

## The experience of law enforcement officers interfacing with suspects who have an intellectual disability – A systematic review



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### ABSTRACT

There is a high prevalence of people with intellectual disability (ID) among those in police custody. Consequently, law enforcement officers (LEOs) at the frontline of the criminal justice system are commonly required to interact with people who have ID. Notwithstanding the frequency of these interactions, research indicates that police exchanges with persons with ID frequently take place against a backdrop of tenuously-resourced disability awareness training. At the time of writing, a paucity of research data exists with respect to the experiences of LEOs operating within this training vacuum at an international level. A better understanding of their experiences could meaningfully inform research, training and improve support programmes for LEO's. We systematically reviewed six databases to identify studies published up to 1st December 2019 reporting the experience of LEOs interfacing with suspects who have an ID. Following a review of 670 abstracts, 16 studies were identified from five countries involving 983 LEOs. LEOs identified 1) a need for specialised training; 2) challenges in identifying people with ID; 3) a need to improve safeguards and 4) challenges in supporting/communicating with individuals who have ID through the investigation process.

### 1. Introduction

People with intellectual disabilities (ID) are over-represented in all parts of the criminal justice system, including police custody (Gulati et al., 2018; Mue Murphy, 2019; Young, Goodwin, Sedgwick, & Gudjonsson, 2013). In the United Kingdom (UK), the Bradley review (Bradley, 2009) reported that the prevalence of ID in police custody ranged from 0.5% to 9% of detainees. This compares to a community prevalence of 2.16% of adults in the UK (MENCAP, 2020). Similarly in the UK, McBrien, Hodgetts, and Gregory (2003) found that 9.7% of a large community sample of adults with ID had contact with the police as a suspect and 2.9% had a criminal conviction. A Canadian study reported that younger, higher functioning males with ID, living in unsupported settings, were found to have higher rates of legal involvement (Lunsky, Raina, & Jones, 2012).

One of the recurring issues in this field relates to terminology. Considerable confusion exists worldwide with respect to appropriate use of terms such as ID, mental handicap, mental retardation and learning disability. For the purpose of this paper, these terms were used interchangeably in order to be as broad as possible when identifying relevant literature. People with ID do not form a homogenous group

and often exhibit important individual cognitive and behavioural characteristics (Cusack, 2017; Edwards, 2014). However, it is acknowledged generally that many individuals falling within this classification encounter significant communicative, as well as cognitive, challenges in responding to allegations of criminal wrongdoing (Clare, 2003; Cusack, 2020a; Morrison, Forrester-Jones, Bradshaw, & Murphy, 2019).

It is generally accepted that accurately identifying people with ID within the criminal justice system is particularly challenging (Close & Walker, 2010; Cusack, 2018). In a study of accused persons, for example, carried out between 1991 and 1992 on behalf of the Royal Commission on Criminal Justice, it was found that members of the police service in the United Kingdom had identified just 4% of a sample of suspects as vulnerable whereas an independent estimate of the same group put this figure at the higher rate of between 15% and 20% (Gudjonsson, Clare, Rutter, & Pearse, 1993). Recent international research confirms that this diagnostic problem is a global phenomenon and that police forces across the common law world routinely struggle to accurately identify “vulnerable” people (Edwards, Harold, & Kilcommins, 2012; Howard & Tyrer, 1998; Keilty & Connelly, 2001; McLeod, Philpin, Sweeting, Joyce, & Evans, 2010) such as those with

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mental illness, intellectual disabilities and other disabilities. This misidentification culture is compounded by the fact that police custody screening tools, where in use, often focus exclusively on characteristics associated with acute mental illness rather than ID (Noga, Walsh, Shaw, & Senior, 2015). Further, where screening tools specific to ID exist, these generally lack the support of large-scale validation studies (Ali & Galloway, 2016).

Field observations of police officers handling “mental health-related encounters” in Chicago note that these encounters often occur in the “gray zone”, where neither arrest nor transport to an emergency department for emergency psychiatric evaluation are indicated or considered as options (Watson & Wood, 2017; Wood, Watson, & Fulambarker, 2017). In examining how police resolved such situations, the researchers observed three core features of police work: accepting temporary solutions to chronic vulnerability, using local knowledge to guide decision-making, and negotiating peace with complainants and call subjects (Wood et al., 2017).

