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Illuminating the experiences of autistic people during arrest and custody: Assessing needs and vulnerabilities, evaluating support structures

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EXECUTIVE SUMMARY

Previous research indicates that individuals with Autism Spectrum Condition (ASC) have not only higher rates of interaction with the criminal justice system but are also more likely to experience these interactions negatively. Focussing on police officer and custody staff and practitioner knowledge about autistic individuals' interactions during arrest and custody and police service infrastructures, processes and practices, this research project explores a range of reasons why these negative experiences may have occurred. Drawing on the key findings of the study, we go on to recommend the adjustments required to proactively accommodate the needs and vulnerabilities of people with ASC and to enable police officers and custody staff to work to the best of their abilities through suitably structured and resourced provision.

Drawing from qualitative interviews with police officers and custody staff from two large police forces in England and Wales and practitioners in roles supporting autistic people, this report brings together the experiences, viewpoints and perspectives of key agencies and actors with a stake in the issue. It concentrates on three key areas: First, existing support structures and practices in police custody, including ability to respond adequately to autistic people's needs, as well as factors that might negatively impact on this - including institutional limitations such as time pressures, the design of custody suites and gaps in knowledge around autism among police officers and custody staff. Second, we focus on the dynamics of non-disclosure of detainee's autism diagnosis, and non-detection of autistic traits by police officers and custody staff, both of which can engender negative consequences for autistic individuals, including a lack of support in custody contexts. Third, the report identifies best practices in current provision and areas of potential progression in future, including those related to support structures, environmental factors, custody design and the provision of autism awareness training. The aim of this report is to assist decision makers in addressing challenges in an area of targeted need, via the presentation of evidence drawn from a study specifically tailored to access the perspectives of actors and agencies with the experience and knowledge to facilitate positive change.

KEY FINDINGS AND RECOMMENDATIONS

Issues, risks and challenges

- Sensory sensitivities - sound, sight, touch, taste and smell - can lead to over-stimulation and cause heightened states of dysregulation and anxiety for autistic people under arrest and/or in custody.

- Differences in communication and executive functioning can lead to misunderstandings, misinterpretations and missing of important information for detainees.

- Inadequate or incomplete responses to coping and/or stress reactions by autistic individuals in custody harbour the risk of escalation which can lead to significant legal consequences and traumatising experiences for the autistic detainee.

Non-disclosure of autism diagnosis - due to fear of stigmatisation and a general mistrust in the criminal justice system - and/or non-detection by police officers and custody staff - due to insufficient knowledge about how autism presents across a non-linear spectrum and gendered differences in autism - are central barriers to supporting autistic detainees.

Recommended solutions

- Sensory sensitivities need to be taken into consideration in custody design decisions and require the consistent implementation of reasonably adjusted practices to alleviate distress.

- Differences in communication and executive functioning require accommodation, including the provision of alternative formats of communicating information and improvement of risk assessment and booking-in processes.

- The problems and issues above further highlight the need for both compassion and knowledge-based support structures to be established, allowing police officers and custody staff to recognise and respond empathically to autistic detainees and to build relationships of trust that are central to effective and accurate case data-gathering and mitigate against autistic people having negative experiences in custody, regardless of legal outcomes.

- Improvements to existing practices can be supported by the development and regular implementation of immersive, practice-oriented and lived experience-led autism awareness training for police officers and custody staff that actively challenges stigmatising, deficit-oriented and stereotypical notions of autism.

- Building relationships with external stakeholders, such as autism advocacy and support organisations in order to inform training plans and foster dialogue is central to establish consistent compassion-and knowledge-based support structures across police forces.

- To the extent that police officer and custody staff knowledge is learned and shared via informal mechanisms - including learning from colleagues with lived experience and 'learning-by-doing' - forums for encouraging and fostering these forms of informal knowledge exchange could constitute a low-cost but effective way of maximising on existing expertise in the police service.

A strategic commitment to embedding neurodiversity as a default position - thus moving from neurotypical-centric to neurodiverse inclusive practices as a standard – has the potential to contribute significantly to all - not just neurodiverse - detainee's dignity, well-being and safety.

Introduction

Currently, over 700,000 people in the UK are diagnosed with autism spectrum condition (ASC) with a similar number estimated to be undiagnosed (National Autistic Society, 2025). ASC or autism is a neurodevelopmental condition that affects how a person perceives and experiences the social world, communication and interaction with others. In the UK, autism is classified as a developmental disability under the Equality Act 2010.[1]

Autism is not a uniform condition. It is best understood as a non-linear spectrum with a set of traits and/or domains (e.g. communication, sensory processing, social interaction) arranged in concentric circles (see figure 1). Every autistic individual's profile forms 'spikes' across all domains: this creates a unique, non-linear pattern indicating strengths and abilities as well as support needs. Notwithstanding differences across this spectrum, common traits and characteristics of ASC include differences in social communication and sensory and cognitive processing, repetitive behaviours and routines, and focused attention on specific topics, or 'special interests'. A growing body of research shows that autistic individuals have higher rates of interaction with the criminal justice system, both as victims and offenders (see e.g. Slavny-Cross et al., 2023; Salerno and Schuller, 2019). Autistic individuals have a higher likelihood to be arrested and cautioned by the police (see e.g. Griffiths et al., 2019; Slavny-Cross, et al., 2023); and are disproportionally overrepresented in the prison population (Payne and Gooding, 2024). They are also more likely to have negative experiences when entering the criminal justice system, which can lead to significant and long-term personal and legal consequences, including physical and emotional trauma (see e.g. Holloway et al., 2022; Maxwell and Kramer, 2023; Parry and Huff, 2022). Accordingly, research on the experiences of autistic people in custody emphasises the importance of improving communication structures and environmental factors, including the design of custody suites (Holloway et al, 2020); as well as of providing specialised training for police officers and custody staff (Crane et al., 2016). Yet, studies indicate that appropriate, role specific training and practical measures that factor in autistic people's risks and vulnerabilities are sparse (Holloway et al., 2022; Railey et al., 2022) and custody staff struggle with responding adequately to and supporting detained autistic people due to institutional constraints and knowledge barriers (Crane et al., 2016).

