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An evaluation of the Court Participation Tool for identifying and responding to neurodiversity-related challenges in court





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EXECUTIVE SUMMARY

This evaluation examined the effectiveness of the Court Participation Tool (CPT) in identifying neurodiversity-related 'functional strains' that may affect court participation, and translating those findings into meaningful accommodations for the court. The analysis drew on 23 completed CPT assessments from pilots of the CPT at Porirua Young Adult List Court and Manukau Youth Court. Overall, the findings suggest that the CPT is a promising and clinically useful tool, but that its effectiveness depends heavily on the expertise of the assessor interpreting the information generated by the interview.

The CPT demonstrated strong face validity. Independent reviewers were generally able to identify the intended functional domains from the wording of questions alone, indicating that the tool targets the constructs intended by the CPT's authors and outlined in Derbyshire et al's (2026) Functional Strain Model of Neurodiversity. Alignment was strongest for attention, memory, organisation and planning, language and communication, emotion regulation, and sensory processing.

Analysis of completed assessments showed that the CPT identified a broad range of functional challenges relevant to court participation. The most common difficulties were attention, memory, language and communication, and organisation and planning. Participants also described challenges relating to reading and writing, processing speed, sensory input, and emotion regulation. Importantly, the tool was sensitive to individual differences and revealed compensatory strategies, such as reliance on family support, reminders, and structured routines, which may mask underlying difficulties.

A key limitation emerged in the translation of identified needs into recommendations. While assessors usually recognised some areas of difficulty, they frequently overlooked additional needs evident in participants' responses, particularly in relation to memory, organisation and planning, processing speed, and sensory challenges. Recommendations often omitted previously identified difficulties and, on several occasions, restated problems without specifying practical accommodations. Assessors were generally more successful at recognising participation barriers than developing targeted responses to them.

The findings suggest that the CPT has potential to support neurodivergent court participants, but improved guidance, additional training, structured formulation supports, and stronger emphasis on translating identified needs into actionable accommodations are required. The tool appears best suited to administration and interpretation by experienced healthcare professionals with specialised knowledge of neurodiversity, formulation, and court processes.

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1. INTRODUCTION

The Court Participation Tool (CPT) was developed over several years by a team from the Ministry of Justice, with assistance from Subject Matter Experts, to address barriers to participation in justice that many people with neurodivergent presentations experience. It is designed as an easy to administer and brief interview generating tailored recommendations to the court regarding how to accommodate each person's needs without formal diagnostic assessment. An initial pilot of the CPT was undertaken at Porirua Young Adult List Court in February 2025. A second, longer, pilot was undertaken at Manukau Youth Court between February and May 2026.

The CPT is underpinned by a theoretical model, the Functional Strain Model of Neurodiversity (Derbyshire et al 2026; Figure 1) that outlines eight functional skills that are affected by the five most common 'brain differences' found in justice-involved populations (autism, attention deficit hyperactivity disorder, foetal alcohol spectrum disorder, intellectual disability, and acquired or traumatic brain injury). These skills are required for participation with justice services; hence, strains in those areas can pose barriers to participation.

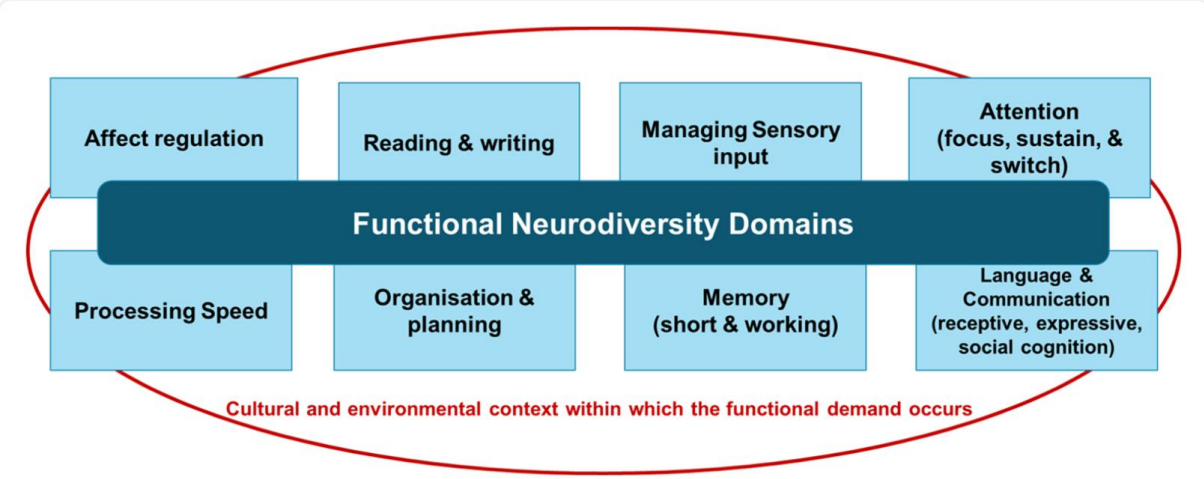


Figure 1. Functional Strain Model of Neurodiversity

To create the CPT, the authors mapped these skills to different stages of a person's journey through court and then developed questions to identify whether strains were present for each person completing the interview. Identified strains are addressed by targeted recommendations that the court could implement to lessen those strains and by doing so, reduce barriers to effective participation. A detailed user manual guides assessors through the tool, including explaining what each question addresses, what to look out for, how to interpret responses, and suggestions for making specific recommendations. For example, a participant saying '*they talk too fast, I can't keep up'* signposts a possible difficulty with processing speed, and '*I can't focus because I am stressed'* signposts that the participant may be overwhelmed in the courtroom and have sensory difficulties. For the Manukau Youth Court pilot, assessors were also provided two hours of training in understanding and administering the tool.

As described by Derbyshire et al (2026), the CPT is a 35-40 minute relationally-based semi-structured interview organised around the 'hui model' method for guiding clinical interaction with Māori (Lacey et al., 2011) that follows a person's journey through court. The CPT starts with an 'about me' section that includes questions on language, ethnicity, social support, and court experience. The following sections include questions to do with getting to court; meeting with their lawyer; reading and writing; being in the courtroom; and everyday life. Assessors are advised that the section on everyday life helps establish the extent to which challenges are present in

general or are specific to the demands of the court, as well as identifying strengths, needs, and strategies that they may use elsewhere, and which may be adaptable to court. The CPT concludes with a 'summary sheet' that involves a description of the person's characteristics and interests taken from the 'about me' section, a summary of strengths and challenges identified by the CPT, and recommendations to address the main areas of strain, including, where relevant, by adopting identified strengths or existing strategies.

The CPT questions adopt a mixture of forced choice, open-ended, and rating scale responses. Assessors are instructed that the use of these different questions is intended to assist them explore participants' individual experiences. They are not used as a scoring or categorisation system. Copies of the rating scales are provided, with participants encouraged to indicate their response using whatever method appeals (e.g. sticky notes, putty, marker pen, pointing). Assessors record responses on their interview schedule. This interactive approach had several aims, including fostering participant engagement and helping the assessor pay attention to participants' verbal, visual, and sensory-motor skills. A brief test of literacy is also included, with participants being asked to write their name, date of birth, age, and current address. Diagnostic labels are never referred to; rather, participants are informed that the assessment aims to help understand how to assist them participate in court.

To explore whether the CPT is effective at identifying and recommending accommodations for functional strains, the lead author (Derbyshire) established a research group comprising independent academics from the University of Waikato, and a research advisor from the Ministry of Justice, for an independent evaluation of the Manukau Youth Court trial. The initial evaluation (Ethics Committee reference: HREC(Health)2026#07) planned to interview CPT participants, interviewers, and stakeholders. However, this was amended due to a very low number of participants (n = 9). Difficulties with engagement are described in the Ministry of Justice's Outcomes Report, which can be read in conjunction with this evaluation. An alternative approach was subsequently developed to analyse completed CPTs from both the Porirua Young Adult List Court and Manukau Youth Court trials (Ethics Committee reference: ALPSS FS2026-21). This sample included 23 completed CPTs, which were analysed as outlined below.

Research questions

This research explored whether, and how, the CPT identifies the functional strains it was intended to address, and how assessors translated identified strains into tailored accommodations for the Court to implement. This focus is captured in the over-arching research question:

- *How effective is the CPT at identifying and responding to the court-related 'functional strains' of neurodiversity described by the Functional Strain Model?*

The over-arching question was addressed in three parts:

- *How well do the questions map the areas of strain intended by the development team?*
- *Which 'functional strains' can be identified from completed tools?*
- *What is the match between the strains identified and assessor's recommendations?*

Researcher positionality

Whilst the lead author of this evaluation (Derbyshire) is also the author of the Functional Strain Model and was involved as a subject matter expert in the creation of the CPT, the researchers from the University of Waikato (Jolliffe Simpson, Starkey) had no prior involvement in the court participation project. The final researcher (Blank-Penetito) is employed by the Ministry of Justice but also had no other involvement in the court participation project.