It is not uncommon for people with ID to be suspects or accused persons when interfacing with Law Enforcement Officers (LEOs) and therefore face arrest, interview and/or custody. Some people with ID may find particular challenges in such situations. Owing, for instance, to limitations in cognitive development and linguistic fluency, individuals with an ID who are suspected of being involved in a crime are at once at a heightened risk of both misappreciating the nature of the legal caution and misunderstanding the due process rights to which they are legally entitled (Rogers et al., 2010; Gudjonsson & Joyce, 2011). Moreover, at the level of forensic interrogation, some of these individuals are likely to encounter significant cognitive and communicative challenges in constructing a clear and consistent exculpatory narrative (Brown & Geiselman, 1990; Cusack, 2018; Cusack, 2020b; Detterman, 1979). Numerous studies, for example, have found that individuals with ID may be more suggestible, more acquiescent, more likely to confabulate and more likely to engage in nay-saying than their counterparts within the general population (Clare & Gudjonsson, 1993; Gudjonsson & Henry, 2003; Gudjonsson & Joyce, 2011). There is also evidence to suggest that such witnesses are more likely to obfuscate generic details about an alleged incident such as names, times and dates (Beail, 2002; Keibell, Hatton, Johnson, & O’Kelly, 2001), that they will entertain a final option bias in response to closed-multiple choice questions (Heal & Sigelman, 1995), that their knowledge of the legal process is poor and that they struggle routinely to comprehend legal terminology (Ericson & Perlman, 2001).

All of these factors conspire so that suspects with ID are disproportionately at risk of experiencing miscarriages of justice and violations of their legal rights (Gulati, Cusack, Kelly, Kilcommins, & Dunne, 2020; Gulati, Cusack, Kilcommins, & Dunne, 2020; Schatz, 2018).

Notwithstanding the unique cognitive and communicative needs of suspects with ID in a police setting, awareness training has focused in recent years on developing models for addressing mental illness (as opposed to ID) in police interactions (Booth et al., 2017). For example, Weller (2015), reporting the effectiveness of the “Memphis Model” or Crisis Intervention Team (CIT) training, noted that the San Francisco Police Department implemented a CIT training program in 2011. The mainstreaming of this programme, which involved joint working between police and mental health service providers and specialist training for police officers was found to precipitate small but measurable reductions in the use of force by the police. Benefits have been found in studies examining attitudes and confidence levels among LEOs undertaking specialist disability awareness modules (Bailey, Barr, & Bunting, 2001; Gendle & Woodhams, 2005; Murphy, Kelleher, & Gulati, 2018; Viljoen, Bornman, Wiles, & Tönsing, 2017).

In this review, we focus on the experiences of LEOs interfacing with people who have ID as suspects or accused persons at the pre-trial stage of criminal proceedings (pre-arrest, arrest, caution, initial detention, interview/charge). For the purpose of this study, LEOs include any

frontline police officer of any rank and include both community-based and custodial police staff.

To date, the literature on this topic has not been reviewed systematically, although our research group has recently completed a similar review examining the viewpoints of people with ID in such interactions (Gulati, Cusack, Kelly, Kilcommins, & Dunne, 2020).

In undertaking this review, the aims were to inform training and awareness of LEOs and to inform a rights-based approach to policy development in this area, as envisioned in the United Nations’ Convention on the Rights of People with Disabilities (United Nations, 2006). We also hope to identify directions for future research.

While this systematic review focusses on people with ID who are accused persons or suspects, the themes elicited are also potentially relevant to the experiences of people with ID who are the victims of crime (Kilcommins and Donnelly, 2014; Cusack, 2017; Edwards et al., 2012; Keilty & Connelly, 2001) or those who encounter LEOs as witnesses to a crime (Edwards et al., 2012; Gudjonsson, Murphy, & Clare, 2000; Keilty & Connelly, 2001). Such individuals face barriers in relation to accessibility, communication, attitudes and practical matters that are similar to those faced by people with ID who are accused persons or suspects (Spaan & Kaal, 2019).

## 2. Aim

To systematically review the literature concerning the experience of LEOs encountering people with ID as suspects or accused persons at the time of their contact with LEOs (at pre-arrest, arrest, caution, initial detention, interview/charge).

