



**Senedd Cymru Equalities and Social Justice Committee spotlight inquiry to help provide a better understanding of the extent of speech, language and communication needs (SLCN) amongst young people who have offended, or are at risk of offending in Wales**

**Executive summary**

Thank you for the opportunity to give written and oral evidence as part of the committee's inquiry to help provide a better understanding of the extent of speech, language and communication needs (SLCN) amongst young people who have offended, or are at risk of offending in Wales.

We have been calling for an inquiry on this area for a number of years. To our knowledge, this issue was last reviewed by the Senedd over ten years ago when the then Communities and Culture Committee report 'Youth justice: the experience of Welsh children in the secure estate' (2010) highlighted a lack of provision in Wales for young and adult offenders who have speech language and communication needs and recommended the Welsh Government enable pilot work to be done in Wales on the potential benefits of speech and language therapy for juvenile offenders both in custody and on release. Despite evidence from the pilots and other nations, provision remains extremely patchy over a decade later. We are delighted that the committee has prioritised a spotlight inquiry on this area and that work on those with lived experience is also included as a key element.

Our response focuses on the four main areas within the terms of reference and also makes a series of recommendations for committee consideration.

**Key recommendations**

- Speech and language therapists (SLTs) should be included within every Youth Offending Team (YOT) across Wales. This would facilitate multi-agency and multi-disciplinary team development of the appropriate interventions to support young people with their communication and language skills.

- Those who enter the youth justice system often do so from settings where there is a heightened risk of people having communication needs which may not have been previously identified. Early identification is essential to reducing the risk of offending. In addition to YOTs, there needs to be a clear focus on identifying and supporting speech, language and communication needs (SLCN) amongst agencies most in contact with those at risk of offending. For example, the Royal College of Speech and Language Therapists (RCSLT) recommends that the team supporting looked after children has access to specially commissioned speech and language therapy services.
- The Youth Justice Blueprint for Wales ([Welsh Government, 2020](#)) highlights the importance of diversion. Communication support should be embedded as a core requirement within these teams.

### **About the Royal College of Speech and Language Therapists (RCSLT)**

1. RCSLT is the professional body for speech and language therapists (SLTs), SLT students and support workers working in the UK. The RCSLT has 17,500 members in the UK (650 in Wales) representing approximately 95% of SLTs working in the UK (who are registered with the Health & Care Professions Council). We promote excellence in practice and influence health, education, care and justice policies.
2. Speech and language therapy manages the risk of harm and reduces functional impact for people with speech, language and communication support needs and/ or swallowing difficulties.
3. SLTs and language therapists work in a variety of environments across the justice system.

### **Add to the evidence base on the prevalence and impact of speech, language and communication needs among young people involved in the youth justice system in Wales.**

#### *Prevalence*

4. There is strong international evidence that incidence of speech, language and communication needs (SLCN) is much more prevalent in the offending population than in the general population (Talbot, 2010). The RCSLT has produced an extensive justice dossier which provides detail of research on this area (Coles et al, 2017). We highlight some key findings from the document below.
5. Over 10% of children and young people have long-term communication needs. This includes those with developmental language disorder (DLD) (7.6% of children) and language difficulties related to other conditions (including autism and deafness) as well as other communication needs, such as stammering (Norbury et al, 2016). There is evidence that young people in contact with the justice system are more likely to have significant SLCN compared to the general population as the key figures below highlight;
  - Up to **60%** of young people in the youth justice estate have speech, language & communication needs (Bryan et al, 2007).

- **66-90%** of young offenders have low language skills, with **46-67%** of these being in the poor or very poor range. (Bryan et al, 2007).
  - In a Youth Offending Service all new entrants to the Intensive Supervision and Surveillance Programme (ISSP) were screened and **65%** (49) required speech and language therapy intervention. A significant number (**20%**) scored at the 'severely delayed' level on standardised assessment and **6%** as 'very severely delayed'. (Gregory & Bryan, 2009).
  - In a study in a Secure Training Centre 109 young people were screened for SLCN. Only two of the participants had previously been identified with SLCN. Of those screened only **28%** were found to not require any additional support, whilst **14.4%** were identified for 1:1 speech and language therapy intervention (Bryan et al, 2015).
  - At a southern Young Offender Institution an audit of 38 young people found that only one young person achieved age equivalence on a language assessment whilst **67%** could be classified as having a developmental language disorder (DLD) (-1.5 standard deviation below expected range), (Turner, 2017).
  - SLCN for young people in the CJS are often undiagnosed; with Bryan and colleagues (2007) reporting only **5%** of young offenders had their SLCN identified prior to their entry to the Youth Justice System (YJS).
6. The compelling evidence case is also supported by evidence closer to home. A recent report from the Gwent Police and Crime Commissioner (2020) discussed the correlation between vulnerability, criminality and exploitation of a group of children in Newport. Of the 13 children in the cohort, almost all of the children were found to have SLCN, and the majority of children referred to the YJS had SLCN to some degree. The report also identified that many children's SLCN goes undiagnosed prior to the YJS's screening process. Currently **72%** of young people coming through to Neath Port Talbot Youth Justice Service are showing degree of Speech, Language and Communication need. Of the Young people referred for a speech and language therapy assessment last financial year 2021-2022 none had previously been referred to the NHS speech and language therapy service.

