



Patchway Custody Guide

Visual Guide to the Custody Suite

- ✓ If the police think you have broken the law you will have to go the police station.
- ✓ The police will tell you that they are arresting you.
- ✓ The police officer many put handcuffs on your wrists.
- ✓ You will be read your rights and told what you can and cannot do and what will happen next.



Outside Patchway Custody Centre

- ✓ The police officer will take you to a police custody centre in a police van or car.



Avon & Somerset Police Van



Avon & Somerset Police Car

In Custody:

- ✓ You will be driven into the police station and the officers will park the police van or car in the custody bay.



Outside Custody Vehicle Dock



Inside Custody Vehicle Dock

- ✓ You will be taken to a holding area by the officers who arrested you. Only 1 detained person is allowed in the holding area at a time. There might be other people waiting in other holding areas who have also been arrested.



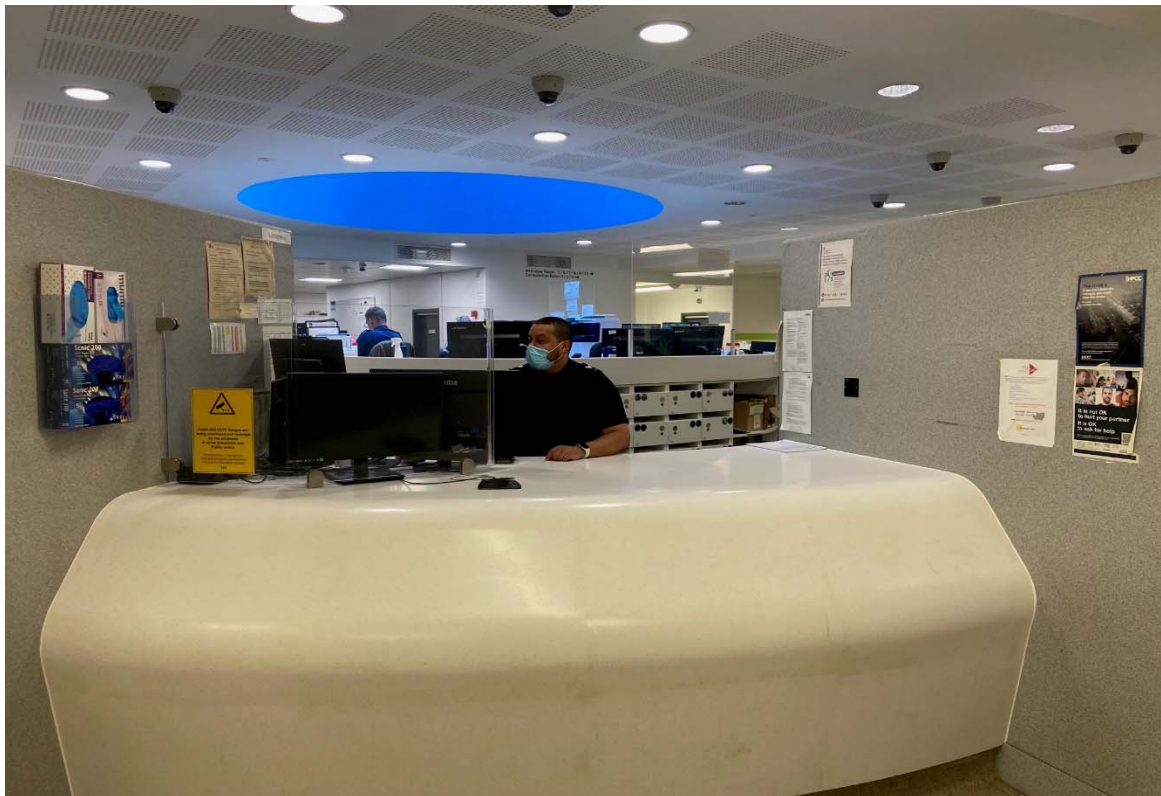
Detainee Holding Area

- ✓ Next you will be taken to see the Custody Sergeant. This Sergeant will make sure that you are safe and have what you need whilst you are in custody.
- ✓ You will be asked questions about yourself such as your name, date of birth, address, employment.
- ✓ You will be asked if you want an Appropriate Adult.

An Appropriate Adult is someone who gives support and advice to people that have been arrested.

- ✓ You will be asked if you want someone informed of your arrest.
- ✓ You will be asked if you want a solicitor.

A solicitor can help you to understand the reason why you have been arrested and to say and do the right things.



Booking-in Desk with Custody Sergeant

The Police want you to:

- ✓ Tell the truth.
- ✓ Tell them if you need medication.
- ✓ Tell them if you need the toilet, or need food and drink.
- ✓ Tell them if you have any conditions, medical or condition alert cards.
- ✓ Tell them if you are feeling unwell.
- ✓ Tell them if you are upset, sad or angry.
- ✓ Show respect to the police and the detention officers.

The police will:

- ✓ Help you to understand why you are here and what will happen next.
- ✓ Contact your Appropriate Adult.
- ✓ Contact a solicitor for you (this is free).
- ✓ Treat you with respect.
- ✓ Give you food and drink when you need it.
- ✓ Try to understand how you might feel right now.

What happens next?

- ✓ The Custody Sergeant will take your property and keep them safe for you until you leave.
- ✓ Sometimes the police have to keep things for evidence.
- ✓ Any strings in your clothes (e.g trousers, hooded tops) will be removed.
- ✓ The police will search you to make sure that you do not have drugs, weapons or other dangerous items on you. You will be asked to remove your shoes so that the police can search you.

- ✓ The police will ask you to sign for your items.



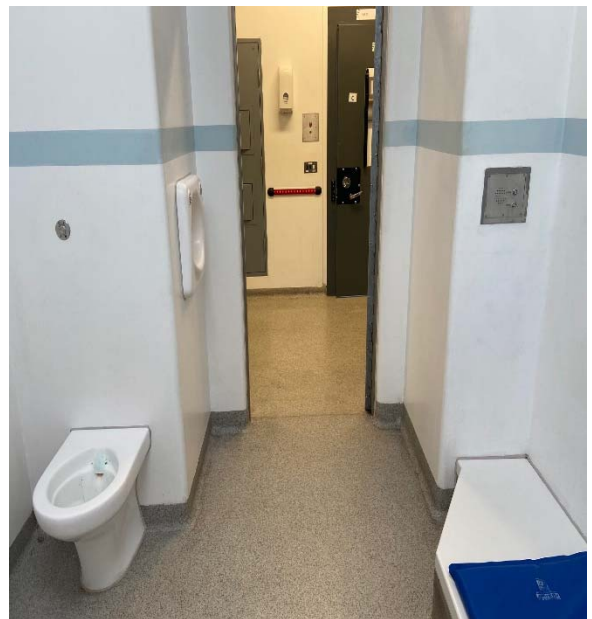
This is how you sign for your possessions

- ✓ A Detention Officer will take your fingerprints, photograph and DNA.



This is where your fingerprints, photograph and DNA will be taken

- ✓ You will be taken to your cell. You will be the only person in the cell and you will be safe there. It has a bed and a toilet. There is a buzzer to contact the Detention Officers if you need anything. You can also press the buzzer if you are getting upset. It is important that you tell the police how you are feeling as they want to help you.
- ✓ Only Custody Officers, Detention Officers, Custody Nurses, Officers involved in the case and Arrest Referral Workers can come into your cell.



Photos of Cell

- ✓ When your solicitor comes, you will be taken to a consultation room to talk about your case. The consultation room is a private area for you to talk to your solicitor

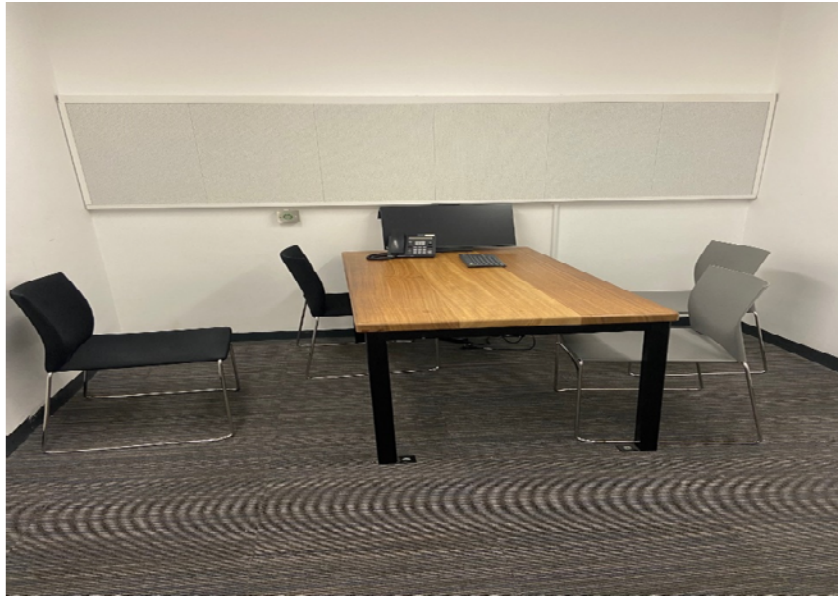


Photo of Consultation Room

- ✓ When the police are ready they will take you to an interview room. Your solicitor and Appropriate Adult will be there too.



Photo of Interview Room

- ✓ The interview will be recorded using a digital recorder. There may be a loud beep at the beginning of the recording.
- ✓ During the interview you will have to say your name and your date of birth.
- ✓ Your solicitor will help you to know what to say. You do not have to answer questions.
- ✓ You can tell the police officer when you need a break.
- ✓ You can ask for the interview to be stopped completely.
- ✓ Tell your solicitor or Appropriate Adult if you do not understand. They will support you.
- ✓ After the interview you will be taken back to your cell.
- ✓ The police officers will make a decision about what will happen next. You will have to wait.
- ✓ When the police have made a decision, you will be brought back to the booking in desk. You will be told the decision and what will happen next.
- ✓ Tell the police, solicitor or Appropriate Adult if you do not understand.

