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Executive Summary

This report summarises all the challenges faced by neurodivergent individuals who are in the criminal justice system. The report identifies major key issues including, the high levels of neurodivergent people within prisons, lack of training for prison staff and the struggles with rehab programmes. There have been many policies brought to the prisons such as Neurodiversiuty Support Managers * Liaison and Diversion services which are both aimed at tackling this and giving the support the neurodivergent people as much as they can. The reports also tackled down the gaps especially in the rehab problems. It is concluded by the recommendations that should be placed to help support neurodivergent people such as more staff training, better rehab programs and further research.

Findings

2.1 Key Challenges

A major challenge that is found within is that there are extremely high levels of neurodivergent indivual within prisons. It is shown to us by the Ministry of Justice that up to half of the population within prisons could be considered neurodivergent. This is a major issue due to the reason that prisons are not trained well enough to handle these neurodivergent people and do not have the knowledge and understanding to fully comprehend on what to do. As a result, this may lead to severe consequences when dealing with said people as they might end up not being able to follow instructions, have a good understanding of the prison or just be able to engage with

everyone around them. Not only would they struggle, but it could also lead to disciplinary actions because they simply cannot understand, leading into this being misinterpreted as being ignorant or non-complaint but in the real world they are just struggling in general Day (2022).

A second key issue is the overall lack of training in prison staff. A great piece of evidence provided by Slokan & Ioannou (2021) show that staff have a clear lack of understanding and training with neurodivergent individuals. This is clearly shown to us when they say, 'lacked understanding of autism in a prison setting'. They have the basic awareness but it's not good enough and they do not get trained thoroughly which is a massive challenge. These leave the prisoners in a major disadvantage as their needs might get overlooked at and not payed attention to because the staff don't have enough training to realise it. Leading into many complications with misinterpreting behaviour which could result in disciplinary actions towards the prisoners for no given reason.

Finally, a very important key challenge that needs to be faces is the struggles with rehab programmes. For example, education is a major struggle alongside 3 other main themes being, social interaction, adjustments and accommodation. Tomkins (2025) explains that education is a major impact as it is a part of the 4 major themes, so this proves the point about education-based rehabilitation requires a lot of work and examining as education is extremely important and there are struggles within the prisons. Education being a key challenge that needs facing places the prisoners in an uncomfortable situation as they will struggle understanding and especially with neurodivergent individuals it may be harder for them to interact with others and have them learning opportunities.

2.2 Policy Responses

There have been many policy responses introduced to the criminal justice system to make sure that it gets improved and provides great support for neurodivergent individuals. For example, a great one provided is Neurodiversity Support Managers. NSM are people with designated roles to help and support neurodivergent people across the prisons. They provide training to prison staff members so that everyone has a better understanding on what neurodivergent people are like and the things

that they require, this makes it easier for everyone and creates a better environment for neurodivergent individuals.

A very crucial policy that has been implemented is the universal care pathway across the CJS, this is all commissioned by the NHS England. This helps research on how autistic people with learning disabilities are treated and how much support they are given when going through all the different stages of the justice system. A great approach they are having is to identify and meeting the neurodivergent needs, not only that but it encourages that the overall care is set in place Mason, Allen, Kargas, Smith (2025).

Lastly, a policy given is the 'Liaison and Diversion' services which is also commissioned by the NHS England not only that but is rolled out across England in general. L&D services provide help to identify everyone with mental health conditions, any type of learning difficulties, autism and other vulnerabilities that people are having. They go through a wide variety of tests to make sure that everyone is getting the right support as early as humanly possible. These tests can range from screening, assessments etc. This policy is important since it makes sure the complex needs reach its requirements and needs NHS (2019).

2.3 Gaps in Literature

A major gap within the literature is the need of improvement and responsiveness with rehabilitant programmes for the neurodivergent people. In the study shown by Kandola, Walton (2024) it is stated that constant offending programmes are not meant and adapted to neurodivergent people especially ones with communication issues. This can only suggest that this approach that is being set is not effective as much as it should be which would result in neurodivergent people may struggle and have an overall impact on their rehabilitation outcomes.

To expand on that a significant gap would be the limited understanding everyone has with neurodivergent individuals in the prison. Research by Tanya (2023) clearly states that the prison has a major limited understanding with neurodivergent individuals and how their conditions can impact their behaviour and how they can't within the prisons. This lack of understanding has a major impact on people without the staff realising the needs of neurodivergent individuals and it causes more harm than good to both parties.

Recommendations

A major recommendation that needs to be implemented into the prisons is getting staff trained thoroughly, staff need to make sure they are familiar with neurodivergent individuals, and they know what needs they require. On top of that staff may be so untrained to where they think that someone is being ignorant or being uncompliant leading into disciplinaries but it's not their fault it's just how they are and they suffer with said health issues. Therefore, must get the legal training so that they everyone has a safer environment. Bagnall, Leung, Maras (2026). Helps show this when it clearly states that police often do not have the right resources and the right knowledge to work with neurodivergent individuals.

Another strong recommendation that needs to be touched up is to have rehabilitation programmes for flexible and more diverse. Meaning that there should be different ways in which individuals could learn like visual, practical. It is stated by Ker & Grop (2024) that neurodivergent people learn a lot better with different learning methods, this could be used in the prisons as they would be able to learn regular life basic needs but in different ways compared to someone who isn't neurodivergent. Overall giving neurodivergent people, a different way of learning gives them a fair opportunity to develop basic life skills, have a chance to reduce reoffending and not only that be better in society.

Lastly, A very strong recommendation should be when they get released from prisons they are allowed and they should have a lot more help to support them in their journey of being free. Hwang, Trofimovs, Sinmaz, Srasuebkul et al (2026) help explain that people who have gotten support from prisons after being released have stopped reoffending. This proves that the more help people get even if they are not in the prison, it will always help them in the future life. Not only that but they do not have to face their ongoing challenged like house situations, mental health just to name a few. So, it provides that extra help that people need.

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