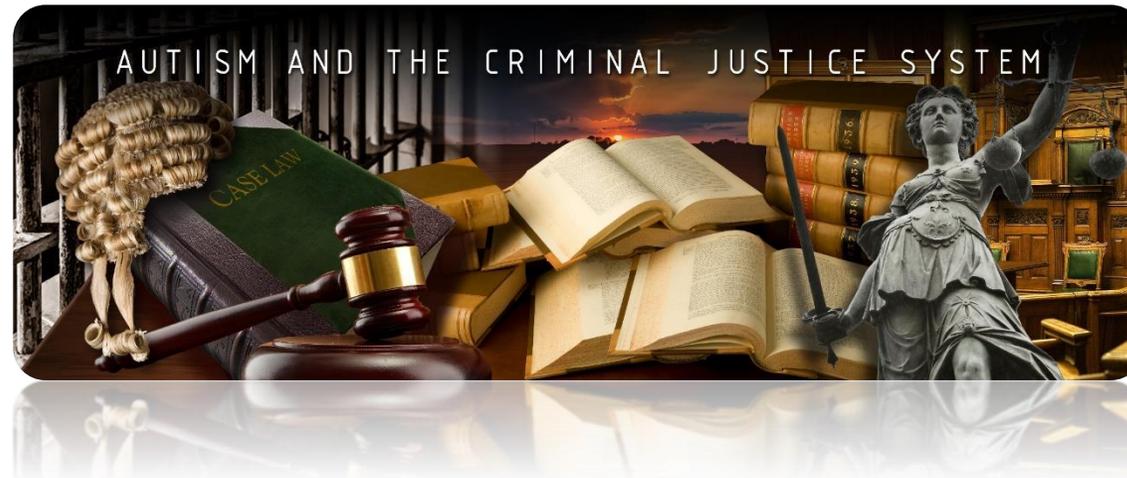


Sexual Offending Behaviour in Young People with Intellectual Disabilities and Autism Spectrum Disorder



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+ Autism Spectrum Disorder

DSM -IV TR

- **Formerly** (DSM-IV-TR):
Required Deficits in **3** Areas:
 - Social Interaction
 - Communication
 - Restricted, Repetitive and Stereotyped Behavior

DSM-5

- **DSM-V:** Characterized by
Deficits in **2** CORE Domains:
 - Social Communication and Interaction
 - Restricted & Repetitive Behavior, Interests, and Activities

**Deficits in communication are related to social interaction deficits.
DSM-5 fixes this double counting.**

Prevalence of Autism in the Intellectual Disability (ID) Literature

- Prevalence of autism among those living with ID of between 8.8 and 30 % has been reported (e.g., Morgan et al., 2002; Hermans & Evenhuis, 2014; Turygin, Matson, & Adams, 2014).
- A UK study involving 571 adults in contact with an ID service suggested that prevalence decreases with age, reporting 36 % identified among those aged 16–25 years compared with only 13 % who were aged 65 years and older (Morgan et al., 2002).



Prevalence of ID in the Autism Literature

- The ASD literature presents similarly disparate estimates of co-morbid ASD and intellectual disability (ID), with methodological differences relating to age and sources of sample, and variation across study country of origin.
- In a review of over 30 epidemiological surveys of autism and other pervasive developmental disorders, Fombonne (2003) found that ID is associated with ~70 % of individuals on the spectrum (among whom 30 % experienced mild to moderate intellectual impairment, with relevant disorders including fragile X, Down syndrome and tuberous sclerosis).
- Mannion et al. (2013) presented a review of comorbid psychiatric and medical disorders across the lifespan, estimating that among children and adolescents, the prevalence of comorbid disorders (defined as the co-occurrence of two or more disorders) was 46.1 % (excluding ID) or 78.7 % when ID was included as a comorbid disorder.

ASD and Offending

- Study of penal register data regarding Hans Asperger's original group of 177 patients (Hippler et al., 2010).
 - rate & nature of crimes committed by these individuals no different from the general population.
 - In the case records spanning 22 years & 33 convictions, there were only 3 cases of bodily injury, 1 case of robbery and 1 case of violent and threatening behaviour.
- Despite this, media and academic reporting of violent crime committed by offenders with ASDs has served to generate a speculative association between ASDs and offending behaviour.