2. HOW WELL DO THE QUESTIONS MAP THE AREAS OF STRAIN INTENDED BY THE DEVELOPMENT TEAM?

Method

The CPT includes a user manual that outlines the areas of strain thought to be most relevant at each stage of a person's journey through court. Assessors are told which areas of strain are explored, why they may be relevant, and that they should pay attention to participants' behaviour and language as the interview progresses to help with interpreting responses. To evaluate the face validity of the CPT's questions, two members of the research team who had not seen the user manual, but have knowledge of neurodiversity, independently coded the areas of neurodiversity they thought each question addressed (Jolliffe Simpson & Starkey).

Alignment ratings were assigned by comparing the neurodiversity areas identified by reviewers against the areas described in the user manual. *Strong alignment* was assigned where both reviewers identified the primary intended domain(s); *Good alignment* where the intended domains were captured collectively but not by both reviewers; and *Partial alignment* where only some intended domains were identified or where greater emphasis was placed on non-target domains. This category included conceptual correspondence with the intended construct rather than exact agreement in terminology. *No alignment* was assigned for items where the reviewers did not achieve partial alignment.

Results

Getting to court

Table 1 shows that all seven questions in this section achieved strong alignment, with reviewers consistently identifying the functional domains described in the manual. Both reviewers also identified additional, related, domains (e.g., organisation and planning for Q2).

Table 1. Face Validity of Questions in the 'Getting to Court' Section of the CPT

Q	Wording	Intended focus	Reviewer 1	Reviewer 2	Alignment
1	Is being organised something you find easy or hard?	Organisation and planning; memory; attention (executive function)	Organisation, planning, prioritising	Organisation, planning ahead, sequencing events (executive function)	**Strong.** Both identified organisation and planning/executive functioning
2	What helped you to remember your court date today?	Memory (short term); context (external supports)	Memory Organisation, planning Use of supports	Memory and use or relevant/appropriate supports if they have insights into memory issues, active listening, problem solving	**Strong.** Both identified memory and use of supports
3	What else helps you to remember important dates and meetings?	Memory (short term); context (external supports)	Memory Organisation, planning	Memory and use of supports	**Strong.** Both identified memory. Reviewer 2 also identified use of supports. Organisation and planning identified by reviewer 1 is conceptually linked.
4	What did you have to think about or sort out to get yourself to court today?	Organisation and planning; context (external supports)	Organisation, planning Cognitive flexibility (problem solving) Use of supports	Planning and organisation, appropriate sequencing of events	**Strong.** Both identified organisation and planning, and Reviewer 1 also identified use of supports
5	Did anyone help you with those things? (who)	Context (external supports)	Use of supports	Using appropriate supports – insights into difficulties if they prompted the support or others recognised needs if it was offered without request; memory	**Strong.** Both identified use of supports,
6	When you leave the house do you sometimes forget to bring important things with you (what; how often)	Attention; Executive function (organisation & planning)	Attention, inhibitory control (ignoring distractions) Working memory Planning, organisation	Memory, attention, planning	**Strong.** Both identified attention and planning/organisation,
7	Do you often lose things or forget where you put them (provide example)	Attention; Organisation & planning	Attention, inhibitory control (ignoring distractions) Organisation	Attention, memory, distraction, lack of planning/organisation	**Strong.** Both identified attention and organisation/planning

Meeting with lawyer

The *Meeting with Lawyer* section showed greater variability. Table 3 shows that 75% (9) of the questions had strong alignment, 16.7% (2) had partial alignment, and a single question had no alignment. The CPT authors' primary focus for this section of the interview was receptive, expressive, and social communication skills, with the manual specifying few other cognitive domains. Whilst reviewers identified language and communication skills, they did not always specify the area of language (expressive, receptive, social), although the skills they identified were related constructs. It appears these items have face validity at the level of general communication, but finer distinctions between subdomains may be less immediately apparent.

Table 2. Face Validity of Questions in the 'Meeting with Lawyer' Section of the CPT

Q	Wording	Intended focus	Reviewer 1	Reviewer 2	Alignment
1	Have you met with your lawyer?	Language & Communication (Receptive language); Memory	N/A	-	**None**. No functional domains identified by reviewers
2	Did you and your lawyer make a plan for when you see the judge?	Language & Communication (Receptive language); Memory	N/A	Attention, memory, planning, active listening	**Partial.** Reviewer 2 identified memory. Receptive language not identified.
3	[if yes] did the plan make sense?	Language & Communication (Receptive language)	Language and communication, processing speed	Attention, memory, understanding what people say, reasoning, logical thinking, problem solving	**Strong.** Both identified receptive language/understanding.
4	Would it be easy/hard to explain the plan to whānau/ a friend?	Language & Communication (expressive language)	Language and communication, cognitive flexibility, working memory	Working memory, understanding, remembering information and recalling it Memory/recall/ lack of understanding or what's being said/ lack of attention or listening	**Strong.** Both identified language/ understanding, relating to the 'expressive' language construct.
5	Is it easy or hard to understand what the lawyer says?	Language & Communication (Receptive language)	Language and communication, processing speed, attention, social cognition	Receptive language issues, working memory, processing speed, attention, distractions	**Strong.** Both identified receptive language, alongside related skills.
6	If you don't understand something, do you let your lawyer know? [if no, what stops you?]	Language & communication (expressive language)	Language and communication Confidence	Confidence, self-advocacy, insight, attention, engagement Lack of confidence, difficulty explaining (expressive language), processing speed, working memory	**Strong.** Both identified language and related expressive skills (e.g., confidence, self-advocacy).

Reading and writing

In this section, the CPT manual focused its description on reading and writing, whereas reviewers identified a broader range of related constructs that are also found within the Functional Strain Model. Both reviewers commented that they did not specifically identify reading and writing because this was self-evident from the section title, and therefore they considered related constructs. Table 3 shows that the alignment analysis identified good alignment for two out of three questions, and partial alignment for the third question.

Table 3. Face Validity of Questions in the 'Reading and Writing' Section of the CPT

Q	Wording	Intended focus	Reviewer 1	Reviewer 2	Alignment
1	If someone gave you a full page of writing and told you it had important information on it, would you read the whole thing? [why/why not]	Reading & writing	Attention, initiation, language and communication	Reading ability, concentration, attention, working memory, susceptibility to distraction, processing speed, emotion regulation. Insights into reading issues - potential dyslexia, reading issues, attention, processing speed, not liking reading	**Good.** Reading was identified by reviewer 2 alongside a wide range of related constructs. Reviewer 1 focused on broader language and attention processes.
2	At school, do you/did you struggle with reading and writing?	Reading & writing	Language and communication, learning, processing speed, attention	Insights into lifelong issues with reading and writing – may be linked to specific issues of for writing, fine motor issues, concentration, working memory	**Good.** Reading was identified by reviewer 2 and linked to other learning issues. Reviewer 1 focused on related concepts whilst not directly referencing reading and writing.
3	At school, do you/did you get any extra support with your learning [what]	Reading & writing	Language and communication, learning, processing speed, attention	Insights into types of supports needed, and possible underlying issue Memory, insight into strategies that worked	**Partial.** Related constructs that contribute to reading and writing identified by both reviewers.

In the courtroom

This section included questions about participants' experiences in the courtroom itself. Table 4 shows reviewers had strong alignment with the areas described in the CPT manual for each of the questions and their subparts. As for other sections, reviewers also identified related constructs.