## 3. Methods

Six research databases, MEDLINE, SCOPUS, EMBASE, CINAHL, JSTOR and PSYCINFO (inception to 1 December 2019) were systematically searched for English-language publications using key words: “(suspect OR detainee OR prisoner) AND (intellectual disability OR mental retardation OR learning disability) AND (police OR law enforcement OR arrest OR detention OR Garda)” (“Garda” is the Irish language word for ‘police’). The electronic searches were augmented by manual searching through reference lists and websites of governmental and non-governmental organisations.

One researcher (GG) screened abstracts for inclusion criteria and full texts were requested for a second stage of screening. A second researcher (BDK) was consulted where there was uncertainty around inclusion. PRISMA Guidelines (Moher et al., 2009) were followed in the conduct of this review. One researcher (GG) conducted data extraction from included studies, identifying any overarching themes emerging.

Studies with information about the experiences of LEOs who had encountered persons with ID as suspects or accused persons at a pre-trial stage (pre-arrest, arrest, caution, initial detention, interview/charge) were included. Opinion articles or reviews that did not contain primary data were excluded, as were studies that related primarily to mental illness or mental disorders other than ID.

## 4. Results

The search strategy yielded 670 individual abstracts (Fig. 1). 603 studies were excluded at primary screening of abstracts as not relevant to the study aim. Sixty-seven full-text studies were reviewed. Sixteen studies met inclusion criteria ( $n = 16$ ).

Reasons for exclusion included studies with no primary qualitative data ( $n = 25$ ), studies pertaining to mental illness or “mental disorder” rather than ID ( $n = 20$ ) and data relating to interactions in the criminal justice system other than with frontline LEOs ( $n = 6$ ).

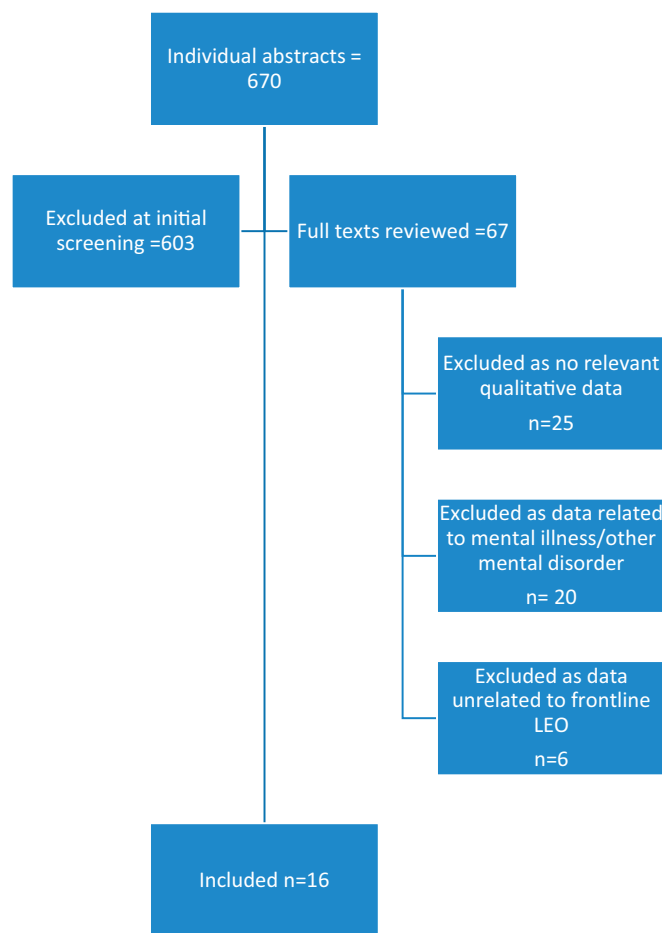


Fig. 1. Study Inclusion.

## 5. Findings

Sixteen studies (2001–2019) from five countries (UK, US, Norway, Canada and Australia) involving 983 LEOs were identified. LEOs included custody officers, response officers, trainee police officers and police officers on a firearms course. The key findings from each study are presented in Table 1. The following overarching themes emerged from the literature.

### 5.1. Training

A number of studies identified the need for training and awareness of ID among LEOs (Gendle & Woodhams, 2005). Where training had been undertaken, the advantages associated with these training programmes was reflected both in the attitudes adopted by the respondents towards people with ID (Bailey et al., 2001) and in the procedures undertaken by LEOs in respect of suspects with ID (Henshaw, Spivak, & Thomas, 2018).