Characteristics of Offences

More common
Among High functioning:

- Threats to kill
- Arson
- Sexual offending
- Criminal damage
- Stalking



Bowler and Worley (1994), Murrie et al (2002), O' Brien and Bell (2004), Barry-Walsh & Mullen (2004), Berney (2004), Woodbury-Smith et al (2005)



A psycho-legal perspective on sexual offending in individuals with autism Spectrum disorder



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ABSTRACT

It is important to consider whether there are innate vulnerabilities that increase the risk of an individual with an autistic spectrum disorder (ASD), predominantly those defendants with a diagnosis of Asperger's Syndrome, being charged and convicted of a sexual offence. The significance of such can be readily seen in recent English case law, with judgments on appeal finding convictions unsafe where there have been a number of failings in the Judge's summing up. In this article, we will consider the gravity of Judges omitting to highlight a defendant's diagnosis of autism spectrum disorder and the necessity of detailed explanations to jury members regarding the condition and its effect upon thoughts and behaviour. Consideration will be specifically given to the necessity to prove sexual motivation in such offences and the judicial direction required in relation to whether the appellant's actions had been sexually motivated. Recognition of the social impairments inherent in ASDs are vital to this work and we shall consider whether the difficulty with the capacity to develop appropriate, consenting sexual relationships as a result of impaired social cognition may be one of the factors which increases the risk of sexual offending in individuals with ASD (Higgs & Carter, 2015).

Sexual offending and autism spectrum disorders

Clare Sarah Allely and Ann Creaby-Attwood

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Abstract

Purpose – *Studies have found innate vulnerabilities which potentially may increase the risk of an individual with autism spectrum disorders (ASD) finding themselves involved with the criminal justice system as a result of being charged with a sexual offence. The purpose of this paper is to evaluate the literature which has explored sexual offending in individuals with ASD.*

Design/methodology/approach – *A systematic PRISMA review (PRISMA, Preferred Reporting Items for Systematic Reviews and Meta-Analyses) was conducted using internet-based bibliographic databases (PsycINFO, MEDLINE, Psychology and Behavioural Sciences Collection and PsycARTICLES) in order to access studies which investigated to any degree the association between ASD and sexual offending.*

Findings – *Only a small number of case reports (n = 7) on sexual offending in individuals with ASD and a small number of prevalence studies (n = 7) were identified.*

Research limitations/implications – *Research is urgently required to identify the specific requirements and needs of sexual offenders with ASD in order to inform an appropriate treatment strategy for successful outcomes.*

Originality/value – *Relatively few studies and reviews have investigated the area of ASD and sexual offending specifically.*

Keywords *Sexual offending, Sexual offences, ASD, Autism spectrum disorder, Asperger, AS*

Paper type *Literature Review*

Risk Factors and Vulnerabilities

- Psychiatric Comorbidities
- Social Naivety
- Intense, restricted interests
(Circumscribed Interests)
- Sensory Sensitivities
- Social-Cognition Deficits
- Social and Communication Impairments



Psychiatric Comorbidities

- Newman and Ghaziuddin (2008) reviewed all published articles reporting an association of AS with violence.
- Of 37 cases that met inclusion criteria, 31 (83.7%) had evidence of a definite or probable psychiatric disorder, including ADHD, depression and other mood disorders, “obsessional neurosis,” & disorders resulting in maximum-security hospitalisation.
- Most violent individuals with AS suffer from comorbid psychiatric disorders that raise their risk of offending, as they do in the general population.



Social Naivety



- Their increased social naivety may leave people with an ASD open to manipulation by others.

Intense, restricted interests (Circumscribed Interests)

- Obsessive pursuit or engagement in circumscribed interest.
- Relationship between circumscribed interests in individuals with ASDs and behaviour that leads to contact with the CJS is poorly understood (Woodbury-Smith et al., 2010).
- Convictions for arson were preceded by an interest in fires (e.g., Barry-Walsh & Mullen, 2004)
- Tantam (1988) describes an individual with a fascination with National Socialism, who dressed in Nazi uniform before assaulting a soldier.
- Attempts to discourage certain repetitive behaviours could trigger reactive aggression from individuals with ASD, accounting for the association between repetitive behaviours and aggression.