#### *Speech, language and communication needs associated with other conditions*

7. A significant number of conditions prevalent across the youth justice estate have communication difficulties commonly associated with them. These include autism, learning disabilities, mental health problems and other neurodevelopmental conditions. Data from prisons suggest that **20-30%** of people in prison are estimated to have learning disabilities or difficulties that affect their ability to cope with the criminal justice system (Loucks, 2007). **80%** of people in prison who have learning disabilities or difficulties report having problems reading prison information – they also had difficulties expressing themselves and understanding certain words (Talbot, 2008).

#### *Other related factors*

8. Whilst a young person may not have a formal diagnosis, skills in problem solving, 'reading' situations and knowing when and how to ask for help are vital for making decisions about what to do and how to respond to situations. Decisions made by some people who are at risk of offending can be influenced by a range of previous experiences such as adverse childhood experiences, trauma and drug and alcohol abuse.
9. Those who enter the youth justice system often do so from settings where there is a heightened risk of people having communication needs which may not have been previously identified. We understand that the incidence of children who are looked after in the YJS is also higher when compared to the general population. Kennedy (2012) reported that 33% of boys and 61% of girls in custody have been looked after.
10. Many children who are looked after have unidentified SLCN. In a recent study, **90%** of care leavers had below average language ability, and **60%** met criteria for having DLD – a likely lifelong conditions where children have problems understanding and/or using spoken language. None of these young people had previously been diagnosed with SLCN (Clegg et al, 2021).
11. Some communication needs of children who are looked after may be associated with their environment. The majority of children in care experience conditions of poverty and social disadvantage and in areas of high social deprivation between **40% and 56%** of children start school with limited language (Law, 2011). Attachment difficulties and any previous abuse, neglect and subsequent trauma may also have had an impact on the development of looked after children's communication skills. Young people with communication difficulties can be at greater risk of abuse than other disabled children (Snow, 2009; Stalker & McArthur, 2010). People with SLCN are very vulnerable as their difficulties may prevent them from communicating what has happened to them (Westcott & Jones, 1999).
12. Young people with difficulties understanding and using language are at risk of developing behavioural issues. This can be due to frustration at being unable to understand the language they are exposed to and difficulties in expressing themselves, particularly if their difficulties are unidentified. People are often misdiagnosed as having a behaviour difficulty rather than an unidentified communication difficulty (Humber & Snow, 2001). A study found that children are typically referred to clinical services with a label derived from the adults' perceptions of their primary condition (i.e. behaviour difficulties) rather than at-risk for unidentified language impairment (Cohen et al., 1998). This often leads to inappropriate management of the case. For example, behavioural difficulties can result in exclusion; over **60%** of children facing school exclusion are reported to have SLCN (Clegg et al., 2009). Furthermore, the Youth Justice Board (2013) statistics state that **88%** of boys and **74%** of girls in custody have previously been excluded from school. Overall, longitudinal studies have shown that young people with SLCN are a significant risk factor for offending (Brownlie et al., 2004; Snart et al., 2003). Furthermore, research has suggested a positive correlation between the severity of an offence and the presence of an oral language impairment (Snow & Powell, 2012).
13. There is also a significant correlation between SLCN and poorer mental health. A longitudinal study shows that **one third** of people with SLCN will develop mental health

problems if un-treated, with criminal involvement in over half of cases (Clegg et al., 2005).