### 5.2. Attitudes

A number of studies reported a positive and helpful attitude towards people with ID (Eadens, 2008), a willingness to understand the unique challenges which the pre-trial process poses for a suspect with ID (Gendle & Woodhams, 2005), and a general willingness to explore alternative options such as diversion, or withdrawal of the complaint for minor offences where an individual had an established support network (Mercier and Crocker, 2011).

There were some, albeit limited, data to suggest the presence of

dismissive attitudes and misconceptions regarding people with ID. One study reported excavating negative attitudes towards suspects with ID which were mitigated through awareness training (Bailey et al., 2001). There was also evidence of a culture of confusion between ID and mental illness, attributing doubt (McAfee, Cockram, & Wolfe, 2001) and “untrustworthiness” to the statements of those with ID and a sense “of resignation or a belief that that little legal redress is available” for those with ID (Keilty & Connelly, 2001).

### 5.3. Identification

The identification of a person with ID was seen as a challenge. LEOs use a variety of informal methods to help identify someone with an ID including facial characteristics and comprehension, as well as behaviour in custody (Douglas & Cuskelly, 2012). Few used screening tools or any other formal method (Søndena, Olsen, Kermit, Dahl, & Envik, 2019).

### 5.4. Notice of rights

One study reported challenges for LEOs in explaining the notice of rights, which contains essential, pre-trial information relating to the due process safeguards to which all crime suspects are entitled (Parsons and Sherwood, 2016). This study also proposed and developed an adapted version of such a notice for use in the UK.

### 5.5. Police custody/interview

A number of studies highlighted the challenges for LEOs in respect of the conflict between various perceived forensic and ethical obligations: on the one hand, LEOs require safeguards in order to conduct an interview with a vulnerable person; and, on the other hand, they need to ascertain if a crime has been committed (Cant and Standen, 2007; Hellenbach, 2012). LEOs reported the need for safeguards both to support the person with ID and to ensure the integrity of evidence so as to ensure successful prosecution. A lack of consistent application of safeguards for vulnerable persons was described (Jessiman and Cameron, 2017; Equality and Human Rights Commission, 2017; Gendle & Woodhams, 2005).

## 6. Discussion

This review sought to systematically study the literature on the experiences of LEOs interfacing with people with ID as suspects or accused persons in the pre-trial stage of the criminal justice system. To our knowledge, this is the largest such review in this area. The strengths of the review include the systematic search strategy and the inclusion of databases that cover the interface of law and medicine. This approach allowed the identification of studies that highlight experiences from 983 LEOs across five countries. On the other hand, the authors found no data from developing countries. This would point to the likelihood of a publication bias and English language “tower of Babel” bias in the findings of this review.

We identified that challenges exist for LEOs at a number of points in their duties as they interface with people with ID as suspects. These range from challenges arising from preconceptions and attitudes to challenges arising from a lack of training around identifying ID and providing adequate, timely procedural safeguards during the investigation and the custody process. Identifying a suspect who may need support or additional safeguards is an essential first step in ensuring that the rights of suspects with ID are meaningfully realised within the criminal justice system (Cusack, 2018; Gulati, Cusack, Kelly, Kilcommins, & Dunne, 2020; Gulati, Cusack, Kilcommins, & Dunne, 2020; Talbot, 2009). Indeed, without this, it is not possible for the police to adapt their forensic approach in their initial dealings with these suspects in order to properly account for their cognitive and