Sensory Sensitivities

- Individuals with an ASD can present with a range of unusual sensory hypersensitivities or hyposensitivities across several sensory areas (Bogdashina, 2003).
- This is now recognised within the diagnostic criteria as defined in the DSM-5 (APA, 2013).
- In Bjorkly (2008)'s literature review, sensory hypersensitivity was the second largest cause of violence towards others.
- Many individuals with ASD report sensory hypersensitivities as their main cause of stress (Robertson & Simmons, 2015) and in some circumstances offending has been linked to a specific sensory hypersensitivity (Mawson, Grounds, & Tantam, 1985).



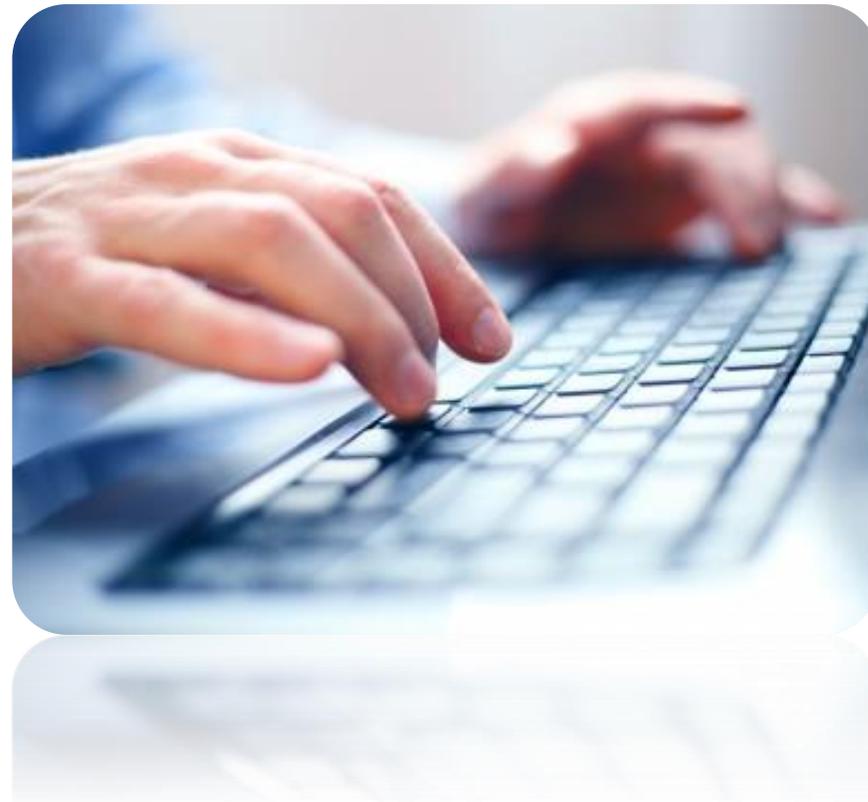
Social-Cognition Deficits

- In Bjorkly (2008)'s literature review of risk factors for violence in Asperger's Syndrome (AS), 35% of violence towards others was reportedly attributed to social misinterpretations of the victims' intentions.
- Burdon and Dickens (2009) have highlighted that impairment in understanding social cues may influence criminal behaviour, in individuals with AS.



Social and Communication Impairments

- Can have difficulties with developing and maintaining friends.
- Internet provides a safe environment (degree of control)
- Internet/social media 'Friends' who validate skills and promise 'justice' and 'moral certainty' can influence an individual very quickly (Al-Attar, 2016).
- Technical skills coupled with social impairments can make an individual with ASD targets for exploitation (Al-Attar, 2016).



Case Study

Milton, Duggan, Latham & Tantom (2002)

- Case of a Caucasian male in his early thirties with AS. His convictions can be categorised in 3 main types (acquisitive offences, direct sexual assaults & indirect sexual assaults).
- History of recurrent sexual offences which included sexual touching of young female's private regions; watching women in public toilets and pretending to be a gynaecologist and interviewing women about their experiences over the phone.
- He had a long history of being fascinated with women's genitalia.
- Focus of this fascination was the image of a woman being gynaecologically examined by a doctor.
- He would pose as a medical researcher and go on telephone 'chatlines' to ask the women he spoke to for details of their gynaecological examinations while he frequently masturbated.

