People with neurodevelopmental problems in the Criminal Justice System

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Prisons

- Prisons – 10.1 million internationally, from a world population of 6.1 billion (Walmsley, 2011)

- Almost half are detained in three countries – the USA, China, Russia

- Mental disorders are over-represented (Singleton et al, 1998)

Why develop offender mental health services?

Prisons – over-representation of SMI, substance misuse, personality disorder (Singleton et al, 1998)

Police stations – 1.3 million arrested for notifiable offences in England and Wales – substantial morbidity (McKinnon et al, 2010)


Imprisonment rates, per 100,000

- Russia: 568
- USA: 743
- Canada: 117
- China: 122
- England and Wales: 153
Imprisonment rates, per 100,000

- Chile: 181
- Italy: 111
- Denmark: 74
- Argentina: 151
- Ireland: 100
Imprisonment rates, per 100,000

- Thailand: 328
- Ukraine: 338
- Singapore: 265
- Poland: 218
- Taiwan: 278
HMP Brixton
Learning disability (World Health Organisation)

Arrested or incomplete development of the mind
Characterised by impairment of skills manifested during the developmental period
Contributing to overall level of intelligence:
Cognitive, language, motor and social abilities
Impacts on daily living skills – reading, writing, understanding, managing finances, independent living, employment
Exists in degrees – from mild to severe
Autism spectrum disorders

Qualitative abnormalities in social interactions and patterns of communication
Restricted, stereotyped, repetitive repertoire of interests and activities
Repetition without variation
Pervasive feature – across all situations
Attention deficit hyperactivity disorder

Early onset
Lack of persistence in tasks that require understanding
Moving from one activity to another without completion
Disorganised, poorly-regulated and excessive activity
Reckless, impulsive, prone to accidents
Often involved in disciplinary trouble
Social disinhibition – lack of normal caution and reserve
As children – often unpopular with others and may become isolated
Considerations across the criminal justice system

- Fitness to be interviewed
- Fitness to be detained
- Fitness to plead (and stand trial)
- Vulnerability (including in prison and taking part in offending behaviour programmes)
Fitness to plead

Able to:
Plead to the indictment
Understand the course of proceedings
Instruct legal representatives
Challenge a juror
Understand the evidence
Questions

• Fitness across the criminal justice system – how do we identify and manage those who are unfit?

• What are the implications of unfitness to plead?

• Who do we liaise with and who do we divert to?

• How can we best manage vulnerable offenders?