

Agenda – Equality and Social Justice Committee

Meeting Venue:

Committee Room 5 (Hybrid)

Meeting date: 5 December 2022

Meeting time: 11.45

For further information contact:

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Committee Clerk

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Pre-meeting registration (11:15–11:45)

1 Introductions, apologies and substitutions

(11:45)

2 Experiences of young people with speech, language and communication needs in the criminal justice system: panel one

(11:45– 13:00)

(Pages 1 – 70)

Pippa Cotterill, Head of Wales Office for the Royal College of Speech and Language Therapists

Kim Jenkins, Highly Specialist Speech and Language Therapist and Clinical Lead for Youth Justice at Swansea Bay University Health Board

Dr Dave Williams, Consultant Adolescent and Child Psychiatrist

Adam Edwards, Advanced Nurse Practitioner and Mental Health Advisor, Forensic CAMHS Lead and YOS Team Manager

3 Papers to Note

3.1 Letter from the Chair of the Children, Young People and Education

Committee regarding the Welsh Government's Draft Budget 2023–24

(Pages 71 – 73)



Senedd Cymru
Welsh Parliament

- 3.2 Correspondence with the Minister for Social Justice regarding debt and the pandemic**
(Pages 74 – 80)
- 3.3 Letter from the Minister for Social Justice regarding the youth justice blueprint**
(Pages 81 – 84)
- 3.4 Letter from the RNIB regarding reasonable adjustments to deliver equality of access to healthcare services for disabled people**
(Pages 85 – 87)
- 3.5 Correspondence with the National Advisers for Violence Against Women regarding perpetrator programmes**
(Pages 88 – 90)
- 3.6 Correspondence with the Minister for Social Justice regarding the Equality, Race and Disability Evidence Units strategy**
(Pages 91 – 94)

BREAK (13:00–15:00)

4 Experiences of young people with speech, language and communication needs in the criminal justice system: panel two
(15:00 – 16:30)

Darren Trollope, Head of Planning and Advice, Youth Justice Board

Alison Davies, Principal Officer, Neath Port Talbot Youth Justice Service

Amanda Turner, Operations Manager, Neath Port Talbot Youth Justice Service

Chief Constable Amanda Blakeman, North Wales Police

Emma Wools, Deputy Police and Crime Commissioner, South Wales Police

Eleri Thomas, Deputy Police and Crime Commissioner, Gwent Police

- 5 **Motion under SO17.42 (vi) to exclude the public from the remainder of the meeting**

(16:30)

- 6 **Experiences of young people with speech, language and communication needs in the criminal justice system: consideration of the evidence**

(16:30–16:50)

Document is Restricted



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.

Youth justice services	Number of SLTs
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.

Pippa Cotterill, Head of Wales Office, Royal College of Speech and Language Therapists

[REDACTED]

Dr. Caroline Walters, External Affairs Manager (Wales), Royal College of Speech and Language Therapists

[REDACTED]

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.

References

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	The Welsh NHS Confederation response to the Equality and Social Justice Committee's inquiry into the extent of speech, language and communication needs amongst young people who have offended, or are at risk of offending in Wales.
Contact:	Madelaine Phillips, Policy and Public Affairs Officer [REDACTED]
Date:	17 May 2022

1. The Welsh NHS Confederation welcomes the opportunity to respond to the Equality and Social Justice Committee's inquiry into the extent of speech, language and communication needs (SLCN) amongst young people who have offended, or are at risk of offending in Wales.
2. The Welsh NHS Confederation represents the seven Local Health Boards, three NHS Trusts, Digital Health and Care Wales and Health Education and Improvement Wales (our Members). We also host NHS Wales Employers.

Introduction

3. Our members have recognised the considerable contributory factor that communication difficulties have when looking at offending. They have highlighted the significant evidence base which shows that moderate to severe difficulties with language and communication is prevalent among young people involved in the youth justice population.
4. It is also worth noting that speech, language and communication difficulties are frequently undiagnosed or misinterpreted as behaviour difficulties within young offenders, especially when a young person is at secondary school age.
5. Many of the verbal programmes provided as interventions, which are included as part of court orders, often disadvantage young people with SLCN, making information and support difficult to access. It also means that the programmes are less likely to be successful in preventing re-offending.
6. While the speech, language and communication needs of young people must be considered, it is also vital that speech and language services work closely and in partnership with Children and Adolescent Mental Health Services (CAMHS) to ensure that children and young people's needs are met.

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.

7. Members suggested that a national agreement and consistent approach to identification is needed to ensure the evidence base is robust and relevant. Once a better understanding of the prevalence is known, this can then inform strategic planning within NHS organisations. Establishing a national group would be beneficial to ensure evidence is gathered and the evidence base can be continually added to.
8. Members have raised the difficulty in adding to the evidence base around prevalence and impact due to the fact that some areas of Wales currently do not have Speech and Language Therapist (SLT) roles embedded within youth justice service (YJS) teams. Therefore, full-time SLTs within YJS teams should be resourced on a sustainable basis, as members have also raised issues around non-recurrent funding sources for initiatives and the difficulties of recruiting into such roles.
9. We are also aware that research on the impact of Flying Start, and other key interventions in early life, need to continue to focus on outcomes in later life.

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.

10. Members indicated that ensuring consistency across policies, services and training would be beneficial. Historically, each local authority would stipulate what it required but this approach could impact on the quality of data being captured and compromise the strategic footprint. Therefore, a national review of existing policies may be required to understand their robustness in the current climate.
11. Some members indicated that there are a low number of referrals into services from YJS teams, suggesting a number of reasons why this may occur. These include;
 - Young people are referred to SLT, but involvement with the YJS is not shared with SLT, so population analysis is unclear.
 - YJS teams currently have a limited understanding of the potential value of SLT to this population, or a limited understanding of how to access the service so do not refer when indicated.
 - Limited identification (screening) tools are used by those teams to identify young people with SLCN.
 - This population is vulnerable and unable to effectively access routine opt-in SLT provision, requiring enhanced support to engage.

12. Due to the strong evidence base which demonstrates the disproportionately high prevalence of SLCN within this population, it is essential to develop YJS teams with specialist SLTs embedded within them. These are not yet developed across Wales, which impacts on the effectiveness of how young people are identified and assessed for SLCN.
13. While members indicated that YJS staff have had some basic training in understanding the difficulties faced by this population, there is a lack of clarity about what to do if needs are identified. The Committee could also consider the availability of SLCN training for all professionals who work with young people, including magistrates, police and teachers.
14. Members suggested that all young people 12 years or younger should be referred for a speech and language assessment when entering YJS.

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

15. Members recommended a number of actions which could support a better understanding of the interventions needed. These included;
 - more robust screening tools and assessments to improve the understanding of the needs of young people
 - embedding SLTs within all YJS teams as this would facilitate a multi-agency and multi-disciplinary approach to the development of appropriate interventions
 - Speech and Language Therapy Liaison and Diversion posts working with young people in police stations at point of entry to support young people with SLCN, ensuring they are able to make informed choices throughout police and court procedures
 - Ensure SLT services can be accessed across Wales for those accessing YJS. Members have raised that SLT in YJS across Wales is currently patchy
 - SLT work closely with CAMHS services because timely intervention is key to avoiding the development of complex and enduring mental disorder and illness.
16. It was also suggested that young people excluded from school could be given access to practical courses, such as independent living skills, motorbike maintenance, hairdressing and construction tasters. Young people in YJS are often interested in learning these types of skills and they often learn vocabulary around these topics better, as this is what interests them.
17. SLCN should also be identified within Looked After Children as those brought up in disadvantaged environments have a disproportionately greater likelihood of heightened SLCN than their more advantaged peers.

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.

18. Members recognised the importance of being proactive in increasing awareness and of positive relationships with criminal justice agencies and local authorities, with some suggesting that supporting groups under youth offending teams (such as schools) would be beneficial to better identify children with SLCN.
19. Members also suggested that securing funded specialist SLT posts within YJS teams would provide opportunity to increase awareness of the prevalence and nature of young people's communication needs at a local level.
20. Members suggested the development of further strategic roles in Wales to drive greater awareness, with some noting the positive strides taken around awareness of communication needs within early years settings since the development of the National Speech, Language and Communication Coordinators roles within Welsh Government.

Conclusion

21. There is a clear indication that the needs of young people with SLCN would be better met with the correct understanding, awareness and training in place in the settings with which young people come into contact.
22. There is a role for every sector, including health, education and justice, to identify and support the individual. This would allow for a more robust response in supporting young offenders, in tackling re-offending and preventing offending or re-offending taking place.



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.

Neath Port Talbot Youth Justice Service (Early Intervention and Prevention) provides this written evidence on behalf of YOT Managers Cymru (YMC) and all the Youth Justice Services across Wales. 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

- 1) Speech and language therapists (SLTs) should be included within every Youth Justice Service (YJS) across Wales. This would support multi-agency working and multi-disciplinary team development of the appropriate interventions to support young people with their communication and language skills.
- 2) Those who enter the youth justice system often do so from settings where there is a heightened risk of young people having communication needs, which may not have been previously identified. Early identification is essential to reducing the risk of offending amongst this cohort of young people. Alongside the work of YJS', there needs to be a clear focus on identifying and supporting speech, language and communication needs (SLCN) amongst other agencies most in contact with those young people most at risk of offending.
- 3) The Youth Justice Blueprint for Wales (welsh Government, 2020) highlights the significance of diversion. Communication support should be embedded as a core requirement with these teams across Wales.

Speech and Language Provision within Neath Port Talbot Youth Justice Service (Early Intervention and Prevention)

Neath Port Talbot Youth Justice Service has had speech and language input since 2012; however, the provision has developed significantly over the years, moving from one of consultation and advice, through to a single service assessment and delivery model, to the regional speech and language

provision that is in place today between NPT YJS, Swansea Youth Justice Service and Hillside Secure Children's Home (STC).

2012:

NPT YJS received 4 hours a week, Speech and Language Therapy input funded by Afasic Cymru. This service was provided outside of core hours, where the speech and language therapist had no direct contact with young people and the role was one of consultation for the team.

2013:

NPT YJS recognised the need for speech and language input based on the data available through the consultation role. NPT YJS commissioned speech and language services direct from the NHS. The provision consisted of two full days (0.4FTE Band 6) initially where the role focused on assessment and then signposting and referral out of YJS as there was little to no scope to provide direct intervention. At some point within the year, the provision was increased to three full days (0.6FTE Band 6) allowing for targeted interventions to those with high level support needs. Training of staff to include screening for Speech, language and communication difficulties within their assessments and interactions with young people formed part of the speech and language therapy role as did supporting staff to assist those young people with lower level needs through suggested strategies. Training has remained a focus of the role moving forward.

2014:

Neath Port Talbot Youth Justice Service amalgamated with Swansea and Bridgend Youth Justice Services to form Western Bay Youth Justice Service. As a result of this amalgamation, the speech and language therapy input was increased to 1 FTE post, with the provision comprising of 0.6FTE Band 6 from NPT plus an additional 0.4FTE Band 6 from Bridgend Youth Justice Service. Due to the size of the service that the speech and language role was required to serve, the provision reverted back to undertaking assessments only and signposting and referring young people outside of YJS for ongoing support.