**Table 1**  
Findings from included studies.

Author	Year	n	Region	Study objectives	Key findings
Bailey et al. (2001)	2001	65 trainee police officers	Northern Ireland (UK)	Evaluation of awareness training around ID	This study found evidence of dismissive attitudes, although it is not possible to be clear about how such attitudes impact on the behaviour of police officers towards people with ID. The training event was associated with a significantly more favourable attitude to people with ID.
Keilty and Connelly (2001)	2001	13 police officers	New South Wales, Australia	Police officers were asked their views of ID perpetrators of sexual offences in a study primarily around victims with ID	The police felt that for perpetrators with ID little legal redress was possible. Police assumed that prosecution would be unsuccessful because of legal technicalities and because of the sympathy or incredulity of the jury. The police felt it less serious if the accused had a disability than if they did not, and they considered that such an offender could not be held accountable, but should be dealt with in-house by their carers. Officers judged perpetrators with ID less believable, their crimes more serious and felt they were more dangerous than perpetrators without ID. Yet, they proposed less severe actions against the ID perpetrator. Whilst their sympathy was magnified if the victim had ID, their doubt was magnified if the perpetrator had ID.
McAfee et al. (2001)	2001	136 police officers (Australia) 168 police officers (US)	Western Australia and Pennsylvania, US	Cross-cultural experimental study of police officers' reactions to crimes involving people with ID (as victims and perpetrators).	Officers were perceptive about the challenges faced by people with ID and were knowledgeable about the potential causes of ID. The officers felt that people with ID were likely to commit offences that did not involve sophisticated planning and that they were vulnerable to being led into crime by others. The officers spoke out in defence of those who are marginalised. The officers were concerned that sometimes the Appropriate Adult was not appropriate or sufficiently assertive. The officers talked about their concern that a learning disability was sometimes overlooked. They also spoke about their confusion between people with learning disabilities and people with mental health problems.
Gentle and Woodhams (2005)	2005	8 sergeants attending an awareness course around mental illness and learning disabilities	UK	Evaluation of perceptions of police officers towards people with learning disabilities and knowledge of issues related to learning disabilities	A number of officers stated that arrest was not the first option. The officers showed concern about achieving the best justice for people with learning disabilities. They showed concern that people with a learning disability came to a police station at all, and some felt that the cells could never be the right place. The officers spoke about courses they had attended, citing a need for more practical elements such as visits to services for people with learning disabilities. The officers also cited the need for refresher training.
McBrien and Murphy (2006)	2006	65 police officers (85% were response officers)	UK	Beliefs held by police officers and care staff were compared in relation to perpetrators with and without ID using vignettes	When comparing police and carers, for ID perpetrators, the police were significantly more likely to believe that assault and rape should be reported than the carers. The police would expect the crime to be reported to them but they would not expect the criminal justice system to be utilised to deal with the ID perpetrators, except in the case of a rape.

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Table 1 (continued)

Author	Year	n	Region	Study objectives	Key findings
Cant and Standen (2007)	2007	7 custody sergeants	UK	Eliciting professionals' views about offenders with ID in the criminal justice system	<p>Problems with community-based care were identified; specifically, that care in the community is the end of the line and some people are placed there because nobody else can help them and, unfortunately, such people are more likely to come to police attention.</p> <p>The criminal justice process was seen by some as immutable; i.e. that the law has to take its course and the same rules must apply to all. It was possible to be flexible in the investigation process but not the court process.</p> <p>There was recognition of the educational function that the justice system might provide to help people learn from their transgressions and avoid future offending; i.e. helping people to see that what they did was wrong.</p> <p>Some respondents alluded to a denial of rights if defendants did not go through the full legal process. This was especially so given the potential for the justice system to be fallible. There was, however a general feeling that victims' rights were accorded greater importance.</p> <p>Police officers were found to hold generally positive attitudes towards people with ID, were knowledgeable about persons with ID (mental retardation), and were socially willing to interact with people with ID.</p> <p>Female officers were found to have more positive attitudes, with Hispanic officers scoring lower in social willingness. Significance was not found for either chronological age or years of experience in policing.</p> <p>With the exception of one custody sergeant, none of the police respondents had an accurate understanding of learning disabilities. The majority referred to a person with mental health issues rather than learning disabilities. Respondents, in general, had confidence in the mechanisms in place allowing identification of people with special needs. It was also stressed that in the event of the police failing to correctly determine a person's level of intellectual functioning, their solicitor should pick it up.</p> <p>Police provide an Appropriate Adult mainly to secure valid evidence. Sergeants were determined to ensure that evidence was gathered to allow a person to be taken to court. All believed that facilitating a successful prosecution requires the rights of an individual to be respected.</p> <p>Various constraints, especially time restrictions in which custody sergeants have to deal with detainees, limit the extent to which a sergeant can assess a person's intellectual capabilities.</p> <p>Sergeants who implicitly outlined a conflict between police investigations and a detainee's welfare also emphasised the problems and inconveniences that recruiting an Appropriate Adult can involve. As a consequence, these problems can interfere with a sergeant's performance targets.</p>
Eadens (2008)	2008	180 police officers	Florida, US	Examination of the attitudes held by police officers towards persons with 'mental retardation' with regard to the domains of knowledge, social willingness, affect and contact	
Hellenbach (2012)	2012	15 custody sergeants	England (UK)	Eliciting opinions and attitudes towards offenders with learning disability	

