

# Neurodivergent Lawyers

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# Definitions

- **Neurodiversity:** An umbrella term used to simply describe the diversity or variation of cognitive functioning in a group of people (or population as a whole), i.e. cumulative groups of neurotypical and neurodivergent individuals. Noun = neurodiversity; adjective = neurodiverse.
- **Neurotypical:** A person who does not have a diagnosis of a neurodivergent condition and does not self-declare as being neurodivergent. Neurotypical is the opposite of neurodivergent and makes up the majority of the population. To that end, neurotypical is often considered the “norm”, by reference to frequency of occurrence rather than value-based.
- **Neurodivergent:** A person whose brain ‘diverges’ from the majority can be described as neurodivergent. Neurodivergence can be genetic (e.g. arising from neurodivergent/neurodevelopmental conditions, such as autism, ADHD & dyslexia etc), the result of a brain-altering experience (e.g. brain damage, trauma & mental ill-health etc), or a combination of the two.

# Experience of a neurodivergent solicitor

**Diagnosis: ADHD & OCD.**

## What is ADHD?

- Attention Deficit Hyperactivity Disorder is a neurodevelopmental condition affecting the regulating of attention and emotions due to structural and functional differences in the brain and neural networks. It often presents as significant executive dysfunction and is characterised by symptoms of inattention and hyperactivity/impulsivity, which may present internally or externally.

## What is OCD?

- Obsessive-compulsive disorder is an anxiety disorder in which people have recurring, unwanted thoughts, ideas or sensations (obsessions). To get rid of the thoughts, they feel driven to do something repetitively (compulsions). OCD may present entirely internally, externally or both internally and externally, in different ways.

# Benefits of my Neurodivergence

Examples:

- Improved relationships with clients
- Creative thinking
- Group IQ

# Impact of my ND on Work

- **Masking:** Conscious (and sometimes subconscious) efforts to hide traits in order to seem 'normal' or 'neurotypical'.
- **Hyperfocus:** A prolonged period of intense focus on a topic or activity of interest that may either give immense satisfaction and/or interfere with other tasks that need prioritising. Hyperfocus could also be the result of difficulty in task shifting (executive dysfunction).
- **Time-blindness:** A different experience of the passage of time, especially during hyperfocus.
- **Stimming:** Repetitive movements, gestures or other self-soothing coping mechanisms, better known in the context of autism. This may extend to less visibly hyperactive acts such as listening to the same song on repeat or watching a video on repeat.
- **Executive dysfunction:** Difficulty in working memory, task initiation, task shifting, impulse control, planning, organisation and prioritisation. Task initiation difficulties can present to the observer as chronic procrastination. This can then be perceived as the person being lazy and leads to common misconceptions such as 'Everyone is a little bit ADHD'. But the inability to overcome such problems even when wanting to do a task is very different for someone with ADHD. Among those familiar with the social model, this phenomenon is quite well-known as 'ADHD paralysis'.

# Journey to Disclosure

## **First Disclosure:**

- Was told in my leaving interview that they almost didn't hire me because they were scared about what my ADHD and request for reasonable adjustments would look like in the office – they said I wasn't anywhere near as “difficult” as they thought I would be, and they wouldn't have suspected I was ADHD if I hadn't told them.

## **Second Disclosure:**

- Next job, I didn't disclose my ADHD or OCD – I masked. That meant I couldn't explain why I might struggle with some tasks, or take longer with familiarising myself with an issue. It was exhausting.
- I eventually told a senior colleague, retelling the story of my first disclosure and why I'd been hiding my conditions. Their response was very supportive in many ways, but did also include the comment: “I don't know if I would have hired you if you disclosed your ADHD”.

## **Subsequent Disclosures:**

- Current approach – transparency. Easier as a qualified solicitor with job security.

# Barriers for ND People: Key Issues / Take Away Points

1. **Invisibility:** ND conditions are invisible. Masking often means so too are the struggles of ND people. That doesn't mean they aren't incredibly impactful. Given this invisibility, disclosure is vital to securing support. Invisibility + Ableism = disbelief & lack of support.
2. **Barriers to disclosure:** These are significant and arise from multiple sources, including:
  - (i) discriminatory stigmas;
  - (ii) lack of awareness; and
  - (iii) unclear routes to confidential disclosure.
3. **Result of barriers to disclosure:** ND people having justifiable fears of making disclosure, thus frustrating their ability to access support.
4. **Inclusion:** A prerequisite for inclusion is anticipation. Failure to anticipate barriers to disclosure results in exclusion, arising from existing discriminatory systems and structures.
5. **Benefits of Inclusive Neurodiversity:** Right / Inclusive Environment + Right Support = ND people flourish. Neurodiverse organisations with flourishing ND people, will themselves flourish and reap the rewards of neurodiversity.

# Steps for employers to embrace ND inclusivity & accessibility

There are a number of things which employers can and should do to embrace ND inclusivity and accessibility. However, given how little is being done at present across the sector, I would suggest urgently prioritising:

1. **Organisational training** – this should be aimed at increasing awareness of neurodivergent conditions, reducing stigmas and normalising discourse around neurodiversity from an informed perspective.
2. **ND Policies** – all organisations should have a robust and informative neurodiversity policy, which would ideally be drafted in conjunction with ND individuals in an inclusive manner. As a irreducible baseline, this policy must provide for clearly signposted routes to confidential disclosure, outlines of support which can be provided as reasonable adjustments and relevant reassurances.
3. **Improved support** – organisations should familiarise themselves with available reasonable adjustments for particular conditions or difficulties, encourage Access to Work assessments and ensure they have at least one staff member specifically trained on invisible disabilities, neurodivergent conditions (including intersectional considerations) and support available in the workplace.



**Thanks for listening!**

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