Police decisions:

- ✓ You might be charged and sent to court. If this happens you might have to spend a night in your cell until the court opens. You will be able to have a shower at the custody centre.
- ✓ You might be sent to a youth offending institute or to a probation office if the court remands you.
- ✓ You might be released on bail if the police need to gather more evidence.
- ✓ You might be released without charge. This means you are able to leave the custody suite and the police will not contact you again about the arrest.

Legal Aid:

- ✓ When you are in a police custody you can see a solicitor. A solicitor can help you to understand the case and to say and do the right things. Whilst you are in police custody you are entitled to free and independent legal advice. This means you do not have to pay the solicitor any money whilst you are in police custody. Your solicitor can explain this to you. Everything you say to your solicitor will be private. Your solicitor won't say to the police any of the things you may have said to them.

	Behaviour Descriptors	Strategies	
Senses		Alerting	Calming
Proprioception			
Light touch (over-responsive)	Re-adjusting clothes, jumps when touched	Avoid touching them - see tactile	Allow movement, use of stress ball, allow to stand up at points, use of squeeze vest, weighted lap pad
Deep pressure (under-responsive)	May seek deep pressure through headbanging, cutting, quite boisterous, wearing layered clothes	Grasp firmly	Weighted blanket, weighted lap pad, ankle weights, press ups (wall or floor), stress balls to squeeze, lifting of heavy objects, exercise bands
Vestibular			
Likes movement	Fidgeting, moving, swing on chair, rocking	Encourage movement if they appear low or not concentrating, use of a wobble cushion	Offer gym ball, wobble cushion, use of twiddle items allow space to walk, allow for self-soothing behaviours
Doesn't like movement	Slow careful movement, will sit down, avoid activities that require movement, may seem unsure of their footing and movements	Do not move them too quickly, allow time for processing, if they need to sit allow time to sit as they may feel sick when moving	Allow time to sit, allow time for transitions, give as much information as possible
Tactile			
Over-responsive	Re-adjusting clothes, jumps when touched	Avoid touching them, use firm touch, use body map to indicate where you will touch them	Use firm touch, use body map to indicate where you will touch them
Under-responsive	May seek deep pressure through headbanging, cutting, quite boisterous, may not notice bumps and bruises- Use firm touch		Light touch, use of soft materials, use of tight materials, fiddle toys, exercise bands

Visual			
Over-responsive	Eyes very wide, looks overly alert, may get lost looking at bright lights, may have eyes closed in bright environments	Close blinds, dim/turn off lights offer shades or sunglasses	Plain room, low stimulus, low light. Sunglasses, caps, close blinds
Under-responsive	May walk into items or people in their environment that they should avoid, does not notice bright lights	Provide with fidget toys that light up	
Auditory			
Over-responsive	Jumps at unexpected banging noise, looks hyper-vigilant in noisy busy environments	Finds sound painful, alerting, startling. May miss information due to background noises	Ear defenders, inner ear buds, noise cancelling ear phones, quiet room, let them use favoured sounds or music to help concentrate, provide written information, ALLOW TIME FOR PROCESSING
Under-responsive	Does not notice certain noises or sounds, may shout or play loud music	Maybe slow to notice sounds, may miss what has been said, slow processing time	Allow time for processing, provide more than one form of communication (written), ALLOW TIME FOR PROCESSING, ALLOW BREAKS
Smells			
Over-responsive	May be refusing food and water	Use pleasant smells to calm	Use familiar scents to mask odour of the environment, good for grounding, may prefer plain food or textures (smooth vs rough or soft vs hard)

Communication with a verbal autistic person in crisis

Key points

- Autistic people may have **differences** in the way they **receive information**, the way they **express themselves** or **both**.
- We all **communicate differently** when **in crisis**, under pressure or dealing with anxiety. This is likely to **be more so** for autistic people.
- Be **aware of your own communication style** and observe carefully the impact it has on the other person.
- Then - **do more of what works** and less of what doesn't!

Impact of differences

Autistic people may:

- Struggle to understand the bigger picture
- Hear words as words rather than the meanings
- Be distracted by the environment
- Lose track of what is being said
- Struggle to keep up with the pace of the conversation
- Not be able to see things from another point of view
- Be distracted by processing something that was said much earlier
- Express what they are feeling through actions rather than language.
- Become highly anxious in high demand situations.

Areas of difference

Body Language (including facial expression)

- May misinterpret your body language
- Maybe hyper-sensitive to personal space or touch
- May avoid eye contact or look too much
- Body language/facial expression may not match internal feelings

Tone of voice

- May not understand the meaning behind different inflection in sentences e.g. 'We need to go now' vs. 'We need to go now.'
- May not understand the emotional meaning behind your tone of voice e.g. jokey, chivvying along might be perceived as threatening.
- May use unusual or different tone of voice.
- May have difficulty moderating the volume of their voice.

Language skills

- May be able to talk better than they can understand or may be able to understand better than they can talk.
- May have a strength in vocabulary in some areas (e.g. special interests) but difficulties in other areas (e.g. emotions/feeling words)
- May take much longer to process what you have said or may take much longer to process what they want to say.
- May be selectively mute.

Social Skills

- May find 'small talk' pointless and irritating or may cause anxiety.
- May have difficulty with a number of communication functions such as initiating conversation, stating an opinion, negotiating, compromising, making or receiving a complaint, dealing with contradictions, giving reasons, asking for help, asking for permission.
- May get stuck on one topic and be difficult to interrupt.

Useful communication strategies

- Reduce environmental distractions - think of all the sensory elements of the environment. Try to move to a quiet place and be aware of the impact on the environment on other senses - vision, smell, touch.
- Be aware of how close you are to the person - for example ask them if it is ok to sit next to them.
- Be aware of your own body language and tone of voice - the person with autism may not pick up the meaning you are intending. Back this up with a clear verbal message.
- Use techniques such as summarising, paraphrasing and asking questions to check understanding.
- Be direct, specific and concise.
- Think about the structure of the interaction - start (opening), middle (informing, inviting, listening, acknowledging) ending (clear, next steps).
- Don't assume that the person has the knowledge of the context that you do - explain who you are, why you are there etc. even if it seems really obvious.
- Be direct and say one thing at a time, leaving space for that to be processed.
- Try to stay on topic - if you are changing topics explain this.
- Reduce open ended questions - direct questions are often easier for people with autism.
- If offering choices keep them to a minimum.
- Consider - what is the purpose of this interaction? Be mindful that small talk may cause stress.
- Don't feel you have to fill silence.
- Say what sort of response you are expecting - e.g. 'Please tell me your name.' rather than 'What is your name?', 'Explain to me what happened this morning.' Rather than 'What happened this morning?'
- Use visual information to back up what you are saying. For example, writing bullet points of the conversation and next steps or using social stories.
- Consider asking for consent to speak to a friend or family member if the individual is finding it difficult to self-report.

Remember: some autistic people have great difficulty with flexibility of thought and their thinking style may seem rigid, especially when in heightened state of anxiety. It will be essential for clinicians to consider how to use adapted communication styles in order to work around this and support their engagement with your service.

Additional Resources

To view video clips about the experience of autistic people in local mental health settings follow the link below. These clips were co-produced by Experts by Experience within the trust and give a clear insight into the challenges that they have faced. <https://www.youtube.com/playlist?list=PLlrLJz-eSA72Em2MSZT5VguOwnrG9Ehk5>

Royal College of Speech & Language Therapists: Five Good Communication Standards

Reasonable adjustments to communication that individuals with a learning disability and/or autism should expect in specialist hospital and residential settings. www.rcslt.org/-/media/Project/RCSLT/good-comm-standards.pdf

For improving access to physical healthcare, including the use of **Hospital Passports**:

<https://www.rcgp.org.uk/clinical-and-research/resources/toolkits/asd-toolkit.aspx>

To find out more about **Social Stories**:

<https://www.autism.org.uk/about/strategies/social-stories-comic-strips.aspx>

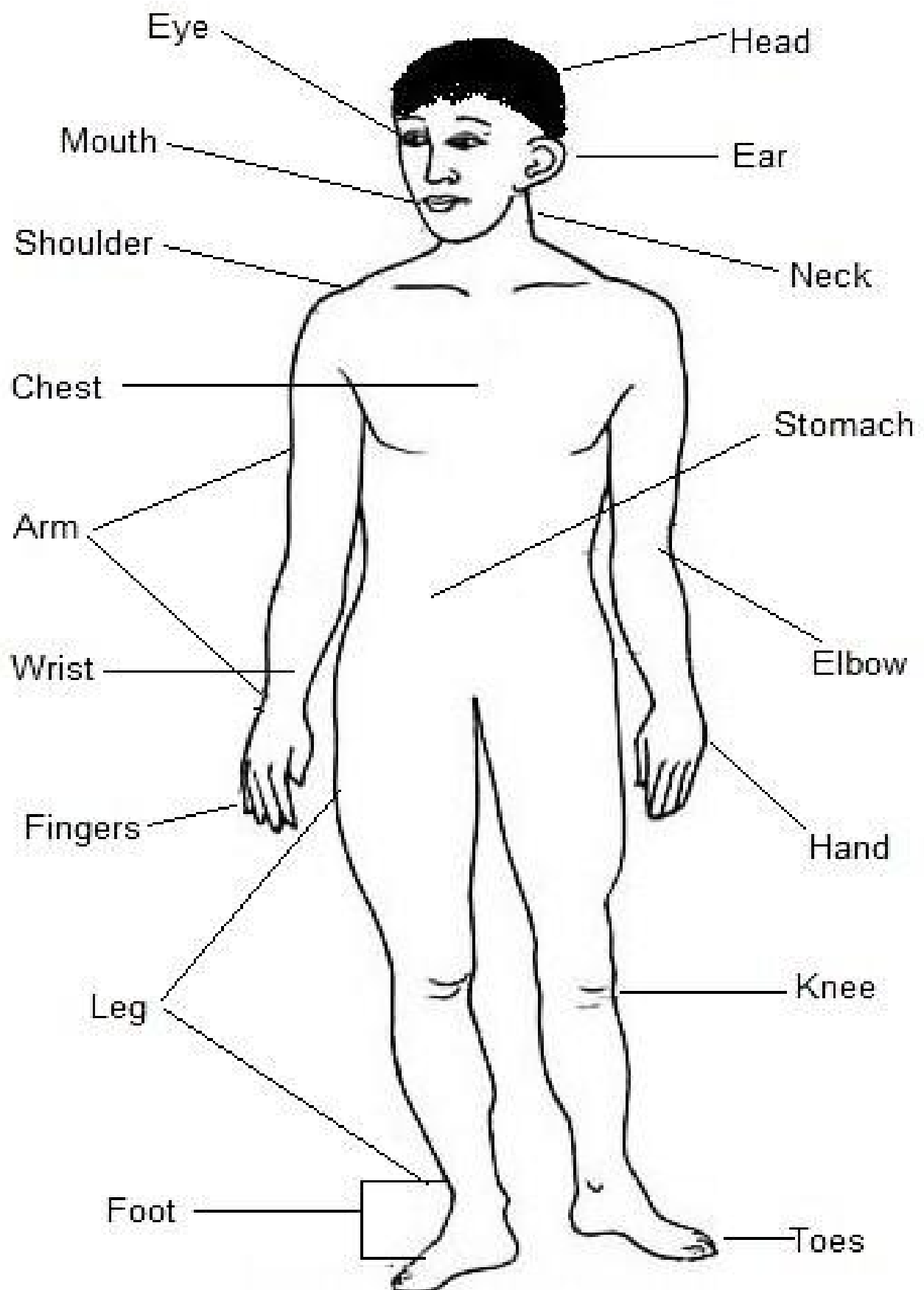
To find out more about **Communication Passports**:

<https://www.communicationpassports.org.uk/creating-passports/>



Sensory Domain Questions

Sensory domains	Possible questions:
Light	Do you like bright lights?
	Do you prefer dark rooms to light rooms?
	Do you like bright colours?
	Do you like plain colours?
Noise	Do you like loud noises?
	Do you hear everything at once?
	Are there any noises that make you feel comfortable?
Touch	Do you like light touch?
(Use body map to identify these areas)	Do you prefer firm touch?
	Is there anywhere on your body that you are more sensitive to touch?
Smell	Are you sensitive to smell?
	What smells do you not like?
	What smells do you like?
Taste	Do you strong flavours i.e. spicy food, marmite?
	Do you prefer plain flavours?
	Do you like hot water?
	Do you like cold water?
	Do you like tepid water?
Texture (this includes food)	Do you like smooth textures?
	Do you like rough textures?
General	Do you have any strategies to help regulate yourself?
	What will help you calm down?
	Do you have your food separate?
	Have you had any food in the last 24 hours (offer food)?
	Have you had any drink in the past 24 hours (offer a drink)?





IDENTIFYING / SCREENING AUTISM IN CUSTODY

Autism is a developmental condition which affects the function of the brain. It is a lifelong spectrum condition in which people can be autistic with or without learning difficulties. It is a hidden condition so it may not be apparent that someone is autistic and so they can come over as rude or disinterested or not cooperative. People with autism can have various different difficulties, such as:

- **Communicating and interacting with others** – struggle reading social cues and facial expressions. Direct eye contact is very difficult. They take what is said very literally
- **Flexible thinking** - very routine orientated. Changes to routine can have a major impact and can cause great stress
- **Changes in environment** – unfamiliar places can cause distress and make sufferers feel claustrophobic whilst others do not like open spaces.
- **Processing information** – this can take longer for autistic people, they need more time to be able to process information and need greater explanation as to what is happening, why things are happening and what will happen to them.
- **Sensory stimulation** – bright lights or loud noises can cause distress but also for other autistic people they can be under sensitive to sound, light and touch. Being touched can cause a great deal of distress, in one person a light touch may be painful whereas in other cases there is a complete insensitivity to pain. People with autism can react in different ways when distressed or stressed some may laugh or hum when responding to pain, in other instances they can laugh and hum for no apparent reason.

Recent studies have looked at Autism in the Custody environment and have identified the processes used does cause adverse effects in people suffering from autism and does cause them great distress. It is understood that the processes in custody must be followed through as they are directed by PACE and policy, however identifying and dealing appropriately with autism sufferers will cause them to suffer less distress whilst going through the process and also help avoid confrontational situations.

Autism needs to be identified at the earliest stage possible when an arrest is made. Ideally by the arresting officer as the earlier the support is put in place the less distress that is caused. In custody the detainee will have travelled a reasonable distance by the time they arrive, so may well be distressed by the time they reach the suite. At custody it's imperative we identify autism and act appropriately to reduce the stress at the earliest point possible

TIPS FOR CUSTODY SERGEANTS WHEN BOOKING IN SOMEBODY WITH/SUSPECTED OF AUTISM:

(1) Observe the detainees demeanour and behaviour

Do not assume that just because the person is talking that there can't be communication problems. Listen to what the responses are, don't assume understanding.

Are the lights too bright for them, are they reacting to noise, looking disorientated/confused, avoiding eye contact, reacting to being touched if the answer is Yes then start thinking about autism.

(2) If you suspect potential autism ask the individual directly. Use closed questions

If you ask the general open questions around mental health or learning difficulties then the general reply will be No. You need to ask closed or specific questions so ask them straight out if they are autistic or do they carry an autism card

(3) If they state they are autistic or you suspect that they are Autistic offer an appropriate adult

All detainees who are or may be mentally disordered must have an appropriate adult, and mentally disordered includes autism. Not doing so **WILL** be a Breach of PACE.

People with autism can have varying mental functioning however if somebody discloses they are autistic or if the custody sergeant suspects they are autistic **then an AA is required**

(4) Make sure you communicate appropriately – explain exactly what is happening at each stage. Especially relevant around the search aspect.

Autistic sufferers will take everything said very literally and if you give a specific time frame they will expect whatever you say to be done by then, not doing so makes them uncomfortable and starts to make them distressed.

Try to give as much advance warning as possible if time lines change explain that to the person and give them time to absorb the information.

**** Do one thing at a time – do not try and ask risk assessment questions and search the detainee at the same time, complete one action at a time and ensure you give a little time between each subsequent action. ****

(5) Searching causes a lot of distress in people with autism, in order to minimise this:-

Tell the detainee that they are going to be searched and the reason why they are being searched. Give them a little time to absorb this and do not put the gloves on or approach them until the explanation has been given and understood. Contact can cause an issue so take your time keep telling them what is happening, for example - I am going to search your right leg, give a bit of time and then search the right leg, I am now going to search your left leg etc.

(6) Ear plugs / ear defenders – especially relevant if you do not have a discrete booking-in desk

Ear plugs /ear defenders - will stop the surrounding sound but will still allow the detainee to listen and hear what the custody sergeant is saying. This helps prevent sensory overload and helps keep the detainee calm and minimises distress to them.

(7) Dimmable Lighting Solutions

Reducing the brightness of the light can assist people with autism. Dimmable lighting solutions are being rolled out at each centre - consider utilising reduced/dim lighting as again these will assist in reducing stress. Ask the detainee what is most comfortable for them.

(8) Consider giving a little space and time

When stressed or been touched people with autism can lash out and appear aggressive, by confronting and engaging them at this point the situation will escalate and cause an aggressive response. If possible and safe to do so give them a little space, place them in the holding cell and offer reassurance. This could resolve the situation without the requirement of force. The key is to give them a little time and a little bit of space and not try and rush headlong into grabbing or restraining them.

***** ANY PERSONS IN CUSTODY WHO DISCLOSE AUTISM OR ARE SUSPECTED TO BE AUTISTIC NEED TO BE TREATED AS A VULNERABLE ADULT AND NEED AN APPROPRIATE ADULT *****

Further help and advice in relation to communicating with people with autism can be found at :-
<https://www.autistica.org.uk/about-us/media-communications-guide>

Autism: a guide for police officers and staff



How this guide can help you

Autism affects more than one per cent of the population. You are therefore highly likely to encounter someone who is on the autism spectrum at some point in your policing career. This might include autistic people who aren't yet diagnosed.

This guide provides background information about autism and aims to help all police officers and staff who may come into contact with autistic people meet their responsibilities under the *Equality Act 2010* (*Disability Discrimination Act 1995*, Northern Ireland), *Police and Criminal Evidence Act 1984* (*Northern Ireland Order 1989*) and the *Mental Health Act 1983* (*Mental Health Northern Ireland Order 1986*).

It's designed to be used as a regular reference. Each chapter can be read on its own and you can dip in and out to see information relevant to your role.



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What is autism?



Autism is a lifelong developmental disability that affects how people communicate and interact with the world.

Autistic people see, hear and feel the world differently to other people. If you are autistic, you are autistic for life; autism is not an illness or disease and cannot be 'cured'. Often people feel being autistic is a fundamental aspect of their identity.

Autism is a spectrum condition. All autistic people share certain difficulties, but being autistic will affect them in different ways. Some autistic people also have learning disabilities, mental health issues or other conditions, meaning people need different levels of support.

Different names for autism

Over the years, different labels have been used to refer to autism, including autism spectrum disorder (ASD), autism spectrum condition (ASC), classic autism, Kanner autism, pervasive developmental disorder (PDD), high-functioning autism (HFA), Asperger syndrome and pathological demand avoidance (PDA). Some autistic adults use other terms to describe themselves, such as 'autist', 'autie' or 'aspie'.