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**Table 1 (continued)**

Author	Year	n	Region	Study objectives	Key findings
Mercier and Crocker (2011)	2011	1	Canada	To document the initial (pre-trial) decision-making processes of the main actors in the criminal justice system concerning the disposition of persons with ID alleged to have committed minor criminal offences.	For those known to the police or relevant services, or with a support network, there was a suggestion to withdraw the complaint (with the exception of violent, sexual offences and recidivists). For those with problem behaviour, consideration of diversion services, documentation in an event report or pre-trial detention were listed as options. For those with no services, no support, or undiagnosed, unnoticed, mild or borderline ID, a mainstream procedure was suggested.
Douglas and Cuskelly (2012)	2012	30	Queensland, Australia	Focus group methodology to determine how police recognise a person as having an ID	Appearance was the most commonly nominated characteristic used to identify a person as having an ID, followed by language difficulties (i.e. difficulties making themselves understood), problems with comprehension, inappropriate behaviour for age, and problem behaviour. There were some initial statements that indicated difficulty in distinguishing intellectual disability from mental illness. Respondents expressed concern about their skills in recognising and then in dealing appropriately with people with an intellectual disability whom they met in the course of their work.
Henshaw and Thomas (2012)	2012	229	Melbourne, Australia	Police officers who attended a mandatory firearms training course	Police were most likely to base their knowledge of ID on their previous work-related interactions, followed by the training provided. Police considered that dealing with people with ID is part of the community policing role, that this role did require specialist training, and that adequate training had been provided. In respect of challenges faced in resolving encounters, the commonest themes were communication (making sure all parties understand each other), assistance (identifying relevant services), compliance and control of the situation (achieving cooperation), police knowledge (that the person has ID), unpredictability (preventing injury), interpersonal interactions (addressing fear of police), awareness (understanding police processes), resolution (not just in the short-term), police resources (especially time) and trustworthiness (ascertaining if the person is telling the truth).
Henshaw et al. (2018)	2018	229	Melbourne, Australia	Police officers who attended a mandatory firearms training course	Participants involved in this study reported that they invariably made use of a support person during interviews with people with ID. Participants did not report that the support person should be responsible for making decisions for, or providing legal advice to, interviewees with ID, citing instead the tasks of ensuring that interviewees understood their rights, facilitating communication and providing emotional support to interviewees.

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Table 1 (continued)

Author	Year	n	Region	Study objectives	Key findings
Parsons and Sherwood (2016)	2016	14 police custody staff (sergeants and inspectors)	UK	<p>Pilot use of an accessible format of the rights and entitlements notice.</p> <p>Eliciting views of custody personnel and other criminal justice system professionals about the challenges and practices of supporting the communication needs of vulnerable people in custody, including those with ID.</p>	<p>Current ways of operating and communicating were often seen as exclusionary and unhelpful, resulting in a lack of understanding by the detained person about their rights. The lack of understanding about the system and the notice of rights were identified as having important implications for the detained person. There was an unconscious sense of limited agency from many of the respondents; there was an acceptance of the status quo with regard to communication and information provision.</p> <p>There was a perception of automaticity of the booking-in process when someone arrives in custody and is first given notice of their rights. Both custody sergeants and other personnel commented that this stage of communication can be perfunctory due to repetition and familiarity. There was acknowledgement and understanding that this interaction was unlikely to be helpful for the detained person.</p> <p>Comments revealed the frightening, challenging, threatening and sometimes chaotic, environment of custody and its potential influence on communication and interaction.</p> <p>Being able to obtain an AA without delay was important to police staff because of the restrictions on the length of time suspects could be detained and the need to move detainees through the custody suites quickly.</p> <p>The primary function of the AA was to ensure due process was followed; in particular, that the interview was conducted properly and fairly; that the detainee understood what was happening and what was said to them; and that the procedures set out in the Police and Criminal Evidence Act guidelines were followed.</p>
Jessiman and Cameron (2017)	2017	4 police staff	UK	<p>Qualitative feedback around experience of appropriate adult (AA) from the perspective of stakeholders</p>	<p>Criminal justice agencies have no consistent way to identify people who have learning disabilities throughout the criminal justice system.</p> <p>Police were seen by many as having a key role in identifying learning disabilities at the point of arrest and charge, and for sharing this information as a person progresses through the system, but they have no routine screening and rely on individual officers to identify people who are having difficulty understanding.</p> <p>Despite the reliance on frontline staff to identify people with learning disabilities, there was a lack of awareness and practical training on this issue.</p> <p>There was also a lack of suitable legal representation for people with learning disabilities at their first police interview.</p> <p>Participants noted that many people with learning disabilities are interviewed by the police without an Appropriate Adult.</p> <p>There are challenges for the police, including the short period of time they have to hold and interview a suspect before they have to charge or release them, and if this person requires an Appropriate Adult but they cannot attend immediately, this reduces the time available.</p>
Equality and Human Rights Commission (2017)	2017	n = ? (difficult to extract information attributable to police alone)	Scotland	<p>To gain understanding of issues and challenges people with learning disabilities face when they are accused or convicted of crimes in Scotland.</p>	<p>Police were seen by many as having a key role in identifying learning disabilities at the point of arrest and charge, and for sharing this information as a person progresses through the system, but they have no routine screening and rely on individual officers to identify people who are having difficulty understanding.</p> <p>Despite the reliance on frontline staff to identify people with learning disabilities, there was a lack of awareness and practical training on this issue.</p> <p>There was also a lack of suitable legal representation for people with learning disabilities at their first police interview.</p> <p>Participants noted that many people with learning disabilities are interviewed by the police without an Appropriate Adult.</p> <p>There are challenges for the police, including the short period of time they have to hold and interview a suspect before they have to charge or release them, and if this person requires an Appropriate Adult but they cannot attend immediately, this reduces the time available.</p>