2019:

In April 2019, Western Bay Youth Justice Service disaggregated. Neath Port Talbot Youth Justice Service returned to a standalone service and retained the 3 day (0.6FTE Band 6) speech and language provision. The service returned to undertaking assessments and targeted interventions to those with high level support needs alongside supporting staff within the team to intervene with those with low level needs through implementing support strategies.

2021:

In order to offer greater flexibility within our service and Hillside SCH and to support the provision of speech and language services within Swansea Youth Justice Service, a Service Level Agreement (SLA) was entered into with Speech and Language Therapy (SLT) services, Swansea Bay University Health Board.

This agreement was entered into in August 2021, which provides 1.8 Full Time Equivalent (FTE) to both Youth Justice Services and the Secure Children's Home within the Swansea Bay area. The input is divided in the following way:

- 1 (FTE) Highly Specialist Speech and Language Therapist (Band 7)
- 0.8 (FTE) Speech and Language Therapist (Band 5 Preceptorship)

- Neath Port Talbot Youth Justice Service (3.5 days a week)
- Swansea Youth Justice Service (3.5 days a week)
- Hillside Secure Children's Home (2 days a week)

This provision supports assessment, intervention, signposting and referral as well as staff training across all three basis. It allows for greater flexibility across all three services to allow a provision to continue in the event of sickness, annual leave etc.

Additionally, both SLTs also work within the NPT Speech and Language Youth Club and this supports the referral into this service ensuring consistency of worker for young people open to YJS.

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

Speech, language and communication needs (SLCN) are more prevalent in the offending population than in the general population (Talbot, 2010). It is currently reported that 6% of children in the general population have SLCN in the absence of other developmental problems (Law et al., 2013). The incidence increases to 31% in areas of lower socio-economic status (Enderby & Pickstone, 2005). Moreover, for young people in the youth justice system, it is even higher at 74% (Crew & Ellis, 2008). Recently published Youth Justice Board experimental statistics found that 71% of young offenders have speech, language and communication needs on self-reported measures (<https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>).

These difficulties are often undiagnosed, with Bryan and colleagues (2007) reporting only 5% of young people had their SLCN identified prior to their entry to the Youth Justice System (YJS). It is important to note that these language difficulties are not accounted for by low nonverbal IQ skills (Snow & Powell, 2008).

Research by Bryan and colleagues further documents that 66-90% of young people who have offended have low language skills, with 46-67% of these being in the poor or very poor range. If these problems are not addressed early on then these will significantly impact upon their functioning. Young people with speech, language and communication needs are clearly at a disadvantage, if they lack the requisite skills to fully comprehend what is happening or to express themselves clearly. There is a growing body of research that documents implications for young people with speech, language and communications needs in terms of their contact with the criminal justice system and more broadly in relation to educational attainment and social, emotional and behaviour difficulties.

Implications of SLCN on young people in the CJS:

The implications for a young person with SLCN within the CJS can be profound. Within the CJS, 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.

To access the CJS 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 CJS. For example, 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.

Often people with SLCN do not know how to alter their type of communication to be used with friends versus that used with the magistrate. These difficulties can also make young people more vulnerable because their engagement style may be misinterpreted as boredom, being rude and general lack of co-operation when, in fact, the opposite may be true (Snow & Powell, 2004). 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).

Additionally, young people with SLCN may not understand the terms of their sentence and what is required of them in their court order. The CJS contains within it many complex processes and technical language, for example words like 'breach', 'remorse' and 'conditional'. These words are difficult for many of us to understand, let alone people with SLCN.

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 (e.g. weapons awareness, substance misuse). The verbal context of such programmes often disadvantage 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 re-offending. Evidence shows that around 40% of young people who have offended find it difficult or are unable to benefit from and access verbally mediated interventions (Bryan 2004; Bryan et al., 2007).

Educational attainment:

Language skills are correlated with educational attainment. In the early school years adequate language skills are required for the development of literacy skills as learning how to read is fundamentally a linguistic task (Catts & Hogan, 2003). Consequently, children who enter school with language difficulties are at risk of literacy difficulties (Snow, 2009). Literacy skills are inescapably important for academic success across the entire school curriculum (Dockrell, Lindsay & Palikara, 2011). In terms of prevalence, it is reported by the YJB (2013) that that 29% of young people in the CJS have difficulty with literacy and numeracy skills and 46% are under-achieving at school.

Academic success promotes the likelihood that the young person will progress to further education or training post-school, thus in turn emerge with marketable employment skills. Over 80% of individuals not in education, employment or training have SLCN (Lanz, 2009). Thus, research has shown that the presence of early language learning difficulties affects subsequent employment outcomes (Law et al., 2009).

Social, emotional and behaviour difficulties:

SLCN not only affects academic and employment outcomes but also a person's social interaction skills. They can affect a person's ability to accurately process a face to face interaction including verbal as well as non-verbal content (e.g. tone of voice, facial expressions). Lack of these skills may result in the incorrect social inference being made which can in turn result in responses that are impulsive and ill-considered.

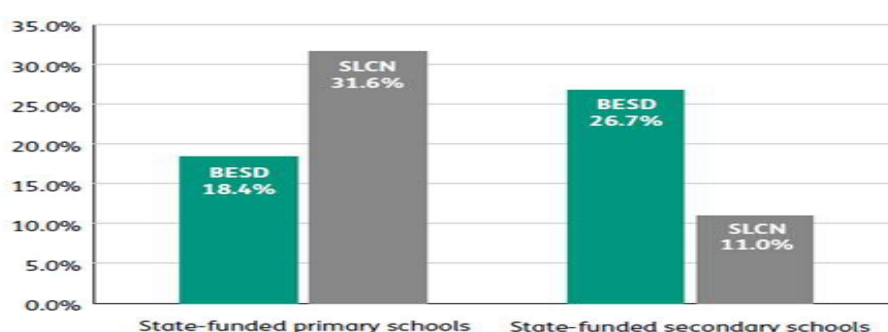
Language plays a key role in creating and maintaining relationships. It is used to demonstrate status, cohesion, trust, and entitlement to knowledge (Eckert, 2005). Due to a lack of these skills adolescents with SLCN are vulnerable to problems with peer and family relationships as well as coping with the

demands of school (Whitmire, 2000). In turn, difficulties with peer interaction creates vulnerability for association with people already involved in crime (Quinton et al., 1993). This is in line with Patton (1998) who reports that rejection from family and peer groups is thought to underpin gang cultures.

The effect of social isolation can also lead to anxiety and depression which can affect a young person's mental health. It has been shown that during the school years that loneliness and peer rejection may contribute to adverse mental health outcomes (Fujiki et al., 1999). 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).

Research shows young people who have been excluded from school are over-represented in the criminal justice system and also demonstrates a clear link between behavioural difficulties, communications needs and school exclusions. Individuals 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 express themselves, particularly if their difficulties are unidentified. Consequently, communication problems are often interpreted as behavioural problems (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 concern (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, Murray (2012) document that 88% of boys and 74% of girls in custody have previously been excluded from school. Building on this, Murray (2012) documented that 36% of boys and 41% of girls said they were 14 years of younger when they were last in education.

Many Children and Young People with SLCN do not have their needs accurately identified or supported at secondary school. Associated Behaviour, Emotional and Social Difficulties (BEDS) or literacy difficulties may be most visible and be identified as a priority. The transition from Primary to Secondary school can be a potentially difficult time for all children and young people academically, organisationally and socially. SLCN may only come to light in secondary school due to increasing social and academic demands. Not surprisingly, because of their difficulties children with SLCN can find this a particular stressful time. The move from primary to secondary school means different vocabulary, subjects, curriculum, teachers, teaching styles and organisation. This can be challenging for all pupils. Shifting from one teaching style to the next, understanding technical terminology, making links between different subject areas and managing less structured social 'free' time are all dependent on pupils having effective, flexible language and communication skills



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 shown a positive correlation between the severity of an offence and the presence of an oral language impairment (Snow & Powell, 2012).

Supporting local data that adds to the evidence base:

Data from within Wales adds to the evidence base in terms of prevalence and impact of speech, language and communication needs among young people involved in the youth justice system in Wales.

A recent report from the Gwent Police and Crime Commissioner (2020) discussed the correlation between vulnerability, criminality and exploitation of a group of young people 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' screening process.

Data of over a number of years within Neath Port Talbot YJS also adds to the evidence base. For the last three financial years, the percentage of young people coming through Neath Port Talbot Youth Justice Service showing some degree of Speech, Language and Communication need has been above 70%. In the years, prior to this, the percentage has fluctuated between 59% and 61%. The increased identification rate is likely attributed to increased Speech and Language Therapy services within the team, an increase in staff knowledge and identification of Speech Language and Communication difficulties supported by in-house training and improved screening supported by consistency in the tool used across both screening assessments and Asset Plus assessments. Likely to contribute to the increased identification rate is the automatic speech and language therapy assessment for all young people coming through to the service who are in Year 6 and 7 as well as those who are 17 years and over.

Across 2019/20 and 2021/22, 72% of young people coming through Neath Port Talbot Youth Justice Service showing some degree of Speech, Language and Communication need. Of the young people referred for speech and language therapy assessment in the year 2021/22, none had previously been referred for NHS speech and language therapy services.

Since the 1st April 2022, 79% (93% males & 7% females) of young people open to Neath Port Talbot YJS are showing signs of some degree of Speech, Language, and Communication need identified from screening checklists completed within the team. Of the 28 young people referred for a speech and language therapy assessment, only 2(7%) were previously seen for speech and language therapy when they were much younger. One was seen due to difficulties with speech production and the other due to difficulties with social communication. Of the young people referred, the Speech and Language Therapists made six recommendations for further referrals and assessment into possible Autistic Spectrum Disorder (ASD).

The age range of the young people seen for assessment was 10-16, with 13 being the highest age group. In relation to assessment outcomes, when looking at understanding vocabulary assessment age difference, the majority of young people assessed showed a deficit, with some young people evidencing that their understanding vocabulary age was 8 years below that of their chronological age. Similarly, looking at formulating sentences all young people assessed showed a deficit, with some young people evidencing that they assessed age was 10 years below that of their chronological age.