1 See https://www.legislation.gov.uk/ukpga/2010/15/contents

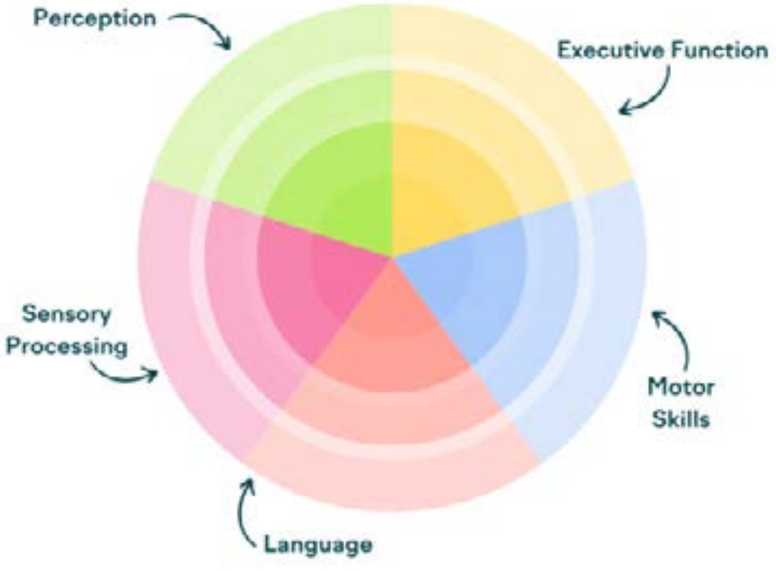

Figure 1: Autism as a non-linear spectrum

Appreciative of these findings and the impacts of the above on autistic people interfacing with the police service and wider criminal justice system, the present study:

- Explores the needs and vulnerabilities of, and challenges encountered by, autistic individuals in custody, and police officers' and staff's ability to respond to these adequately.
- Reviews existing support structures and areas of improvement, including environmental factors, such as design of custody suites.
- Identifies gaps in knowledge around autism among police officers and custody staff, including differences across the non-linear spectrum and gendered differences.
- Illuminates dynamics of non-disclosure of detainee's autism diagnosis and non-detection of autistic traits by police officers and custody staff, and their potential consequences for providing adequate support for autistic detainees.
- Investigates the impact of institutional requirements and limitations outside of police officers' and custody staff's control on effective engagement with autistic people in custody.
- Assesses the provision of role-specific training and areas of improvement.

The research aligns with a social model of disability perspective (Oliver, 1990; Oliver and Barnes, 2012), understanding autism as a form of neurodiversity and therefore a variation in human cognition, whereby challenges for autistic people arise because social environments, norms of communication and institutional structures are designed for and around neurotypical people.

Methodology

The research follows a qualitative research design, utilising semi-structured expert interviews with two groups of participants: 1) police officers and custody staff from two police services in the North of England, including custody sergeants, detention officers, youth justice service police officers and mental health leads[2] (n=19); 2) practitioners working in roles supporting autistic people, including members of autism advocacy organisations and charities, special education practitioners, (youth) social workers, youth justice and safeguarding practitioners, neurodivergence consultants and support workers, and independent custody visitors (n=20).[3] Several of these practitioners identified as autistic themselves.

A purposive sample was assembled using gate-opener access: for police officers and custody staff participating in the study via Innovation, Collaboration and Organisational Learning and Mental Health and Partnerships Leads; and for practitioners via utilising networks and support from gatekeeper ConnectFutures, a UK-based social enterprise engaging in research and programmatic work internationally to address stigmatisation, stereotyping, racism, hate and violence. The research team further used snowball sampling. The project gained ethical approval from the University of Liverpool Ethics Committee. Informed consent was given by participants. Pseudonyms were used to protect participants' anonymity. Interviews were recorded and transcribed, and the dataset was organised and coded using NVivo12 software and analysed by the researcher team using thematic analysis.

2 For conciseness, this group will be referred to as "police officers and custody staff" throughout the report.

3 For conciseness, this group will be referred to as "practitioners" in the report.

Limitations

Several participants who are police officers and custody staff had lived experience with autism, either through familial or personal relationships with autistic people, or through identifying as autistic themselves. While this is not per se a limitation of the project, it needs to be acknowledged that there was a degree of pre-existing knowledge and awareness among some participants that may not necessarily be representative of the wider police service.

The study did not involve autistic individuals who have lived experience of being involved with the criminal justice system, e.g. as detainees. The gate-opener agency, ConnectFutures, explored all options with stakeholders in their networks but were not successful in recruiting participants with direct experience of the criminal justice system. The research team does not know the reasons why approaches to such participants were declined. However, it is possible that the troubling nature of previous engagement with the criminal justice system and/or the possibility of re-traumatisation may have been factors. Similarly, inability to reimburse participants for time spent contributing to interviews may have also been a limitation. Considering whether and how these obstacles can be overcome is vital in pursuing further research in this area.