Case Study

Murrie, Warren, Kistiansson & Dietz (2002)

- **Case (KL)** involving a sexual offence, the male (KL) was arrested following an assault on two women in the female toilets at the local zoo where he was a weekend volunteer and was subsequently referred for forensic evaluation.
- He was open and exhibited no embarrassment or hesitation when revealing intimate details about his life and his significantly active and aggressive sexual fantasies. KL reported feelings of isolation and loneliness.
- He had crushes on numerous women at work and would follow them when they moved around the building.
- His masturbatory fantasies involved following strange women, binding them using rope and climaxing while he used a knife to cut into their breasts.

Case Studies

Haskins & Silva (2006)

Case of Mr B

- Middle-aged substitute teacher accused of touching a number of adolescent female students. Mr B was unable to develop friendships or relationships.
- Failed to recognise how his actions might be perceived by the students and others. The compulsive nature of his touching behaviour is consistent with repetitive and stereotyped behavioural patterns.

Case of Mr C

- Deaf man referred for outpatient psychotherapy primarily because of his display of inappropriate sexual behaviour. Compulsively solicited male strangers for sex contact. History of impaired social skills, lacked friends and was unable to maintain a job.
- Exhibited impaired ToM as he compulsively approached males for sexual contact with no recognition of the potential hostile reaction he might receive from heterosexual males.

The contributory role of autism symptomology in child pornography offending: why there is an urgent need for empirical research in this area

Clare Sarah Allely and Larry Dubin

Abstract

Purpose – As recently highlighted by Creaby-Attwood and Allely (2017), it is crucial that the possible innate vulnerabilities that contributed to sexual offending behaviour in an individual with an autism spectrum disorder (ASD) are taken into consideration for the application of a diversion programme to avoid the stigma of a criminal conviction or during sentencing for a non-custodial outcome. Specifically, in those defendants with a diagnosis of what used to be referred to as Asperger's syndrome (AS) and now is recognised as an ASD and who are charged and convicted of a non-contact sexual offense, education and mental health intervention will best serve the interests of justice. The paper aims to discuss this issue.

Design/methodology/approach – This paper focusses on one particular type of sexual offending behaviour, namely, possession of child pornography. A systematic PRISMA review was conducted.

Findings – The authors linked examples of child pornography in the research literature to the ASD symptomology and describe how the symptomology explains such behaviour as not reflecting actual sexual deviance.

Originality/value – Downloading and viewing of child pornography by individuals with ASD has received relatively little research outside the mental health field. This review is of particular importance to those in the criminal justice system who may not have much knowledge and understanding of ASD. It is suggested that diversion programmes and mental health courts should be set up for this particular population charged with this particular crime in mind so that the necessary treatment/intervention/support and care can be given to this particular group.

Keywords Autism, Sentencing, Aspergers, Child exploitative material, Child pornography, Pre-trial diversion

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ASD and Child Pornography

- Suggested that individuals may explore the internet for sexual education or to satisfy sexual needs due to a lack of sexual outlets with peers/friends (Dubin et al., 2014).
- Many individuals with ASD will have average or above average intelligence while their social maturity is that of someone much younger. This frequently results in them being more interested in befriending people who are much younger than themselves but who are socially and emotionally at the same level (Cutler, 2013).
- Regarding the viewing of child pornography, issues occur when individuals with ASD are unaware that what they have done is a criminal offense. One explanation for the lack of awareness that they have committed a crime is their inability to recognise the facial expressions in the images of the children.
- Such an inability to recognise facial expressions (such as fear) is supported by a large amount of studies (e.g. Woodbury-Smith et al., 2005; Uljarevic & Hamilton, 2013).

ASD and Child Pornography



- Another issue that needs to be considered is that many individuals with ASD may inadvertently view child pornography as a result of their inability to guess correctly the age of the individuals in the images and sometimes the boundaries/distinction between an adult and a child is blurry.
- This is important to understand given that the legality and severity of the offense is determined by the age of the victims in the images being viewed by the defendant (Mahoney, 2009).

Thylane Blondeau: Controversy



ASD and Child Pornography

- For individuals with ASD, exploring sexuality on the internet through child pornography is one way for them to try to understand relationships and sexuality as opposed to being a precursor to any sexual offending towards a minor. As with many things that interest them, the desire for this material can end up being particularly excessive and compulsive in individuals with ASD (Mesibov and Sreckovic, 2017).
- Numerous cases where the individual with ASD has been found to have large collections of pornographic material (e.g. involving children) (as part of the ritualistic nature of ASD) with thousands of files not even opened.