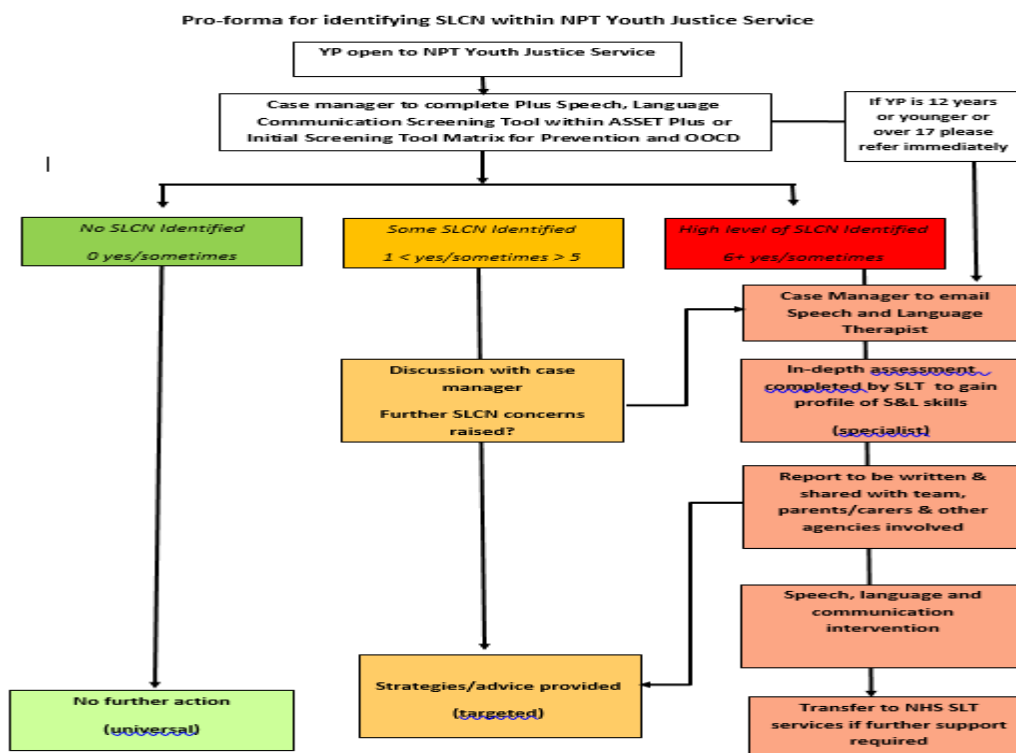
Additionally, 33% had difficulties at Level 3 Retelling e.g. tell a story or event accurately and 22% had difficulties in Level 4 Justifying e.g. solve a problem or justify a decision made. These communication difficulties will have a great impact upon every process within the legal and judicial system as there are huge demands placed on language throughout the justice system and these difficulties affect a person's ability to fully participate at every stage of the Youth Justice System.

Where Speech, Language and Communication needs are not identified and supported, this can lead to frustration and result in disruptive, aggressive, and even violent behaviour across a number of settings. In custodial settings, this behaviour can lead to physical interventions to manage this behaviour, segregation, and isolation for the person who are struggling to comply with prison regime that relies heavily on the spoken and written language. Speaking and listening skills are essential for young people to cope with the demands of the prison regime. This includes compliance with day-to-day procedures and routines (following instructions and orders, understanding routines); taking part in offender treatment or rehabilitation programmes (which are often 'talking' based and the verbal context of these programmes can disadvantage people with speech, language and communication needs); participating in education, training programmes or re-settlement activities and accessing healthcare advice and treatment (which relies on understanding and relaying information verbally and in writing).

Many of these young people have grown up with experience of multiple Adverse Childhood Experiences (ACEs) including deprivation and poverty, trauma, neglect, abuse, and many are care experienced or looked after children. The incidence of young people who are looked after in the Youth Justice System is also higher when compared to the general population. For example, 33% of boys and 61% of girls in custody have been looked after (Kennedy, 2012). A recent research paper by Clegg et al (2021) documented that the prevalence of SLCN in looked after young people was high, with 90% of care leavers having below average language ability, and 60% meeting the criteria for having Developmental Language Disorder (DLD – a likely lifelong condition where young people have problems understanding and/or using spoken language). Clegg et al (2021) reported that none of these young people had previously been diagnosed with SLCNs. Other studies have revealed similar findings. A study by McCool and Stevens (2011) published in the International Journal of Language and Communication Disorders found high levels of communication impairment amongst children and young people in residential care. Much of it was severe and pervasive, and largely previously unidentified. Furthermore, 'No Wrong Door', the service for looked after children in North Yorkshire, found 62% of its looked after children had communication needs. Only two of the children had previously seen a speech and language therapist (SLT) (RCSLT NI Ministerial Briefing, 2021).

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

Within Neath Port Talbot and Swansea Youth Justice Services, there is a clear process that is embedded within the team to support the identification, assessment and intervention support offered to young people in respect of Speech, Language and Communication Needs. The flowchart below sets out this process and is embedded within a SLCN referral guide that forms part of the staff induction process and the wider delivery of speech, language and communication training rolled across both services.



The screening for SLCN is undertaken by social workers as part of their wider assessment in respect of all young people who come into contact with our service. For some young people (including all young people subject to statutory interventions), this will involve the completion of the speech and language tool embedded within the YJB Asset Plus assessment and for others (open via prevention and Out of Court Disposals), this will involve the completion of the speech and language tool embedded within the NPT screening tool as an example. It is the same tool embedded across both assessment documents that supports consistency in practice. If the screening indicates there is a need i.e. 6 SLCNs identified, then the young person is referred for a speech and language assessment by the SLTs. However, there is discretion built within this following discussion with the SLTs for anyone else to receive assessment, including assessment at a different point in time should SLCNs become more evident at the worker gets to know the young person.

Across NPT and Swansea Youth Justice Services, there is an automatic offer of assessment for all young people age 12 and under entering the YJS; this is a preventative measure to help understand what is going on for a young person and also has the added benefit of offering support as young people transition from primary to secondary provision navigating their first year in an unfamiliar and larger educational setting. Additionally, at the other end of the age spectrum, all 17 year olds and over are also offered an automatic assessment; again this is a preventative measure to establish if there are any undiagnosed speech and language difficulties that have not been previously identified prior to their transition into adulthood.

Prior to completing the assessment, the SLTs will build in time to get to know the young person and build a rapport; practice that is in line with trauma informed practice. This could be done via one session or several sessions dependent on the needs of the young person. Some assessments will be fast tracked if they are required to support the production of a Pre-sentence Report and sentencing of a young person by the Courts.

Following assessment, the SLTs will produce a report that is shared with the young person, their parent, the YJS staff working with the young person, and all other professional agencies working with

that young person. The SLTs will go into schools and go through the report and support them to implement strategies to help the young person. A young person easy read report is produced to support the young person and parent in understanding the outcomes of the assessment. Direct intervention is provided by the SLTs where required and/or strategies are given to other professionals who can support the young people directly. This support can include addressing narrative skills, vocabulary skills, time concepts, using strategies and/or social communication skills. Such intervention has been shown to be effective, for example in Ealing a two-year project found that young people with moderate communication difficulties within the YJS benefited significantly from six sessions of therapy, with progress reported in almost all the areas tested (Coles & Murray, 2021).

The reports are also shared with the Courts to support engagement with young people via this forum and also are shared with the police to support an understanding of a young person's SLCN prior to interview so this can be taken into and accounted for when planning for and undertaking interviews. An example of this, is where the SLT have provided the report to a district judge sitting on the trial of a young person and spent time going through the report with them to aid their understanding of how things could be implemented to improve the young person's understanding i.e. how questions are put to them. The SLT supported the young person through the trial. However, young people not previously known to YJS do not benefit from this provision at either the police station or Court. Under these circumstances, SLCN that go undetected could result in young people misunderstanding police and court processes, in turn making uninformed choices, which may lead to inappropriate admission or sentencing (Crew & Ellis, 2008). Screening for SLCN is needed at earliest opportunity within the CJS i.e. prior to their interview at the police station.

Within Neath Port Talbot YJS, a plan of intervention with a young person does not commence until a speech and language assessment is completed and we know the young person's levels as this supports the team in knowing at what level to pitch the intervention and how best to intervene. Within the service, we have a large number of hands on alternative interventions do not rely on the young person engaging in written programmes that also result in accreditations for young people; these include the K9 programme, Equine Assisted Learning, Hairdressing and Bike Maintenance etc.

Part of the role of the SLTs within the team, is to support the adaptation of written resources to ensure that they are more accessible to young people i.e. simplify an intervention and/or make it more visual. Talking Mats is a speech and language lead resource to give young people more of a voice in their assessment and plans; this is currently being used by the SLTs within Swansea Bay and training is due to take place imminently to roll out this resource to the wider teams.

Written information is also provided to young people within a YJS, for example court orders, appointment letters, information posters around the YJS and leaflets. As highlighted earlier, youth people in contact with the YJS generally have poor literacy skills. As such, some of this written material can be inaccessible to the young people with SLCN and literacy difficulties. SLTs can provide support by providing modifications to existing written material. This may include changing wording and including visual supports. Access to written information links to the Youth Justice Board Full Joint Inspection criteria (Point 4.4.2) which states that 'Resources for interventions, written and other forms of communication, are suitable for the diverse needs of children and young people'. Within NPT YJS, the SLTs have simplified paperwork as well as provided a resource that supports young people to understand the vocabulary that is associated with legal and criminal justice processes.

The SLTs also support the induction of new staff members and provide wider team training to raise awareness of SLCN and its impact on behaviour and support identification of SLCNs of young people

in contact with the service. This has been supported by the development of an in-house training programme as well as the requirement of the team to complete the Box training developed by the Royal College of Speech and Language Therapists. It is a free eLearning package designed for the justice system across the UK to help support people with SLCN but is equally relevant to those working in youth-offending teams, probation officers, prison staff, the police and other professionals in the courts system; including judges, barristers, and solicitors.

The benefits of SLTs within YJS are well documented within research. Gregory and Bryan (2011) showed that by adding SLTs to Youth Justice Services enabled 75% of young people with SLCN to improve on standardised testing. Moreover, a survey carried out in 2014 by The Communication Trust, found that Youth Justice Service staff reported that SLT provision had most changed the service they offer. The Charlie Taylor Review (2016) also highlighted the positive contribution made by SLTs in YJS' given the prevalence of SLCN in the population of young people who have offended.

However, despite this, the provision of SLTs is not available across all YJS' in Wales. Neath Port Talbot and Swansea YJS' have the most SLT capacity with 0.7WTE in each team. Outside of this, some YJS' have reduced capacity (0.2 WTE or 0.4WTE) whilst the majority of YJS' have no provision in place. If there is no SLT in the YJS, then nothing is done with the SLT screening tool completed within the Asset Plus assessment and the validity of the screening is compromised if staff undertaking the screening have not had adequate training. Furthermore, the SLCN screening is only mandatory for those on statutory court orders, those entering YJS through other avenues may not have this screening completed dependent on the systems in place within the team but the above points are then consequently valid.

Additionally, when considering the secure estate, the two Secure Children's Homes (SCH) that serve Wales have SLT capacity; these are namely Hillside SCH and Vinney Green SCH. However, it is unclear what the provision is within the Young Offenders Institutions (YOIs); however, it is known that there is no current provision within YOI Parc. As already highlighted in part 1 of the evidence, young people with undiagnosed SLCN may struggle to comply with prison regime as it relies heavily on the spoken and written language. SLT throughout the secure estate would ensure that if a young person came in on report for example, they can be assessed on entry and receive the right support throughout their period of remand, through to sentence.

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

Consideration needs to be given for the requirement of Speech and Language Therapists to be based in all Youth Justice Services across Wales. Assessment is the key factor in determining whether there is an underlying SLCN, the extent of that need and the strategies that need to be put in place through the design and development of treatment plans which address SLCN goals and provide measurable outcomes. Assessments are carried out by a Speech and Language Therapist (Band 5 upwards); however, potentially capacity for intervention delivery could be increased, through the provision of a Band 4 Speech and Language Assistant. The role of speech and language services within YJS' would be as follows if embedded:

- SLCN assessment
- Consultation and advice for the wider YJS, in terms of planning ensuring that adaptations are made to ensure that the young person benefits fully from the support on offer

- Ensure that all written information relating to a young person's contact with the YJS is accessible to them i.e. licence conditions, reports, contracts, leaflets
- To provide training to the wider YJS to ensure that the team is supported to understand the communication needs of young people, adjust their own interactions to make communication more accessible and be able to screen for SLCN within the wider assessment process.

