

GLEPHA NEURODISABILITY SIG

Welcome to our September newsletter! At our next meeting on 15th September at 10am (UK time) we look forward to a presentation from Fionnuala Ratcliffe from Transform Justice. She'll be discussing the impact of harsher sanctions for assaults on police and NHS staff on people with with mental health conditions and Neurodisabilities.



#MOI2022

<https://glepha.com/marketplace-of-ideas/programme/>

The Marketplace of ideas is taking place over a three-week period from Monday 5th September to Friday 23rd September. All sessions will start at 10am New York/3pm London.

GLEPHA Marketplace of Ideas

What we are doing now is not working. The GLEPHA Marketplace of Ideas 2022 showcases practical and innovative programmes that explore alternative approaches to public health issues that have traditionally been criminalized or over-policed, with a particular focus on the role of police.

Call for submissions:

Forensic Science International: Mind and Law

Our group convenors - Nathan, Huw, and Stan, are editing a special issue of Forensic Science International: Mind and Law with the topic of 'Recognising and responding to neurodisability and neurodiversity in criminal justice systems'.

The submission deadline has been extended to the **30th September 2022**.

Submissions are welcome, both in the form of original research articles and submissions from justice professionals including short discussion pieces.

Any questions about submission please contact Nathan Hughes:

Nathan.Hughes@sheffield.ac.uk

SIG MEMBER SPOTLIGHT

SEPTEMBER'S SIG MEMBER SPOTLIGHT IS: LESSLIE YOUNG

Where are you currently working, and what is your role?

I live in the soft rolling countryside of East Ayrshire, and I have the good fortune of being able to split my working week between home and my office in Govan, Glasgow.

I have been the CEO of Epilepsy Scotland since 2008. As the national organisation representing those living with epilepsy in Scotland my work is diverse, challenging and very rewarding.

The team I work with is dedicated, creative and passionate. Collectively and individually, we work to improve the lives of those we represent. My role is to ensure the agreed strategic aims and objectives are implemented operationally.

What motivates your work in Neurodisability/Law Enforcement?

The impact of the inadvertent entry into the criminal justice system of those experiencing epileptic seizure activity in the community which is misinterpreted. Equally important is the treatment of those who have the diagnosis of epilepsy who may be witnesses, accused and or imprisoned and how they are treated.

What project are you working on at the moment?

I am in the very early stages of exploring the replication of a novel business model we developed and implemented in 2016. This involved commercial partners providing financial and commercial support through Epilepsy Scotland to in turn, develop, provide, and gather information to support permanent provision of an epilepsy service hitherto absent from a rural health board area.

The preparation is key to success. It requires all stakeholders to input the same level of support, acknowledging not all of it will be directly financial but may require health economics calculations. All parties must be involved in developing the strategic plan, timeframe and exit strategies and recognise the boundaries of each agency's remit.

There was a three-year lead in for the original project so we are using the learning from that to shorten that period, however, all parties must accept it is not a quick fix and must commit to the long term.

Such was the success of the last project a well-established service is still in place which demonstrates the value of it. Equally important we are hopeful we can use the experience of some involved in the planning and implementation of that to this new opportunity.

I am optimistic about the outcome but not blinkered to the vast amount of preparation work to be done.

What are the biggest barriers to implementing support and/or diversion for people with Neurodisabilities in the Justice System in your opinion?

A general and considerable lack of understanding. The appetite to learn is patchy as is the enthusiasm to devote the time to learn and educate. I have many examples of the desire to learn, educate and provide a gold standard service such as the Crown Office and Procurator Fiscal Service where a continuous programme of education is standard, and two Epilepsy Ambassadors are in post. Police Scotland Taser Advisory Group where enormous effort has been made to understand neurodiversity and develop responses around that understanding.

Collaboration is, in my view, the way forward.

Tell us about your hobbies?

I love good old fashioned letter writing. You have must take time, give thought to what you commit to paper and make the reader feel as if you are speaking to them. When that drops through their letter box, it is almost as if a bit of you has come to visit for a chat. I am sad it seems to be a dying art. Apart from that reading, gardening and baking.

A fun fact about yourself?

I once went to bed to find a garter snake curled up under the sheets and have been terrified of snakes ever since.

What is your best talent?

From a work perspective, vision and problem solving. I also make the best meringues ever...I am told.

It is a sunny Saturday with no looming deadlines... where would we find you?

Following a very long walk with my two mini schnauzers, in my garden. My particular passion is old fashioned roses... and composting!

If you weren't working in this area, what would you do instead?

Forensic science/anthropology.



SIG RESEARCH SPOTLIGHT

September's Research Spotlight is a discussion piece about Foetal Alcohol Spectrum Disorder (FASD) and fitness to stand trial in New Zealand.

Unfitness to stand trial and fetal alcohol spectrum disorder: Understanding and responding to FASD within the criminal justice system in New Zealand.

Warren Brookbanks, Valerie McGinn, Joanna Ting Wai Chu

Introduction

Fetal alcohol spectrum disorder (FASD) is a diagnostic term used to describe the lifelong impacts on the brain and body of individuals prenatally exposed to alcohol (Harding et al., 2019). Although no robust data from population studies exist on the prevalence of FASD in New Zealand, the Ministry of Health estimate 1–3 in every 100 livebirths are affected by alcohol (MoH, 2018). Individuals with FASD are at increased risk of becoming involved in the criminal justice system due to offending and this is becoming a matter of increasing concern to NZ courts.

The wide-ranging areas of brain impairment associated with FASD can impact an individual's capacity to participate effectively in a legal process, giving rise to the issue of unfitness to stand trial. Unfitness to stand trial, or trial competence, while primarily concerned with functional trial capacities, like understanding the proceedings and instructing counsel in the preparation of a defence, may also engage broader concerns framed in terms of ability to participate effectively in a trial in an active role distinguishable from being a mere bystander (Brookbanks & Freckelton, 2018). In this paper, we explore this broader sense of trial competence in the context of a discussion of the nature of FASD and its implications for criminal justice in NZ. It begins with consideration of the nature of FASD and its relation to criminal offending before discussing the contours of the law regarding capacity to stand trial in NZ. This is followed by a more detailed examination of legal issues in relation to fitness and FASD. The next section focuses on clinical issues before drawing the paper together with some concluding observations about FASD and the fitness construct.

**THE FULL PAPER CAN BE READ (OPEN ACCESS) AT
[HTTPS://ONLINELIBRARY.WILEY.COM/DOI/EPDF/10.1002/BSL.2555](https://onlinelibrary.wiley.com/doi/epdf/10.1002/BSL.2555)**

Have any news for the next SIG newsletter? Want to be the next spotlight member? Interested in presenting at the next meeting?
Please email Hope: hmk201@exeter.ac.uk

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