Characteristics of autism

Autistic people often do not 'look' disabled. Some parents of autistic children say that other people simply think their child is naughty, while autistic adults find that they are, at times, misunderstood.

The characteristics of autism vary from one person to another, but in order for a diagnosis to be made, a person will usually be assessed as having had:

- persistent difficulties with social communication and social interaction
- restricted and repetitive patterns of behaviours, activities or interests since early childhood, to the extent that these 'limit and impair everyday functioning'.

Difficulties with social communication and social interaction

Autistic people have difficulties with interpreting both verbal and non-verbal language like gestures or tone of voice. Many have a very literal understanding of language, and think people always mean exactly what they say. They may find it difficult to use or understand:

- facial expressions
- tone of voice
- jokes and sarcasm.

Some autistic people may not speak, or have fairly limited speech. They will often understand more of what other people say to them than they are able to express, yet may still struggle with vagueness or abstract concepts. Some autistic people benefit from using, or prefer to use, alternative means of communication, such as sign language or visual symbols and are able to communicate very effectively without speech.

Others have good language skills and are very articulate, but they may still find it hard to understand the expectations of others within conversations, perhaps repeating what the other person has just said (this is called echolalia) or talking at length about their own interests. An autistic person may appear to speak fluently and understand what you are saying to them, but could still need support (eg when the conversation becomes more complicated or is about a topic that makes them very anxious). The more anxious an autistic person becomes, the more support they will need and the greater the likelihood for misunderstandings.

Autistic people may find it hard to form friendships. Some may want to interact with other people and make friends, but may be unsure how to go about it.

Restricted and repetitive patterns of behaviours, activities or interests

Repetitive behaviour and routines

The world can seem a very unpredictable and confusing place to autistic people, who often rely on a daily routine so that they know what is going to happen every day. They may want to always travel the same way to and from school or work, or eat exactly the same food for breakfast.

The use of rules can also be important. It may be difficult for an autistic person to take a different approach to something once they have been taught the 'right' way to do it. People on the autism spectrum may not be comfortable with the idea of change, but may be able to cope better if they can prepare for changes in advance.

Highly-focused interests

Many autistic people have intense and highly-focused interests, often from a fairly young age. These can change over time or be lifelong, and can be anything from art or music, to trains or computers. An interest may sometimes be unusual and can sometimes result in the person getting into trouble with the police.

Sensory sensitivity

Autistic people may also experience over- or under-sensitivity to sounds, touch, tastes, smells, light, colours, temperatures or pain. For example, they may find certain background sounds, which other people ignore or block out, unbearably loud or distracting. This can cause anxiety or even physical pain. Or they may be fascinated by lights or spinning objects.

Distress

Autistic people should not typically require admission under the *Mental Health Act*. In fact, the *Mental Health Act Code of Practice* states that this is very rarely likely to be helpful. However, at times of heightened anxiety or uncertainty, some autistic people might present with distressed behaviours which could suggest they are experiencing a mental disorder and the police might, for their safety, want to remove them to a place of safety under s.136 *Mental Health Act 1983*. This will be particularly true for people whose distress manifests itself as self-injurious behaviour or directed aggression towards others.

If the police know that the individual has an autism diagnosis, it is of critical importance that this information is communicated consistently to all professionals the person comes into contact with. Ideally family members should be invited to provide information and support during the removal to the place of safety and during any wait for assessment, since they are best placed to identify what may help soothe the individual and provide them with reassurance.

If a person is initially apprehended and taken to the police station and subsequently it becomes clear that they are autistic and experiencing mental distress, they should be removed to a place of safety which is not a police station, typically a hospital, for assessment. This should be done by ambulance. Support from family members should still be sought to ensure clear communication about the individual's specific communication needs.

Meltdowns

A meltdown is 'an intense response to overwhelming situations'. It happens when someone becomes completely overwhelmed by their current situation and temporarily loses behavioural control. This loss of control can be expressed verbally (eg shouting, screaming, crying), or physically (eg kicking, lashing out, biting).

A meltdown is not the same as a temper tantrum. It is not 'bad' behaviour. When a person is completely overwhelmed, and their condition means it is difficult to express that in an appropriate way, it is understandable that the result is a meltdown.

Meltdowns are not the only way an autistic person may express feeling overwhelmed. Other behaviours include refusing to interact, withdrawing from situations they find challenging, or avoiding them altogether.

Spotting that a meltdown is going to happen

Many autistic people will show signs of distress before having a meltdown, which is sometimes referred to as the 'rumble stage'. They may start to exhibit signs of anxiety such as pacing, seek reassurance through repetitive questioning or show physical signs such as rocking. This is referred to as 'stimming', self-stimulatory behaviour.

At this stage, there may still be a chance to prevent a meltdown. Strategies to consider include distraction, diversion, helping the person use calming strategies such as fiddle toys or listening to music, removing any potential triggers and staying calm yourself.

How to react to a meltdown

Avoid shouting direct orders and use a low-key approach:

- give the person some time; it may take them a while to recover from an information or sensory overload
- calmly ask them (or their parent or friend) if they're okay, giving them plenty of time to respond
- try to create a quiet, safe space: ask people to move along and not to stare, turn off loud music and turn down bright lights – whatever you can think of to reduce the information overload, try it.

Read more about how we define autism at www.autism.org.uk.



Case study



"I found myself at Bristol Parkway Railway station - on the tracks and obviously not in a good mental state. I was removed from the tracks, probably by station staff, I do not remember. At this point, police arrived. One of the officers very quickly identified that I have sensory difficulties and that I would benefit from being communicated with in alternative ways. Her quick assessment of the situation meant that immediately we started to be able to communicate. This is because when I am distressed, I become non-verbal. I also do not like being touched at all and am very sensitive to noise particularly and also certain lights. If someone does not recognise these things, the situation can quickly escalate. They can end up restraining me or overcrowding me and the situation will just get worse and worse because the more you touch me, the more distressed I will get, but I cannot communicate why.

The police officer gave me clear, closed questions that I could answer with a yes or no - enabling me to nod or shake my head or point at my communication cards. Restraint was only used where absolutely necessary. It was always explained what would happen next - another key thing - so that I knew exactly what was going to take place. Just because I am non-verbal and distressed, it does not mean I am stupid. People often talk about you like you are not there, because you are not communicating, whereas in fact, I can hear everything you are saying, I just struggle to process things sometimes at the same speed. The officer identified the need to give me a distraction. Unfortunately, I didn't have any of the sensory items that I would usually have with me, so she kindly lent me her torch that did not work but it clicked. This I kept with me throughout my subsequent interaction with the police and it was one of the things that got me through that really difficult time."

Recognising and approaching autistic victims, witnesses or suspects



Every autistic person is different, and it may not always be easy at first to tell whether someone is autistic. Nevertheless, if someone's behaviour and response seems unusual, consider whether that person could be autistic.

The guidelines for approaching and speaking to autistic people are similar to those you would use for approaching any other potentially vulnerable person in a stressful situation.

Indicators that someone may be autistic

The person's behaviour

Many autistic people do not have a formal diagnosis of autism, or may be unaware that they are autistic. Others may choose not to disclose that they are on the autism spectrum.

You may suspect that a person is autistic because they display some of the following characteristics:

Does the person you are dealing with...

- show unusual (or no) eye contact, and behave inappropriately, unpredictably or unusually?
- seem to struggle to understand you?
- find it difficult to talk to you?
- repeat what you or another person says?
- speak honestly, to the point of bluntness or rudeness?
- seem unusually anxious, agitated or even scared of you?
- display repetitive, obsessional-type behaviour?
- show sensitivity to sound, light or touch?
- seem not to realise the consequences of what they may have done?

These are all signs that the person may be autistic.

Response officer dos and don'ts

Do

- ✓ Aim to keep the situation calm.
- ✓ Be aware that your behaviour or language may be confusing to an autistic person, in the same way that some autistic behaviour may be unexpected to you.
- ✓ Turn off sirens or flashing lights, if possible.
- ✓ Check the person for injuries, being as non-invasive as possible. Autistic people may not tell you about an injury or may even be unaware of it themselves, due to sensory differences.
- ✓ Clearly explain the situation and what you will be asking questions about. If you are taking the person somewhere else, explain clearly where you are taking them and why.
- ✓ Use visual supports/aids, such as drawings or photos, to explain what is happening. If they can read, it may be useful to put the information in writing. Autistic people often understand visual information better than spoken words.
- ✓ Keep language clear, concise and simple: use short sentences and direct step-by-step instructions, and always follow through with what you have said.
- ✓ Allow extra time for the person to respond.
- ✓ Use their name at the start of each sentence if you know it so that they know you are addressing them. Give clear, slow and direct instructions; for example, "Jack, please get out of the car."
- ✓ Ensure that questions are direct, clear and focused on one thing at a time to avoid confusion. An autistic person may respond to your question without understanding the implication of what they are saying, or they may agree with you simply because they think this is what they are supposed to do.
- ✓ Where possible, seek information and assistance from a parent or others at the scene about how to communicate with and de-escalate the person's behaviour.

Don't

- ✗ Attempt to stop the person from flapping, rocking, or making other repetitive movements – this can be a self-calming strategy.
- ✗ Remove an object that the person may be carrying for comfort, such as a rubber band or paper. Doing so may raise anxiety and cause distress, so this is not recommended unless essential.
- ✗ Touch the person or use handcuffs if the situation is not dangerous or life-threatening, as they may respond with extreme agitation due to their heightened and acute sensitivity.
- ✗ Be alarmed if they seem too close to you. Autistic people may not understand the notion of personal space. They may invade your personal space, or may themselves need more personal space.
- ✗ Raise your voice.
- ✗ Use sarcasm, figures of speech or irony. Autistic people may take things literally, causing huge misunderstandings. Examples that would cause confusion to someone who interprets language literally are “You’re pulling my leg”, “Have you changed your mind?” and “It caught my eye”.
- ✗ Expect an immediate response to questions or instructions, as the person may need time to process what you’ve said. Give the person plenty of time to respond.
- ✗ Misinterpret no response as a failure to cooperate. Increasing the amount of force in a demand could potentially escalate the situation.
- ✗ Misconstrue the person avoiding eye contact as rudeness or a cause for suspicion.
- ✗ Assume that if they repeat what you say, they are being rude or insolent. A response like that could be echolalia (repetition of the question or phrase), so check that they have fully understood the question.