Outside of this, there is need for SLT support at each stage of a young person's contact with the YJS:

- During initial contact at the police station in respect of SLCN screening.
- During Court processes via intermediaries.
- On entry into the custodial estate to assess on entry and help with transition to a new environment, building routine, navigating the process.
- During support or sentence to identify skills and needs, articulate these to stakeholders to enable support, address needs via speech and language therapy that is embedded with trauma informed practice and multi-disciplinary working.
- There is also a need for the development of clear pathways for young people who have been assessed by SLT within YJS and consequently, require an intervention. At present there is no real service within the NHS for them to go into and if there was a service, it would not be suitable as the emphasis is on in-reach rather than outreach support and this does not work for our hard to reach young people as they struggle to go to appointments. Additionally within schools, there is no service unless a young person is in an SEBD provision or if you can get speech and language needs included within a young person's Individual Development Plan (IDP) as this would mean they get transferred over to a Local Authority Therapist. Consideration for inclusion can only happen at an IDP review and is not always approved.

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

There is a need to raise awareness of SLCN with partner agencies and stakeholders who come into contact with young people at risk of offending, given the high prevalence of SLCN in young people in the YJS as shown by both local NPT data and wider research data. Partner agencies that need to be included in training rolled out should include at a minimum, schools (particularly secondary schools), police, magistrates, staff based within the custodial estate, frontline social workers and those in contact with children who are in care i.e. foster carers, residential staff. With regards to the latter group of professionals, if these were trained, there is the potential to handover intervention to support staff who have daily contact with young people in their settings.

NPT YJS have previously rolled out training to magistrates within the Swansea Bay area; however, time constraints on both ends has meant this training has not been delivered in more recent years. The Royal College of Speech and Language Therapy have developed the Box training and Mind Your Words training that is currently being completed by internal staff within NPT YJS and this is something that is accessible to other agencies and stakeholders. NPT YJS have recently met with the Local Authority training co-ordinator to share the Box and Mind Your Words training so this can be included within the training portfolio of courses available to the social services workforce.

In terms of reaching certain professionals, there could be greater focus given to inclusion within qualifications including teacher training, social work training, probation training, police induction, and magistrate's induction. This then could be built in as a requirement in terms of refresher training

must be the same as safeguarding training and form part of a professional's Continuous Professional Development (CPD), which for example within social work supports continued registration.

NPT YJS have applied for the Communication Access accreditation, which will allow us as a service to display a badge so those coming into contact with our service know that we are communication friendly and can communicate with young people with a range of speech, language and communication needs.

NPT YJS have a consultation event planned to engage with young people to establish their views on the speech and language services that they currently access within the YJS to drive forward improvements in service delivery. Consideration could be given to including a wider scale consultation to support the voice of young people involved in the Youth Justice System to be factored in as a part of this inquiry, if this is not already factored into the plan.

Please see below case study examples of the beneficial impact of SLCN input for young people open to NPT YJS.

Case Study 1 (historic):

13 years old male. Presented as disengaged and very immature for his age.

He attended a school for YP with SEBD but was at the brink of exclusion due to his behaviour towards other YP within the school. He was removed from the school setting and received 1:1 tuition in a different venue, away from the school for 1 hour a day.

He had been known to the YJS for 8 months for criminal damage and actual bodily harm. Had no previous SLT involvement.

The SLT worked with this YP within the school setting. Assessment results indicated significant difficulties with his receptive and expressive language (age equivalent less than 7 years of age) which both impacted significantly on his social skills. The SLT report was shared with school and strategies were suggested on ways of working with him. School staff found having age equivalent results helpful in the way they communicated with him and in the way they set and differentiated work.

From the outset of his Order, he was seen for SLT once weekly within school for intervention support. Sessions worked on vocabulary and social skills. He engaged extremely well during these sessions.

This supported his integration back into school for full mornings, 5 times a week, with a view of going back full time in the weeks that followed. The young person's relationships with others within the school setting improved and there were no ongoing behavioural issues following reintegration. He also changed his friendship group outside of school, which considerably reduced his risks of re-offending, harm to others and vulnerability.

Case Study 2 (historic):

16 Year old male, presented as having poor eye contact - dis-engaged and aggressive.

When the young person started his order with the YJS, he was not in education, employment or Training (NEET). Throughout his schooling there were incidents of disruptive behaviour, poor attendance and exclusions resulting in low attainment.

He enrolled at College but found the academic work difficult. He consequently began an Engagement Training Programme where he was excluded for violent behaviour. Prior to YJS, there had been no previous SLT involvement.

He had been known to the team for 5 years both in a preventative and statutory capacity; he has committed a number of offences, including burglary, criminal damage and actual bodily harm.

A Speech and Language Therapy assessment indicated that he had significant receptive language difficulties, which approximated to the functional level of an 8 year old child. He had difficulties understanding spoken English, i.e. instructions, information and conversation. Although his expressive language score was within average limits, he required extra time to formulate sentences and answer questions.

If he did not understand what was asked of him, he would respond aggressively as he did not have the confidence to ask for clarification. Likewise, if he was pushed for a quick response or if he felt as if he was rushed to answer a question he would also respond aggressively. This is the likely cause of why different education and training placements broke down.

The Speech and Language Therapist developed a Communication Plan for staff working with him. This Communication Plan raised the YJS staffs' awareness of his specific needs and guidance on communicating and sharing information with him in the most effective way possible. Due to his communication difficulties, the usual types of anger management work which is used with other YP supervised by the team was not deemed appropriate. Instead, he was given a tailored anger management programme, which took his speech and language needs into account.

In a previous report provided to Court, he was assessed as posing a high risk of re-offending, a medium risk of serious harm to others and a low risk of vulnerability. However, a court report 4 months later stated that if he were to continue to engage with the YJS intervention plan, the risks would reduce in all categories.

The bench that sentenced him were anxious regarding his motivation and ability to comply with his order and a prison sentence was considered. However, at 28 weeks into his order when this case study was written, the young person had not re-offended.

Case Study 3 (historic):

13 years old male. Presented as very quiet, very little eye contact, not initiating conversation. He had no previous YJS involvement. He received a 12 month Referral Order where he was first identified as having possible speech and language difficulties.

He attended a unit for young people with learning difficulties within a mainstream secondary school out of county. Due to being schooled out of county, he had no friendship groups in his local community and was very isolated.

Speech and Language assessment results indicated difficulties with his receptive language and his social skills. He was seen weekly for speech and language therapy within the YJS throughout the length of his Order and work was done targeting vocabulary, time concepts, memory and social skills. The SLT report was shared with school and his carers both of whom were very supportive and provided the young person with the extra support he needed in school and at home.

His understanding of vocabulary was reassessed. He increased his age equivalent for the understanding of vocabulary by 2 years 3 months (from 9 years 9 months to 12 years). His age equivalent on the familiar sequences increased by 3 years 2 months.

A Communication Self-Assessment was carried out with the Young Person at the beginning and at the end of his intervention. He stated that he felt that he understood what people said to him more and that if he wasn't sure, he had the confidence to ask. He stated that he felt a lot more confident than he did at the beginning of his order (His carer had also noted this and a significant improvement in his use of eye contact). He felt that he had learnt how to initiate conversation with people and felt a bit more comfortable about doing this but said that he found it difficult to carry on conversation from there and making and maintaining friendships. As an exit strategy, he was referred to a youth club specifically for young people with speech, language and communication difficulties where he continued to make good progress with his language and communication difficulties and was able to join in and socialise with a new friendship group in his area.

Case Study 4 (current):

A was referred to the YJ speech and language therapy service by his case manager following some areas of concerns being highlighted in the SLCN screening. The case manager had already gathered background information which also supported the referral.

Background

A lives at home with his mum, dad, and younger brother. A was adopted by his parents at 9 months old. He is aware that he is adopted but is not aware of the background behind this.

Parent's state that A has always been 'different' but the issues with his behaviour seemed normal until adolescence. A would become angry at the smallest events and would damage property in the home. A also began displaying challenging behaviour at school. Parents sought help from CAMHS but this has taken two years, until they were able to get support. A is now taking prescribed medication to help with his low mood. Prior to starting the medication A had, become withdrawn. He disengaged from all social activities.

A does not have any close friends and will do anything to try to make and keep friends. There have been a number of incidents over the last two years where A will attempt to make friends with a negative peer group. He is unable to read social clues and perceives them making fun of him, or using him, as friendship. This makes A incredibly vulnerable.

A has stated that whenever he builds a relationship with a professional and trusts them they leave him. This has had a negative impact on A in the past and erodes his willingness to work with professionals.

When A first came through to the YJS he was on a reduced time table (mornings only) in a mainstream comprehensive this is due to him having difficulty managing non-structured times. The school had A recorded as having speech, language and communication difficulty, however he had not been referred for any assessment around this. He had been referred by school for an ADHD assessment for which he was on the waiting list for.

A was seen by myself in school for a speech and language therapy assessment.

Assessment Findings

A enjoys communicating and interacting with others. However his communication is one sided. He will initiate conversations about his own interest but will not extend this to the interest of his communication partner. He does not take listener needs, knowledge and interest into account. He responds well to humour and enjoys having a joke. A used some eye contact during the session but stated that he does not always like to look at people.

A's understanding and use of language fell within average limits for his age. He has an age appropriate auditory memory and vocabulary. He is able to formulate sentences well but can give too much information at times. This was also noticed during 1:1 conversations. He worked well in a 1:1 situation; however, his attention and performance may be affected by distractions in other settings.

When talking to A and assessing his social use of language, it was evident that A had difficulties interpreting other people interactions. In the classroom, if not looking at the speaker or using facial expression to help him, A may misinterpret jokes, sarcasm and other verbal or non-verbal ambiguity. A had difficulties stating what somebody may be thinking or how somebody may be feeling. He also had difficulties in the area of problem solving and consequential thinking.

Next Steps

A speech and language assessment report was written and shared with A, his parents, school and other professionals working with him. Due to the social use of language difficulties highlighted in the report the Neurodevelopmental Disorder Team assessed A for ASD as well as ADHD. A later received a diagnosis for ASD, ADHD and ODD.

Following his speech and language assessment, A was also referred to the speech and language youth club to help develop his social skills in a friendly and safe environment. He attends weekly. He has built positive relationships with staff and peers.

A continued to struggle in school due to his impulsivity and behaviour. A was permanently excluded from his mainstream school and transitioned to a PRU.

A now attends a PRU full-time. There have not been any incidents in school or concerns around his behaviour since starting. He engages well in all subjects and is able to complete more practical and physical activities as part of his timetable such as boxing and mechanics.

A has not reoffended in the last 9 months.

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Response to the Equality and Social Justice Committee's inquiry about experiences of the criminal justice system

November 2022



About National Autistic Society Cymru

The National Autistic Society (NAS) is Wales' leading charity for autistic people. Since 1962, we've been transforming lives, changing attitudes and helping to create a society that works for autistic adults and children.

We transform lives by providing support, guidance and practical advice for the 700,000 autistic adults and children in the UK, as well as their three million family members and carers. For sixty years, autistic people have turned to us at key moments in their lives, be it getting a diagnosis, going to school or finding work.

We change attitudes by improving public understanding of autism and the difficulties many autistic people face. We also work closely with businesses, local authorities and government to help them provide more autism-friendly spaces, deliver better services and improve laws.