ASD and Child Pornography

- Unaware of the broader issues like where and how they got those files, who else might be able to access them and what the consequences (and impact on) are for the minors in the images they are viewing.
- Because of their literal view of the world, they would not consider that something that is illegal could be so freely available on the internet.
- Media fraught with marketing materials with risky images of teenage models or images where they have made the older models look “barely legal”. Such images can be confusing for the individual with ASD, making it more difficult to determine what is illegal pornography (Mesibov & Sreckovic, 2017).

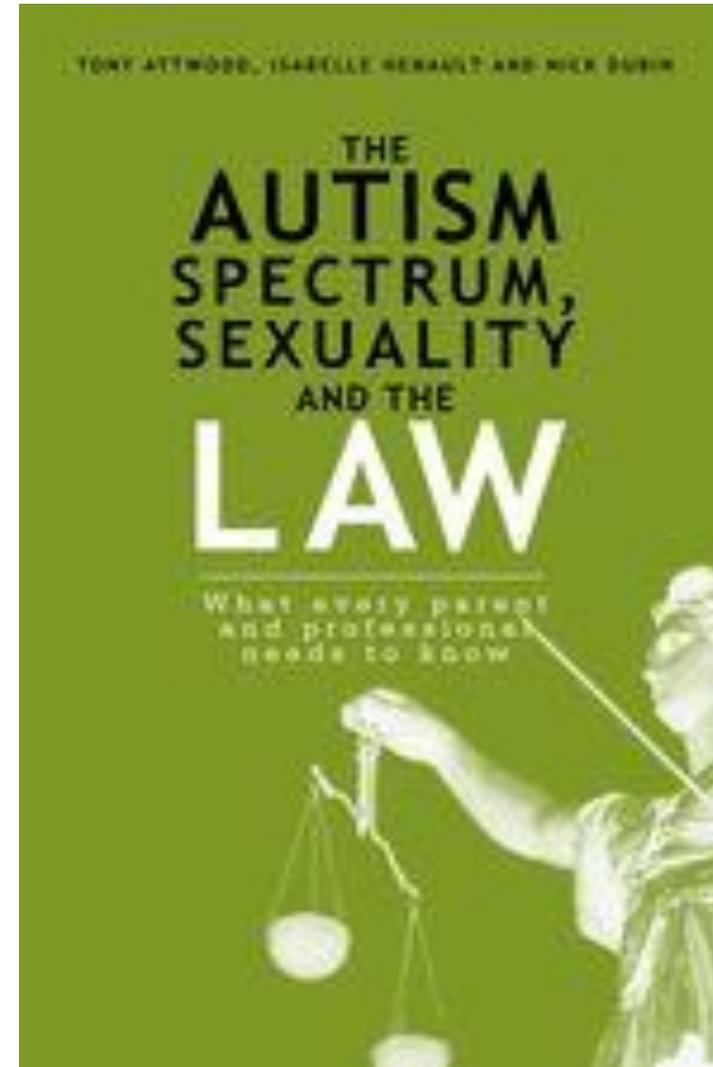


Considerations when Assessing Risk in this Group

- Sugrue (2017) points out that there is an assumption that the level of risk is associated with the number of images that the individual has accumulated or the nature of the content. This is because it is believed by some that the more images, the greater the obsession, and they are more at risk of acting on these urges as a result. **However, studies do not support this** (Stabenow, 2011).
- Even more inappropriate for individuals with ASD because it does not take into consideration the relationship between the volume of collected pornography and the compulsive and obsessive features of ASD. No research which indicates that extreme sexual content is predictive of dangerousness (Osborn et al., 2010).
- Looking at extreme sexual material is not always a reflection of the presence of deviant sexuality. Instead, it can be what is referred to as “counterfeit deviance” (e.g. naïve curiosity) in offenders with ASD (Mahoney, 2009).
- However, proper sex education can provide the information necessary to help people with ASD to understand the rules for proper sexual conduct accepted by society that will help prevent watching child pornography or improper sexual conduct as the ASD population are rule followers (Mahoney, 2009).

