

At Her Majesty's Pleasure - improving outcomes for autistic offenders with an indeterminate sentence

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Introduction

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The problem

- 2,699 out of 3,104 (87%) prisoners serving IPP were over-tariff in England and Wales
- 515 were 0-2 years over
- 1,222 were 2-4 years over
- 675 were 4-6 years over
- 287 were 6-10 years over
- 847 were recalled
- Recall rates increased by 19% between March 2017 - March 2018
- As of May 2018

A possible solution?

- Individuals with autism are over represented in the over-tariff prison population
- Identifying these individuals will go some way towards reducing the number of prisoners serving IPP who are over-tariff in England and Wales

Autism Spectrum Disorder (ASD)

- Lifelong neurodevelopmental disorder
- Affects how a person communicates with, and relates to, other people
- Affects how they make sense of the world around them
- Prevalence estimated at 1 in 100 in England (possibly more)
- Adults with ASD may be vulnerable and are at risk of social isolation
- Failure to recognise ASD can result in severe physical and mental health problems, homelessness and descent into crime and addiction

Department of Health (2010) *Fulfilling and Rewarding Lives: The Strategy for Adults with Autism in England*, HM Government, London

ASD in Prisons

- Majority of individuals with ASD are likely to be law abiding and amongst those who would respect the rules of society
- Some research evidence that suggests that those with ASD are around **seven times** more likely to come into contact with the CJS than those without
- This figure is likely to rise (internet related offending)
- Little research undertaken into the prevalence of ASD in prisons
- Anecdotal evidence that individuals with ASD are significantly over represented in the over-tariff population
- Lack of robust evidence base

Why is this important?

- Recognition of prisoners with ASD is essential in order to:
 - identify and understand their health and emotional well-being needs;
 - meet their health and emotional well-being needs;
 - properly assess their risk of re-offending
 - reduce their risk of re-offending
 - ensure adequate and appropriate support on release

Consequences

- Failure to recognise and / or support prisoners with ASD leads to:
 - isolation
 - bullying
 - mental illness
 - self-harm
 - suicide
 - adjudications
 - over-tariff
 - recidivism
 - 'revolving door' recall

Legislation, Policy and Practice

- Autism Act 2009
 - Autism Strategy 2010
 - NICE Guidelines 2012
 - Transforming Care 2012
 - NICE Quality Standard 2014
 - Autism Strategy Review 2014
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- Mental Health Act 1983(2007)
 - The Bradley Report 2009

The Bradley Report 2009

- Adequate alternatives to prison for vulnerable offenders where appropriate
- Better screening for mental health and learning disabilities on arrival at prison
- Greater continuity of care as people enter prison and as they leave prison to re-enter the community

Autism Strategy Review 2014 (Think Autism)

- If I break the law, I want the criminal justice system to think about autism and to know how to work well with other services