We have come a long way but it is not good enough. There is still so much to do to increase opportunities, reduce social isolation and build a brighter future for people on the spectrum. With your help, we can make it happen.

About Autism

Autism is a lifelong disability which affects how people communicate and interact with the world. All autistic people have difficulties with communication and social interaction. These can include not being able to speak, delays in processing information or difficulty holding conversations and making friends.

Autistic people also engage in repetitive (sometimes restrictive) behaviours, such as hand flapping, rocking or repeating sounds. They can experience intense anxiety and unease around unexpected change. Many autistic people have sensory issues with noise, smells and bright lights, which can be distressing. These challenges can make the world feel scary and hard to understand. They can also send an autistic person into debilitating physical and emotional 'meltdowns' or 'shutdowns'.

Like everyone, autistic people have their own individual strengths but life can become a huge struggle if the right support or understanding isn't provided. It is very important that autistic people get help from an early age and learn strategies to cope with the world. Attitudes in society also need to change.

Autism is a spectrum condition. This means autistic people have varying and complex needs, from 24-hour care to simply needing clearer communication and a little longer to do things at work and in school. In addition, around a third of autistic people have learning disabilities. An important thing to remember is that the autism spectrum is not a simple line that goes from one end to the other. Therefore, an autistic person may be able to do highly complicated tasks but struggle with things that others find easy such as crossing a road, tying shoelaces or cooking a meal.

Many autistic people go undiagnosed or are unable to get support. They can also become isolated and miss out on education, employment and social activities. Research shows that only 25% of autistic people in the UK have a full-time job, 79% of autistic people report feeling isolated, and autistic children are four times more likely to be excluded from mainstream schools.

Introduction

- 1.1 The National Autistic Society Cymru welcomes the opportunity to provide written evidence for the Equality and Social Justice Committee's inquiry about experiences of the criminal justice system in Wales.
- 1.2 Autistic people are no more likely to commit crime than the general public. The vast majority are law-abiding citizens who may come into contact with the criminal justice system as a victim, witness or defendant. However, some autistic people may be more vulnerable to criminal acts being committed against them or becoming unwitting accomplices to criminal activity. Autistic people's interactions with the criminal justice system are often unnecessarily distressing and unsuccessful. We firmly believe that making the justice system work better for autistic people should be a priority for the Sixth Senedd.

Understanding of Autism

- 2.1 Everyone has a right to be understood by the criminal justice system but our research has found a worrying lack of understanding among professionals¹. This absence of understanding can have deeply negative consequences, for example in misinterpreting signs of distress as suspicious behaviour. Many autistic people and their families tell us they got into more trouble after an initial encounter with a police officer who did not understand their autism. We want to see a more neurodiversity-informed approach developed, similar to the way that many services are now aspiring to be trauma-informed. We believe better understanding of autism, including speech, language and communication needs, is at the heart of improving outcomes.

- 2.2 While nearly everyone has heard of autism, too few people understand what it is actually like to be autistic and how hard life can be if you don't have the right support.

Autistic people want services to know they may: feel anxiety about changes or unexpected events; experience sensory sensitivity, which means being either under or oversensitive to sound, smells, light, taste and touch; need extra time to process information, such as questions or instructions; face high levels of anxiety in social situations; and/or have difficulties communicating or interacting with other people.



Only 6% of autistic adults and **5%** of families feel police officers have a good understanding of autism



Just 3% of autistic adults and **1%** of families feel that court and prison staff have a good autism understanding

¹ All Party Parliamentary Group on Autism (2019), *The Autism Act: 10 Years On*

Police

- 3.1 Autistic people make up about 1% of the population, so there is a high chance of police coming into contact with autistic people or their families. This initial contact often comes at a time of heightened anxiety – whether an autistic person is a victim, witness or suspect. It is important that police officers have a good understanding of autism so they are equipped with the skills required to support autistic people and prevent situations from escalating.
- 3.2 However, research has found particularly low understanding of autism among police officers². A survey found that only 42% of police officers were satisfied with how they worked with autistic people, while just 37% of respondents said they had autism training. Of those who had not received training, 92% of officers reported this would be useful, with many saying it would help with communication and minimising distress.
- 3.3 All police officers should receive appropriate training about autism. We want to see a commitment to making autism training mandatory by working with the College of Policing to require all new police recruits to undergo autism-specific training, as well as creating a programme for all existing officers. Currently, it is up to individual police forces to prioritise relevant training. However, without support from the centre, there is a lack of consistency of message and, more importantly, quality of that training. All forces have autism co-ordinators as part of the National Police Autism Association but their ability to affect change varies considerably depending on their rank.
- 3.4 Autistic people have reported overwhelmingly negative experiences of the criminal justice system, with 69% rating their treatment unsatisfactory. It is critical that police make adaptations to support autistic people and minimise distress. In interviews, for example, officers should avoid long-winded questions, allow extra time to process information, and provide breaks.

Liaison and Diversion Services

- 4.1 Liaison and diversion services can play a vital role in identifying people who may be autistic when they first come into contact with the police and in diverting them away from the criminal justice system. The roll-out of liaison and diversion services to all parts of England is now complete. While these services can be beneficial, we are concerned that autistic people often still fall through the gaps and we need to ensure services are available in all parts of Wales too. Staff working in these services must also have a proper understanding of autism so they can refer people to the right support.

Intermediaries

- 5.1 Intermediaries (communication facilitators) can have a beneficial impact on people's experience in the courts system, but they are not widely available. They are currently only available for witnesses, not defendants. We think intermediaries should be available for defendants too, to ensure they understand questions and are able to fully convey their case.

² Crane, L et al. (2016). *Experiences of Autism Spectrum Disorder and Policing in England and Wales*

Lived experience

A mother describes her family's experience of how her autistic son was failed by the criminal justice system:

"My son was aged only 13 when the grooming began. As a teenager, he described his life as 'terminally lonely' – he was unable to make friends and particularly vulnerable. He has always been extremely interested in gaming. Unfortunately, through his passion for gaming, he was groomed over more than eight years, into committing crimes by English Defence League supporters. We've tried every avenue to get help and support for my son. However, in my experience, he has been failed by services every step of the way, particularly by health and education. By the age of 16, he was self-harming and there were several suicide attempts. He would disappear for days on end and the police just weren't interested. It was heart-breaking as a parent and it has had a catastrophic impact on my family, leading to his grandmother having a stroke due to the stress and worry about his health and well-being.

"He had no previous convictions but, aged 23, he was encouraged to commit hate crimes by right-wing extremists. He had never held such views previously and he was clearly led astray. In 2018, he was convicted and given a six-year prison sentence. At no point during our interactions with the criminal justice system, did we feel that police or court staff had sufficient knowledge and understanding of autism. His condition was dismissed by everyone in the criminal justice system – and he received no support or reasonable adjustments.

"His experience in prison has been truly traumatising. Fuelled by media coverage, which failed to include anything about how he had been groomed into the situation, he was attacked within weeks. After being attacked with a metal bar, he received no medical help for two days as he lay unconscious in his cell. He has now lost sight in one eye. In another attack, my son was stabbed and again received delayed medical assistance. Since moving to HMP Parc's dedicated wing, his experience has been much more positive. He's thriving and more confident due to the safeguarding; he's earned qualifications and is now teaching other inmates. Unfortunately, he is now frightened to leave the prison and lose that vital support. He worries that there will be no support in the community or other prisons if he is recalled.

"During sentencing, the judge showed little understanding of autism and next-to no compassion for my son's situation. As an example, he had autistic shutdown in court and this was mistaken for a lack of remorse. The judge described him as a 'danger to society': later my son said to me 'no, it's society that's a danger to me' and I couldn't agree more. Everyone has a right to fair and equal treatment by the justice system, so we must ensure nobody has a similar experience. We need to create a justice system that works for everyone, including autistic people."

Appropriate Adults

- 6.1 The Police and Criminal Evidence Act Code of Practice states autistic people should have access to an Appropriate Adult – someone who ensures a suspect is treated fairly by police and is able to take part in interviews – due to their vulnerability. However, we were concerned to hear that this often does not always happen. There are incidents of autistic people making it all the way to prison without the support of an Appropriate Adult. We want to see Appropriate Adults made mandatory in all cases where autism is known or suspected for all police services in Wales. It is also vital that Appropriate Adults have a good understanding of autism.

Prisons

- 7.1 Autistic people can end up in prison, just like anyone else. We currently do not know how many autistic people are in prisons in Wales because this information is not routinely collected. We want to see this data recorded and reported on through the UK Prison Population Statistics.

- 7.2 Autistic prisoners can be particularly vulnerable due to their social and communication difficulties, which puts them at greater risk of being bullied or manipulated by fellow prisoners. Many prison buildings are noisy and brightly lit, which can be overwhelming for autistic inmates. Many autistic people have profoundly negative and damaging experiences in prison, which can impact their chances of being released and successfully re-joining the community.

“Many go through the criminal justice system without knowing they are autistic or have additional learning needs. If these aren't identified and supported it can have a significant impact on their physical and psychological well-being, as well as their ability to complete their sentence and reintegrate back into society successfully.”

Learning disability nurse

- 7.3 One of the major problems is a lack of understanding among staff working in prisons, and professionals making decisions about autistic prisoners. This can lead to significant problems with the identification and wider support of autistic prisoners. Early identification and assessment of autistic prisoners' needs is crucial, but, unfortunately, the pathway for getting an autism diagnosis in prison can be unclear.
- 7.4 The National Autistic Society's Autism Accreditation scheme aims to improve autism practice. Many prisons and probation services are taking part, including HMP Parc in Bridgend, south Wales. Accreditation is aimed at improving their autism practice. Training is key to gaining accreditation, helping staff to understand the different ways autism can affect prisoners and how to support them. We believe this model could be beneficial to other prisons, such as HMP Berwyn, as well as probation services in Wales.

Case study – HMP and YOI Parc

In January, HMP Parc became the first prison to achieve our advanced [Autism Accreditation](#) award after being recognised as a 'beacon of autism best practice' in the criminal justice system.

The category B men's prison and young offender institution in Bridgend has worked closely with our charity to achieve these high standards.

Since establishing Cynnwys – a dedicated unit for autistic people, those with learning disabilities or brain injuries – the prison has seen a significant reduction in violence, self-harm, rule breaking and substance misuse.

Parc takes a person-centred approach which sees offenders assessed during induction to identify any additional needs.

The prison then makes some simple changes to support neurodivergent people, including providing a sensory room; offering eye masks and ear plugs; painting wings and landings different colours to help offenders recognise their surroundings; allowing people to collect food or medication at the start or end of queues; and putting up signs reminding visitors not to slam doors.

The National Autistic Society believes similar support and adjustments should be made available to every autistic person in custody.

Courts

- 8.1 Once an autistic person is in the justice system, the nature of their difficulties may not be recognised or may be misunderstood, which puts them at increased risk of miscarriages of justice. It is vital that legal professionals are familiar with autism. Some steps have been taken to make courtrooms less intimidating for autistic people. For example, the [Equal Treatment Bench Book](#) now includes information about autism and reasonable adjustments that can be put in place for autistic people. In addition, the Crown Prosecution Service has developed a [guide for prosecutors on neurodevelopmental disorders](#). These are positive steps but more must be done to improve understanding across the courts system, so autistic people can be properly supported.
- 8.2 It is also important that professionals working in courts have a good understanding of autism and access to high quality, role-specific training. The behaviour of autistic people can be misinterpreted due to a lack of understanding. Individuals might admit things they have not done, for example, or enter a plea based on their neurodivergent, 'black and white' thinking, which could lead to inappropriate outcomes. Autistic people may also have difficulty understanding and being able to comply with licence conditions, causing them to be recalled to prison. Improving autism understanding among justice professionals other than the police would help to identify whether someone may be autistic and need adjustments.

