

## Working with people with a learning disability who break the law

*Rachael Lofthouse, is a PhD student at the School of Psychology, Bangor University. She has been looking into why people with a learning disability offend and how best to work with people to manage offending behaviour.*

People with learning disabilities are on the whole law abiding citizens. However, a small number do get in trouble with the law. It is difficult to know exactly how many that is because studies use different methods to measure if a person has a learning disability, and use different groups of people. This means that studies cannot easily be compared. However, recent estimates suggest between 2 and 10% of the total number of people who offend have a learning disability (Lindsay, 2011).

### **What happens to people with a learning disability who offend?**

People with a learning disability who commit a crime may well come in contact with the criminal justice system (CJS) or forensic services. This includes the police, courts, prison, probation, and youth offending teams or specialist forensic services such as secure hospitals. Having a learning disability is likely to make the individual vulnerable at all stages

in the criminal justice system. For example, when an individual is arrested they might find it difficult to understand their 'rights' and deal with questioning and interrogation by the police. Staff in the CJS might not be used to working with people with a learning disability so don't know the best way to support people.

The UK wide programme No One Knows led by the Prison Reform Trust aims to make changes in the way people with a learning disability are treated in the CJS. They plan to do this by exploring and publicising the experiences of people with a learning disability in the CJS and looking at the views of the police and prison staff.

### **What kind of crimes do people with a learning disability commit?**

There has been much debate in the research about the type of offences people with a learning disability are likely to commit. It was thought that people with a learning disability commit more sexual offences and arson.










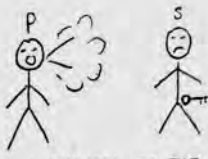

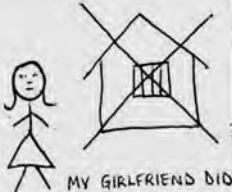






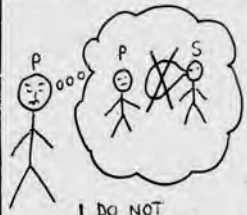


However, recent research suggests that people with a learning disability actually commit similar offences to people without a learning disability (Jones, 2007).

### **Characteristics of people with a learning disability who offend**

It is well known that people with a learning disability who offend have complex needs; research helps us understand what these needs are. Two recent studies in Canada compared the differences between people with learning disabilities who had a history of offending (learning disability forensic sample) with people with a learning disability who had not offended. In the first study (Lunsky et al., 2011) they found that the learning disability forensic sample were more likely to have a mild learning disability, have longer length of stay as an inpatient, and were more likely to have a history of substance abuse.

In the second study (Raina and Lunsky, 2010) the authors compared learning disability

# Llais

	What's going on around me?	How am I feeling?	What am I thinking?	What did I do?	Did it work?	What should I have done?
NATE	 What's going on around me?	 How am I feeling?	 What am I thinking?	 What did I do?	 Did it work?	 What should I have done?
MUNNAV	 THE STAFF SAID I COULD NOT PHONE MY MOM	 ANGRY	 THE STAFF DON'T LIKE ME	 I SHOULDED AT THE STAFF	 SHOULD HAVE ASKED THE STAFF WHY NOT	
TILENAV	 MY GIRLFRIEND DID NOT VISIT ME	 SAD MISERABLE TEARFULL	 SHE DOES NOT LOVE ME ANYMORE	 I PHONED HER SHE MISSED THE BUS SHE DOES LOVE ME		
WENNESNAV	 IN THE INTERVIEW ROOM TALKING ABOUT MY RESETTLEMENT	 PISSED OFF	 I DO NOT UNDERSTAND	 I CARRIED ON LISTENING	 SHOULD HAVE SAID I DO NOT UNDERSTAND	

offenders to people without a learning disability who had offended. They found that the two groups were similar in many ways but also had some important differences. The learning disability offenders were more likely to have experienced abuse and neglect as a child. They also needed more intensive levels of care.

### Assessment of people with a learning disability who offend

It is important for professionals working with people with a learning disability who have offended to understand the factors that might cause people to commit crime. Professionals also need to be able to assess if it is

likely that the individual might offend again. For example, an individual might become violent when he or she has been drinking alcohol.

As part of my PhD research, I have been looking into violent behaviour by people with a learning disability. I asked a group of ten individuals who lived in residential services what they thought were some of the reasons why they behaved violently. They gave me a lot of information and insight into this topic. Some people felt that other clients they lived with caused them to get angry:

“people would start winding me up and I’d react”  
“saying nasty things to

me...horrible things about my family”

“They’ll keep on asking and asking (to borrow a CD) and I say no, enough is enough”

Other people talked about the environment they live in:

“being on a locked ward, it can be quite stressful at times”

Other clients talked about having to wait for things, like moving home.

“It’s not happening quick enough and I’ve got 6 months to wait”

Or when things don’t happen as planned:

“Different things changing around and saying meetings are on one day and they’re not and that day and just getting all mixed up. Not getting the right information to you first.”

I used this information along with some other research looking at violent behaviour to develop a new risk assessment tool. These tools help people assess the likelihood of something happening in the future, in this case someone behaving violently. There aren't many risk assessments available for people with a learning disability. Professionals tend to have to rely on tools developed for people without a learning disability, or develop their own.

We are currently testing how good the tool is at predicting when people will behave in a violent manner. If it works, it will help professionals know when a person's risk is high. They can then put plans in place to try and stop the person from becoming violent. This is important so they don't harm themselves or people around them.

### **Treatment of offenders with a learning disability**

There has been a lot of interest in treatment available for people with a learning disability who offend recently. The scientific literature suggests that cognitive behaviour therapy (CBT) is one approach that can be used in the treatment of anger and sexual offending. The way the treatment is delivered needs to be adapted from how it is delivered to offenders without a learning disability. If information is presented visually rather than in written form it is easier for people with a learning disability to understand. Using pictures, drawings, DVDs and role play

has been found to be useful. Picture 1 is an example of a diary sheet an individual may use during treatment. The individual completes the sheet everyday so they can monitor their own behaviour. The sheets also help the therapists to understand the behaviour and help the individual to change it. Using visual methods mean that if individuals struggle with reading and writing they can still get treatment for their offending behaviour.

### **Conclusion**

If an individual with a learning disability commits a crime or is thought to have committed a crime it can be a daunting experience. There is a lot of good work happening to try and raise awareness of the needs of people with a learning disability who offend. This will try to ensure they are supported and treated fairly in the criminal justice system and get the help they need for their offending behaviour.

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### *References*

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