Autism and Child Pornography

Case of Nick Dubin



**“Having highly restricted interests and having sensory peculiarities in ASD may possibly set the stage for developing fetishism and other paraphilias in individuals with certain sensory profiles among other factors”
(Kellaheer, 2015, pp. 30).**

- Case described by Kellaheer (2015), which involved the young man with ASD whose interest in wolves as a child transformed into a preferential canine zoophilia as an adolescent. This young man admitted that he was sexually excited at seeing and touching the fur and scrotum of a large wolf-like dog.
- This is an example of an interest in the sensory parts of ‘the whole’ for sexual excitement. Kellaheer argues that this partialism or body part fetishism (which is ‘part’ oriented as opposed to ‘whole’ other person-oriented) is relatively commonly identified in individuals with ASD. So, for instance, “just as an ASD individual may be interested in the wheels of a car, he may also be drawn sexually to the feet or hair of another person” (pp. 30).
- This is consistent with numerous case studies involving individuals with ASD who have a paraphilia or sexual interest in a particular body part such as feet (e.g., Dozier et al., 2011).

Early Conditioning to Deviant Stimuli

- Diagnosing cases of paraphilic disorders (such as zoophilia) in individuals with ASD can be challenging.
- One of the main reasons for this is that specific behaviours can be stimulated by sensory (and other) disorders, with no sexual element being involved.
- However, restricted, repetitive interests and behaviors which have no sexual element in childhood may, in adolescence, develop into sexualised or sexual, restricted, repetitive interests. In other words, “early, inadvertent conditioning to sensory stimuli that is appealing during pre-puberty may lead to a powerful union between specific ASD sensory-seeking and sexual arousal through masturbation” (Kellaher, 2015, pp. 30).
- However, it has never been examined as a factor by itself and studied empirically (Kellaher, 2015; Kellaher, 2019, personal communication).

Stereotypes Surrounding the Sexuality of Individuals with ASD

- Individuals with ASD often experience prejudicial stereotypes that they are asexual, hyper- or hypo sexual, child-like and dependent, and/or uninterested in sex (MacKenzie, 2018).
- MacKenzie (2018) have also highlighted that their sexuality is considered by some be problematic and needs to be 'treated' or managed.
- Some of the stereotypes surrounding the sexuality of individuals with ASD are perpetuated by some of the features of ASD such as aversion to being touched by others and that because they are 'unemotional' they would not be interested in sexual relationships (Kellaher, 2015).
- As young people with ASD enter into adulthood, they may find themselves faced with significant difficulties in developing and maintaining social and romantic relationships as a result of their social impairments and sexual 'anomalies' (Henault & Attwood, 2006; MacKenzie, 2018).

Access to Sex and Sexuality Education

- It has been argued that the lack of support and services (in schools, etc) to help autistic adults with ASD develop the necessary skills to help them understand the social nuances of dating, intimacy and relationships further exacerbate these difficulties faced by individuals with ASD (MacKenzie, 2018).
- Adolescents with ASD frequently do not have links with extensive peer groups where informal discussions relating to sex occur (Mehzabin & Stokes, 2011).
- Individuals with ASD are less likely to receive sex and sexuality education, or an education in sex and social relationships that is tailored to their specific needs (MacKenzie, 2018).
- Individuals with ASD are also less likely to gain knowledge about sex from their parents or teachers. It has also been suggested that they more often access the media and pornography in an attempt to gain information about sex. This can often lead to unintentional online offending in some cases (Allely & Dubin, 2018).

Parents of Children and Adolescents with ASD

- In a survey with individuals with ASD and typically developing individuals, Mehzabin and Stokes (2011) found that individuals with ASD have less adaptive sexual knowledge and behaviours, reported less social behaviour, less education about sex and sexuality and less sexual experience.
- Corona and colleagues (2016) found that parents of adolescents with ASD believe that their children are interested in sexual and romantic relationships. However, they are not aware of how to effectively and appropriately instigate conversations with their child with ASD regarding such topics.
- Interviews with 18 parents of children with ASD (6–13 years), Ballan (2012) found that some parents believed that broad-ranging discussions about sexuality and relationships would not be relevant. Parents reported that their sexuality-related discussions with their child did not include topics relating to their child's future social and sexual behaviours.
- Mackin and colleagues (2016) found that few parents of children with ASD could quickly imagine the likelihood of their child ever experiencing a romantic relationship.