Criminal Justice Joint Inspection Review

9.1 In July 2021, HM Inspectorate of Prisons and HM Inspectorate of Probation published a joint independent review of neurodiversity in the justice system³. The report raised concerns about the patchiness of data, inconsistency in assessments, and levels of knowledge and understanding among staff. The chief inspectors concluded that more effective assessment of need, adaptation of services, and better training would improve support. The report's main recommendation was that the Ministry of Justice should work with Welsh Government to develop an overarching national strategy. We also support the report's other five recommendations:

"Patchy, inconsistent provision represents a serious failing in a system which aspires to dispense justice fairly to all. One of the MoJ's own equality, diversity and inclusion objectives is 'Fair treatment, fair outcomes and equal access for all our service users'. This is manifestly not being achieved for all neurodivergent people."

HM Chief Inspectors of Prisons and Probation

- Developing a common screening tool for the justice system
- Gathering screening data to inform needs and service planning
- Providing specialist training for staff in the criminal justice system
- Making adjustments to meet autistic people's needs
- And improving collaboration between justice system agencies

Social Care

10.1 Social care has an important role to play but we are told autistic people can go through the justice system without being offered a needs assessment. We believe initial contact with the justice system, as a suspect or victim, should be considered an indication that an autistic person may have social care needs and they should be offered an assessment. Those carrying out assessments must also have appropriate training to ensure they have appropriate knowledge and understanding of autism.

Neurodiversity Blueprint

11.1 The National Autistic Society welcomes Welsh Government's introduction of blueprints for female and youth offending. We would like to see a similar vision developed centred on neurodiversity in the justice system, with a clear focus on early identification and prevention. With some powers reserved and others devolved, we believe strong partnership working will be required between the Welsh and UK governments, HM Prison and Probation Service, the Youth Justice Board, and Police and Crime Commissioners. Such a blueprint could progress implementation of the recommendations of the joint inspection review and improve the lives of some of the most vulnerable people in Wales.

³ Criminal Justice Joint Inspection (2021), *Neurodiversity in the Criminal Justice System*

Lived experience

The parents of an autistic young person describe how their daughter was groomed by a gang in north Wales:

"Our experience is of just how easily an autistic child can be quickly dragged into an underground world they have no understanding of. The very nature of autism means one of the biggest impacts on a youngster is social isolation, an inability to fit in. Being rejected by, or unable to access social groups makes an autistic child incredibly vulnerable to those who seek to involve them in criminal activity. Our daughter refused school in year 10 then moved school due to complete isolation in her old school. She desperately hoped she would find friends and it made her extremely vulnerable as she trusted anyone.

"She was 'befriended' by a girl. Our daughter started to lie about her whereabouts and the people she was with, becoming angry, violent and verbally aggressive at home. They took money from her (we are unsure how much), she stole money and knives from home to take to them. They brought her into an organised shoplifting set-up, and she was phoning home distressed as she realised it was wrong, we think she was carrying the stolen goods. At the time they weren't caught and we involved the police. She said they were dealing drugs with older men and some in prison and she had bruises which she later said was from being kicked. She was, for a while, completely controlled by these other youths, speaking with a totally different voice, becoming violent and very unpleasant at home and missing most of her lessons in school.

"One night she was missing aged 15, and we eventually found her totally inebriated and out of control. Someone had bought her a bottle of vodka and possibly drugs. We took her to A&E which needed security to manage her and mum lay on the floor of the nurse's office all night. She began to open up when she was very frightened and put phone calls on voice mail, so we heard the grooming, trying to get to go to Blackpool, not tell anyone for a few days and they would get her the train ticket. We believe there was a concerted effort to influence our daughter against us by this group as they saw her as a 'useful idiot'. They seemed to lose interest once police and others became involved and, presumably, they feared our daughter disclosing info about them."

Victims

- 12.1** We have heard serious concerns about a perceived increase in the number of autistic people who are victims of hate crime. Recorded disability hate crime increased by 9% in 2020-21 in Wales and England⁴. Police forces are only required to record crimes against autistic people as 'disability hate crime' by the Home Office, but we would like to see crimes against autistic people recorded separately to aid understanding.

⁴ Home Office (2021), *Official Statistics: Hate crime, England and Wales, 2020-21*

Prevent

- 13.1 Research has found there is no evidence to suggest that autistic people are significantly more susceptible to terrorism⁵. Yet, according to Jonathan Hall QC, the independent reviewer of terrorism laws, a 'staggeringly high' number of autistic people are referred to the anti-radicalisation Prevent programme⁶. Mr Hall has questioned whether a criminal justice outcome is appropriate in many cases. Pointing out that autism is characterised by intense interests, he raised the example of autistic people who develop a special interest in material likely to be useful to a terrorist, stressing that it does not mean they are going to do something with it. We are also concerned that the press portrayal of some cases often fails to properly examine the reasons why autistic people are disproportionately reported to the Prevent scheme.

Autism Code

- 14.1 Under the [Code of Practice on the Delivery of Autism Services](#), detained individuals must have access to diagnostic services, post-diagnostic support, and health practitioners with appropriate knowledge. Health boards and councils are also under a duty to develop strategies and make reasonable adjustments for the safe custody of autistic people. We welcome the code and the new training framework. However, we want to see robust monitoring to ensure diagnostic pathways and good quality training are put in place.

Autism Cards

- 15.1 The National Autistic Society offers an '[I am autistic card](#)' which could help improve interactions between autistic people and police. The card is a great way for officers to identify autistic people's needs and support them properly by, for example, giving them extra time to process information. We would welcome greater recognition of such cards by Wales' four police forces.

'Mate crime'

- 16.1 We are deeply concerned by increasing reports of 'mate crime', which sees autistic people befriended so someone can take advantage of them. Autistic people can find it difficult to make friends, so may feel unable to say 'no'. A survey by Autism Together found 80% of autistic people aged over 16 felt bullied or taken advantage of by someone they thought was a friend⁷. Of the 141 respondents, 100% of 16-25-year-olds had difficulty distinguishing friends from those who bully or abuse. We are also alarmed by a growing trend of autistic people being groomed via their interest in online games and forums.

Inclusive Justice

- 17.1 We support the recommendations of the Equality and Human Rights Commission's report on inclusive justice, which found the justice system is not designed around the needs and abilities of disabled people⁸. In Wales, the EHRC recommended health boards should be required to provide universal screening within the justice system. The report also called for information sharing and action to tackle a lack of Welsh-speaking intermediaries.

⁵ Bhui, K et al. (2019) *Extremism and common mental illness: cross-sectional community survey*

⁶ Grierson, J, The Guardian (2021), '*Staggeringly high*' number of autistic people on UK Prevent scheme

⁷ Autism Together (2015), *Mate crime survey*

⁸ Equality and Human Rights Commission (2020), *Inclusive justice: a system designed for all*

Speech and Language Therapy

- 18.1 At least 60% of young people in the youth justice system have speech, language and communication needs that are largely unmet⁹. We remain concerned about the availability of speech and language therapists within youth offending teams in Wales. The Royal College of Speech and Language Therapy has described provision as 'extremely patchy', with no specific services commissioned in large swathes of the country. Early identification is essential, so NAS Cymru wants to see speech and language therapy made available within every youth offending team in Wales.

Youth Justice Report

- 19.1 In October 2022, the National Autistic Society published a report on experiences of the youth justice system¹⁰. Our new report illustrates how a lack of support for young autistic people – both before entering and within the system – can have profoundly negative consequences on future life chances.
- 19.2 Findings show the majority of autistic young people are aged 13-15 when concerns emerge about them being at risk of committing a crime. Top concerns include being easily led or influenced by others, violence and/or aggression, damaging property and being excluded from school.
- 19.3 For many, this behaviour is a result of being unable to get a timely diagnosis as well receiving little to no accompanying support for themselves or their families when they do get one. This is further exacerbated by surrounding education and healthcare systems being ill-equipped to cater to autistic young people's needs. No professional we spoke to outside the criminal justice system believed there was enough support in place to prevent autistic young people committing crimes.
- 19.4 When it comes to the treatment of autistic young people in the criminal justice system, there are some examples of good practice; however, this is still inconsistent. Many criminal justice professionals across the system report being inadequately supported to first identify autistic young people they work with. Then they lack support on how they can adapt and adjust their practice. They further report that even when different professionals in the system know someone is autistic, often that information is not shared. As a result, many autistic people and families report professionals do not understand them and that they receive little to no adaptations and adjustments throughout their experience with the criminal justice system.
- 19.5 The vast majority of autistic young people won't break the law, get into trouble with the police or go through the courts or young offender institutions. But our research shows that the impact on these young people who do is profound.

⁹ Bryan et al. (2007), *Language difficulties and criminal justice: the need for earlier identification*

¹⁰ National Autistic Society (2022), [Experiences of autistic young people in the youth justice system](https://www.autism.org.uk/research/our-research/young-people/youth-justice-system)

Chair of the Climate Change, Environment, and Infrastructure
Committee
Llyr Gruffydd MS

Chair of the Culture, Communications, Welsh Language, Sport, and
International Relations Committee
Delyth Jewell MS

Chair of the Economy, Trade, and Rural Affairs Committee
Paul Davies MS

Chair of the Equality and Social Justice Committee
Jenny Rathbone MS

Chair of the Finance Committee
Peredur Owen Griffiths MS

Chair of the Health and Social Care Committee
Russell George MS

Chair of the Local Government and Housing Committee
John Griffiths MS

23 November 2022

The Welsh Government's Draft Budget 2023-24

Dear colleagues,

The Children, Young People and Education Committee recently considered how to approach its scrutiny of the Welsh Government's 2023-24 Draft Budget.

We have committed in our Sixth Senedd strategy to seek out opportunities to work with other Senedd committees where there are areas of shared interest and where it will improve scrutiny. We therefore asked officials supporting the Children, Young People and Education Committee to share any relevant written evidence we receive and briefing information with other Senedd committees to support holistic, joined-up scrutiny of the Draft Budget across the Senedd.

We have also asked officials to be mindful of where we may be coming to similar views to another committee about matters that straddle committees' remits, with a view to proposing joint recommendations if appropriate. During scrutiny of the 2022-23 Draft Budget, we and the Economy, Trade and Rural Affairs Committee made a joint recommendation relating to transparency of one particular funding stream - an important matter of principle for both committees. I believe the joint recommendation added weight to our shared views.

I would be very grateful for your reciprocal support on the above issues.

We also agreed that our scrutiny of the Draft Budget will include consideration of the following cross-cutting issues:

- the Welsh Government's so-called 'revised baseline': how clearly and accurately it presents changes in expenditure from one year to the next.
- how the Draft Budget impacts different groups of people and how well these impacts are taken into account in the Welsh Government's Strategic Integrated Impact Assessment (SIIA). The Welsh Government has assured us that the SIIA sets out the contextual evidence that supports its spending decisions. However, we do not believe that the SIIA published alongside the 2022-23 Draft Budget clearly demonstrated its compliance with its duties under the Rights of the Child and Young Persons (Wales) Measure 2011. We believe that a Child Rights Impact Assessment (CRIA) should be undertaken for the Draft Budget as a whole and published as a standalone document.

