 38, 38-48. doi: 10.1007/s10803-007-0442-9
- Attwood, T. (2007). *The complete guide to aspergers syndrome*. London: Jessica Kingsley Publishers.
- Baron-Cohen, S., Leslie, A. M. & Frith, U. (1985). Does the autistic child have a theory of mind? *Cognition*, 21, 37-46. doi: org/10.1016/0010-0277(85)90022-8
- Baron-Cohen, S. (2002). Is Asperger Syndrome Necessarily Viewed as a Disability? *Focus on Autism & Other Developmental Disabilities*, 17(3), 186. doi: 10.1177/10883576020170030801
- Baxter, A., J, Brugha, H.E., Erskine, R.W., Scheurer, J. J., Vos., J.G. & Scott (2015). The epidemiology and global burden of autism spectrum disorders, *Psychological Medicine*, 45 (3), 601-613. doi: 10.1017/S003329171400172X

- Bagatell, N. (2010) From cure to community: transforming notions of autism, *Journal for the society of psychological anthropology*, 38(1), 33-55 doi.org/10.1111/j.1548-1352.2009.01080.x
- Berryessa, CM. (2016). Brief Report: judicial attitudes regarding the sentencing of offenders with high functioning autism. *Journal of Autism and Developmental Disorders*, 46 (8), 2770-2773. doi:10.1007/s10803-016-2798-1
- Bogdashina, O. (2003). *Sensory perceptual issues in autism and asperger syndrome: different sensory experiences, different perceptual worlds*. London, Jessica Kingsley.
- Bochel, C., H. Bochel, P. Somerville, and C. Worley (2008) "Marginalised or Enabled Voices? 'User Participation' in Policy and Practice." *Social Policy and Society* 7 (2) 201–210, doi:10.1017/S1474746407004150.
- Bliss, V, E & Edmonds, G (2008). *A self-determined future with Asperger Syndrome: solution focused approaches*. London, Jessica Kingsley.
- Bliss, E (2014). Solution focused formulations. *The Journal of Solution Focus in Organizations*, 6 (2), 9-22.
- Braun, V. & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77-101. doi:10.1191/1478088706qp063oa
- Crane, L., Maras, K., Hawken, T., Mulcahy, S. & Memon, A. (2016). Experiences of autism spectrum disorder and policing in England and Wales: surveying police and the autism community. *Journal of Autism and Developmental Disorders*, 46 (6), 2028-2041. doi.org/10.1007/s10803-016-2729-1
- Dubin, N. (2017). An autistic universe: the perspectives of an autistic registrant. In L. A. Dubin and E. Horowitz (Eds.) *Caught in the web of the criminal justice system: Autism, developmental disabilities and sex offences* (pp.248-274) London, Jessica Kingsley Publishers
- Dickie, I., Reveley, S., & Dorrity, A. (2018). The Criminal Justice System and people on the Autism Spectrum: Perspectives on Awareness and Identification. *Journal of Applied Psychology and Social Sciences*, 4(1) 1-21.
- Freckelton, I., & List, D. (2009). Asperger's disorder, criminal responsibility and criminal culpability. *Psychiatry, Psychology & Law*, 16 (1) 16–40. doi:10.1080/13218710902887483
- Granheim, U. & Lundman, B. (2004). Qualitative Content Analysis in Nursing Research: Concepts, Procedures and Measures to Achieve Trustworthiness. *Nurse Education Today*, 24(2), 105-112. doi: 10.1016/j.nedt.2003.10.001
- Dickie, I., Reveley, S., Dorrity, A. (2018) Adults with a diagnosis of autism: personal experiences of engaging with regional criminal justice services. *Journal of Applied Psychology and Social Sciences*, 4(2) 52-70

- Grandin, T & Panek, R. (2014) *The autistic brain: exploring the strength of a different kind of mind*. London. Ebury publishing.
- Howlin, P. (2004). *Autism and Asperger Syndrome* (2nd ed.). London: Routledge.
- Iland, L (2006). Girl to girl: Advice on friendship, bullying and fitting in. T, Attwood & T, Grandin (Eds.) *Aspergers and girls*. Arlington: Future horizons.
- Lai, M.,C., Lombardo, M.,V., Ruigrok, A. N.V, Chakrabarti, B., Auyeng, B., Szartmari, P., Happe, F. & Baron-Cohen, S. (2017). Quantifying and exploring camouflaging with men and women with Autism, *Autism*, 21(6), 690-702.
doi: 10.1177/1362361316671012
- Mayes, T. A. (2003). Persons with autism and criminal justice: Core concepts and leading cases. *Journal of Positive Behavioural Interventions*, 5(2), 92–100
doi.10.1177/10983007030050020401
- Maras, K, L., Crane, L., Mulcahy, S., Hawken, T., Cooper, P., Wurtzel, D. & Memon, A. (2017). Brief report: Autism in the courtroom: Experience of professionals and the autism community. *Journal of Autism Developmental Disorders*, 47(8), 2610-2620.
doi: 10.1007/s10803-017-3162-9
- McDonald, A, F. (2011) *Solution focused therapy: theory, research and practice* (2nd ed.) London: Sage.
- Mental Capacity Act (2005) Section two – people who lack capacity. Retrieved November 17th 2018 from <http://www.legislation.gov.uk/ukpga/2005/9/section/2>
- Milton, D. (2012). ‘On the Ontological status of autism: ‘the double empathy problem’’. *Journal of Disability and Society*, 27(6), 883-887.doi:10.1080/09687599.2012.710008
- Milton, D.& Bracher, M. (2013). Autistics speak but are they heard. *Journal of Medical Sociology*, 7(2), 61-69.
- Moraine, P. (2016) *Autism and everyday executive function: a strengths-based approach to improving attention, memory, organization and flexibility*. London: Jessica Kingsley Publications
- Patterson, P. (2008). How well do young offenders with Asperger’s syndrome cope in custody: two prison case studies, *British Journal of Learning Disabilities*, 36, 54-58.
doi: 10.1111/j.1468-3156.2007.00466
- Vermuelan, P. (2012). *Autism as context blindness*. Kansas: AAPC publishing.
- Weiner, B, (1974) *Achievement motivation and attribution theory*. General learning press, New Jersey

Willey, L.H. (1999) *Pretending to be normal: living with aspergers syndrome*. London: Jessica Kingsley Publishers.