Table 4. Face Validity of Questions in the 'In the Courtroom Section' of the CPT

Q	Wording	Intended focus	Reviewer 1	Reviewer 2	Alignment
1	When the professionals are talking to each other, is it easy or hard to follow the conversation?	Language & communication (receptive); Processing speed	Processing speed, managing sensory input, language and communication, attention, social cognition, emotion regulation	Active listening, concentration, attention, receptive language, processing speed, distractibility when other things are happening, focus, working memory	**Strong** Both identified the primary domains, alongside related constructs
2	When the professionals are talking, tell me which is true for you:				
2a	They talk too fast, I can't keep up	Processing speed; Memory (working); Attention (focus & sustain); Affect regulation	Processing speed, attention	Processing speed, working memory, receptive language	**Strong** Whilst the CPT authors did not specify by question sub-part, reviewers identified all the intended domains. Additional and related domains were occasionally identified (e.g., receptive language and understanding)
2b	Too much information, I can't hold it all in my head		Working memory, managing sensory input, attention, processing speed	Working memory	
2c	I am not sure when to listen		Attention, social cognition	Attention, distraction	
2d	When the professionals talk together for a while, I switch off		Attention, managing sensory input	Attention, concentration, receptive language, distraction, lack of understanding if relevant to them	
2e	I can't focus because I am stressed		Emotion regulation	Emotion regulation	
2f	I keep getting distracted		Attention, inhibitory control (ignoring distractions), managing sensory input	Attention difficulties	
3	When you are trying to listen to the judge, do any of these things bother you? [enquire if affirmative]				
3a	Too many people in the courtroom	Managing sensory input; Attention	Managing sensory input, attention, processing speed, emotion regulation	Sensory sensitivity/processing; distraction, attention, unsure which aspects are relevant, can't hear; Distraction in the environment impairing attention, concentration and memory. Stress/emotion regulation	**Strong** Both identified the primary intended constructs. Additional areas described by reviewers were related constructs.
3b	Too bright				
3c	Too much noise				
3d	Too much going on				
4	It is easy or hard for you to block these things, so you can listen to the judge?	Managing sensory input, attention, inhibitory control (ignoring distractions)	Managing sensory input, attention, inhibitory control (ignoring distractions)	Focus, attention, distraction	**Strong.** Reviewers identified attention and distractions. Reviewer 1 also identified sensory input.

Everyday life

Of the 13 questions in this section, Table 5 shows that 85% (11) achieved ratings of strong alignment, and two achieved good alignment (Q10 and Q3). Reviewers also identified additional, related, constructs. For Q10, attention was not specifically described. Instead, a related construct from the Functional Strain Model (processing speed) was identified. For Q3, reviewers focused on inhibitory control, which is not specifically described in the Functional Strain Model.

Table 5. Face Validity of Questions in the 'Everyday Life' Section of the CPT

Q	Wording	Intended focus	Reviewer 1	Reviewer 2	Alignment
1	Do you often have things to say, but forget them by the time it is your turn to talk?	Memory (working); Attention (focus & sustain)	Attention, inhibitory control (ignoring distractions), working memory	Working memory, stress, susceptibility to distraction, attention	**Strong** Both identified working memory and attention
2	If someone interrupts you, is it hard to remember what you were going to say?	Memory (working); Attention (switch); Language & communication	Attention, inhibitory control (ignoring distractions), working memory	Working memory, executive function, tracking conversation	**Strong** Working memory and attention identified, language identified by reviewer 2.
3	Do you often blurt things out without thinking (when thoughts pop into your head)?	Attention (focus); impulsivity	Inhibitory control (self-control)	Impulse control, disinhibition	**Good** The intended construct was not described, although inhibitory/ impulse control are related constructs
4	When people say things such as "that person can't see the wood for the trees" is it hard to understand what they mean?	Abstract reasoning; Language (receptive, social cognition)	Cognitive flexibility, language and communication	Executive function, abstract thinking, mapping the analogy to something human, understanding its not literal (process metaphors not fact)	**Strong** The intended abstract reasoning and non-literal thinking, including ability to express this, was identified
5	What do you think "that person can't see the wood for the trees" means?	Abstract reasoning; Language (expressive; social); (includes self-awareness)	Cognitive flexibility, language and communication	As above – abstract thinking, expressive language	**Strong** As above, the intended concepts were identified
6	Do people say you take ages to get things done, even though you don't do that on purpose?	Attention (focus, sustain); Organisation and planning	Initiation, planning and organisation, processing speed, attention	Processing speed, susceptibility to distraction, difficulty switching tasks, planning, organisation	**Strong** The intended areas were identified, alongside related constructs
7	Do you get distracted part way through a task and end up doing something else instead?	Attention (focus, sustain)	Attention, inhibitory control (ignoring distractions, self-control)	Distraction, lack of self regulation, planning and problem solving, attention, goal directed behaviour	**Strong** The primary domain (attention) identified by both. Additional, related, domains also captured.

8	Do your thoughts wander when you are supposed to be paying attention?	Attention (focus, sustain); Memory (working)	Attention, inhibitory control (ignoring distractions, self-control)	Attention issues, boredom, lack of interest, stress, working memory, fatigue	**Strong** Both intended domains identified, alongside related constructs
9	Do you often get so focused on one thing that you lose track of everything else? [what]	Attention (focus, switch)	Attention	Hyperfocus, lack of self-regulation, planning, goal directed behaviour, distraction	**Strong** Construct identified by both reviewers.
10	Does your mind go blank when there is too much information or too much talking?	Affect regulation; Managing sensory input; Attention (focus, sustain, switch)	Processing speed, managing sensory input, emotion regulation	Working memory issues, processing speed, stress, fatigue Memory, perspective taking (have to see self as someone else would). Emotional intelligence, empathy	**Good** Affect regulation and/ or stress identified by both, sensory input by reviewer 2. Both identified processing speed, which is related to, although different from, attention.
11	Do you get really stressed or anxious when you are the centre of attention?	Affect regulation; Managing sensory input; Language (receptive)	Emotion regulation	Emotion regulation, anxiety, lack of confidence, shy, embarrassed	**Strong** Emotion regulation, social, and communication concepts identified
12	If you were starting to get stressed or frustrated, what would I notice about you?	Affect regulation; Language (expressive)	Emotion regulation, managing sensory input	Insights into if they recognise their own emotional states and what impact it has on them. Perspective taking to see how others would see them	**Strong** Alongside emotion regulation, reviewer 2 also identified concepts related to and required for 'expressive language'.
13	When things get too much, what helps you to feel better or stay calm?	Affect regulation; Language (expressive)	Emotion regulation, managing sensory input, cognitive flexibility (problem solving)	Problem solving, self-empathy. Insights into strategies to help their stress and if they know what will help e.g., Listen to music, go somewhere quiet, fidget toys – do they need calming (i.e., reduced stimulus) or something to distract them	**Strong** Additional to intended constructs, reviewers also identified problem solving

Summary

Overall, the analysis indicated the CPT achieved face validity. Tables one to five show that across all sections of the tool, most items had either strong or good alignment between the functional domains described in the CPT manual and the domains independently inferred by reviewers. This suggests that the underlying constructs targeted by the questions are apparent from the wording of the items themselves and can be recognised by professionals with knowledge of neurodiversity even without formal training in the tool. The strongest evidence of alignment was observed for questions relating to executive functioning, attention, memory, affect regulation, sensory processing, and social cognition. In most cases, good or partial alignment occurred where reviewers identified associated or more detailed cognitive processes rather than the primary functional domain described in the CPT user manual. The tool therefore appears to be successful in directing assessors toward the intended areas of potential strain. However, impulse control or inhibition appears to have emerged as a distinct construct that is not directly captured within the Functional Strain Model.

3. WHICH 'FUNCTIONAL STRAINS' CAN BE IDENTIFIED FROM COMPLETED CPTs?

Method

Next, we examined the completed CPTs (*N* = 23) and reviewed responses to each question to determine which functional strains were identified. Table 6 shows there were 20 male and three female participants aged between 15 and 25 years. Ethnicity was distributed across Māori, Pacific Island nations, New Zealand European, and other European ethnicities, with ten participants identifying multiple ethnicities.

Table 6. Demographic Characteristics of Participants

	Youth (*n* = 8)	Young Adult List (*n* = 15)	Total (*N* = 23)
	M (SD)	M (SD)	M (SD)
Age	16.5 (0.8)	21.1 (2.0)	19.5 (2.8)
Gender	n (%)	n (%)	n (%)
Female	0 (0.0)	3 (20.0)	3 (13.0)
Male	8 (100.0)	12 (80.0)	20 (87.0)
Ethnicity	n (%)	n (%)	n (%)
Māori	3 (37.5)	8 (53.3)	11 (47.8)
Pacific Island nations	4 (50.0)	8 (53.3)	12 (52.2)
NZ European	1 (12.5)	3 (20.0)	4 (17.4)
Other European	1 (12.5)	4 (26.7)	5 (21.7)

The CPT adopts a mixture of forced choice (yes/no), rating scale, and open-ended response options, with assessors instructed to use these formats to assist with engaging participants and interpreting responses. The tool does not produce a total score or categorise participants into groups based on their responses. The CPT authors intentionally avoided including numbers in the rating scale questions to encourage focus on qualitative interpretation. These questions are presented as a series of boxes (see Figure 2), with assessors marking participants' responses. In the completed tools, marks had been placed on the lines and in the spaces.

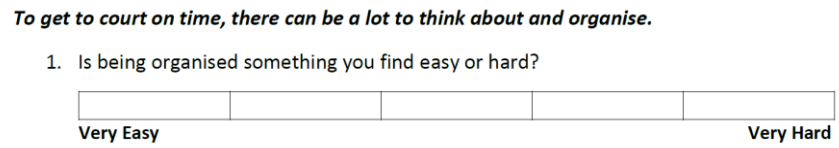


Figure 2. Example scale question

Forced choice questions are presented as yes or no, with some having follow up qualitative questions (see Figure 3).