These issues, or closely related issues, may be relevant to your Committee's consideration of the 2023-24 Draft Budget. If so, I would welcome any opportunities for coordinated scrutiny. I have asked officials supporting the Children, Young People and Education Committee to pursue any such opportunities, depending on your views and those of your fellow committee members.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Llywodraeth Cymru
Welsh Government

Jenny Rathbone MS
Chair
Equality and Social Justice Committee

16 November 2022

Dear Jenny,

Thank you for your letter of 28 October regarding Recommendation 7 of the Equality and Social Justice Committee's report on Debt and the Pandemic. I am grateful to the Committee for providing more insight into its expectations in this area of work.

You will be pleased to note that the independent evaluation of the council tax interventions implemented in the previous Senedd term, carried out by Policy in Practice and MEL Research, will be published in due course and will be shared with the Committee on publication.

With regard to reviewing the evidence from outside Wales, social researchers in the Welsh Government worked with our Knowledge and Analytical Services team to conduct an extensive search of the international literature to enable an initial appraisal of the quantity, robustness and relevance of the evidence.

Despite the broad and extensive search, only four publications meeting the search criteria were identified, all of limited relevance. No studies were found relating specifically to debts to local or national government. A summary of the key findings from the four studies, and an indication of their quality and relevance, is provided as an annex to this letter.

You mention that the Committee is specifically interested in the impact that high debt burdens have on individuals and households where debt payments form a significant portion of household income. There are two ongoing pieces of research that are being undertaken at the moment which may provide some useful insight into this. Firstly, in August this year, the Money and Pensions Service launched a UK wide call for evidence on the best way to help people in debt who have a deficit budget. The call for evidence closes on 1 December and the outcomes will be used to inform policy that aims to ensure appropriate debt solutions are available for everyone, including people whose essential expenditure is higher than their income.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.


We welcome receiving correspondence in Welsh and any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Secondly, the Committee will be aware that UK Government's Insolvency Service has undertaken a consultation to review the effectiveness of the current personal insolvency framework. The consultation ended on 24 October and the Insolvency Service is due to report its findings in the Spring of 2023. The outcome from the consultation will help identify whether the current personal insolvency framework is fit for purpose and, if not, what reforms are needed.

In the absence of existing research being available in relation to "debt bonfires", it would be prudent to wait for the outcome of the above pieces of work before making decisions on further research in this space.

I also wanted to take this opportunity to remind you that I wrote to you separately in May asking for a steer in relation to Recommendation 2. I appreciate that the Committee will need time to gather thoughts but look forward to hearing from you on that recommendation so that officials can consider how we can take this forward.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a large, sweeping initial 'J'.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

International literature on debt write-offs: Summary of key insights

Looney, A. (2022). Student Loan Forgiveness Is Regressive Whether Measured by Income, Education, or Wealth: Why Only Targeted Debt Relief Policies Can Reduce Injustices in Student Loans. The Hutchins Center on Fiscal and Monetary Policy/The Brookings Institution

Medium quality – medium/low relevance

This report discusses the effectiveness of forgiving student debts. Some advocates have called for forgiveness of student loans because they contribute to racial and socioeconomic wealth gaps. Measured appropriately (to include human capital as well as financial wealth), student debt is concentrated among high-wealth households and loan forgiveness is regressive whether measured by income, educational attainment, or wealth. Across-the board forgiveness is therefore a costly and ineffective way to reduce economic gaps by race or socioeconomic status. It is argued that only targeted policies can address the inequities caused by federal student lending programmes.

Costello, KW. (2020). Features of good utility-initiated energy assistance. Energy Policy, 139(3)

High quality - low relevance

This paper identifies criteria that public utility regulators can apply to assess the effectiveness of initiatives to make utility services more affordable to low-income households. It discusses the major features of energy-assistance actions that tend to make them successful from a societal perspective. Smart regulation demands that energy-assistance initiatives have favourable benefit-cost ratios. The paper identifies how undesirable, and sometimes unintended, consequences, might result from well-intentioned actions designed to make utility service more affordable to low-income customers.

André, C. (2016) Household debt in OECD countries: Stylised facts and policy issues. OECD Economics Department Working Paper No.1277

High quality - low relevance

This paper offers an overview of developments in household debt over the past decades across a large sample of OECD countries, highlighting both common trends and country specificities. It examines the vulnerabilities associated with high household debt for households, the financial system and the wider economy. Finally, it describes the challenges faced by policy makers and outlines potential responses, including through monetary and housing policies. There is some reference to writing off debts:

'In four countries, the gross household debt-to-GDP ratio fell by more than nine points, but the reduction was driven by very different factors. In the United Kingdom and the United States, nominal GDP growth made a sizeable contribution. Debt write-offs also helped, particularly in the United States, where non-recourse mortgages are prevalent [...] In Latvia and Spain, deleveraging took a big toll on activity and employment, as it occurred mainly through a reduction in net debt issuance, although there were also significant debt write-offs. In Greece, gross household debt jumped up almost 18% of GDP, with lower output volume more than offsetting reduced debt issuance and no relief from write-offs.' (8)

Jones, RS, Kim, M. (2012) Addressing High Household Debt in Korea

High quality - low relevance

Rising household debt has become a major policy concern in South Korea. In addition to the economic impact and risk to the financial sector, it raises social cohesion issues, and many households with low income and credit ratings fall behind on payments. Suggested is a two-track approach: i) offering credit to households with low income and credit ratings and restructuring their debt, while limiting moral hazard and developing market-based lending; and ii) containing the risk caused by high household debt by strengthening prudential measures for financial institutions and improving mortgage lending by reducing the share of floating-rate and "bullet repayment" loans. The emphasis is on lending by banks and other financial institutions, rather than governments, and debt restructuring rather than write-offs, for example:

'The National Happiness Fund (NHF) was launched in March 2013 to promote the credit recovery of delinquent borrowers. Individuals who had borrowed less than 100 million KRW (\$96 thousand) and were overdue by six months or longer as of the end of February 2013 are eligible for debt restructuring [...] Financial institutions and non-bank lenders that signed agreements with the NHF for credit recovery assistance must sell overdue loans to the NHF if their borrowers apply for debt restructuring.'

Jennie Mack

Knowledge and Analytical Services
Welsh Government

Jane Hutt
Minister for Social Justice

October 28th 2022

Dear Jane,

Many thanks for your letter dated 28 June 2022 and for your update in relation to recommendation 7 of the report on Debt and the Pandemic and please accept our apologies for the delay in responding.

The Committee notes the reviews of local authority debts (including an evaluation of council tax interventions to support vulnerable people) and the Committee looks forward to receiving these reports by the end of the year.

In terms of evidence from outside Wales and options for further research, the Committee would be interested in work that focuses on international examples of debt bonfires in respect of local property taxes that are similar to Council Tax.

This kind of research would fit with the Welsh Government's ongoing work on reforming council tax – which was recently consulted upon.

Furthermore, research into international examples of debt bonfires in respect of local property taxes that are similar to Council Tax would also usefully inform the Welsh Government's forthcoming local government finance legislation.

In terms of outcomes the Committee would like to see research that could hopefully inform and influence the development of this legislation, as well as future policy in relation to the Council Tax Reduction Scheme. Another outcome that the Committee would like to see explored is the impact high debt burdens can have on individuals and vulnerable households where debt payments form a significant portion of their spending commitments. Such work could consider the relationship between debt alleviation and the prevention of mental health problems including the number of mental health referrals by financial advice charities and other advice organisations.

Finally, it would be helpful for the research to focus on identifying any examples of international best practice, and case studies where countries have targeted help effectively at those who are most in need of support.

The Committee hopes that these suggestions are of assistance to you and we look forward to receiving a response in due course.

Yours sincerely,

A handwritten signature in dark ink on a light yellow background. The signature is written in a cursive style and reads "Jenny Rathbone".

Jenny Rathbone MS

Chair of the Equality and Social Justice Committee
Welsh Parliament

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

11 November 2022

Dear Jenny,

I am writing to provide a further update to the Committee for their forthcoming inquiry into experiences of the criminal justice system, focusing on young people with Speech, Language and Communication (SLC) needs, which is planned for later this term.

The Youth Justice Blueprint and supporting implementation plan sets out the Welsh Government's approach to the delivery of youth justice services in Wales. The Welsh Government takes a 'child first' approach to youth justice ensuring services are child centred and needs focused.

On 25 May I provided Members with a [Written Statement](#) updating on the delivery of the Youth Justice and Women's Justice Blueprint. This update coincided with the publication of our latest Implementation Plans. These plans highlight achievements to date and the continued progress we are making with partners against the Blueprint commitments.

Three of our agreed Youth Justice Blueprint priorities have particularly close ties to Speech Language and Communication Needs (SLCN):

- Enhancing prevention activity, particularly in view of the potential impact of the ongoing Covid pandemic on children's health and well-being.
- The development of a trauma-informed approach across youth justice services.
- The development of a vision for the future of the secure youth estate in Wales.

Work on SLCN is embedded across these three workstreams, and progress has been made on a range of issues. For instance, we have commenced referrals to the Forensic Adolescent Consultation Treatment Service for Enhanced Case

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Management. Enhanced Case Management is available to all Youth Offending Teams (YOT) in Wales for children in voluntary and statutory contact with YOTs.

The Pathfinder report “A Child First Pathfinder Evaluation - Ceredigion Youth Justice and Prevention Service has been published. The findings will be used to inform the development of a Youth Justice Prevention Framework for Wales, which will include consideration of SLCN.

A vision for the future of secure youth provision in Wales was agreed by Cabinet in January 2021. The Welsh Government and Ministry of Justice continue to work together to develop a delivery model that best meet the needs of Welsh children requiring secure care within the justice and welfare systems. We want to deliver an integrated trauma-informed service which can respond flexibly to the complex needs of these vulnerable children, including children with SLCN.

A number of youth justice services across Wales have completed [‘The Box’ training](#) which is the Royal College of Speech and Language Therapist’s free e-learning tool designed for professionals working in the justice sector. The training has enabled services to consider how they might ensure that the young people accessing their service are signposted to the right support in the right place at the right time.

As part of our existing financial commitment for 2022/23 we have allocated a further £500,000 to the Blueprint programme which will support projects which strengthen links between women in prison and their children and help progress the delivery of trauma informed practice to Youth Justice Practitioners. This additional investment helps to provide meaningful multi-generational improvements to the lives of some of the most vulnerable people in our society

In January 2023, the Counsel General and I are visiting HMP Berwyn, and I am looking forward to hearing of the excellent work Jacqui Learoyd, the Speech and Language Therapist is doing with the men. I understand that, by supporting the wider team in their work with and support for the men, Jacqui and the health team in the prison have had a significant impact on reducing the use of force in restraint. The innovative approach being used at HMP Berwyn has led to interest from other prisons including HMP Parc, who are looking into replicating some of the work. The following podcasts may be of interest to the Committee:

<https://www.podbean.com/ew/pb-wxdjg-1146f48>

<https://www.podbean.com/ew/pb-bitsq-11446d5>

<https://www.podbean.com/ew/pb-v72wp-11b536c>

Since the publication of the *Talk With Me: Speech, Language and Communication (SLC) Delivery Plan* in November 2020, the Welsh Government has been working at pace to deliver its overarching commitment to improve outcomes for children and young people through a fresh approach to promoting and supporting children and young people’s Speech, Language and Communication development.