Findings

Overview

The following summary of findings is organised around four main areas: 1) the risks and challenges for and vulnerabilities of autistic people during arrest and in custody as identified by police officers and custody staff and practitioners as key factors that could negatively impact on their experience during arrest and in custody; 2) risk management processes, existing support structures and the state of knowledge about autism among police officers and custody staff and the implication for creating compassion- and knowledge based support; 3) strategies to improve processes and practices of enhancing awareness and improving training and delivery of services, including tackling the problems of non-disclosure of autism diagnosis by detainees and the non-detection of autism by police staff; and 4) the impact of structural factors, including environmental factors and the design of custody suites, and - often limited - resources, all of which are mostly outside of the control of police officers and custody staff in their everyday work.

1. Experiences of Autistic People During Arrest and in Custody: Vulnerabilities, Risks and Challenges

Sensory sensitivities

In the custody situation, sensory sensitivities surrounding sound, sight, touch, taste and smell were identified in interviews with police officers and custody staff and practitioners as factors that could potentially impact negatively on autistic people during arrest and in custody, to the extent these can lead to heightened distress, frustration and anxiety for autistic detainees and/or leading to stress responses (see also section “Inadequate responses to coping and/or stress responses”):

- Custody suites are not soundproof and can become noisy especially during busy periods. Unfamiliar and sudden noises, such as people screaming or banging and kicking the walls or doors were flagged as potentially unsettling and disturbing.
- Artificial lighting is often bright and harsh, with little to no natural sunlight.
- If clothing is provided for safety reasons, this can be experienced as uncomfortable, such as itchy or scratchy textures that can feel unfamiliar.
- Choice of food is limited, leading to potential absence of predictable ‘safe foods’ for autistic people, causing discomfort and unease.
- Routines supporting sensory regulation are disrupted. The overall unpredictability of the custody situation and environment coupled to limited possibilities for distraction and routine strategies facilitating self-regulation.
- Body searches, being restricted (e.g. by handcuffs) and/or the taking of DNA samples and fingerprints can trigger autistic individuals who experience sensory sensitivities relating to imposed tactility.

Differences in communication, verbal processing and executive functioning

Practitioners emphasised several differences in communication, verbal and auditory processing and executive functioning[4] that can lead to misunderstandings and misinterpretations, therefore making autistic people potentially more susceptible to enter a verbal impasse and/or to escalate conflict situations within the criminal justice process, including within custody settings and in arrest situations.

- Differences in executive functioning, such as lack of short-term recall of information - e.g. about the exact order of incidents - and rigid 'black and white thinking' can appear as intractability in the latter case and inconstancy in the former. For neurotypical police officers and custody staff trained to identify inconsistencies in narratives and to be attuned to non-co-operation, such traits can be interpreted as dishonest and/or as cause for suspicion.

- 'Black and White thinking' can lead to autistic people unwittingly putting themselves at risk or prone to disadvantage within the parameters of legal procedures. A Charity Support Worker grounded this problem in the following example:

  "A classic communication issue is, if an autistic person is accused of something, but they haven't done it or they feel this is unjust and you say, well, you know, why don't you get a solicitor? And they say, I don't need a solicitor because I'm not guilty. Instead of understanding that there is a process, there is a system, that you have to prove your innocence. It's that a classic sort of clash of communication.."

- Practitioners also pointed out that autistic people can reply to questions, to confirm expectations as a result of a (perceived) need to respond social pressures. They may not want to share if they are struggling to fully understand the provided information. A Neurodiversity Consultant with lived experience of autism - and previous experience of working in the police service - highlighted police cautions administered during arrest and at the start of an interview as an exemplar:

  "*I think that is for some autistic people just so confusing. And then the officer will say at the end of it, do you understand? And they'll say, yeah. It would depend on the individual, of course, but it's not easy to understand it. I didn't understand it when I was saying it, when I was arresting people. And I think for a lot of autistic people who may be willing to please, who are very vulnerable to leading questions, if the officer says at the end of the caution, do you understand? They'll just say yes. So, I think they'll be disadvantaged in the interview room and say things which if they understood the caution, they might not have said*."

  In this context, practitioners also pointed out that autistic people are at a higher risk of admitting to crimes that they have not committed. Further, this is more likely to be the case if questions are not asked in a way that is sensitive to differences in communication or if the implications and consequences are not adequately communicated.

- Interviewing techniques involving "bombarding" the detainee with questions in a relatively short amount of time, can further lead to miscommunication due to differences in rates of verbal processing and response time. This may result in important (legal) information being missed.

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- Self-stimulatory behaviours such as stimming (repetitive sounds, movements or actions) and echolalia (the repetition of vocalisations – often made by another person), can be misinterpreted as provocation, non-compliance, or misunderstood as expressions of mental health-related problems.

- Police officers and custody staff shared some of these observations, understanding that autistic individuals may have difficulties 'reading between the lines' and may take communication literally, which can lead to frustration and agitation. As one Custody Sergeant explained,

  "Officers will bring a[n autistic] person into the custody suite and they say you're only going to be here for a couple of hours. They will take that as, 'right, it's 8 o' clock, I'm going home at 10 o' clock', but then 10 o' clock

4 Executive functioning refers to the cognitive processes and mental skills – such as working memory, cognitive flexibility and inhibition control – that allow for goal-directed behaviour (APA 2018).

comes, and they're not gone and they can't understand why that happened. So then sometimes people become agitated by that."