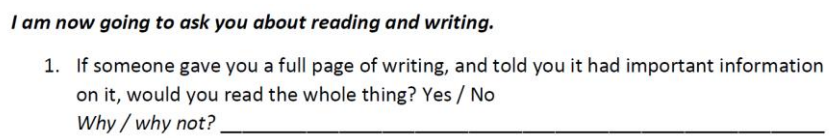


Figure 3. Example forced choice question followed by an open-ended question

To analyse the resulting data, the research team first converted rating scale responses into an 11-point Likert scale, with lower numbers representing few or no difficulties. These scores were translated to an index, where 1-2 = minimal, 3-4 = mild, 5-6 = moderate, 7-8 = high, and 9-11 = very high difficulty. We then calculated the percentage of responses at each level of the index. For forced choice (yes/ no) questions, we calculated the percentages of responses falling into each option. Responses to questions eliciting written text answers were independently coded by two members of the research team. These codes were developed into themes that described patterns in how participants responded to open-ended questions.

Results

Getting to court

Responses to the CPT (Table 7) indicated that, whilst 52% of participants reported minimal or mild difficulty with being organised (Q1), 74% said that other people had helped them to remember and get to court (Q5), primarily family and friends.

Analysis of written responses indicated that participants used two primary strategies to remember court dates (Q2) and other important dates or meetings (Q3): self-reliance, such as reminders on their mobile phones or writing things down; and external support, such as being reminded by family members or professionals. Responses to the question about how participants prepared for their court hearing (Q4) suggested two themes: managing the organisation and planning demands; and obtaining support from other people. However, when participants were asked about general attention, organisation, and planning difficulties, such as forgetting important items when leaving the house (Q7) or misplacing important items (Q8), their responses tended to refer to low-importance everyday items rather than indicating significant problems with disorganisation.

Table 7. Responses to Questions in the 'Getting to Court' Section of the CPT

Q	Wording	Type	Response				
1	Is being organised something you find easy or hard?	Scale	Min %	Mild %	Mod %	High %	V high %
			39	13	39	9	0
2	What helped you to remember your court date today?	Open	*Theme*		*Examples*		
			No strategy		Just remembered		
			Self-reliant strategy		Reminders from court; reminder on phone; close to important date		
			External strategy		reminded by family; reminded by professional e.g., lawyer		
3	What else helps you to remember important dates and meetings?	Open	*Theme*		*Examples*		
			No strategy		Nothing; just remember		
			Self-reliant strategy		Write it down; use calendar; reminders on phone		
			External strategy		Reminded by family; reminded by professional e.g., lawyer		
4	What did you have to think about or sort out to get yourself to court today?	Open	*Theme*		*Examples*		
			Organisation and planning		Waking up earlier; planning ahead; bringing paperwork		
			Support from others		Getting a ride from friend or professional e.g., mentor; support from family		
			Organising other obligations		Course; work; childcare		
5	Did anyone help you with those things? (who)	Forced – Open	No %	Yes %			
			22	74			
			Who: Family, friends, employer				
6	When you leave the house do you sometimes forget to bring important things with you (what; how often)	Forced – Open	No %	Yes %			
			56	44			
			How often		*Examples*		
			Frequent		Cards, vape		
			Infrequent		Money		
			Not specified		Documents		
7	Do you often lose things or forget where you put them (provide example)	Forced - Open	No %	Yes %			
			48	52			
			Examples: Keys, vape, phone, charger				

Meeting with lawyer

All questions in this section of the CPT were presented as either forced choice or rating scales (Table 8). Two questions (Q4 and Q6) had follow up questions to assist interpreting responses. 78% of participants reported having met with their lawyer and made a plan, and 86% of participants who had made a plan reported that the plan made sense to them.

65% of respondents reported feeling confident that they could explain the plan to family (Q4). Responses to the follow up question asking why participants would/would not feel confident indicated three themes. The first involved the use of a communication strategy that supported later recall and expression, such as having the plan written down, a family member present, or the lawyer explaining things clearly. The second involved the person's communication skills making the task of explaining their plan either easy or difficult. The third and final theme concerned perceived task difficulty, wherein some participants required support remembering details or complex words within their plan, while others explained that they could pay attention to the plan because it was important or due to their previous experiences in court.

57% of participants reported either minimal or mild difficulty understanding their lawyer (Q5) and 91% reported they would speak up if they did not understand (Q6). Written responses to the follow up question about what stops participants from speaking up indicated communication difficulty occurred due to wanting to get things over, not wanting to raise problems, or feeling they are not able to clearly explain themselves. A second theme described participants' own responses to experiencing communication difficulties; these either involved positive action (e.g., "say don't understand") or avoidance (e.g., "don't share problems").

The second set of questions in this section of the CPT (Q7-12) focus on the language skills court participants require to effectively communicate with their lawyer. They reflect verbal capacities that are central to forming a defence, communicating decisions about a case, and following legal discussions, progressing from relatively simple processes (explaining what happened, Q7, Q8; remembering the order of events Q9) to increasingly complex processes that rely on expressive language (finding the right words, Q10), and social cognition (explaining how someone else is feeling, Q11 or why they acted a certain way, Q12). Responses to the less complex processes in Q7 (91%), Q8 (87%), and Q9 (91%) were clustered at the minimum to moderate (i.e., lower) end of the index. In contrast, despite a wide range, participants' responses to Q10-12 more often indicated high or very high difficulty than for the earlier questions.

Table 8. Responses to Questions in the 'Meeting with Lawyer' Section of the CPT

Q	Wording	Type	Response				
1	Have you met with your lawyer?	Forced	No %	Yes %			
			22	78			
2	Did you and your lawyer make a plan for when you see the judge?	Forced	No %	Yes %			
			22	78			
3	(if yes) did the plan make sense?	Forced	No %	Yes %			
			14	86			
4	Would it be easy/hard to explain the plan to whānau/ a friend?	Scale - Open	Min %	Mild %	Mod %	High %	V high %
			61	4	17	13	4
			Theme			*Examples*	
			Communication strategy			Write it down; have family present; lawyer explain	
			Communication skills			Easy communication; difficulties explaining	
			Difficulty			Requires support (remembering details; understanding words; explaining to someone)	
						Does not require support (important to remember; past experience)	
5	Is it easy or hard to understand what the lawyer says?	Scale	Min %	Mild %	Mod %	High %	V high %
			35	22	30	9	4
6	If you don't understand something, do you let your lawyer know? (if no, what stops you?)	Forced - Open	No %	Yes %			
			-	91			
			2 responses were omitted by assessors				
			Theme			*Examples*	
			Reason for communication difficulty			Wants to get it over; not good at raising problems; not good with words	
			Response to communication difficulty			Say don't understand; don't share problems	
When you meet with your lawyer you have to answer questions and explain things, Tell me how easy or hard you find the following:							
7	Explaining your side of the story to the lawyer	Scale	Min %	Mild %	Mod %	High %	V high %
			39	22	30	9	0
8	Explaining details about what happened	Scale	Min %	Mild %	Mod %	High %	V high %
			35	30	22	13	0
9	Remembering the order in which things happened	Scale	Min %	Mild %	Mod %	High %	V high %
			35	17	39	9	0
10	Finding the right words for what you want to say	Scale	Min %	Mild %	Mod %	High %	V high %
			17	30	30	9	13
11	Explaining what someone else might be feeling	Scale	Min %	Mild %	Mod %	High %	V high %
			23	5	41	23	9
12	Explaining why someone might have acted the way they did	Scale	Min %	Mild %	Mod %	High %	V high %
			26	17	30	13	13

Reading and writing

In this section, questions are intended to assist assessors to identify functional reading abilities that may have relevance for court participation, particularly reading and understanding summaries of facts, and bail conditions (Table 9). 61% of participants reported that they would read a full page of information if told it was important (Q1). However, 35% said they would not, with two themes then emerging from written responses: reading and language difficulties such as finding reading difficult or being unable to read a long document; and strategies used to assist reading long text such as selectively reading, skim reading, or asking a family member for support. Responses to Q2 and Q3, concerning reading, writing, and learning support at school, indicated that 74% reported between minimum and moderate reading and writing difficulties at school and 39% disclosed receiving extra learning support. Written responses to the follow up question to

Q3 identified three themes: learning support, such as teacher aids; specific learning difficulties such as ADHD; and the impact of support (i.e., whether it was helpful or not). Some responses were left blank by assessors, and thus the percentages below do not always add to 100%.

