

Episode 134: Summary

Episode name: Unlocking Potential: Neurodiversity Inclusion in the Legal Profession

Guest(s): Kate Hardiman

What area(s) of law does this episode consider?

Neurodiversity inclusion in the workplace.

Why is this topic relevant?

Neurodiversity is an often overlooked but critical component of fostering true inclusion in the workplace. The need for neuroinclusive workspaces is particularly pertinent to the legal profession, where traditional work environments, rigid processes, and hierarchical structures can inadvertently disadvantage neurodivergent lawyers and support staff.

By rethinking how law firms structure their workplaces and career pathways, firms can not only unlock untapped potential but also promote well-being and job satisfaction among their diverse teams. Consequently, adopting a comprehensive neuroinclusion strategy is essential for long-term retention, reducing turnover, and fostering a more inclusive, adaptable legal workforce.

What are the main points?

- Every individual, regardless of their neurotype, is unique. Neurodivergence and neurotypical are simply terms used to broadly categorise groups of individuals.
- In the neurodivergent community, terms such as "traits" or "characteristics" may be preferable over terms like "symptoms". It's important to be mindful of neuroaffirming language that acknowledges neurodivergence as a difference rather than a deficit.
- Traits such as difficulty with focus, sensory sensitivities, time management challenges, and communication differences, are some common neurodivergent traits that might impact their day-to-day operation.
- Many accommodations for neurodivergent individuals, such as using noise cancelling headphones, are cost-effective or cost-neutral for organisations.
- Organisations are starting to incorporate language around neurodiversity into their diversity, equity, and inclusion strategies, and considering neuro inclusion starting as early as the recruitment stage.
- Neuroinclusive recruitment may include adjusting language in job advertisements and descriptions to signal neuro inclusivity, offering alternative interview formats, implementing mentoring programs for neurodivergent employees, and creating tailored training plans to help individuals flourish in their careers.
- Disclosing their neurodivergence to their employer is a complex decision for many neurodivergent employees due to concerns about stigma and negative

consequences. In Australia, only 3-4% of neurodivergent individuals disclose their condition to employers, and over half of those who do regret it.

What are the practical takeaways?

- Making simple adjustments to the physical workspace environment, such as providing access to quiet workspaces and adjustable lighting, and allowing remote work options can greatly improve the work experience and productivity of neurodivergent individuals.
- Assistive technologies like text to speech and speech to text software, noise cancelling headphones, AI tools and project management tools can greatly benefit neurodivergent employees in busy office environments. Allowing individuals to access these tools discretely is crucial so employees are not required to disclose their neurodivergence.
- It is recommended that organisations evaluate what access they can provide in their systems for productivity improvements, especially for neurodivergent individuals. Collaboration between management, IT departments, and HR teams is crucial for creating a work environment that accommodates diverse work styles and preferences.
- Neurodivergent individuals may process feedback differently. HR and managers should provide clear, specific, and outcome-focused feedback to all employees, especially neurodivergent ones.
- Understanding how neurodivergent employees communicate differently can help HR tailor feedback methods to individual preferences, such as allowing more time to absorb feedback or offering written feedback first to manage emotional reactions effectively.
- Successful operational adjustments may include offering flexible working hours or remote work options to accommodate neurodivergent individuals.
- Another helpful adjustment involves providing clear written instructions, breaking tasks into smaller steps with mini deadlines, and having regular check-ins for feedback to support neurodivergent employees in feeling more comfortable.
- Neurodivergent individuals are encouraged to embrace their strengths and seek out workplaces that appreciate and accommodate their unique talents.

Show notes

[Thomson Reuters \(2023\). *Tech & the Law Report 2022*.](#)