Police officers and custody staff and practitioners warned of the risks if differences in communication, executive functioning and verbal processing are not acknowledged and/or met with reasonable adjustments. This includes communication to be misinterpreted as non-compliance by police officers and custody staff.

Inadequate responses to coping and/or stress responses

The above-mentioned sensory sensitivities, miscommunication and experiences of being misunderstood, as well as the highly stressful and intimidating experience of being arrested and brought to in custody can lead to adaptive coping and/or stress responses. These include:

- Meltdowns, or intense, uncontrolled, involuntary physical and emotional responses and states of dysregulation that can include shouting, crying, aggression, or self-injury.

- Shutdowns, or 'silent meltdowns' that can include withdrawal and disconnection.

Practitioners pointed out that - if not dealt with and responded to adequately - coping and stress responses and heightened states of dysregulation can be misinterpreted by police officers and custody staff as non-compliance, resistance or volatility, or as the autistic person being violent. If an autistic individual experiences delayed emotional processing, heightened states of dysregulation can also appear unprompted to police officers and custody staff. As a Youth Social Worker with lived experience with autism described it,

"An autistic individual might not even be in crisis when they first get detained. And maybe an hour or two later, it's like an explosion of emotion and aggression and maybe violence on an extreme level because of the delayed emotional processing in the comes often with neurodiversity."

Police officers and custody staff reported various instances in which stress responses led to the need for physical force to prevent escalation, e.g. constraining of the detainee in order to keep themselves and others safe. A Custody Inspector put it thus

"If somebody is autistic and they don't like to be touched, and you may only find out that they're autistic after the search, which can then result in them overreacting, flinching, pulling away, which can then 'cause the officers to escalate it and uphold of them and stop them. And then you're in a sort of downward spiral of behaviour."

Escalation here can lead to significant legal and personal consequences, including being marked as potentially violent in police databases - and therefore subjected to stricter control when arrested again - or being brought to court for charges of assaulting a police officer. Trauma and/or negative experiences occurring at the point of arrest or during custody may not manifest immediately, Post-Traumatic Stress Disorder (PTSD) and troubling reflections and or physical and mental symptoms may emerge over time for autistic individuals, further impacting on negative perceptions and mistrust of the police service and/or the criminal justice system.

2. Risk Management, Support Structures and the State of Knowledge about Autism among Police Personnel

Risk assessment and management processes

In both police forces, a first risk assessment in custody is currently conducted via a questionnaire used during the detainee's booking-in process. The question "Do you have autism, Asperger's Syndrome, or another autism spectrum condition?" is asked as an opening question. The questionnaire is followed by custody staff assessment of potential vulnerabilities and requirements for additional support, including medical treatment, mental health support, or provision of an Appropriate Adult.[5] Risk assessments are also used to determine the frequency required for cell checks on the detainee or the potential necessity of permanent in-person surveillance by custody staff.

Existing support structures

Police officers and custody staff reported various positive strategies they had used in order to assist in providing distraction and calming down spaces for autistic detainees. These included providing the detainee with breaks in the outside yard, offering self-regulation tools such as fidget spinners or stress balls and providing distraction items such as reading materials (books, magazines) or colouring books. As an example of best practices - generally not available in most custody suites - a member of custody staff suggested the provision of non-breakable iPads with restricted content access could be beneficial. Providing sufficient space for detainees to access outdoor yard spaces was universally seen as important in reducing stress for neurodivergent but also neurotypical individuals and supporting detainee well-being.

Police officers and custody staff and practitioners emphasised the importance of Appropriate Adults as a support structure for autistic detainees, especially with regards to avoiding miscommunication or misunderstanding of important (legal) information. Concerns were raised that autistic detainees who present as having low support needs and/or were not considered vulnerable due to masking, or camouflaging, their neurodiversity by police officers and custody staff might be at disadvantage in the custody situation if not provided an Appropriate Adult. As one Police Sergeant with lived experience with autism put it:

> *"If they [police] met me on the street and they arrested me, would they automatically think of getting an Appropriate Adult for me? Well, no, they wouldn't, because I mask [my neurodiversity] extremely well. I speak the same as everybody else, I can give eye contacts amazingly well. […] I've actually openly said if I was arrested, even being a police sergeant, I would ask for an Appropriate Adult, even though I am good at communicating and everything because there may be the time where I'm in the interview where I don't necessarily get the gist of what they're trying to get me to answer, and even though I can communicate really well and know the legal side, I might still not fully get what they're going on about."*

However, it was also noted that mandatory allocation might be experienced as patronising and/or infantilising by some autistic detainees and could trigger offense and/or negative responses. Practitioners in particular emphasised the importance of providing sufficient measured information and choice. Participants flagged the long waiting times for Appropriate Adults to arrive in custody, and the limited pool of Appropriate Adults available as a problem for vulnerable detainees. They further pointed out that there can be considerable differences in knowledge about autism, which can have significant impact on the quality of provision Appropriate Adults can offer to autistic detainees. Here, practitioners emphasised the importance of police forces liaising proactively and directly with advocacy and support organisations to identify Appropriate Adults.