Table 9. Responses to Questions in the 'Reading and Writing' Section of the CPT

Q	Wording	Type	Response				
1	If someone gave you a full page of writing and told you it had important information on it, would you read the whole thing? [why/why not]	Forced - Open	No %	Yes %			
			35	61			
			Some responses were left blank				
			Theme		*Examples*		
			Recognition of importance		It's important; need to understand; it is about me		
			Reading/ language difficulty		Hard to read; dislike reading; too long; struggle with the whole (won't put it together)		
			Strategies		Selective (read important stuff; read key words; skim) Supportive (e.g., partner)		
2	At school, do you/did you struggle with reading and writing?	Scale	Min %	Mild %	Mod %	High %	V high %
			22	22	30	0	17
3	At school, do you/did you get any extra support with your learning [what]	Forced - Open	No %	Yes %			
			57	39			
			Some responses were left blank				
			Theme		*Examples*		
			External support		Teacher aid; home school		
			Specific learning needs		Learning difficulties; ADHD; reading difficulty		
			Impact of support		Helpful at first; did not like asking for help		
			No learning needs		No support received		

In the courtroom

This section, the CPT primarily asks about the functional skills required, and sensory demands that occur, within the courtroom. There are four questions, two of which have forced-choice sub-parts (Table 10). The analysis suggests that the CPT identified individual differences in participation difficulties within the courtroom. For example, answers to Q1 about it being easy or hard to follow professionals' conversations were evenly distributed amongst minimal, mild, moderate, and very high levels of difficulty. Fewer than half of participants had problems with keeping up, holding information in mind, being unsure when to listen, and switching off when professionals are talking. In contrast, problems with maintaining focus due to feeling stressed (52%) and getting distracted (70%) were more common.

Q3 asked about common sensory demands often present in courtrooms. No demands were endorsed by a majority of participants, but all were identified for at least one, suggesting that the CPT captured specific difficulties that individual court participants may experience. Written answers were organised into four themes: talking (people in court talking or whispering); other sounds (flicking pages, too quiet); social demands (too many people; thinking whispering is about them); and other sensory factors (room size and carpet). Of the participants who reported experiencing sensory challenges, 21% described very high difficulty blocking them out in order to be able to participate in court (Q4).

Table 10. Responses to Questions in the 'In the Courtroom' Section of the CPT

Q	Wording	Type	Response				
1	When the professionals are talking to each other, is it easy or hard to follow the conversation?	Scale	Min %	Mild %	Mod %	High %	V high %
			23	23	23	0	18
2	When the professionals are talking, tell me which is true for you:						
2a	They talk too fast, I can't keep up	Forced	No %	Yes %			
			70	30			
2b	Too much information, I can't hold it all in my head	Forced	No %	Yes %			
			61	39			
2c	I am not sure when to listen	Forced	No %	Yes %			
			61	39			
2d	When the professionals talk together for a while, I switch off	Forced	No %	Yes %			
			57	43			
2e	I can't focus because I am stressed	Forced	No %	Yes %			
			52	48			
2f	I keep getting distracted	Forced	No %	Yes %			
			70	30			
3	When you are trying to listen to the judge, do any of these things bother you? (enquire if affirmative)						
3a	Too many people in the courtroom	Forced	No %	Yes %			
			78	22			
3b	Too bright	Forced	No %	Yes %			
			91	9			
3c	Too much noise	Forced	No %	Yes %			
			78	22			
3d	Too much going on	Forced, open	No %	Yes %			
			87	13			
			Theme	*Examples*			
			Talking	Talking, whispering			
			Other sounds	Flicking pages; quiet and tense; music			
			Social demands	Too many people; think whispering is about me; wondering who people are			
			Other sensory	Waiting room small; carpet			
4	It is easy or hard for you to block these things, so you can listen to the judge?	Scale	Min %	Mild %	Mod %	High %	V high %
			57	7	14	0	21
			% of participants who reported difficulties with one or more distractor				

Everyday life

The final section of the CPT contains 13 questions designed to help assessors establish whether identified difficulties are specific to the courtroom or are present elsewhere in life, and provide a further opportunity to identify existing strategies participants use that may be adopted during court. Whilst not an exhaustive exploration of all potential neurodiversity-related difficulties, these questions are based in the Functional Strain Model and are mostly presented as scales to facilitate individual interpretation. Analysis of responses (Table 11) indicated that participants reported various challenges across all levels of difficulty, with distributions ranging from mild to high difficulty. An exception to this pattern was Q4 and Q5, which introduced an abstract metaphor ('that person can't see the wood for the trees'); 73% of participants described at least moderate difficulty understanding this statement, with very few being able to provide a correct interpretation.

Table 11. Responses to Questions in the 'Everyday Life' Section of the CPT

Q	Wording	Type	Response				
1	Do you often have things to say, but forget them by the time it is your turn to talk?	Scale	Min %	Mild %	Mod %	High %	V high %
			26	4	22	26	22
2	If someone interrupts you, is it hard to remember what you were going to say?	Scale	Min %	Mild %	Mod %	High %	V high %
			26	17	17	17	22
3	Do you often blurt things out without thinking (when thoughts pop into your head)?	Scale	Min %	Mild %	Mod %	High %	V high %
			39	4	39	9	9
4	When people say things such as "that person can't see the wood for the trees" is it hard to understand what they mean?	Scale	Min %	Mild %	Mod %	High %	V high %
			27	0	18	5	50
5	What do you think "that person can't see the wood for the trees" means?	Open	*Theme*		*Examples*		
			Did not know		Most said did not know		
			Literal (inaccurate)		They're blind; look at the tree		
			Accurate		Can't see obvious; big picture		
6	Do people say you take ages to get things done, even though you don't do that on purpose?	Scale	Min %	Mild %	Mod %	High %	V high %
			41	5	23	27	5
7	Do you get distracted part way through a task and end up doing something else instead?	Scale	Min %	Mild %	Mod %	High %	V high %
			20	5	45	15	15
8	Do your thoughts wander when you are supposed to be paying attention?	Scale	Min %	Mild %	Mod %	High %	V high %
			26	0	26	13	35
9	Do you often get so focused on one thing that you lose track of everything else? [what]	Scale - Open	Min %	Mild %	Mod %	High %	V high %
			26	9	22	17	26
			Theme		*Examples*		
			When or where		Social/leisure (riding bike, training); work (during meetings; focus on task)		
10	Does your mind go blank when there is too much information or too much talking?	Scale - open	Min %	Mild %	Mod %	High %	V high %
			17	13	13	22	35
			Theme		*Examples*		
			Receptive language overload		Court (too much talking; fast talking; noise); General (people change subject; too many people; too much information)		
11	Do you get really stressed or anxious when you are the centre of attention?	Scale	Min %	Mild %	Mod %	High %	V high %
			27	0	36	5	32
12	If you were starting to get stressed or frustrated, what would I notice about you?	Open	*Theme*		*Examples*		
			Psychomotor		Fidgeting, itching, looking around		
			Social communication – facial expression		Squint, frown, look down		
			Social communication – body language		Expressive (look around room, fold arms, cover face/mouth); Inexpressive/closed (don't show, quiet, shut down)		
			Verbal behaviour		Talk fast, lots of questions, voice tone		
13	When things get too much, what helps you to feel better or stay calm?	Open	*Theme*		*Examples*		
			External/ physical		Training, vape, fidget device		
			Internal/ mental		Listen to music, positive thoughts, think about training		
			Social/ animals		Talk to people, reassurance,		
			Quiet/ space		Leave me alone, have a break		

Discussion

The CPT identifies a range of functional strains relating to memory, attention, language, reading and writing, processing speed, affect regulation, organisation and planning, and, to a lesser extent, managing sensory input. It therefore appears to have good coverage of the intended functional domains, and to identify variation in how strains affected participants' court participation. Strains become most apparent when participants are required to manage complex information, communicate under pressure, or organise attendance at court.

Memory and attention

Memory and attention were consistently identified, often overlapping, functional strains. This area included recall of specific information such as court dates and working memory required for effective participation during proceedings. Participants reported difficulties retaining information in conversations, maintaining a train of thought when interrupted, managing competing sources of information, and sustaining or shifting attention. Importantly, the tool also identified how participants managed these demands through existing strategies such as support from other people, and using reminders, or calendars. Responses suggested that some participants may have reported hidden difficulties that were already mitigated by existing strategies, thus providing assessors with potential strategies that they could suggest are leveraged by the court. Notably, participants frequently described 'switching off' during court proceedings when working memory demands increased, with clear relevance for their ability to be active participants in the matters that apply to them, rather than passive recipients of justice (Brookbank, 2024).

