

2021 WORLD CONGRESS ON JUSTICE WITH CHILDREN

15-20 November 2021

“Ensuring access to justice for all children: towards a non-discriminatory and inclusive child justice systems”

Workshop Programme

Brain Injury in Children in contact with the law

Date	Thursday, 18th November 2021		
Timing	06:00 - 07:30 Geneva	16:00-17:30 Sydney	18:00-19:30 Auckland & Apia
Organiser(s)	Prof. Huw Williams		
Institution	University of Exeter		
Type of Workshop	Panel Discussion		
Topics	Discrimination due to disability, health conditions. Tackling violence within child justice systems and ensuring child friendly approaches for child victims, offenders, and witnesses.		
Region	Oceania		
Language	English		

Abstract

Children and young people who come into contact with the law are likely to have neuro-disability (ND). That is, some form of condition of the brain that leads to developmental impairment. The most common being Traumatic Brain Injury (TBI – from falls, fights and assaults). Which we have shown to be present in more than half of young people who are incarcerated.

TBI is often comorbid with other conditions, such as ADHD (Attention Deficit and Hyperactivity Disorder). ND's are often accompanied by language and social communication problems. Due to impulsiveness, and poor social skills, they are linked to greater violence - which can be addressed through rehabilitation. They are also more prone than non-ND to self-harm and suicidality.

The United Nations Committee on the Rights of the Child issued a commentary on the Justice convention which states that children with Neuro-disability (ND) are heavily represented in those who enter custody, and should have their needs identified whilst detained, but, moreover, should not be made at risk of being imprisoned in the first place.

We will present examples of policy and practice developments in this area – pre-judicial, judicial and custody. Key leaders in this field will provide examples of good practice, and we will establish a working group to encourage future innovations. This would not only improve lives of those affected, but also, we argue, reduce future crime.

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Three takeaways of the session

- The adoption of actions (e.g. screening and support) by justice officials for identifying TBI and complicating existing trauma to then enable practice to evolve in the area.
- To establish a working group to encourage and share good practice across states for screening for TBI and better management of affected children.
- To establish a follow up mechanism for enhancing support in future for initiatives.

Objectives

- To highlight the need for judicial systems to take account of Neurodisabilities in the management of children and young people before the law. This is as mandated by the UN Convention on the Rights of the Child.
- To make Justice personnel - particularly those who sentence - aware of the prevalence and impact of Traumatic Brain Injury in children and adolescents.
- To understand the role of TBI in complicating existing trauma. And to enable adapting practice to account for deficits and difficulties that may be present following identified TBI.
- To enable Justice personnel in identifying possible TBI in those on their caseload using screening tools.
- To encourage changes in justice systems by screening for TBI to enable better management of children and young people to reduce incarceration and crime.

Expected outcomes

- an agreement on how to account for Neurodisabilities in the management of children and young people before the law.
- the adoption actions (e.g. screening and support) by justice officials for identifying TBI and complicating existing trauma to then enable practice to evolve in the area.
- to establish a working group to encourage and share good practice across states for screening for TBI and better management of affected children.
- to establish a follow up mechanism for enhancing support in future for initiatives.

Speakers

- **Huw Williams**
Professor Huw Williams is a qualified Clinical Neuropsychologist and researcher of

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Neuro-disability in people in contact with the law. Gained a PhD and then Doctorate in Clinical Psychology from the University of Wales, Bangor. Then worked in London as a Clinical Psychologist in various services (Stroke, Neurorehabilitation, Neuro-Disability, and Primary Care) and the founding staff team of the Oliver Zangwill Centre (OZC) for Neuropsychological Rehabilitation and a Visiting Scientist at the Cognition and Brain Sciences Unit in Cambridge. Since becoming an academic has largely focussed on the areas of Policy and Practice linked to research on the role of Traumatic Brain Injury (TBI) in Crime. Having shown that most people in prisons have had some form of brain injury. Particularly at a young age. Which is linked to greater violence. He is an advisor to a number of national (e.g. UK Ministry of Justice) and international (e.g., UN Office for Drugs and Crime) agencies. And given evidence to Parliamentary bodies, including the Justice Committee UK & NI Parliament & the Justice Committee of the Scottish Parliament. Which has led to changes in National policy and practice in the UK and other jurisdictions globally, such as revision of the UN Convention on Rights of the Child – Justice. He appears regularly in Hansard as his work has been cited by leading MPs in debates in the House of Commons. Has also made many Radio and TV appearances. Most recently, as the main contributor to The Economist article and editorial on Brain Trauma and Crime. In 2019 he was awarded a Fellowship of the BPS and the Barbara Wilson Award for Lifetime Achievement in Clinical Neuropsychology.

- **Judge John Walker**

Principal Youth Court Judge, Kaiwhakawā Matua o te Kōti Taiohi.

His Honour Judge Walker is the Principal Youth Court Judge of New Zealand and was appointed to that position in July 2016. Judge Walker was born in Ireland and immigrated to New Zealand with his family at the age of three. He was educated at Palmerston North Boys High School, Massey University and Victoria University.

- **Betony E Clasby**

PhD Candidate and Researcher in Criminal Justice - developing screening tools for neurodisability in New Zealand.

- **Brigit Mirfin-Veitch**

Associate Professor Brigit Mirfin-Veitch is a Research Associate Professor with the Centre for Postgraduate Nursing Studies. As a sociologist, Brigit has a strong interest in understanding the social lives of people with learning (intellectual) disability and is committed to initiating and achieving social change through research.

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Brigit's research covers a wide range of topics, but she is particularly focused on health and wellbeing, access to justice issues, and parenting by people with a learning disability. She is experienced in qualitative research methodologies, and regularly undertakes transformative evaluation projects, education, and advisory roles within the disability sector.

Brigit is also the Director of the Donald Beasley Institute and an Adjunct Associate Professor within the School of Health and Social Development, Faculty of Health, Deakin University, Victoria, Australia (since 2018).

Brigit is currently supervising a number of PhD students, all pursuing disability-related doctoral research.

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