Compassion and knowledge-based support structures

While it is important that support structures are embedded in the custody process and context, the findings of the project indicate

5 An Appropriate Adult is a trained volunteer or responsible person, such as a parent, carer, or social worker, who safeguards the rights, welfare, and communication of children (under 18) or vulnerable adults during police detention or interview.

that adequate support is strongly dependent on policer officers and custody staff knowledge and understanding of autism, and their empathy and compassion and resultant ability to build relationships of trust. The importance of compassion and empathy – allowing police officers and custody staff, for example, to adjust their modes of communication, to de-escalate when an autistic individual is becoming agitated or experiences a meltdown, and to understand an individual's support needs – was emphasised by practitioners as central to provide sufficient support:

> *"Compassionate support at the right moment can diffuse things so well. Taking that moment to breathe can diffuse things so completely because somebody suddenly feels understood and it supports them."* (Autism Support Worker)

As the study showed, many custody staff participants recalled encounters with autistic detainees in which they were able to engage empathically with autistic detainees, and were able to build trust, showing that compassion is effective in creating a safe custody environment:

> *"One of the [autistic detainees] was quite a troubled child who was quite well known to the police. And she was quite known for being violent, aggressive, having to be dragged in, or forcibly brought into the police station and generally refusing to comply by in being very difficult to get searched […] When I went to the cell, she was in the corner crying under the blanket, that's when she told me that she had autism. So from her point of view, she didn't see the police as her friend. She didn't see you as an individual. She saw you as a uniform. Just the police and all her knowledge of the police was that they were the people that came and arrested you and brought you to the police station. So I tend to try and bring some of my own personal experiences into it to try and give the idea that actually, I'm a human being. I have a family and so it was a case where I just sat down and spoke to her. Explained. Look, I have two children with autism. I understand the anger. I understand the fact that you can lose your temper."* (Custody Inspector with Lived Experience With Autism)

Practitioners echoed the importance of building trust, in particular in relation to disclosing an autism diagnosis:

> *"I can see why many people say it later on, because it feels like I have more understanding of what's happening. It feels like I have more agency of what I can use in what way and how … and how giving you this information about myself can help me or not help me. And maybe I had the possibility of speaking with someone that made me understand what's happening and how. I guess if more information were given and the situation were to feel a bit more safe, I would be more likely to disclose"* (Neurodivergence Consultant with Lived Experience with Autism)

Police officers and staff also voiced the importance of compassion, empathy and building trust. Participants voiced hope for a change of police culture when it comes to neurodivergent people in the criminal justice system, mirroring the change in terms of trauma-informed practice when it comes to better supporting children and young people in custody.

State of knowledge about autism among police officers and custody staff

The extent to which police officers and custody staff feel equipped to respond adequately to autistic detainees further differs depending on their level of knowledge of autism and experience with autistic individuals. Knowledge of autism was acquired via diverse channels, including formal training, personal interest, media information, communication with colleagues and direct lived experience. Police officers and custody staff further emphasised the importance and effectiveness of 'learning-by-doing' in the custody setting, as well as being advised by colleagues with lived experience.

Among police officers and custody staff with lived experience with autism and practitioners who have experience in working with the police, there was an overall agreement that police officers and custody staff generally had limited understanding of differences across the autism spectrum, particularly regarding non-linear individuals with 'spiky profiles'. This perception was shared among police officers and custody staff who considered their own knowledge of autism as relatively low. As one Custody Sergeant summarised this:

"For me, with a relatively limited knowledge of and experience of autism, I would say my knowledge of the spectrum is limited to the visible colours, whereas I can't see the ultraviolet, all the infrared of that spectrum. You know, it's completely outside of my scope."

Interviews with police officers and custody staff also indicated that there was a widespread perception of autism as being located on two extreme ends of a continuum This binary was often related with terms such as "high-functioning" or "mild" autism on the one hand, and "low-functioning" and "severe" autism on the other. Characteristic examples of the former were described as someone who is "very intelligent" with limited support needs, are difficult to confidently identify as autistic, and the latter as individuals with strong support needs and easily identifiable learning disabilities.

Police officers and custody staff also indicated there is limited knowledge regarding gendered differences, and how autism might present different in women and girls. Gendered stereotypes further impacted on the ability of police officers and custody staff to detect autism in women. As one Custody Sergeant described,

"I feel like it might just be a gender thing in that when you have a female come in and she's very matter-of-fact, I feel like sometimes that's just seen differently to a man being matter-of-fact. A women would be looked at as just being bitchy or something like that. So I don't know if that's maybe a sort of an unconscious bias type thing where women are just seen differently in general."

However, participants who felt confident in their awareness and knowledge of autism - especially those with lived experience - reported cases in which they were able to build trust, de-escalate situations, respond calmly to states of heightened dysregulation and pick up on certain traits and behaviours that indicate that an individual might be autistic, thus being able to offer adequate support. This also entails being able to be empathic towards different support needs:

"I said to him [the autistic detainee], if you got any questions, if you've got any needs, just ask. If someone says they are autistic, I don't have a checklist, I go up to them and speak to them to see what they need, because autism is different in every one person. So I ask them, what do you need? Not what the checklist says you need, but what do you need as an autistic person?" (Custody Sergeant with Lived Experience with Autism)

3. Improving Processes and Practices: Enhancing Awareness, Training and Delivery of Service

Non-disclosure of autism diagnosis by detainees

For support structures to come into place and to be applied successfully, disclosure of autism diagnosis (if known) and/or detection by police officers and custody staff is currently needed. However, police officers and custody staff reported that often detainees do not disclose their diagnosis (if known) in the initial risk assessment. The research showed this is mainly for two interrelated reasons: the fear of stigmatisation, receiving negative responses and of not being taking seriously and/or being believed and a general mistrust in expert systems, including the police and criminal justice.