Language

The CPT identified both receptive and expressive language difficulties. Although participants described little difficulty engaging in simple communication tasks with lawyers, more challenges were apparent when tasks increased in complexity. Notably, participants also reported relying on external supports (such as their lawyer speaking clearly, or family members being present) to assist them understand and communicate their court plan. Participants reported challenges understanding unfamiliar vocabulary, rapid communication, long explanations, word-finding, organising verbal responses, and expressing complex ideas. Language difficulties became more apparent with increased communication demands, particularly when required to understand detailed information, or explain another person's perspective.

Reading and writing

Similarly, the CPT identified reading and writing difficulties, although these were variable. Whilst most participants indicated they would attempt to read a full page of text, written responses suggested that difficulties related to processing lengthy information, integrating information across documents, and sustaining engagement with text. Participants commonly relied on compensatory strategies such as skimming, focusing on key information, or seeking assistance from others. Such strategies would likely mask literacy challenges and are an example of how the CPT enabled assessors to identify potentially hidden areas of difficulty.

Affect regulation

Affect regulation emerged repeatedly across all sections, frequently overlapping with other areas of strain. Participants described difficulties concentrating, processing information, and communicating effectively when stressed or anxious. Importantly, as with earlier sections, the CPT captured existing strategies participants used to regulate emotion, and which could potentially be leveraged within the recommendations section.

Organisation and planning

Organisation and planning difficulties were most evident in relation to attending court and managing everyday responsibilities. Notably, and consistent with the tool's intention to highlight hidden difficulties through exploring existing strategies that mitigate strains, direct ratings of organisational difficulties were often less severe than behavioural indicators suggested. Many participants relied on reminders, routines, transport assistance, and external support to ensure successful attendance.

Processing speed

Challenges with processing speed were identified less directly, primarily through reports of becoming overwhelmed by large amounts of information or struggling to keep pace with conversations.

Managing sensory input

Challenges related to managing sensory input were less frequently identified, although participants described difficulties with noise, conversations, crowded spaces, and aspects of waiting environments. Sensory demands appeared to interact with attentional and emotional demands. They provided important individual differences or needs for assessors to respond to, and by doing so, facilitate participation. However, overall, sensory concerns were less prominent than attentional and emotional demands and concentrated primarily around auditory, rather than visual or other sensory factors.

Individual needs

A strength of the CPT was its ability to capture individual variability, with differences in which domains were identified and the level of difficulty described. The combined use of rating scales and follow-up questions enabled assessors to identify potential hidden difficulties that were not apparent from participants' initial responses. These included situations where participants intentionally concealed difficulties, as well as circumstances in which existing supports, coping strategies, or environmental scaffolding may have masked underlying challenges (e.g., reluctance to disclose confusion to a lawyer, reliance on support people, or the influence of courtroom social dynamics). Although it cannot be determined with certainty whether all such instances represented genuine hidden strains, this finding does suggest that the tool was effective in uncovering relevant information that would otherwise have been missed.

This ability to identify an individual profile of strengths, difficulties, supports, and potential accommodations appears to be a strength of the CPT. Derbyshire et al.'s (2026) framework for the Functional Strain Model explains that the context within which a strain occurs, including access a person has to resources or supports, affects whether a strain becomes disabling. Consistent with this explanation, the findings highlighted the importance of environmental and social context. Family members, support workers, lawyers, and external reminders, were described as sources of support, possibly working as strategies to lessen the impacts of neurodiversity-related difficulties.

4. HOW WERE IDENTIFIED NEEDS ADDRESSED?

The *strengths and challenges* section of the CPT requires assessors to summarise the principal areas of strength and challenge identified during the interview, while the *recommendations* section provides tailored accommodations intended to facilitate court participation by reducing identified challenges.

Assessors receive training in the administration and interpretation of the CPT; however, this component of the tool also relies substantially on their ability to synthesise information in real time, formulate clinically meaningful interpretations, and translate these into realistic recommendations for the court. The CPT's developers anticipated that this interpretative process would require specialist clinical skills alongside knowledge of neurodiversity and therefore recommended administration by health professionals. Evaluating assessors' ability to accurately identify, describe, and respond to strengths and functional strains in real time was a core objective of the present analysis.

Method

To examine this aspect of the CPT, a content analysis was undertaken of assessors' written responses recorded within the *strengths and challenges* and *recommendations* sections. Two researchers independently coded the responses to describe type and frequency of concepts identified within each section. These codes were developed into themes that described patterns in assessor responses.

Secondly, each completed CPT was reviewed by the lead author (Derbyshire), who matched the areas of difficulty identifiable through participants' responses, to the Functional Strain Model. This approach aligned with the training provided to assessors and the user manual that they were asked to refer to. Derbyshire then compared the challenges he identified with those assessors identified. Finally, Derbyshire compared the challenges assessors identified with the recommendations they made.

Results

Strengths

Five themes emerged from assessors' summaries of participants' strengths:

Cognitive factors

Assessors described strengths related to general cognitive functioning, including organisation, memory, self-direction, and understanding. Examples included being organised, remembering appointments, self-advocacy, and understanding concepts well. These strengths showed the clearest alignment with the CPT's Functional Strain Model, particularly the domains of organisation, memory, and language and communication. However, assessors typically described these strengths in general terms rather than explicitly linking them to court participation or explaining *how* they might mitigate potential functional strains.

Relationships

Assessors highlighted the relationship-based strengths of both supportive relationships and interpersonal skills. Supportive relationships involved family members and professionals (e.g., family, social worker). Interpersonal skills included social characteristics such as being friendly, talking to new people, and respecting people. While these strengths may contribute to successful engagement with court processes, their relationship to the Functional Strain Model was not articulated. Support networks were described, but they were not identified as accommodations or protective factors that could compensate for identified areas of functional difficulty.

Structured activities or achievement

Assessors also identified strengths related to participation in employment, education, and other structured activities. Examples included being a hard worker, career focused, and attending programmes. Although such factors may indicate resilience, motivation, or broader protective factors associated with positive outcomes, assessors did not describe how these strengths related to court participation or functional capabilities.

Leisure activities/ hobbies

Assessors drew attention to participants' individual strengths through their involvement in social or leisure activities (e.g., farming, cooking, and sports). These descriptions provided insight into participants' interests and sources of engagement; however, their relevance to court participation was seldom made explicit.

Other personal qualities or coping techniques

The final theme of strengths that assessors identified encompassed a range of personal characteristics and coping-related abilities, including being independent with most tasks, having future focused goals, good communication skills, an ability to focus, or listening skills. Some of these characteristics, particularly those involving communication, attention, and listening skills, overlapped with domains represented within the Functional Strain Model. However, as with other strengths described, assessors rarely explicitly identified these links.

Challenges

The challenges assessors described had closer alignment with the Functional Strain Model than the strengths, with difficulties primarily described in terms of functional capacities relevant to court participation. Five themes were identified as outlined below. In addition, assessors occasionally identified idiosyncratic issues not represented within the Functional Strain Model but potentially relevant to participation (e.g., requiring glasses or hearing support).

Cognitive skills

A range of cognitive skills across most of the functional domains were described. This included problems with organisation (e.g., leaving things behind, and difficulty time planning); memory (e.g., being forgetful and remembering details of their court plan) and working memory (e.g. remembering thoughts when interrupted, finding it hard to follow professionals' conversations, or struggling when there is too much information). In addition, assessors described participants experiencing challenges with reading and writing (e.g., them reporting that reading a lot is overwhelming, or documents were too long). Further challenges captured within this theme included impulsivity/inhibition (e.g., filtering thoughts before speaking, waiting, and sitting still), alongside problems with attention (e.g., getting distracted, and difficulty focusing thoughts), and information processing/speed (e.g., professionals talking too quickly, and needing time to process information).

Social and communication skills

Assessors also described social and communication skills that were conceptually linked to the language domains of the Functional Strain Model. These included problems with expressive communication (e.g., explaining the plan to lawyers, and finding the right words) and receptive language (i.e. comprehension; e.g., finding it hard to understand lawyers, follow conversations, or understand complex terms and sentences). Additionally, assessors described participants experiencing challenges with social communication (e.g., explaining how other people feel, opening up to new people, and being around new people).

Sensory challenges

Whilst relatively few assessors described participants experiencing challenges with sensory difficulties, when they did, these were usually identified in the challenges section of the tool. Examples included participants finding the lights too bright, and having trouble concentrating when there is a lot of background talking. Descriptions sometimes lacked specificity, such as mentioning that a participant experienced challenges with the "sensory environment of court" without further elaboration regarding the nature of that difficulty or its impact on participation.

Emotion

The affective domain of the CPT was captured by assessors' descriptions of participants' challenges, with the information they recorded focused on stress in the court environment. Examples included having the person's concentration impacted by stress, feeling overwhelmed, and experiencing anxiety.