*The impact of unidentified and/or unmet speech, language and communication needs*

14. The implications for a young person with SLCN within the YJS can be profound. Within the YJS, young people with SLCN are faced with situations in which they require the ability to understand and retain complex information in stressful circumstances. They need to understand the processes they are subject to as well as communicate and interact proficiently with a wide range of individuals.
15. Not only do the SLCN of young people contribute to their entry into the criminal justice system, but once in the YJS, young People with SLCN can experience difficulties with many processes that require the ability to understand complex information in stressful situations. To access the YJS a person needs to be able to listen, understand and process conversation as well as formulate ideas and experiences into words (Humber & Snow, 2001). Thus, language and communication difficulties impact on a person's ability to fully participate in the YJS.
16. Below we provide a few examples of how SLCN impacts on engagement and behaviour for those within the CJS.
  - Young people with SLCN often struggle to provide narrative information in a logical and sequential manner (Humber & Snow, 2001). This skill is important in police interviews and court processes and misunderstanding can lead to young people making uninformed choices which may lead to inappropriate admission or sentencing (Crew and Ellis, 2008). This is significant as **80%** of magistrates surveyed said that the attitude and demeanour of a young person influences their sentencing decision to some or a great extent (Audit Commission, 2004).
  - Often people with SLCN have difficulty adapting their communication style to different audiences. These difficulties can also make young people more vulnerable because their engagement style may be misinterpreted as boredom, or lack of co-operation (Snow & Powell, 2004). Young people with SLCN may not fully understand the terms of their sentence and requirements of court order due to usage of complex vocabulary such as 'breach', 'remorse' and 'conditional'.
  - Young people are often provided with interventions as part of their court order which can include education, counselling and those related to their offending behaviour. The verbal context of such programmes often dis-advantage young people with SLCN, making information and support difficult to access. It also means that the programmes are less likely to be successfully contributing to reducing re-offending. Evidence shows that around **40%** of youth offenders find it difficult or are unable to benefit from and access verbally mediated interventions (Bryan 2004; Bryan et al., 2007).

**Consider the effectiveness of existing policies and interventions to support young people in the youth justice system with communication difficulties, including how young people are identified and assessed for speech, language and communication needs.**

17. Given the incidence of SLCN within the youth justice system, a speech and language screening tool is embedded into the Youth Justice Board Asset Plus assessment which is carried out with all statutory young people coming through on court orders. Young

people referred into the service on a preventative measure are also screened by their case manager. As an example, within Swansea Bay (Neath Port Talbot and Swansea YJS) the aim is that all young people coming through to the YJS have a speech language and communication screen carried out. If the screening shows that there is a need, the young person is then referred for a speech and language assessment. Additionally in Neath Port Talbot and Swansea YJS, all young people 12 years or younger (year 7) entering the YJS should also have an automatic referral for a speech and language assessment. This is as a preventative measure to help unpick what is going on for the young person.

18. However, these positive developments are undermined by workforce constraints as the SLCN screen as part of Asset plus requires comprehensive training from a speech and language therapist on completing this screening tool and identification of SLCN. In addition, if a significant speech, language or communication difficulty is identified, referral should be made to a speech and language therapist for a comprehensive assessment. Put simply, if there is no SLT in the YJS then nothing is done with the SLT screening and the validity of the screening is compromised if training is not undertaken. Furthermore, the screening is only mandatory for those on court orders. Those people entering the system on a prevention order may not have this screening completed if there is no speech and language therapist within the team.
19. Despite the high prevalence of need, few speech and language therapists are commissioned to work within youth justice services. The then National Assembly for Wales Communities and Culture Committee (2010) recommended that 'pilot work be undertaken on the potential benefits of speech and language therapy for juvenile offenders: both in custody and on release'. Following the pilots, despite evidence of impact (especially in North Wales, where speech and language therapists working in Flintshire and Wrexham YOTs won the Pearson Award for Best Continued Practice in Youth Justice at the 2013/2014 Shine a Light Awards for their work ensuring that more young people with SLCN in the criminal justice system are identified and supported), provision remains patchy.
20. There is strong evidence of the impact of the employment of SLTs within YJS. A study completed in the Leeds Youth Offender Service found that **75%** of the young people completing a speech and language therapy intervention programme had made a significant improvement in every communication area targeted. In addition, **88%** had made significant progress in their ability to understand spoken paragraphs and formulate sentences (Gregory et al, 2009). The Charlie Taylor Review (2016) also highlighted the positive contribution made by speech and language therapists in Young Offender Teams given the prevalence of SLCN in young offender population.
21. Following the Communities and Culture Committee 2010 recommendation , a number of pilots were established. However despite evidence of impact (in particular in North Wales, where speech and language therapists working in Flintshire and Wrexham YOTs won the Pearson Award for Best Continued Practice in Youth Justice at the 2013/2014 Shine a Light Awards for their work ensuring that more young people with SLCN in the criminal justice system are identified and supported), provision of SLTs within YOTs in Wales remains extremely patchy as evidenced by the table below.