“I’m terrified of being pulled over by the police [in my car] because I don’t give much eye contact and I know they’ll think I look ‘shifty” - Autistic adult

Making arrests and in custody



Being arrested and held in custody (particularly in a cell) for even a short time is an anxiety-provoking experience for anyone. For an autistic person who needs a routine, is frightened by uncertainty, and may have sensory needs or sensitivities, it can be especially hard.

Making an arrest

Due to sensory and communication difficulties, the distress of being arrested is likely to be much greater for autistic people.

People on the autism spectrum have been reported to have extreme psychological and physical reactions to situations in which force is used, although this is an area that is under-researched.

Autistic people should be treated as vulnerable people by the police and, as such, reasonable adjustments should be made.

Dos and don'ts during arrest

Do

- ✓ Keep physical contact to a minimum, avoiding use of handcuffs or other restraints, if possible.
- ✓ Check whether the person carries any information about their needs, read it and follow it.
- ✓ Explain simply and calmly where you are taking the person and why. Tell them what they should expect on arrival to the custody suite.
- ✓ Call ahead to warn the custody staff if the person appears to be distressed. Ask if arrangements can be made to avoid having to wait in a busy reception area.
- ✓ Tell the custody sergeant that the detainee is autistic and explain any related concerns.
- ✓ Deliver the caution slowly and clearly. And check that they have understood it.

Don't

- ✗ Rush into making an arrest unless it is the only option.
- ✗ Raise your voice or rush the person, unless absolutely necessary.
- ✗ Use sirens and flashing lights, if you can avoid them.
- ✗ Detain or transport an autistic person unaccompanied in the back of a police van. They could become distressed and require your immediate attention or first aid.
- ✗ Attempt to stop the person from rocking or making other repetitive movements – these are self-calming mechanisms and likely to be beyond their control.
- ✗ Remove 'comfort' items, such as a rubber band or other small items, unless essential. This may raise anxiety.

Autistic suspects in custody

Autistic people can find it hard to automatically recognise and protect their personal interests. In police detention, this can cause difficulties.

For this reason, the Appropriate Adult has a vital role to play at all stages of the custody process (see page 46).

Autistic people are likely to experience difficulties during the custody process due to the different ways they communicate and process sensory information. The sensory demands associated with the custody environment and custody process may be particularly challenging for them. Added anxiety can make it even more difficult to manage these demands and to cope with being in detention. In some cases, this can have a negative impact on their wellbeing and prevent them from participating in the custody process.

When autistic people struggle to cope with sensory information in the environment:

- they may become stressed, overloaded or anxious, and may even experience physical pain

- their anxiety may lead them to become agitated or disruptive; if their anxiety increases, they may even lash out
- they may find it difficult to concentrate, listen to and process information or to respond appropriately
- they may have a 'meltdown', becoming completely overwhelmed by their current situation and temporarily losing behavioural control or a 'shutdown' where they withdraw from what is happening around them.

Some autistic people will have disabilities and medical conditions as well as their autism. These could include learning disabilities, ADHD, epilepsy, dyslexia, deafness and cerebral palsy.

Mental health problems, including stress, depression, suicidal thoughts, attempted suicide and suicide are more common among autistic people than others (Cassidy, S., Bradley, L., Shaw, R., & Baron-Cohen, S. (2018). Risk markers for suicidality in autistic adults. *Molecular Autism*, 9). Being detained in police custody can also increase the risk of suicidal thoughts or self-harm. It is important to be aware of this risk and minimise this through appropriate support.

The specific question, "have you ever been diagnosed with an autism spectrum condition?" should always be asked. For those who do have an existing diagnosis, it is crucial that they feel comfortable in disclosing their diagnosis.

Research with autistic people who have previously disclosed their diagnosis to the police shows that they did so because they wanted to receive adjustments to help them communicate, to help officers to understand why they might act differently, and to counter any stereotypes (for example, that a lack of eye contact would otherwise make them appear dishonest).

In contrast, autistic people who did not disclose their autism reported concern that a lack of general understanding about autism would result in them being stigmatised and their evidence devalued.

People should be reassured that disclosing their autism diagnosis will mean that they will be offered an [Appropriate Adult](#) (AA) or a [Registered Intermediary](#) for witnesses and victims, see page 48), who will support them in communicating and, in the case of an AA, provide support and ensure the person understands their rights.

Autistic detainees should be taken to a discreet booking-in room to explain the custody process to them when they first arrive (ie before going to the custody desk to be processed). The key to ensuring that this is done in practice comes down to the arresting officer identifying autism and asking for the discreet booking-in room before arriving, as this allows for the room to be prepared. Once in custody, it's probably too late.

Dos and don'ts in custody

Do

- ✓ Remain alert to the possibility of undiagnosed or undisclosed autism. You should still make appropriate adjustments if you suspect they are autistic.
- ✓ Make an effort to facilitate disclosure of an autism diagnosis.
- ✓ Detain the person in the quietest area possible and try to be reassuring.
- ✓ Avoid keeping autistic detainees waiting before processing where possible. For example, can they be brought to the front of the queue? Being left waiting can be extremely stressful and anxiety-provoking for an autistic person. If custody is busy and waiting can't be avoided, be sure to communicate that they may need to wait, why this is, and update them where possible.
- ✓ Avoid waiting with other detainees.
- ✓ Ask the individual directly whether they have any sensory sensitivities. Do smells, sounds, lighting, touch or particular textures such as police blankets or clothing cause distress? Respond to any sensitivity that the person may have.
- ✓ Make sure the adequate safety measures are in place to minimise risk of self-harm and other injury.
- ✓ Bear in mind that the signs of autism may fluctuate depending on levels of anxiety and stress.

- ✓ Let the person retain any comfort item they may have if it's not causing harm. These might include a fidget toy, eye mask or ear defenders.
- ✓ Identify and appoint a suitable Appropriate Adult or Registered Intermediary without delay. (See page 46)
- ✓ Consider seeking the advice of an autism professional who understands the person's particular needs and difficulties.
- ✓ Make sure the person understands why they are in custody. Research with autistic people who have been arrested shows that they sometimes experience confusion about the reasons for their arrest.
- ✓ Make sure the person understands how long they will remain in custody and what they can expect to happen. An autistic person is likely to feel more comfortable in custody and therefore be more amenable to the process when staff explain what they are doing, why and what will happen next. This will help to remove some of the fear about the process that is often caused by not knowing what to expect. A less anxious and fearful detainee will be easier to work with.
- ✓ Avoid being specific about timings if you don't have to be or if they are likely to change. "I will be with you in a minute" could be interpreted literally and cause anxiety if you don't then appear a minute later.
- ✓ The individual may prefer and respond more favourably to visual or written information as opposed to receiving a large amount of verbal information and/or instructions. Ask them what they would prefer and try to accommodate this.
- ✓ Identify and meet any dietary requirements.

Don't

- ✗ Overcrowd the person. They may respond better to dealing with as few police officers and staff members as possible.
- ✗ Make loud, sudden noises. If an autistic person is kept in a cell, the noise of the door banging could be very distressing or the shouting of other detainees very frightening.

Booking-in

Research shows that autistic people may experience difficulties communicating information during the booking-in. They may feel overwhelmed when they are asked lots of questions and if the questions are ambiguous or use too much technical language, they may be confused about how to answer. This can make them feel anxious, especially if they need to ask for clarification. Some autistic people may also take longer to process what is being said or to answer questions.

There is a risk that some autistic people may waive their legal rights without appreciating the consequences. This is because they may not understand what their rights are and why they are important. They may also think this will be the quickest way to get out of police custody, especially if they think there will be a long delay and do not understand why.

Do

- ✓ Ask clear and direct questions.
- ✓ Allow more time for processing and answering questions.
- ✓ Avoid technical language where possible or explain what this means ie solicitor.
- ✓ Explain what is going to happen during each process and why.
- ✓ Explain what their rights are and why there may be a delay.

Don't

- ✗ Assume that an individual is being purposefully evasive or difficult if they do not provide the correct information.
- ✗ Approach them from behind to search them without explaining you are going to do this.

Processing of biometric data

Autistic people may be unfamiliar with what happens in police custody. They may not understand what will happen during each of the processing procedures such as the fingerprinting, DNA sample taking, drugs testing, photographs or video capture and Smartwater test. This may make some autistic people feel anxious about what is going to happen to them. It may also be unclear why it is necessary to undergo some of the processes.

These different procedures also present many sensory demands for autistic people which they may find difficult to cope with. There may be a lot of bright lights from the machines, loud noises and physical contact involved during these processes. This may make them feel overwhelmed or distressed.

Do

- ✓ Explain what will happen during each process, why it is being done and in what order.
- ✓ Ask if they have any sensory needs and make adjustments to help minimise any sensory demands ie dimming the lights or turning the volume down.
- ✓ Be aware that some autistic people may experience distress or discomfort during these processes.

Don't

- ✗ Touch the autistic person without preparing them for what will happen as this may cause them to lash out from fear or anxiety.

Strip-searching

Being searched can also create difficulties for autistic people. They may be anxious about what will happen during this process. In some cases, they may lash out if you approach them unexpectedly from behind. Some autistic people may also be very sensitive to touch and the search may make them feel uncomfortable or distressed.

Invasive search and samples procedures may be particularly challenging for autistic detainees. The following steps should always be taken.