Recommendations

Assessor recommendations were largely focused on accommodations to support participation in court, aligned with the Functional Strain Model. Four themes emerged:

Cognitive skills

Many recommendations addressed cognitive challenges through practical accommodations targeting organisation, memory, attention, working memory, and information processing. Within this theme, organisation-related supports included recommendations such as sending text reminders, scheduling appointments on a consistent court day, and providing lists of tasks. Memory-related accommodations focused on reinforcing understanding and recall, including recommendations to check the participant remembers what discussed, and supply a written summary of court discussions. Recommendations also addressed working memory difficulties; for example, suggesting that court professionals talk slowly, share small amounts of information, and avoid switching subjects. Attention-related accommodations included strategies such as saying the person's name when talking to them, ensuring the participant is told when to listen, and providing a fidget object. Finally, recommendations targeting information processing included providing support reading bail conditions, and talking slowly and clearly.

Social and communication

Assessor recommendations for adaptations related to social and communication skills closely reflected the language and communication domains of the Functional Strain Model, although recommendations often lacked specificity in what to do. For example, for participants experiencing challenges with receptive language, assessors recommended that professionals explain things in a way they understand, avoid complex terms, and use examples. Similarly, expressive language difficulties were addressed through recommendations such as ensuring the participant had a consistent lawyer and recognising that they may have difficulty word finding.

Reading and writing

Assessor recommendations for accommodations addressing difficulties with reading and writing included help with related tasks, such as support with reading bail and legal documents, highlighting important information within documents, and noting that the participant finds reading difficult.

Social engagement and trust

Assessor recommendations for adaptations aiming to improve social engagement and trust included the use of a consistent lawyer, encouraging professionals to be aware of their own body language, and ensuing professionals took time to build rapport.

Sensory

When sensory challenges were identified, assessors usually recommended environmental modifications to reduce sensory overload and improve participation. These included reducing lighting intensity, minimising noise, arranging quieter times for court attendance, limiting the number of people present, and reducing distracting sounds such as typing or pen clicking.

Emotion

Assessor recommendations relating to emotional functioning focused on reducing stress and supporting emotion regulation within court. These suggestions included allowing participants opportunities to express emotions, recognising the impact of stress on participation, and implementing strategies intended to reduce anxiety.

Match between researcher-identified and assessor-identified challenges and recommendations

In 22 of 23 completed CPTs, the researcher identified between three to seven potential challenges to be noted in the challenges section, with a mode of five (see Table 12). The researcher identified no challenges based on the information recorded for one CPT. The most frequently researcher-identified areas of difficulty were attention, memory, language and communication, and organisation and planning. These areas spanned sub-parts of The Functional Strain Model and frequently overlapped (e.g., problems with sustained attention, working memory, and processing speed).

Table 12 also shows that assessors identified between one and six potential challenges in 19 of the 23 CPTs, with a mode of four. They did not identify any challenges for four completed CPTs; one of these matched the CPT where the researcher also identified no challenges. The most frequent assessor-identified areas of difficulty were language and communication, attention, and reading and writing. The other two most frequently researcher-identified areas (organisation and planning, and memory) were not as often described in the challenges section by assessors.

Table 12. Researcher and Assessor identified challenges by Functional Strain area

Functional Strain	Researcher identified needs *n* (%)	Assessor identified needs *n* (%)
Affect	5 (22)	4 (17)
Reading & writing	12 (52)	10 (43)
Managing sensory input	8 (35)	3 (13)
Attention (focus, sustain, switch)	20 (87)	13 (57)
Processing speed	12 (52)	3 (13)
Organisation & planning	16 (70)	4 (17)
Memory (short term & working)	18 (78)	6 (26)
Language & communication (receptive, expressive, social)	17 (74)	15 (65)

Note. Per participant challenges: researcher range = 3-7, Mode = 5; Assessor range = 1-6, mode = 4

As outlined in Table 13 and Figure 4, of the 22 CPTs where both the researcher and assessor identified that the person was experiencing challenges, assessors identified at least one of the same areas as the researcher 86% of the time. On all occasions, the researcher also identified at least one additional area of difficulty, with a range of one to five additional potential strains. Assessors described areas of difficulty that were not identified by the researcher 32% of the time. Assessors' descriptions of challenges did not always provide detail about how specific difficulties were related to participation in court, and no assessors specified how participants were using existing strategies in the challenges section.

Translating identified challenges into recommendations was difficult for assessors. In addition to the single tool where no challenges were identified, on four occasions (Youth Court n = 2; Young

Adult List Court n = 2), assessors did not provide recommendations to assist the court; either re-stating challenges (Youth Court) or referring the court to a generic checklist that was completed during the Young Adult List Court pilot. One set of recommendations focused on showing the person respect and building rapport rather than functional strains, despite the assessor having identified four potential neurodiversity-related areas of difficulty in their summary of challenges. Where assessors provided recommendations, the number of recommendations ranged between one to five, with a mode of three. The most common area of focus was language and communication, followed by organisation and planning, attention, and managing sensory input (see Figure 4).

Table 13. Alignment of researcher- and assessor- identified challenges

	No *n* (%)	Yes *n* (%)
At least one researcher-identified challenge matched assessor	4 (14)	19 (86)
At least one researcher-identified challenge did not match assessor	0 (0)	22 (100)
At least one assessor-identified challenge did not match researcher	15 (68)	7 (32)
	Range (Mode)	
Additional researcher-identified challenges per CPT	1-5 (1)	
Additional assessor-identified challenges per CPT	0-2 (0)	

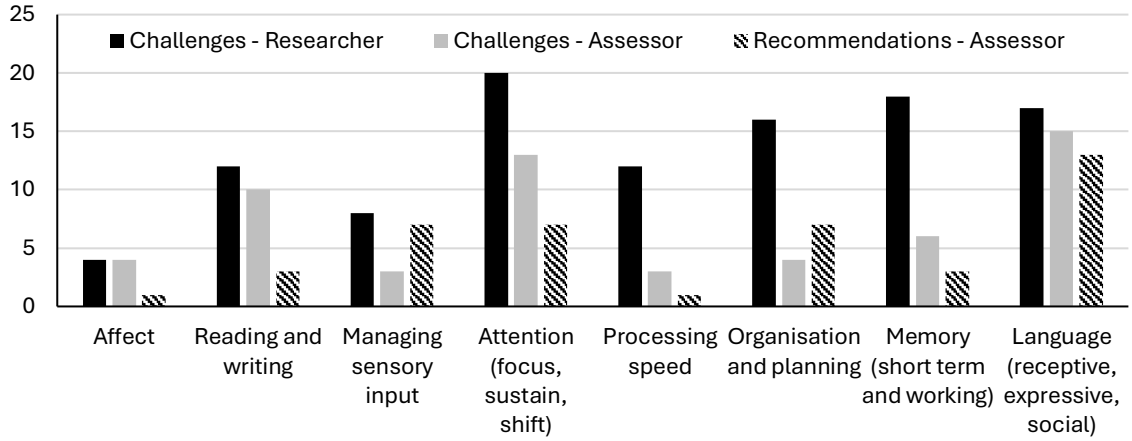


Figure 4. Total Number of Identified Challenges and Recommendations by Functional Strain

Table 14 shows that on 69% of occasions assessors omitted to make recommendations for between one and four areas of difficulty they had previously described. Between one and three recommendations were also added for new areas of difficulty not previously described in the challenges section in 43% of CPTs. These new recommendations were added for organisation and planning (*n* = 6) managing sensory input (*n* = 4), attention (*n* = 3) and language and communication (*n* = 2). Of the 14 new recommendations, 12 (86%) reflected challenges identified by the researcher during their review of completed CPTs. These recommendations therefore matched strains evident in the CPT, despite assessors not describing them in the challenges section before writing the recommendation summary. No assessor recommendations directed the court to utilise participants' existing supports or strategies, other than continuing to send reminders about dates.

Table 14. Patterns in Assessor Recommendations

	No *n* (%)	Yes *n* (%)
Recommendations were provided	5 (22)	18 (78)
Recommendations did not address at least one previously identified difficulty	7 (31)	16 (69)
Recommendations addressed at least one new difficulty not described in challenges section	13 (57)	10 (43)
	Range (Mode)	
Recommendations per CPT	1-5 (3)	
New recommendations not matching described challenges per CPT	1-3 (1)	

Discussion

The content analysis of strengths, challenges, and recommendations outlines a notable difference in how assessors described participants' strengths and challenges. While strengths were often framed broadly in terms of personal qualities, relationships, lifestyle activities, and social supports, challenges were described predominantly in functional terms and showed close alignment with the Functional Strain Model.