<b>Youth justice services</b>	<b>Number of SLTs</b>
Blaenau Gwent and Caerphilly	0.2 WTE (whole time equivalent)
Bridgend	0.2 WTE Band 8A via service level agreement
Cardiff	0
Carmarthenshire	0
Ceredigion	0
Conwy and Denbighshire	0
Cwm Taf	0.4 Band 8a via service level agreement
Flintshire	0
Gwynedd and Ynys Mon	0
Monmouthshire and Torfaen	0.2 WTE
Neath Port Talbot	0.7 WTE
Pembrokeshire	0
Powys	0
Swansea	0.7 WTE
Vale of Glamorgan	0
Wrexham	0

22. Additionally, when posts are commissioned, they are often short-term funded which creates recruitment and retention difficulties. The examples of posts within North Wales, as highlighted by the evidence from Betsi Cadwaladr University Health Board to this inquiry are a clear case in point where despite award winning work, services have been discontinued.
23. Some YJS in Wales have agreed referral pathways into NHS speech and language therapy services because there is no specific commissioned service in the YJS but services may not be able to adapt to the specific needs of these young people and their families to meet them appropriately. For example, some young people in YJS may require additional appointments to build up a rapport with the SLT in order for their assessment to be a true reflection of their abilities and needs.
24. As we have highlighted in our evidence thus far, those who enter the youth justice system often do so from settings where there is a heightened risk of people having communication needs which may not have been previously identified. There is a clear need to ensure SLCN support at each stage of contact with CJS as there will continue to be a population requiring speech and language therapy as part of the YJS because of the mixture and combination of developmental and acquired difficulties (such as traumatic brain injury). However, it is vital we also consider SLCN identification and support for those at risk of offending as we explore further in response to question 4 within the terms of reference. It should be noted that the Youth Justice Blueprint for Wales includes recommendations and actions around prevention but does not include any specific actions around increasing awareness of SLCN.
25. One of the aspirations of the Blueprint is to, 'Work with key stakeholders to strengthen the integrated partnership approach to the delivery of youth justice services which

prioritises 'child first' and improves outcomes for children'. Speech and language therapy is one of these key stakeholders and this is the reason why services need to be integrated into YJS.

26. Recently, the criminal justice system has focused on diverting people with vulnerabilities away from the system, when appropriate. This is known as 'liaison and diversion services' and these teams work in custody suites at police stations. Some liaison and diversion services have speech and language therapy input, and the RCSLT is working nationally to embed communication support as a core requirement within these teams. Young people with SLCN frequently lack the ability to provide narrative information in a logical and sequential manner (Humber & Snow, 2001). This skill is paramount in police interviews and court processes. Crew and Ellis (2008) reason that if a young person misunderstands police or court procedures they may make uninformed choices which may lead to inappropriate admission or sentencing. We do not currently have similar roles in Wales and they are not referenced as part of the Youth Justice Blueprint for Wales despite their significant potential to prevent young people from entering the youth justice system. Currently young people often do not have a Speech and Language assessment until after police interviews and Court.

**Help further understanding of what other interventions are needed to support young people in the youth justice system with their communication and language skills.**

27. We believe there is a need for support at each stage of the contact with YJS –
- during initial contact with the police including SLT in liaison and diversion;
  - during court processes via intermediaries (there are currently significant barriers to access for intermediaries and this impacts on young people who have a right to the support)
  - during early days in custody whether on remand or as a sentenced person to help with transition to new environment, building routine, navigating the complex communication environment of incarceration;
  - during the sentence or order to identify skills and needs, articulate these to stakeholders to enable support, address needs via compassion focused speech and language therapy input which is trauma informed and embedded in the multi-disciplinary team. The skills and needs identified may be areas which, when supported appropriately reduce the risks of a young person offending. This may be due to other options and life choices they make, with an understanding of consequences of decisions they make, for themselves and for others. Additionally, ensuring the young person, their family, those involved in their education, as well as those in the YJS, know about the young person's SLCN and strategies they can implement to provide support can be empowering for the young person and can result in positive changes in their engagement both socially and in education;
  - in the period prior to release when emotions are often triggered by the potential transition to living outside of CJS;
  - and lastly through the gate to support the young person in the initial 12 weeks when they are at risk of reoffending, breaching conditions, homelessness, substance misuse and violence.
28. SLCN assessment and advice is required for interventions which are expected as part of the sentence plan to ensure that adaptations are made so that the young person benefits from the offering. In addition, speech and language therapy input is need to