- Potential sensory stressors such as searching, taking swabs/fingernail clippings, photographing, and the need to apply pressure to the hands when fingerprinting should be clearly explained to the person in advance. Present this information visually where possible. Allow the person adequate time to process this.
- Take your time with these procedures and be patient with the person – the new environment, mixed with new sensory challenges, may be particularly difficult and require extra time for processing.
- Explaining what you are doing and why throughout the processes can be helpful in minimising stress and anxiety. Offer a step-by-step explanation about what is happening now and what will happen next (eg using 'Now, Next, First, and Then' statements).
- One officer should be the primary communication person, preferably the second officer should be silent. Conversation between officers should be kept to the minimum as this may distract and overload the person.
- An Appropriate Adult should be present during a strip search of a vulnerable adult under Code C para 11.C.

In the cell

Being detained in a cell can be very anxiety-provoking for autistic people. They may be worried about how long they will be in the cell and what will happen afterwards. The lack of privacy associated with CCTV and open toilets can be distressing for some autistic people. In some cases, they may not use the toilet because they think they will be watched on the CCTV. A lack of things to do can also heighten any emotional distress because they cannot distract themselves from what is happening.

It may also be unclear that they can have access to toiletries, food and drink, sanitary products, an exercise break or shower. Unless this is made clear, some autistic people may not ask for something they need because they are anxious or think they will be in trouble. They may also be worried about using the teletronic system to contact custody staff because it is like using a phone, which can make communication more difficult.

The cell can also be an overwhelming sensory environment for autistic people. They may find it difficult to process any bright lights in the cell or to be exposed to them for a long period of time. Loud noises created by cell doors or other detainees may also make them feel anxious or frightened. Some autistic people may also find the small confined space claustrophobic, particularly as they cannot move around freely.

Do

- ✓ Ask if you can make any adjustments to the cell and make these where possible ie dimming the lights.
- ✓ Explain that they can ask for food and drink, toiletries and sanitary products while in detention.
- ✓ Explain that they are entitled to a shower and an exercise break at the discretion of custody staff.
- ✓ Reassure them that they will not be watched using the toilet on the CCTV cameras.
- ✓ Tell them that someone will come to check on them in the cell from time to time and give an estimate of how frequently this may be and why this will happen.

Don't

- ✗ Just ask them if they are okay during a cell review. Ask specifically if they would like something to eat, drink etc. as some autistic people may find it difficult to communicate that they need something or be anxious about saying they are in distress.
- ✗ Assume they are okay if they look calm because some autistic people may not look visibly distressed or be able to tell you they are upset.

Interviewing autistic victims, witnesses or suspects



Before the interview

Planning and preparation is key for conducting any interview, but especially one with an autistic person.

You will need to adapt what you do to accommodate for differences in the way autistic people remember information and communicate, and to minimise stress and anxiety. As autism is characterised by difficulties in social communication, a police interview is an inherently stressful situation for an autistic person.

Get background information about the person

Learning more about the person's autism can help reduce their stress and improve the quality of the evidence you get. Talk to them and the people who support them (family or care workers) to find out:

- what causes them to feel stressed and anxious, and how this can be minimised. They may feel stressed when they don't have access to a particular object or by not having a particular thing happen at the same time each day. New situations can be particularly stressful for an autistic person, and they may need extra support and adjustments to minimise their anxiety during an interview
- what 'intense interests' they may have; think about how you could use these to help build rapport, or how to avoid them if they cause distraction from providing evidence
- whether they have any particular sensory difficulties or triggers, and what self-calming techniques they use that you shouldn't interrupt
- how you can adapt the environment to better suit their sensory needs. Would an alternative interview location be more appropriate? Modifications to the interview room may not be enough - there may still be noise, for example, or the person may simply be too distressed anywhere other than a familiar environment such as their own home
- what their level of language and understanding is like. An autistic person's expressive (spoken) language may be better than their receptive (comprehending, understanding and processing) language ability, and they may therefore need more time to process questions before answering
- how they prefer to communicate.

Remember, people who know them well will know how to support them to communicate with you. It may also be necessary to seek the advice of a psychologist or social worker who specialises in autism.

It can be helpful to hold several meetings prior to interview to help the interviewer build rapport, become more familiar with the person's communication needs and ultimately improve the quality of the interview.

Organise an appropriate support person

Autistic people should be treated as vulnerable regardless of their level of intellectual functioning. This is because even autistic people with very high IQ have difficulty with social interaction, communication, and sensory issues, which can be further affected by stressful events. Treatment as a vulnerable person therefore includes the provision of an [intermediary](#) (for Achieving Best Evidence interviews with vulnerable witnesses and victims, and in some cases suspects) or [Appropriate Adults](#) (AAs; for vulnerable suspects). They should be appointed at the earliest stage possible in order that they can provide professional support where appropriate in the planning, preparation, and undertaking of the interview. These professionals can be invaluable sources of information (see page 46).

Manage stress and anxiety leading up to the interview

Autistic people can find changes in routine very difficult to handle, and will often become stressed if their routines are disturbed (for example, by being taken to a police station). Even planned events, such as the day of the video-recorded interview, may be very stressful.

If an autistic person is overwhelmed by stress, they may experience a 'meltdown' (see page 10).

Always outline procedures in advance and stick to them as much as possible. If changes are unavoidable, give the individual as much notice as possible.

Always give the person appropriately detailed information so they know what will happen, and what to expect. Send them a **personalised letter** which:

- is tailored to their communication needs

- clearly outlines procedures, explaining how long things are likely to last and what will happen
- uses clear, straightforward language and pictures.

Consider providing a **visual timetable** to further support a person's understanding and expectations. This should include pictures and clearly show the order in which things will happen.

You could also **organise a pre-interview visit** to the place where they will be interviewed, if possible. This will help to put their mind at ease and prepare for the interview so they are more relaxed on the day.



"It was very stressful for me to go into a new formal environment that I wasn't able to see beforehand for a formal procedure." – Autistic adult

Plan how you will ask your questions and what techniques you will use

Gauging a person's ability to express themselves and their level of understanding is central to obtaining an account. It is important to do this before conducting the interview, to plan how you can adapt your language and questions. For example, you may need to allow more time to process questions, break questions down a lot more than you usually would, and avoid questions that are posed as statements. Shorter, direct questions are best, and you should avoid using irony, sarcasm and metaphors. Other methods to assist in recall such as sketching should also be considered.



"Very careful preparation was required for the interview structure and in the phrasing of questions to not upset or confuse the victim." – Detective Constable

Youth Justice and Criminal Evidence Act 1999 and video interviews

Autistic people represent the group of vulnerable witnesses defined under S16 of the *Youth Justice and Criminal Evidence Act 1999*, and as such are entitled to a video interview. Please refer to the [Achieving Best Evidence \(ABE\) in Criminal Proceedings \(2011\)](#) guidance for further advice for interviewing vulnerable witnesses.

All autistic victims and witnesses should be aware that a video interview is available, alongside an informed explanation about the benefits of being interviewed on video as opposed to being interviewed in person to obtain a written statement. It must be made clear that a video interview can be potentially used as their evidence in-chief (should the matter proceed to trial). A video interview is usually quicker than obtaining a written statement (which is important if a witness has a finite attention span). It can still be obtained in a familiar environment using portable recording equipment, and is transparent and could thus be used to rebut a defence claim that the witness has succumbed to suggestibility or compliance. However, a video interview should never be forced upon someone who does not want to be interviewed on video or when it's patently inappropriate (eg someone who has been abused on video).



Dos and don'ts for before the interview

Do

- ✓ Find out about the person's particular needs, including what causes them particular stress and sensory issues, from them and those closest to them.
- ✓ Request an intermediary to help with communication (see page 48).
- ✓ Make preparations for an interview environment that takes into account their sensory needs.
- ✓ Provide information in advance in clear and accessible formats.
- ✓ Plan how to tailor your questions to the individual's communication needs.
- ✓ Plan breaks. Talk to the individual and those who know them about their attention span, how frequently they will need a break and for how long. A clear visual aid such as a sand timer can assist with this. Make a plan for breaks and stick to it wherever possible.

Don't

- ✗ Leave the person unclear or confused about what will happen and when.
- ✗ Make sudden changes to the timing, location or procedure.
- ✗ Assume you know best how to communicate with them.
- ✗ Make assumptions about their level of understanding.



"The police were very accommodating. We had breaks and they said that I could have a break if I wanted to. We didn't do the whole interview in one go." – Autistic adult



Case study

"I'm an autistic 18-year-old who goes to mainstream school. One day I was assaulted in the school corridor by a boy who punched me in the face without warning and for no reason. My nose and eyes were injured quite badly, and the school called the police and my mum.

The police were brilliant, as soon as mum told them that I was autistic they told me that I wouldn't have to do a written statement but that I could do a video interview instead. They explained to me that it wouldn't take as long and that I wouldn't then have to go to court in the same way as if I gave a statement.

I went to the interview suite and it was much better. The police officer asked me to talk about what happened and then asked me direct questions that weren't confusing and it only took 20 minutes. In the end the boy admitted to what he had done to me and was dealt with by the police. I feel like the police understand autistic people and I trust them to help me now if I need them."

During the interview

Accommodate sensory issues

Many autistic people find it difficult to process everyday sensory information such as sights, sounds and smells. When autistic people struggle to cope with sensory information in the environment:

- they may become stressed, overloaded or anxious, and may even experience physical pain
- their anxiety may lead them to become agitated or disruptive; if their anxiety increases, they may even lash out
- they may find it difficult to concentrate, listen to the questions being put to them, or to respond adequately
- they may have a 'meltdown', becoming completely overwhelmed by their current situation and temporarily losing behavioural control.

Suggested adjustments

Try interviewing the person in a different location such as a familiar place, or a room that is adapted to their needs.

Consider:

- changing the lighting, for example use a lamp rather than strip lighting
- removing any noise distractions, such as an electric fan
- interviewing them in an alternative location
- you should also allow the person to hold or play with a favourite object or fiddle toy (such as a stress ball, blue tack or a piece of string) as this may help them to concentrate.