Police officers and custody staff and practitioners pointed out that the arrest and custody situation, in general, is an intimidating and anxiety producing setting that might make autistic individuals feel particularly vulnerable, hence leading to them being less likely to disclose their diagnosis. Fear of being stigmatised, labelled as 'troublesome' or problematic, or being treated differently due to their ASC diagnosis, e.g. by being infantilised, leading to a loss of autonomy in an already restricted situation, can further lead to the decision of an autistic individual to not disclose their diagnosis:

> *"We [as autistic people] learn very early that disclosing being autistic is not safe. Because as much as a diagnosis of autism should be something that helps, most of the time it's something that hinders. You are automatically put into a different box. Automatically, a bunch of stereotypes are dumped on you. Automatically, agency gets taken away from you, automatically choices are taken away from you, and you automatically are a few layers down than other people when it comes to agency and choice. So I can see why people won't disclose it."* (Neurodiversity Consultant with Lived Experience with Autism)

Here, stereotypical notions of 'how autism looks like' have a negative impact on how autistic people believe that they are perceived. This includes the - common - misconception that autistic people have a lack of empathy; therefore, being emotionally "cold" and unable to feel remorse or sympathy e.g. for victims of crime.

A further factor for non-disclosure is the concern of not being taking seriously or being believed when disclosing their diagnosis. Here practitioners pointed out that the negative impact of media discourses surrounding the supposed 'over-diagnosis' of autism, may have led to perceptions that people might 'claim' to be autistic to gain advantages or to excuse behaviours. Practitioners also stated that the risk for not being believed or being taking seriously is particularly high for autistic individuals who appear to have less support needs, including those who are masking, or camouflaging their autism in order to appear more neurotypical.

Practitioners further emphasised that many autistic people have a general mistrust in expert system, stemming from negative experiences in these systems, as well as from the experience of having to navigate a world designed for neurotypical people. This situation was described as follows by an Autism Support Worker:

> *"They're very mistrustful of neurotypical systems that are set up by and for neurotypical people because they don't feel like they're working for them. That's a problem, not believing that people who are there to help them - actually, really are going to help them - and are credible and will understand them. The people I've worked with have a very long memory, so if a support system said to them we'll do something and then that help either hasn't been appropriate or has dropped off the end of a list, or in some cases, that person has been deemed to be able, despite having highly significant difficulties, but actually slightly hidden. Those people have not had the help that they have felt they needed, and therefore that's created mistrust. Research as well is showing that that kind of thing really causes small T trauma, a feeling of helplessness. And once somebody has got that feeling of helplessness that I think that plays into this mistrust of this idea there's no point to disclose. You know, just kind of 'leave me alone'."*

Non-detection of autistic detainees by police personnel

Both in cases in which autistic detainees might choose to not disclose their diagnosis and in

cases where they might not be aware of being autistic themselves, police officers and custody staff recognising someone might be autistic can be central for adequate support mechanisms being put in place. Here, the research identified several barriers to detection:

- Limited knowledge of the non-linear autism spectrum and how autism manifest across it.

- Stereotypical notions 'what autism looks like', especially in terms of locating it on two extreme ends of a linear spectrum, and regarding perceptions of autism as a male phenomenon.

- Limited knowledge of how autism presents in women and girls, who are, due to gendered socialisation and the stronger overt and covert social sanctioning of autistic traits more likely to mask their autism.

- Autistic individuals who appear 'more neurotypical' - either due to masking or due to displaying less 'visible' support needs or learning disabilities - face the risk that they are less likely to be recognised as autistic, and therefore less likely to have vulnerabilities and support needs identified at the point of contact and/or via the risk assessment questionnaire administered.

Autism awareness training

The majority of police officers and custody staff interviewed had undergone autism awareness training. While this was considered helpful overall, several factors impacting on the quality and effectiveness of training were emphasised:

- Police officers and custody staff felt that training did not go into sufficient depth when it comes to differences across the spectrum, as well as gendered differences.

- Long training days that span the entirety of a working day - in which several training sessions oriented toward different subjects were combined - were also seen as detrimental to learning. Here, police staff reported information overload, making it difficult to take in knowledge.

- In addition to training days that run every eight weeks, police officers and custody staff also mentioned it would be useful to have more frequent "bite sized" learning and guidance with smaller group sessions on autism awareness.

- E-learning is considered less helpful than face-to-face teaching.

In terms of best practices, several elements of effective and successful trainings were emphasised:

- Practice-oriented advice on how to improve communication and to engage in de-escalation, e.g. through roleplays (including those that put participants in the position of an autistic individual), safety trainings and going through different 'realistic' scenarios and real-life examples.

- Activity-based training with interactive elements (e.g. the use of online quizzes or online interaction tools).

