

# AUTISM & THE FAMILY COURT

A GUIDE FOR FAMILY LAWYERS

Autism is a developmental condition which affects the way that people communicate with others and interact with the world around them. Around 1% of the UK population has an autism diagnosis, and many more people may be undiagnosed.

Many autistic people are family court users and often YOU will be the first person they meet when they seek legal advice.

The family justice system may be particularly **challenging** for those on the autistic spectrum, yet there are some simple **reasonable adjustments** that can help.

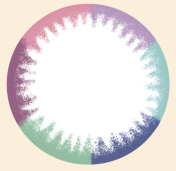
Feel free to ask someone what they need – **everyone is different** and many autistic people are happy to explain their specific challenges. Be aware that some challenges that people are facing are '**hidden**'.

This guide is intended to help you work with autistic clients but the suggested adjustments are likely to **benefit all** clients.

**DISCLOSURE OF DIAGNOSIS:** While disclosing a diagnosis of autism can lead to positive adjustments, it may also have negative consequences due to enduring stigma and unfounded stereotypes. Typically, it will be up to your autistic client to decide whether or not to disclose their diagnosis within the family court process.

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Autism is a wide-ranging spectrum and **every autistic person is unique**, however many autistic people will experience the following:

## DIFFICULTIES WITH SOCIAL COMMUNICATION



Autistic people may find it challenging to start or maintain a conversation, to read body language or gestures, or to understand non-literal language such as expressions like 'it's raining cats and dogs'. Autistic people may also display unusual eye contact, either constantly looking away or looking intently at you. They may make comments or behave in ways perceived as inappropriate which could be misinterpreted or misunderstood.

- Use literal language and speak in short, simple sentences. Do not worry about being blunt, as long as you are respectful, as many autistic people often find this easier.
- Give people time to process information you are providing. Don't fill silences. Use the same wording if repeating the question (pre-plan questions). Ensure they understand.
- Give the option to communicate in other ways, e.g. does your client prefer phone or email, or want to write down their answers to your verbal questions in meetings.
- An autistic witness may not pick up the nuance of questions. Consult *The Advocates' Gateway* for guidance on cross-examining autistic witnesses in criminal court and the *Family Law Bar Association* guidance on vulnerable parties.



## RESTRICTIVE, REPETITIVE BEHAVIOURS

Many autistic people have a preference for routine, and deviating from this routine can cause great distress. Some autistic people will make repetitive body movements.

- Use clear agendas for meetings, provide information in advance (e.g. pictures of building and people) and arrange familiarisation visits where possible.
- Adhere to promises made, such as time schedules e.g. by offering the first appointment of the day.
- Agree frequency/timing of updates between meetings; messages stating 'no news or updates' are helpful too.



## ALTERED SENSORY SENSITIVITY

Autistic people often experience sensory information (i.e. lights, sounds, touch, smells) differently from non-autistic people. For example, some may find bright lights or certain sounds painful.

- Consider the sensory environment (fluorescent lighting, air conditioning noise).
- Physical aspects of the court may be challenging. Where possible, arrange a private waiting room or quiet space and ask for court rooms with natural light.
- Consider providing documents on coloured paper. Black text on white paper can be more difficult or painful to process.

**REMEMBER INDIVIDUALITY:** Ask your client (or their advocate) what THEIR preferences and needs are.