Use suitable language and communication approaches

An interviewer can help by:

- talking calmly in a natural voice
- keeping language as simple and clear as possible, using only necessary words
- avoiding the use of irony, figures of speech or sarcasm
- trying not to exaggerate facial expression or tone of voice (which can be misinterpreted)
- keeping gestures to a minimum to minimise distraction – but if necessary, accompanying them with unambiguous statements or questions that clarify their meaning
- using the person's name at the start of each question so they know they are being addressed
- telling the person what instructions or questions might follow, for example, "John, I want you to talk to me about..."
- allowing more time for the person to respond and not assuming that silence means there is no answer forthcoming
- rephrasing the question if there is no response at all
- prompting the person to gather sufficient relevant information, as they may be unable to inform the interviewer when they have not understood.



Remember that everyone on the autism spectrum is different. Autism is often referred to as a 'hidden disability'. Just because a person has good spoken language, it does not mean that they have an equally good understanding of what is being said to them. Make sure an autistic person is always treated as vulnerable, regardless of how able they may outwardly appear.

Interviewing framework

Achieving Best Evidence (ABE) - vulnerable witnesses	PEACE - all suspects (and non-vulnerable witnesses)
Planning and preparation	Planning and preparation
Establishing rapport	Engage and explain
Initiating and supporting a free narrative account; questioning	Account, clarify and challenge
Closing the interview	Closure
Evaluation	Evaluation

Plan and prepare

Consider what you are going to say and the reasons for saying it. Consider the environment and the appropriateness of your questions (consulting the intermediary where appropriate). How will you phrase your questions - will they be interpreted correctly? Will they elicit the information you want from the interviewee?

Establish rapport/ Engage and explain

Start by introducing yourself and explaining the reason for you speaking to them. Autistic people like to know what is happening and what to expect; they can get very anxious and distressed if this is unclear or if what happens differs from what they were told or were expecting. Ideally you should have previously met with the individual and provided a verbal and written and/or visual schedule of what will happen before and during the interview. It is important to run through this again at the start of the interview, including explicit instruction regarding the purpose of the interview, the level and relevance of detail required (if appropriate), planned and unplanned breaks (and how they should ask for these), and the establishing of ground rules. This aspect can also be used as an effective means of building rapport. Interviewees should be clearly reminded of their opportunity to say, "I don't know" at any point. For both suspect and witness interviews, this should be clearly explained within the engage and explain phase of the interview, along with the instruction for the interviewee to say so if they 'don't understand' or 'don't remember'.

It may be difficult – or different – developing rapport with an autistic person. Small talk is generally not something that autistic people find easy. You might find that an interviewee appears disinterested or even nervous about engaging in conversation; while another autistic person might be extremely talkative, especially if it is regarding a topic that is of particular interest to them. Tailor the rapport phase to the individual, bearing in mind that some (but not all) autistic interviewees may actually prefer not to talk about things that are unrelated to the interview, whereas others may prefer to engage in quite lengthy discussion about a neutral specific topic in order to feel more relaxed and trusting of the interviewer. This should be gauged before and during the initial stages of the interview. Check understanding and make use of the Appropriate Adult or Intermediary (see page 46).

Generating an account

Free recall and the use of open questions is usually the ‘gold standard’ for interviewing witnesses. Autistic interviewees, however, can find this type of questioning problematic. Recall of specific past episodes tends to be particularly difficult for an autistic person when very open questions are used. Moreover, an autistic person may also find it difficult to gauge what level and type of detail is required from them when they are asked to ‘tell everything’. Importantly, however, they are often able to recall as much information and as accurately as people without autism if the requirements are made explicit to them, using non-leading open questions which specify parameters. It is still important to ask an interviewee to ‘tell everything’ and use open questions, but this can be bound by parameters such as time or place.



“I allow [an autistic interviewee] free recall and structure questioning style around that. There is an element of letting them dictate the flow, but tempered with set boundaries that you tell them about before that topic starts. Eg “Tell me what you did from 1200 to 1500 yesterday.”

- Detective Constable



The Witness-Aimed First Account (WAFA) technique

An alternative witness-driven and non-leading but focused retrieval method is to encourage the witness to generate and direct their own discrete, parameter-bound topics from the event to start with (using topic boxes). Then the interviewer asks them to freely recall information, with follow-up probing within each parameter-bound topic in turn thereafter.

This can be achieved through asking the witness: "In just a couple of sentences or a few words, what was the most important thing that happened". You can then note the event down on a post-it note, and display this somewhere visible to both interviewer and witness. After thanking the witness and reminding them that you will return to this for more detail shortly, you can then ask for another 'topic box' (eg, "tell me something else that happened"), before again displaying this on a post-it note. Continue this until the interviewee indicates that they have completed segmenting the events (see example above). Once complete, you can then revisit each of these witness-generated topics in turn, and in the order that the witness recalled them, asking the witness to provide a free recall account within that topic. This can then be followed by tell/explain/describe questions probing further detail about each event with witness compatible-questioning.

The Cognitive Interview

While a valuable tool for other types of witness, the Cognitive Interview is generally ineffective for autistic witnesses: it does not significantly increase the amount of correct information they recall and may even reduce the accuracy of their account. In particular, verbally-delivered context reinstatement instructions are not helpful.

It is likely that the series of 'context reinstatement' instructions (for example, to remember contextual details surrounding the event) 'overloads' autistic witnesses, who already struggle to filter out irrelevant information. Best practice would therefore be to use a structured Achieving Best Evidence (ABE) interview, which could include other techniques such as a [Witness-Aimed First Account \('WAFA'\)](#) or sketching (see below). An [intermediary](#) can assist in this process.



"The conventional cognitive interview model doesn't work. Tell me everything is too wide, concise parameters must be set, or a more management of conversation model applied."
- Detective Sergeant

Sketching

Many autistic people process information visually to compensate for language difficulties, and research has found that asking them to draw (rather than verbally recall) the scene of the event helps them to recall more correct details from the event. Further research has used sketching as a modified technique to reinstate the context with autistic children; by asking them to sketch anything they feel would help them remember what they saw. This has been shown to be effective in improving how much information they can remember, without increasing the amount of erroneous information recalled. Once completed, the drawing can continue to be a useful visual aid, providing an additional prompt for the interviewer and interviewee to refer to. For witness interviews, sketches



"Style of questioning very definitely had to be changed (no multiple questions, and certainly more specific) and the time allowed for the interview. Lots of breaks were taken too. Use of sketch plan helped with explanations."
- Police Constable

can be invaluable, but the use of drawings with suspects should be considered with caution as it could help a suspect to orientate a false alibi.

What kind of questions to use

Autistic people may remember very small details and have to recall them in chronological order, rather than jump to what you feel are the key points. This means they may need more support and patience to help them to recall the relevant details. The rationale to adopt a full chronological interview may need to be highlighted on an interview plan.

Open, 'unsupported' questions or cues (such as "tell me what happened") are unhelpful, because they require the autistic person to second-guess what information you are looking for. This means it's likely you'll get answers which are irrelevant to the matter at hand. Specific, clear questions (such as "when you got to the shop yesterday, who was there?") are far more likely to result in useful answers.

If you are using questions which require fixed option answers, such as yes/no questions, these should be kept to a minimal and always include a third alternative such as "I don't know".

Use relevant evidence which is not in dispute to support your questions, for example, "the man who grabbed your bag - was he shorter or taller than me when I'm standing up? Or are you not sure?"

Finally, it is really important not to use leading questions. Autistic people (unless they also have accompanying intellectual impairment) are not more suggestible to memory distortion through suggestion than non-autistic people. However, they may be more compliant and more likely to agree with the interviewer's suggestions or to statements that are untrue, and not understand the consequences of this. For example asking, "Has your laptop got anything on it about plans for any terrorism acts?" may elicit agreement, as a web browser or a text editor could be used to plan anything.

You should therefore always consider how unwanted compliance can be reduced during an interview, for example by: asking non-leading questions; offering an "I don't know" option where appropriate; and encouraging the interviewee to say explicitly if they need a break or if they are feeling distressed (to avoid compliance to 'get things over and done with').

Visual aids

Autistic people often understand visual information better than words, and so it can be helpful to:

- back up questions with visual aids or supports
- ask the person to draw or write down what happened
- create topic cards relating to elements of the event(s) in question.

5WH questions: Follow-up probing should start with a 'who', 'what', 'when', 'where', 'why' or 'how'. (Questions that begin with 'why' should be avoided when interviewing victims and witnesses as they may be interpreted by the individual interviewee to mean that they are somehow at fault for what has happened). Creating topic cards or a pie-diagram relating to elements of the event in question (or when there are multiple events) can also help in prompting answers in a non-leading way, for example:

- When:** tell me when this happened
- Who:** tell me about the people who were there
- Actions:** tell me about what the people did, and who did what
- Setting:** tell me about the place where it happened
- Objects:** tell me about what was there and what it looked like

For more information on interview techniques, including different question types, please see: www.bath.ac.uk/guides/what-to-do-when-interviewing-an-autistic-person-a-professionals-toolkit/



5WH questions

Closure

Confirm what has been said and allow the suspect to clarify points they have made. Check understanding frequently; for example, repeating an interviewee's words back to them and explicitly asking them for confirmation that was what they meant.

Evaluation

Reflect on the information you have obtained and identify any subsequent action you need to take.

For more information about questioning autistic people, the Advocate's Gateway also has toolkits for advocates on autism.

See www.theadvocatesgateway.org/toolkits.

It may not be possible to gather all the information needed during one interview. Keep the interview as short as possible. An autistic person may only be able to concentrate for 10-15 minutes at the most. Before the interview begins, show the person the room where parents, carers or accompanying adults will wait during the interview, to help to manage separation anxiety.