Police officers and custody staff further reported the positive impact of training led and designed by people with lived experience. This includes external speakers with lived experience with autism, external speakers with lived experience with both autism and the criminal justice system, and police officers and custody staff who are autistic. Practitioners agreed upon and emphasised the importance of lived experience-led training in communicating not only a better understanding, but to facilitate and encourage compassion and empathy. This can also include elements immersion that allow trainees to put themselves into the position of an autistic person. As a Charity Support Worker describes:

> *"[Lived experience led training] allows [police officers and custody staff] to learn how to treat the person with humanity and understanding. Some good lived experience led training early on before the officers have become too cynical and seen too much is crucial. It's harder to dismiss. So I think that that's probably why it lands better. But I think generally we have to really work on people having a sense of compassion and understanding and some kind of good lived experience-led immersive training that maybe tries to get across, for example, what sensory overload feels like."*

4. Structural Factors and Resourcing

Environmental factors and design of custody suites

Environmental factors that impact on autistic detainees, such as the extant design of custody suites appear intractable and cannot be impacted or positively adapted by police custody staff. Limiting and/or problematic environmental factors reported by police officers and custody staff and identified by practitioners which were considered to have detrimental impacts on autistic detainees included:

- Booking-in areas that are cramped and do not offer space for privacy.
- Acoustic environments that increase echo noise, especially during busy times.
- Disorienting interference factors including lack of daylight in cells, intimidating architectural design (e.g. booking-in desks often require the detainee to be below and 'look up' to custody staff).
- Removal of routine, familiar and self-soothing items (e.g. mobile phones, headphones, jewellery and trinkets) due to safety protocols.
- Being confined in a cell with no possibility of access to resources for distraction.

When asked what would constitute an ideal design of custody suites to support autistic detainees, police officers and custody staff and practitioners offered the following:

- Spacious booking-in areas and private booking-in areas that are separate from the main area in order to ensure privacy and avoid over-stimulation.
- Custody suites that are designed to accommodate complex needs rather than neurotypical fit, including specially trained custody staff, nurses, mental health professionals and Appropriate Adults.
- Skylights or windows that allow for natural sunlight.
- In-build safe distraction items such as non-destructible TVs inserted in walls behind security glass, projectors or blackboards.
- Calming decorations such nature-based posters and murals, or informative posters or maps, or the provision of clocks to avoid disorientation.
- Calming sensory room-style cells with soothing colour schemes, sound, lighting and interactive sensory designed features to prevent over-stimulation and facilitate self-regulation to prevent meltdowns and shutdowns.
- Police officers and custody staff suggested introduction of cells with glass doors which can be experienced as less claustrophobic. However, practitioners warned that these could be experienced as sensory challenging and in the worst case as traumatic for autistic detainees.

Practitioners agreed that improvements of custody environments would benefit the well-being of all detainees – neurodivergent and neurotypical – and, if set as a general standard, could have significant impact on preventing long term personal and legal consequences for detainees. As a Probation Worker emphasised:

> *"It would be good if there was a room specifically for people with neurodiversity because they might need that more than a neurotypical person. And I think even if people aren't neurodiverse, that would benefit them anyway. So, what would benefit someone with autism would benefit the entire population anyway. I think a lot of people have autistic traits and they might have, you know, been undiagnosed, but I think we'd all benefit from learning to self-regulate better and having spaces that are kind of encouraging that rather than encouraging you to do the opposite. And that would create less violence and less traumatising experience and less re-offending in the future."*

Institutional restrictions

Police officers and custody staff stressed the impact of institutional limitations and restrictions outside of their control which have a significant impact on how they can adequately respond to autistic detainees. The study flags the commitment of police service personnel to do their upmost to support individuals with ASC in professional encounters, but also the institutional and resource related limitations which they felt either impeded this - or, at the least, made the most effective accommodation and provision hard to achieve.

Time pressures, especially during

very busy periods, were seen by police officers and custody staff as significantly impacting on their ability to support autistic detainees. This is problematic to the extent that hectic periods are also most likely be experienced as the most distressing to autistic detainees due to environmental factors and heightened triggers. Custody staff reported pressures in the booking-in processes, especially when aggressive, agitated and distressed detainees are in holding cells waiting to be booked in, which do not leave sufficient time and space for communicating adequately with autistic detainees. A Custody Sergeant expressed here concern that this turns risk assessment processes into mere 'box-ticking' exercises, not allowing for sufficient space and time to assess and respond to individual support needs and to provide necessary information:

"That is counter intuitive to the fact that you're trying to take your time and get as much information. 'Have you got autism spectrum disorder?' 'Yes, I have.' 'Right next.' I know there should be three or four questions saying, 'Well, how does that affect you? What are your triggers? How does this this work for you?' But it's like, 'keep moving, keep moving'. So there's no explanation in more detail as to how that person is affected and what things we can do to make things easier. It's down to you as a person to try and pull those questions and a lot of time it will get missed. We just tick and move on."

Time pressures are further exacerbated by short staffing, which puts additional pressures on the remaining staff and also potentially impacts on the length that detainees remain in custody, therefore increasing distress and anxiety in detainees.

Conclusions and recommendations

In concluding on the findings, the research identified three main factors that contribute to negative experiences for autistic people in custody: 1) sensory sensitivities surrounding sound, sight, touch, taste and smell which can lead to over-stimulation and cause heightened distress, frustration and anxiety, often leading to adverse stress responses; 2) differences in communication, verbal processing and executive functioning, which can lead to misunderstandings, misinterpretations and the missing of important information for detainees, making them more vulnerable and disadvantaged in the criminal justice system and process; and 3) inadequate responses to coping and/or stress responses such as shutdowns and meltdowns, holding the risk of escalation and use of physical force by police officers and custody staff and with this of significant legal consequences and traumatising experiences for the autistic detainee. Institutional limitations such as time pressures, especially during busy periods, and short staffing can significantly impact of police custody's staff ability and capacity to adequately respond and interact with autistic detainees. Lack of a suitable pool of Appropriate Adults were further flagged as a problem, as their support in particular regarding avoiding miscommunication or misunderstanding of important (legal) information was considered as central by police officers and custody staff and practitioners.