the wider team to ensure that colleagues are supported to understand communication needs and adjust their interaction to make communication accessible / reduce risk of communication breakdown reduce restraint, segregation, adjudication, self-harm or substance misuse. There is a need for SLT goal setting with young people to identify meaningful SLCN goals which are functional, and then to design and implement treatment plans which address these goals and which are measured to demonstrate outcomes. It is essential that SLTs within YOTs have capacity to deliver interventions in addition to assessment and training.

29. There is also a need to ensure the provision of accessible information such as licence conditions or reports. Access to written information links to the Youth Justice Board Full Joint Inspection criteria (4.4.2) which state that 'Resources for interventions, written and other forms of communication, are suitable for the diverse needs of children and young people'.
30. Given the high prevalence of communication needs in people in the YJS and the consequences of not supporting them, there is a pressing need to raise awareness of SLCN and its impact on behaviour amongst professionals working with young people in all settings – especially schools, police, and magistrates. RCSLT have developed several resources to support such training including [the Box](#) which is a free e-learning tool designed for professionals working in the justice sector. The tool is designed to give professionals in the justice system the ability to identify communication issues and the skills to work successfully with individuals who have such issues. We have also designed the [Mind Your Words](#) learning journey to improve understanding of children and young people who have both mental health needs – or social emotional and mental health needs (SEMH) – and SLCN.
31. Members have also highlighted the need to consider the provision of practical / hands on courses for those excluded from school such as independent living skills, motorbike maintenance, hairdressing and barbering, construction tasters and support in getting CSCS cards. We understand that young people within YJS are often interested in learning these types of skills and often learn vocabulary around these topics better as this is what interests them.

**Increase awareness of the prevalence and nature of young people's communication needs amongst professionals and policy makers including, Welsh Government, Health Boards, youth justice practitioners, police officers, magistrates and teachers.**

32. As highlighted above, given the high prevalence of SLCN within this population, awareness raising amongst professionals and policy makers is crucial. The Carlisle Report (2014) highlighted the need for greater recognition of SLCN in the justice sector and the need for greater training to enable recognition of such needs. Whilst YJS staff have received some degree of SLCN training, our understanding is that current training for magistrates, judges and police officers around SLCN is often very limited and ad hoc. We believe that this should be made compulsory as part of continuous professional development. We would be pleased to support guidance around this area.
33. Given evidence around SLCN of those at risk of offending, a focus is also required on agencies in frequent contact with those most at risk of offending. We warmly welcomed the publication of the cross-Government Talk With Me Speech, Language and

Communication (SLC); Delivery Plan 2020 – 2022. The focus of the current plan is on SLC skills and services for children in the early years, but it does include a number of broad actions around the youth justice system. The Talk with Me action plan, despite the pandemic, has made huge strides in relation to delivering on its aims to ensure that children throughout Wales have access to high quality universal, population, targeted and specialised support in the early years, if required, to develop their SLC skills. However, there is significant potential if the plan is to be extended to expand the age range of the plan and include direct actions on improving identification and support for children who are looked after, excluded from school, in contact with mental health services and youth justice services. A key element of this must include a greater focus on SLCN in teacher training and continuous professional development.

34. There are a number of projects which we would like to highlight as good practice with regards to awareness raising.

- Preventative work in Newport in response to the Understanding the Triggers report.
- The Welsh Government work stream on increasing awareness of SLCN amongst foster carers.
- Training of more than 1,000 police custody suite staff with the Metropolitan Police, thanks to a new training resource developed by SLTs.

35. We believe there is significant opportunity to learn from such projects both within and outside of Wales.

36. We hope this paper will be helpful in supporting the committee discussions around the extent of SLCN amongst young people who have offended, or are at risk of offending in Wales. We would be happy to provide further information if this would be of benefit. Please see below our contact details.

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#### **Confirmation**

37. This response is submitted on behalf of The Royal College of Speech and Language Therapists in Wales. We confirm that we are happy for this response to be made public.

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