Dos and don'ts for during the interview

Do

- ✓ Ensure that any steps you took to remove sensory stressors from the interviewing environment are working (ask the interviewee if you're unsure).
- ✓ Tailor language to the individual.
- ✓ Start sentences with the person's name where appropriate.
- ✓ Be aware of what the person understands as well as what the person can say themselves – these skills may be mismatched. Frequently check understanding.
- ✓ Ask one point per question, for example, "Who was on the phone when you arrived?", and avoid stacked and multi-part questions, for example, "Who was on the phone when you arrived and did they hang up?"
- ✓ Use the past tense for events that have already happened, such as "Think about when you were in the shop. Who did you speak to?"
- ✓ Ask direct, literal questions such as "You said that you knew Simon was going to be late. When did you find out?" Avoid questions or statements that use insinuation or that require inference or deduction such as, "You knew he was late but you still went to the shop in the morning?" An autistic person may not infer a particular response is required from them (such as an alibi) unless they are explicitly asked for it.
- ✓ Allow extra time to process questions. If the person does not answer right away, it doesn't necessarily mean they are not intending to answer; there may be a delay between hearing the question, understanding it and working out how to respond.
- ✓ Rephrase the question if they don't respond at all – it may not have been clear or direct enough the first time.
- ✓ Be explicit about the level of detail required.
- ✓ Consider the use of drawings and diagrams.
- ✓ Offer frequent breaks and 'time out' if needed.

Don'ts

- ✗ Try to stop repetitive behaviours – they may be a coping mechanism.
- ✗ Take away comfort items.
- ✗ Misinterpret echolalia (repeating what you say) or silence for insolence or evasion of questions.
- ✗ Move too quickly – allow enough time to process questions and verbalise an answer.
- ✗ Use questions that are statements such as, “You went to the shop?”, or use intonation to indicate a question.
- ✗ Use irony, sarcasm, metaphors, etc.
- ✗ Use ‘tag’ questions such as “You went to the shop, didn’t you?”, or encouraging tags such as “That’s correct”.
- ✗ Use questions posed in the present tense, such as “So, now are you in the shop and talking to Simon?”
- ✗ Make assumptions – just because a person appears to have good expressive (spoken) language doesn’t mean that they fully understand what is being said to them.



“I wasn’t offered breaks, and one time I was so hot and overheating because it was summer and I was really stressed. I wanted to go outside and they wouldn’t let me. In the end I threw up.” - Autistic adult

Appropriate Adults (AAs) and intermediaries



What is an Appropriate Adult?

An Appropriate Adult (AA) should be called to the police station to act as a safeguard and provide independent support to a vulnerable suspect. Indeed, the *Police and Criminal Evidence Act 1984* and the Codes of Practice demand that AAs are provided for suspects deemed to be vulnerable.

Appointment of an AA should be based upon a person's vulnerability and not on their perceived intellect. An autistic person may have clear and fluent speech, but may still find communicating verbally and non-verbally very difficult, especially in stressful situations and with strangers.

The AA may be a friend, family member, or professional and their role is to support, advise, and assist the detainee to ensure they understand what is happening at the police station during the interview and investigative stages. They may also facilitate communication between the detainee and police, and make sure the rights of the detainee are respected.



The AA must be present when the custody officer informs the detainee of their rights and entitlements and during the caution. If either of these have already been carried out before their arrival, they must be repeated in their presence. The AA must also be present during interviews, and may intervene if they feel communication needs to improve, advise that a break is needed or recommend that the detainee should seek legal advice. Finally, they should also be present when the detainee is asked to agree and/or sign any documentation.

For further information about Appropriate Adults, visit:
<https://www.appropriateadult.org.uk/>

What is an intermediary?

An intermediary is an impartial expert in communication who can assist the police and the court in obtaining evidence from vulnerable witnesses and defendants, including autistic children and adults. Intermediaries have a legislative footing, are trained from a legal perspective and now have an established presence within the criminal justice process. An intermediary's role includes conducting an assessment of the person's communication needs, and providing person-specific recommendations and strategies about:

- i. how police and the court can communicate information and questions effectively and appropriately (prior to and during questioning)
- ii. how best to communicate when preparing the person for the various stages of the criminal justice process
- iii. how to monitor and manage anxiety associated with giving evidence where it impacts upon communication
- iv. how to appropriately use communication aids and/or devices to support communication ('props').

Ultimately, the intermediary's role is to help the person communicate with the police and vice versa and to assist the police and court to achieve best evidence.



"It was hard to keep [the witness] on topic. They had lots of information to give, not necessarily in a logical order. They also got very upset because the victim was a very close friend. I had to really think about how my questions were phrased. Had I known about the autism before the ABE interview, I would have definitely got advice / used an intermediary." - Police Constable

A [Registered Intermediary](#) can be appointed for vulnerable witnesses at the investigation stage or pre-trial via the National Crime Agency (once the officer has submitted a Request for Service form). Whether their presence is in the actual interview room or in the monitoring room is a question where their own opinion is absolutely key. It may be possible to acquire the assistance of a so called '[non-registered intermediary](#)' for a suspect interview, but if this is not possible, they may be appointed at the trial stage if the case proceeds and the court permits. Although there is no legislative driver to appoint an intermediary for a detained person, you should consider obtaining one as – unlike all AAs – they are trained professionals who can effectively facilitate planning and carrying out interviews, and their presence can reflect well on the police and the Crown.

An intermediary can be appointed for witnesses at the investigation stage or pre-trial. It may be possible to acquire the assistance of an intermediary for a suspect interview, but if this is not possible, an intermediary may be appointed at the trial stage if the case proceeds and the court permits.

For information on how to get an intermediary, visit www.intermediaries-for-justice.org.

Interview supporters

Witnesses who fall within the scope of a vulnerable witness are entitled to an interview supporter if they want one. The role of an interview supporter is strictly restricted to providing emotional support and they must not participate in the interview itself (eg by prompting or speaking on behalf of the witness). Their presence is optional and must be judged on a case-by-case basis in a thorough planning and preparation phase (eg in the case of video interviews for vulnerable victims/witnesses). The needs of the investigation are crucial, but not to the long-term detriment of the interviewee; there is a balance to be made between these two objectives, but the interviewee's wellbeing must come first. The deliberations involved in having a supporter within an interview room should be recorded in an interview plan and as an interviewer you need to be able to justify your decision.

This might include:

- whether the interviewee might want to protect the supporter – particularly if they are known to them – and therefore not disclose a full account of all the elements of what has happened (eg for a sexual offence)
- whether the witness might feel less comfortable with a supporter present during the interview
- whether the witness may become much more emotional with a supporter present, to the detriment of the interview
- if the supporter is likely to interrupt and thus break the ‘flow’ of the witness’ account or the rapport between interviewer and interviewee (regardless, they will need a briefing beforehand about their role)
- whether there is likely to be a tendency for the witness to communicate via the witness supporter either verbally or non-verbally (eg with nods and knowing looks)
- alternatively, whether a supporter’s presence is likely to enhance the communication process, for example by encouraging the witness to try a new retrieval technique such as sketch plan, if appropriate
- if the witness would otherwise be reluctant to be interviewed at all and be more comfortable in giving evidence in their presence.



“Having my mother present calmed me down.”
- Autistic adult

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All quotes are taken from autistic people, their parents and officers as part of the Crane et al 2016 research. All case studies have been provided by Avon and Somerset Constabulary.

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Further help and support



Any autistic person who encounters the criminal justice system is likely to experience higher than usual levels of anxiety. It is likely to be a stressful experience because of the circumstances leading to their involvement. But in addition, for many, the anxiety of having their routine changed, their actions questioned or their circumstances scrutinised, can lead to unmanageable outbursts of frustration or equally inexplicable silences.

The reactions that autistic people display are all different. Professionals involved in their care and support during contact with the criminal justice system should be prepared and able to assist them as much as possible.

Autism is a hidden disability but, with knowledge and understanding, we can support the people it affects, helping to make sure that they play a full role in society and are afforded the rights and protection they need.

The National Autistic Society

You can find further information about autism, including the latest information on legislative frameworks at www.autism.org.uk/cjp.

National Police Autism Association (NPAA)

The National Police Autism Association was founded in 2015 by to support UK police officers, staff and volunteers who are affected by autism spectrum conditions (including Asperger syndrome) and other hidden conditions including dyslexia, dyspraxia and ADHD. The NPAA supports those who are affected personally by these conditions, carers for children and family members, and those with a professional interest. It maintains a network of force champions, and runs a closed web forum for members of the police and criminal justice family.

The NPAA is also working to achieve a uniform high standard of service for autistic members of public who come into contact with the police, either as victims, witnesses or suspects. We promote training for frontline officers and supervisors, and share best practice between forces.

The NPAA is run by a team of volunteer police officers and staff members from forces across the UK. It is supported by the National Police Chiefs' Council, the Disabled Police Association and the National Autistic Society. For more information, visit www.npaa.org.uk, and follow us on Twitter at "Police Autism UK" (@npaa_uk)

Autism affects more than one per cent of the population. As a police officer, you're therefore highly likely to encounter people on the autism spectrum regularly in your career.

This guide will give you essential guidance and practical advice for how to work effectively with autistic children or adults, including out in public, in custody and during interviews.

About the National Autistic Society

The National Autistic Society is here to transform lives, change attitudes and create a society that works for autistic people.

We transform lives by providing support, guidance and practical advice for the 700,000 autistic adults and children in the UK, as well as their three million family members and carers. Since 1962, autistic people have turned to us at key moments or challenging times in their lives, be it getting a diagnosis, going to school or finding work.

We change attitudes by improving public understanding of autism and the difficulties many autistic people face. We also work closely with businesses, local authorities and government to help them provide more autism-friendly spaces, deliver better services and improve laws.

We have come a long way but it is not good enough. There is still so much to do to increase opportunities, reduce social isolation and build a brighter future for people on the spectrum. With your help, we can make it happen.



**National
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