The research identified non-disclosure and non-detection as a central barrier to supporting autistic detainees. Non-disclosure here is often related to fear of stigmatisation, negative responses and not being taking seriously and/or being believed, as well as a general mistrust in expert systems, including the police and criminal justice actors. Negative experiences in custody exacerbate this mistrust, underlining the importance of adequate support structures being put in place. Stereotypical and gendered notions of 'how autism looks like', harmful perceptions of autistic people as either troublesome or lacking agency, and bias towards the supposed over-diagnosis of autism impact negatively both on disclosure decisions as well as on the detection of (non-disclosed/ unknowing) autistic individuals by police officers and custody staff. Insufficient knowledge about how

autism presents across a non-linear spectrum, coping strategies such as masking, and gendered differences further contributed to non-detection by police officers and custody staff

Compassion and knowledge-based support structures, allowing police officers and custody staff to recognise, detect and respond empathically to autistic detainees – especially in states of heightened dysregulation - and to build relationships of trust that make individuals feel safe to disclose their diagnosis and/or support needs, are central to avoiding negative experiences in custody.

While most police officers and custody staff had undergone autism awareness training, the study showed that knowledge about autism is often acquired by via informal mechanisms: 'learning-by-doing' and long-term working experience in the custody settings, engaging with colleagues with lived experience with autism, or those with more experience with autistic people and/or personal interest in the subject.

Considering these findings, the report makes the following recommendations:

1. Echoing previous recommendation for good practice (Skinns and Sorsby, 2019), custody design decisions by policymakers should take into consideration the possibility of providing sensory friendly-style cells, spacious booking-in areas and private booking-in areas for individuals declaring ASC that are separate from the main area.

2. While environmental factors that impact negatively on sensory sensitivities are often outside of the control of custody staff, 'smaller scale' best practices such as providing safe distraction times, calming decorations and adjusting lighting in custody suites can alleviate distress and consistent implementation should be considered.

3. In order to accommodate for differences in communication, verbal processing and executive functioning, it is crucial to provide autistic detainees with sufficient information about processes, potential consequences and available support structures in appropriate forms of communication. These can include providing detainees with additional time to process information, avoiding loaded questions and information overloading/bombardment, and should allow the possibility of breaks and alternative formats of providing information, e.g. written instead of/in addition to verbal.

4. It needs to be ensured that risk assessment and booking-in processes allow for sufficient time to assess and respond to individual support needs and to provide sufficient information for autistic detainees, including reasons for why they are being asked to declare a diagnosis and the potential consequences of this disclosure.

5. While the custody situation is by design and necessity restricted, choice and autonomy should be granted to the detainee whenever possible. Responsibility for navigating differences in communication should not be placed solely on the autistic individual, and structured reasonable adjustments should be put in place.

6. Deficit language must be avoided when engaging with autistic individuals, including in informal and formal (written) communication, including interviews, and risk assessments.

7. A sufficiently large pool of suitable Appropriate Adults with experience supporting autistic people and knowledge about autism should be established, in liaison and cooperation between police forces and advocacy and support organisations.

8. In order to support and establish compassion- and knowledge-based support it is necessary to achieve consistency, depth and breadth in knowledge about autism across police forces, by improving mechanisms for communication and knowledge sharing between regions.

9. Training and knowledge exchange need to be developed to actively dismantle stigmatising and stereotypical notions of autism and to promote awareness of the condition that is informative and not problem and/or deficit-oriented.

10. Autism awareness training should be lived experience led, interactive activity-based and practice-oriented. Focussing on reflective and immersive exercises can assist in the development of understanding, empathy and compassion, and sufficient time for questions and dialogue should be granted. Relationships with key external stakeholders informing training plans should

be established, e.g. with autism support and advocacy groups. Training should be regular and interspersed with work practice, face to face and standalone, e.g. not be part of long training days, to avoid information overload.

11. To the extent that knowledge is learned and shared via informal mechanisms, including learning from colleagues with lived experience, forums should be created for encouraging and fostering these forms of knowledge exchange. Sitting alongside more formally oriented training, avenues for utilising the more hands-on, experiential and tacit knowledge that many serving officers possess about autism would constitute a low cost but effective way of maximising on existing expertise in the police service.

12. Given the risks and vulnerabilities of autistic individuals during arrest and in custody, and their higher risk to enter the criminal justice system in the first place, there is a need for protocols that embed the possibility of neurodivergence as a standard and to move from neurotypical-centric to neurodiverse inclusive practices. This includes the commitment to following good practice recommendations prioritising detainees' autonomy and dignity (Skinns and Sorsby, 2019) and to embed neurodiversity as a default position, whereby forms of 'adjustments' are considered standard and are become engrained in police culture, to the benefit of all – not just neurodiverse – detainee's well-being and safety.

Implications for further research

Further collaborative, practice-oriented academic and practitioner research - including police services, key external stakeholders and people with lived experience with autism and the criminal justice system - would facilitate the development and roll out of police autism awareness training in consideration of the above recommendations.

More broadly, future research should be cognisant of the experiences, issues and challenges that people with ASC have encountered - both within the criminal justice system and in wider society - that may discourage them from actively participating in studies led by academic and/or other expert institutions.

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Figures:

Fig 1: Figure 1: Autism as a non-linear spectrum (source: https://daisychainproject.co.uk/about-autism-neurodiversity/)

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