Conclusion

- The internet coupled with sexuality can result in what Mark Mahoney calls a “lethal combination” for individuals with ASD (Mahoney, 2009).
- There is a general consensus that adolescents with ASD need to be able to access education about sexuality and relationships needs.
- The education would consist of the core topics covered in standard sex education programmes (e.g., sexual development, safe sex, contraception, and sexually-transmitted infections) in addition to topics such as: social skills development (e.g., empathy, perspective-taking) and social conventions relating to flirting and dating (Gilmour, Smith, & Schalomon, 2014).
- It is possible for individuals with ASD to learn that child pornography is illegal. However, they need to be explicitly taught this. To the authors’ knowledge, there is currently no sexual education curriculum which is designed for individuals with ASD which includes the issue of child pornography (Mesibov and Sreckovic, 2017).

Experiences of prison inmates with autism spectrum disorders and the knowledge and understanding of the spectrum amongst prison staff: a review

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Abstract

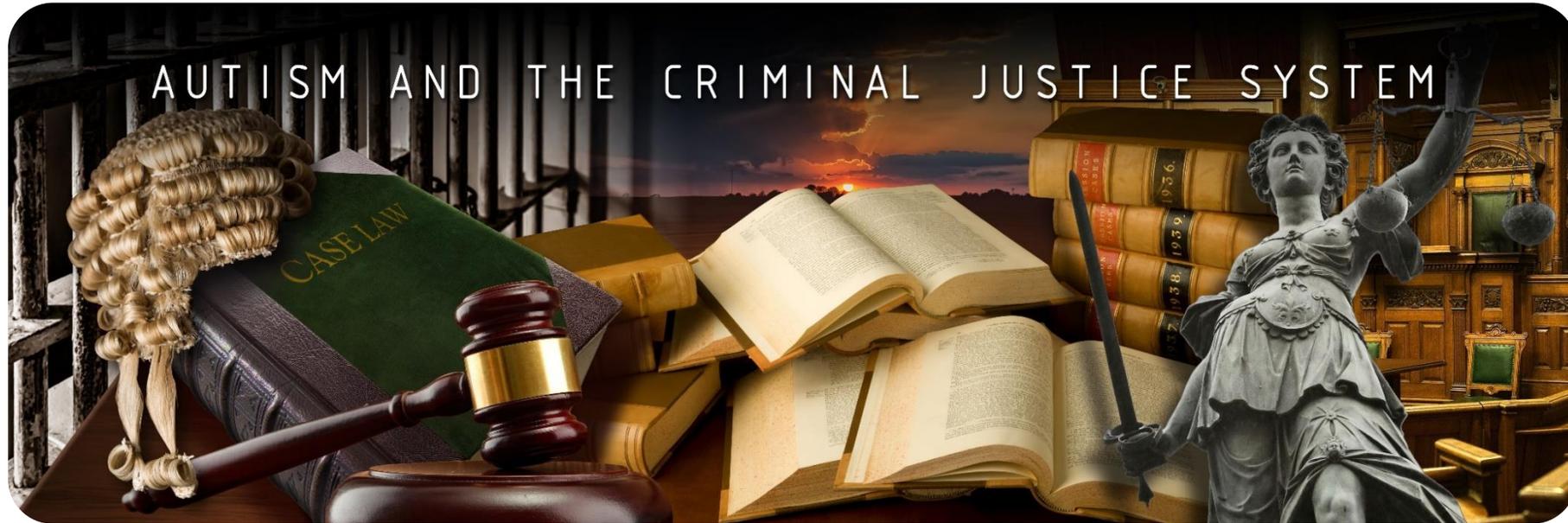
Purpose – *The purpose of this paper is to explore the research which has examined the link between autism spectrum disorders (ASDs) and offending behaviour and the impact of prison on individuals with ASDs. Studies suggest that inmates with ASDs may be at an increased risk of bullying, confrontations, exploitation, anxiety and social isolation as a result of their ASD traits such as obsessions, social naivety and impaired empathy.*

Design/methodology/approach – *An extensive review of the literature.*

Findings – *The review identifies a modest amount of studies (n = 4) which have explored the experience of individuals with ASD in prison and highlights that inmates with ASDs face a multitude of problems when they enter prison. Despite an extensive literature search only one study was identified which investigated the*

Useful References

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AUTISM
AND THE
CRIMINAL
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SYSTEM

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