For strengths, assessors frequently identified attributes that reflected resilience, social connectedness, and engagement in meaningful activities. Although some strengths related to functional domains, particularly organisation, memory, communication, and self-direction, assessors rarely made explicit connections between these strengths and participants' ability to engage in court processes. Rather, strengths tended to be described as general positive characteristics or protective factors.

In contrast, challenges were consistently framed around functional difficulties that may impact court participation. Descriptions of challenges were sometimes, although inconsistently, linked to court participation, such as understanding legal language, following professional conversations, remembering court plans, and managing stress within the court environment.

Overall, the challenges section appears to be successful at directing assessors to identify strains across the Functional Strain Model and apply them to court participation. In contrast, the strengths section appears to be used more broadly, capturing personal, social, and environmental assets rather than strengths directly related to participation. This difference may reflect a strengths-based clinical perspective, but it also suggests that additional guidance may help assessors identify and articulate strengths in ways that more explicitly correspond to functional strains and court participation. Such an approach may strengthen the integration between the strengths and challenges sections and support a more functionally-focused summary section.

The analysis of recommendations suggests that assessors were generally successful in generating recommendations that aligned with the Functional Strain Model. However, the quality of this translation varied. While some recommendations consisted of specific accommodations designed to modify communication styles, environmental demands, or support arrangements, several were framed as restatements of the underlying difficulty rather than actionable strategies. For example, recommendations such as "has difficulty word finding", and "finds reading hard", identified the nature of the challenge but did not specify how professionals should adjust their practice to address it. Consequently, although there was overall alignment between identified functional strains and recommendations, assessors appear to have been more consistently able to recognise participation barriers than formulate targeted responses to them.

A primary intention of the court participation project was that the CPT would enable assessors to make real-time interpretations of participants' needs, without causing significant interruption or disruption to the court's processes. This aim was to be achieved by the assessor providing an

immediate interpretation of the tool, often co-produced with the participant, handed to court staff within minutes of the interview ending. This analysis suggests that, across both trials, assessors found this interpretation and translation to be a difficult task. The researcher's ability to identify additional areas of challenge for every completed tool, as well as to describe existing strategies or accommodations that participants may have been using to mitigate challenges, suggests that competent administration of the tool may require assessors to have time to reflect on the interview and the CPT's findings. It was also notable that assessors sometimes restated challenges rather than provide tailored recommendations, perhaps indicating that they felt rushed or had not fully understood the task required of them. It is likely that assessors would benefit from additional, or ongoing, training to assist them in translating individual needs into specific, actionable, recommendations. Strengthening this aspect of the CPT may improve the consistency and practical utility of recommendations, thereby enhancing its capacity to facilitate meaningful participation in court.

5. GENERAL DISCUSSION

This evaluation explored whether the CPT identifies the functional strains it was designed to assess, and whether those identified needs are translated meaningfully into recommendations for the court. Overall, the findings suggest that the CPT shows promise in achieving these goals. The research team found it to have good face validity, that it identified a broad range of functional challenges related to court participation, and that the recommendations it generated were generally aligned with those difficulties. However, the evaluation also identified limitations in the interpretation and translation of the tool's findings, with identified challenges often missed from both the summary of challenges and recommendations.

Regarding face validity, the analysis found support for the Functional Strain Model from which the CPT was constructed. Independent reviewers identified the intended functional domains from the wording of questions, despite not having access to the user manual. This result suggests that the constructs described by the Functional Strain Model are reflected within the interview content and sufficiently observable to be identifiable by professionals with knowledge of neurodiversity. The strongest alignment was observed for attention, memory, organisation and planning, language and communication, emotion regulation, and sensory processing.

Second, the CPT appears capable of identifying a diverse range of participation-related difficulties relevant to court engagement, across all areas of the Functional Strain Model. However, whilst all areas were represented in the analysis, the areas of attention, memory, language and communication, and organisation and planning emerged most frequently. Notably, many of the identified difficulties related directly to procedural aspects of justice participation, including understanding legal information, remembering court plans, maintaining concentration, communicating effectively, and managing competing sources of information in the courtroom.

A strength of the CPT was its sensitivity to individual variation; whilst common patterns emerged in the most dominant functional strains experienced by participants, there was variation in the number and type of difficulties described. Some participants described relatively few difficulties, whilst others presented with difficulties spanning multiple domains. Likewise, individual differences in difficulties such as sensory processing, or the supports available from family and professionals, were also apparent. This variability is consistent with the Functional Strain Model's assumption that participation difficulties arise from the interaction between functional abilities and contextual demands, and consequently that responses need to be targeted to specific challenges.

The evaluation also provides preliminary support for the CPT's intention to identify existing strategies and supports that may mask, hide, or compensate for underlying difficulties. Participants frequently described relying on reminders, family members, transport assistance, supportive professionals, written prompts, and other compensatory mechanisms. In many cases, these supports appeared to reduce the observable impact of difficulties in areas such as memory, organisation, and communication. Importantly, the CPT's use of different types of question helped to identify these compensatory strategies. However, assessors rarely identified these as strategies, described them as such to the court, or suggested ways to harness existing strategies to facilitate engagement. Consequently, an important source of potentially useful accommodations was not fully utilised within recommendations, and was a central aspect of discrepancy between the researcher's and assessors' analysis of participant challenges.

Indeed, discrepancy between the researcher and assessor identified challenges has emerged as a primary critique of the CPT in its current form. Whilst assessors were able to identify some challenges aligned with the CPT's intended focus, frequently there were other potential strains

identified by the researcher, and in many cases also identified by the assessor in the 'challenges' section, that did not result in recommendations. These discrepancies were particularly evident for memory, organisation and planning, processing speed, and sensory difficulties. Notably, many of these omitted difficulties were apparent only when responses were interpreted within the broader framework of the Functional Strain Model or considered in relation to compensatory strategies already being used by participants. This finding suggests that administration of the CPT places substantial demand on assessors' ability to provide a formulation of issues, based in an existing, comprehensive, understanding of neurodiversity and the relationship between functional strain, environmental demands, and participation.

The analysis also has implications for refinement of the Functional Strain Model. Most notably, impulsivity and inhibitory control emerged repeatedly despite not being explicitly represented within the model. Both reviewers and participants frequently described behaviours related to filtering responses, waiting one's turn, self-monitoring, and behaviour regulation. These difficulties were evident across everyday functioning, communication, and courtroom participation. Given the prominence of inhibitory control difficulties in conditions such as ADHD and acquired brain injury, and their obvious relevance to behaviour within legal proceedings, future revisions of the model may benefit from considering whether inhibitory control should be represented as a distinct domain. The analysis also raises questions regarding the utility of certain CPT items. The abstract reasoning item involving the phrase "they can't see the wood for the trees" proved difficult for most participants. With so few participants able to accurately explain the phrase, its utility in assisting assessors identify challenges with abstract reasoning and complex language is limited. It may therefore be helpful to replace this item with a more culturally familiar or developmentally appropriate measure.

Overall, this analysis has indicated that the CPT has value in enabling assessors pay attention to neurodiverse functional challenges for court participants, but that its effectiveness depends substantially on their ability to observe behaviour, integrate information from multiple domains, identify hidden supports, formulate participation barriers, and use this information to describe achievable, tailored, recommendations. It is therefore a clinical assessment tool that requires expertise for its administration and interpretation, likely best suited to administration by an experienced healthcare professional who has had additional training in the tool and the Functional Strain Model. Future developments would benefit from focusing on strengthening guidance for administration and interpretation of the CPT, including additional training, structured formulation aids, guidance on the expected number of recommendations to be made, and worked examples demonstrating translation of identified needs into accommodations.

In summary, regarding the three primary research questions:

How well do the questions map the areas of strain intended by the development team?
The CPT generally measures the functional domains it was designed to assess, particularly for attention, memory, organisation and planning, language and communication, emotion regulation, and sensory processing, although some domains showed greater overlap than others.

Which 'functional strains' can be identified from completed CPTs?
The CPT can identify a broad range of functional strains relevant to effective participation in court proceedings. Difficulties relating to attention, memory, language and communication, and organisation and planning were commonly identified, while challenges associated with reading and writing, processing speed, emotion regulation, and sensory processing were also evident. Importantly, the CPT appeared sensitive to individual strengths, compensatory strategies, and environmental supports that may mitigate or mask underlying functional impairment.

What is the match between the strains identified and assessors' recommendations?
The match between identified functional strains and assessors' recommendations was variable. Assessors generally identified at least some of the same difficulties as the researcher and were often able to recognise broad participation barriers affecting the individual. However, challenges identified through the CPT were frequently omitted from the challenges summaries and were not always reflected in the final recommendations. This discrepancy was particularly evident for memory, organisation and planning, sensory processing, and processing-speed difficulties. In addition, recommendations sometimes restated identified problems rather than translating them into specific and actionable accommodations.

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