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Table 1 (continued)

Author	Year	n	Region	Study objectives	Key findings
Sondena et al. (2019)	2019	216 police Officers (difficult to extract data attributable to police alone; may include views of district attorneys and judges)	Norway	How – and to what extent – professionals in the criminal justice system recognise the presence of people with ID involved in criminal court cases	32.4% of police reported contact with suspects with an ID on a monthly basis. Contact as suspects was more frequent than as victims or witnesses. The offences that respondents supposed were most frequent in suspects with ID were crimes of a sexual or violent nature. A minority reported having any routines at all in how to identify ID, including written routines or screening tools.

communicative difficulties. Such equity of justice, it is submitted, is a necessary undertaking for all countries that have ratified the United Nations' Convention on the Rights of People with Disabilities (2006).

This research identified a perceived conflict of obligations for LEOs between meaningfully respecting the due process rights of a vulnerable suspect on the one hand and securing a timely and effective forensic investigation on the other. We argue that these exigencies are not mutually exclusive. The application of appropriate safeguards, and the adoption of tailored investigative practices which have been designed in contemplation of the individuated communicative and cognitive needs of suspects with ID, would reduce the risk of injustice and improve the forensic accuracy of pre-trial procedures. It is notable in this regard that a retrospective analysis of the US register of exonerations revealed that a quarter of exonerations arising from false confessions concern people with ID (Schatz, 2018).

The findings of this review are relevant to the development of ID-awareness training for law enforcement agencies/services. The overarching considerations in such training can be generalised across countries although advanced training modules may need information that is jurisdiction specific. We recommend that such awareness should, at a minimum, include information about dispelling misconceptions and stereotypes around people with ID, identifying people with ID who may need support, addressing barriers for people with ID throughout the criminal justice system, following necessary procedural safeguards and signposting sources of information and support for LEOs in relation to ID. Future research could usefully be directed at the development and evaluation of such training.

The adoption of the United Nations' Convention on the Rights of People with Disabilities and in particular, Article 13 of the Convention, places on onus on ratifying states not only to develop such training but also consider policy developments that facilitate access to justice for people with disabilities. Such developments may usefully include guidance for frontline LEOs in respect of identifying people who may need support, measures to facilitate communication such as easy-to-read versions of the notice of rights on arrest and practical safeguards such as the use of appropriate adults in the police custody setting (Gulati, Cusack, Kelly, Kilcommins, & Dunne, 2020).

#### Declaration of Competing Interest

GG is Chair of the Faculty of Forensic Psychiatry at the College of Psychiatrists of Ireland. The views expressed are his own. BDK, AC, SK and CPD have no conflicts of interest to declare.

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