The delivery plan has a clear commitment to embed effective SLC support within the Youth Justice Blueprint. The importance of SLC support for young people within the youth justice estate cannot be overstated.

The focus of the Talk With Me Delivery Plan is on early intervention and prevention of Speech, Language and Communication Needs (SLCN). This will reduce the risk of children and young people presenting with challenging and anti-social behaviour, and therefore their likelihood of entering the youth justice system.

Our national SLC coordinators have facilitated links between The Royal College of Speech and Language Therapists (RCSLT) and colleagues in the Crime and Justice Team in Welsh Government to take this work forward.

We worked closely with ESTYN to develop online training for inspectors who assess the provision of education within the youth justice estate. The training package is live on Estyn's intranet and will ensure that inspectors take account of the provision of SLC support within the context of education provision.

Finally, the Committee may wish to consider the following information which officials have received from the RCSLT following a routine meeting in August with Pippa Cotterill, Head of Wales Office, RCSLT:

The RCSLT Justice Evidence Base is on the link below. It has some key information about prevalence and incidence of speech, language and communication needs (SLCN), implications, provision and outcomes.

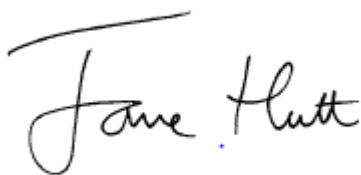
<https://www.rcslt.org/wp-content/uploads/media/Project/RCSLT/justice-evidence-base2017-1.pdf>

A 30 minute podcast 'Speech and Language Therapy at Feltham Young Offenders Institute' recorded a couple of years ago.

https://soundcloud.com/rcslt/speech-and-language-therapy-at-feltham-young-offenders-institution?utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing

Below is the link to the 'Understanding the Triggers' report. Page 14 contains information about SLCN.

<https://gwent.pcc.police.uk/media/4y1ntacy/understanding-the-triggers-final.pdf>



Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Agenda Item 3.4

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Jenny Rathbone MS
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Letter sent via email to: Jenny.Rathbone@senedd.wales

Date: 10 November 2022

Dear Jenny,

I am writing to you in your capacity as Chair of the Equality and Social Justice Committee to highlight RNIB Cymru and RNID's concerns around the failure by Welsh Government to appoint a lead for accessible information as agreed following a recommendation made by the Equality and Social Justice Committee's report 'Into sharp relief'.

We are particularly concerned that blind and partially sighted people and people who are deaf or have hearing loss are unable to access healthcare information independently like their sighted and hearing peers. A survey conducted by RNID in 2021 shows that 42% of respondents (who were either deaf or had hearing loss) in Wales

reported that they had difficulties contacting or booking appointments with health services. This has serious practical, health and emotional consequences and puts patients at serious risk of harm. It also compromises patient confidentiality if they have to rely on a third party to relay information to them.

The All Wales Standards for Accessible Communication and Information for People with a Sensory Loss were launched in December 2013, making the Welsh government the first in the UK to take steps towards ensuring healthcare is accessible. The Standards set the level of service delivery that people with sensory loss should expect when they need healthcare.

The Standards themselves recognize that “There is a legal duty under the Equality Act 2010 to ensure that reasonable adjustments are made to deliver equality of access to healthcare services for disabled people” and recognize the UN Convention on the Rights of Persons with Disabilities, the international standard for disabled people’s human rights.

In 2018, the Welsh Health Circular “Sensory Loss Communication Needs (Accessible Information Standards) mandated GPs to ensure effective capture and communication of patient’s sensory loss communication and information needs between healthcare professionals in Wales.

The [Senedd’s Equality, Local Government and Communities August 2020 Inquiry into Covid-19](#) “Into sharp relief: inequality and the pandemic” found deficiencies in the provision of information and guidance in accessible formats during the pandemic and exemplified the importance of making accessible information standard practice. For example, the first shielding letters, which were sent to 130,000 people in Wales at the highest risk of severe illness from Covid 19, were not sent out in accessible formats despite containing potentially life-saving information. Likewise, one in four (26 per cent) of respondents to RNIB’s Coronavirus Impact Survey had struggled to get written information in a format that they could read and 17 per cent said that they had struggled to access information online.

As a result, we were pleased that the Committee's report recommended the appointment of “... an accessibility lead within the Welsh Government to oversee production of all key public information in

accessible formats.” This recommendation was [accepted](#) by Welsh Government on 23 September 2020.

In April 2022, the Health and Social Services Committee report, 'The impact of the waiting times backlog on people in Wales' referenced RNIB Cymru evidence, which “shone a stark light on how inaccessible much of NHS communications is”. It noted that important communications about shielding and vaccination had not always been provided in accessible formats, with implications for patient safety. The committee then called for Welsh Government to provide an update on progress made on the implementation of recommendation 37 in the 'Into sharp relief' report. Once again, this recommendation was [accepted](#) by the Welsh Government.

The Minister confirmed in a letter to us that there is no capacity in Welsh Government to appoint a dedicated lead for accessibility, despite the fact that this recommendation was made in two separate inquiries and was accepted by Welsh Government.

This is a patient safety issue, and we believe that without the appointment of a Welsh Government lead to drive the implementation of the Standards, little will change for patients.

We would welcome the opportunity to meet with you in December and would be grateful if you could support our campaign by writing to the Minister to query why resources have not been allocated to the appointment of an accessibility lead.

Kind regards

Ansley Workman, Director, RNIB Cymru

Liz Williams, Policy and Public Affairs Manager, RNIB Cymru

Ayla Ozmen, Team Lead Expertise and Policy, RNID

Agenda Item 3.5



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref – NA001

9th November 2022

Dear committee members,

I am glad that you found our session on the 17th October useful. In response to your query, please find below information relating to VAWDASV Perpetrator programmes.

Most perpetrator programmes for domestic abuse and for sexual violence are delivered by HMPPS in community and custody settings. There are none for other forms of violence against women. The majority of programmes are for people who have been convicted of a domestic abuse or sexual violence offence and are delivered through HMPPS or programmes aligned to this.

The efficacy of the statutory provision has limited evidence though they are accredited programmes. The DRIVE programme, which has had substantial evaluation is provided in some areas of Wales including Cardiff and Merthyr Tydfil and is delivered alongside the statutory interventions. For this programme people subject to probation supervision can also be required attend DRIVE . This programme is for high-risk perpetrators of domestic abuse and referrals only come through the Domestic Abuse MARAC process.

Perpetrator programmes provided for lower levels of risk for domestic abuse have less evidence regarding outcomes and impact. These programmes may be at the request of Social Services and on the basis of a requirement of a child protection plan. There can be a consequence to non-engagement in the form of limited child contact or children being subject to care proceedings. Other programmes are delivered via voluntary engagement. Overall, this leads to much lower levels of attendance and this can have an impact on the costs of the programme versus the return. Programmes of this sort are limited, with insecure funding for those currently delivered.

Whole family interventions should also be considered within perpetrator programmes. Barnardo's ran their Opening Closed Doors programme until October 31st of this year. This

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

VAWDASV@gov.wales / VAWDASV@llyw.cymru

Canolfan Cyswllt Cyntaf / First Point of Contact Centre
0300 0604400

provided support and interventions for the survivor, perpetrator and any children. This programme was funded by the Home Office under the Children Affected by Domestic Abuse Fund. This fund continues but there is none of this funding allocated to any Welsh programmes currently.

When considering interventions for perpetrators programmes that target wider groups with an early intervention and prevention approach should be considered. This may be one of the most cost-effective ways to tackle perpetration. This includes community education programmes and Bystander Initiatives. These are particularly appropriate for interventions among adolescents and young adults. The Violence Prevention Unit Systematic Evidence Assessment provides some useful insight into tested programmes

https://www.violencepreventionwales.co.uk/cms-assets/research/What-Works-to-Prevent-Violence-against-Women-Domestic-Abuse-and-Sexual-Violence-Systematic-Evidence-Assessment_2021-09-20-124755_aypz.pdf

Evidence building and evaluation of perpetrator programmes is an area for further development that will be undertaken as part of the new VAWDASV Strategy implementation and through the Sustainable Commissioning workstream of the developing VAWDASV Blueprint in Wales.

Kind Regards,

Johanna Robinson/Yasmin Khan

**Cynghorydd Cenedlaethol ar gyfer Trais yn erbyn Menywod, Trais arall ar Sail Rhywedd, Camdrin Domestig a Thrais Rhywiol /
National Advisers for Violence against Women, other forms of Gender-Based Violence, Domestic Abuse and Sexual Violence**

Yasmin Khan and Johanna Robinson
National Advisers for Violence against Women, Gender-based Violence,
Domestic Abuse and Sexual Violence

1 November 2022

Dear Yasmin and Johanna

Thank you for giving evidence to our Committee on 17 October. We found the session particularly helpful in shaping our approach to the next stage of our work on gender-based violence and abuse.

During the session you referred to a number of effective perpetrator programmes. We would be grateful if you could provide further detail of these programmes, including any which exist in Wales.

Yours sincerely



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Cardiff Bay
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SeneddEquality@senedd.wales

29 November 2022

Dear Jenny,

Thank you for your email dated 2 November in relation to our publication of the Equality, Race and Disability Evidence Units strategy which included queries on our approach to VAWDASV and the childcare sector in relation to this work.

The Equality, Race and Disability Evidence Units were established in January this year and have been working on developing the strategy and identifying and checking on key priorities with stakeholders. Some key work has started but more needs to be done as the Units become fully resourced to develop our understanding of the priorities and enable us to initiate the work required; your feedback, which will help us with this task.

The [emerging priorities](#) published alongside our strategy include items on both the 2 areas identified by you and I am able to give you more detail around those priorities following publication back in September. We plan to issue an updated version of the emerging priorities list in the new year as our work develops. We will also provide a progress update on the Evidence Units' work in the new year.

Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV)

The Units are aware of the requirement around understanding more about the characteristics of victims and perpetrators of VAWDASV and a very general priority was included on this "3.08: Setting up a VAWDASV repository".

We understand the importance of the evidence base including lived experience as well as the challenges around access, trust and sensitivity to this information. The Units will work alongside the Social Justice researchers in Welsh Government's new Equality, Poverty and Children's evidence division and policy colleagues to better understand the data requirements and how we can respond to the challenges.

Related to this, we have also identified the need to understand and advise on the approach to recording personal characteristics of individuals at the point of access of services,

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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including VAWDASV (priority 2.04b) which follows on from the priority to understand the barriers to collecting and reporting equality data (2.04a). We have started to scope the work to look at the descriptions of characteristics and the barriers to providing and collecting information and can share this with you further once it has developed.

It is essential for us to hear, and include, the voices of survivors, at all levels, in order to effectively tackle violence against women, domestic abuse and sexual violence (VAWDASV). We want survivors, as experts by experience, to work with us to shape national policies and scrutinise the implementation of the VAWDASV national strategy. The Survivor voice panel is Chaired by the VAWDASV National Advisers and is integral to the Blueprint approach as the survivor voice will be the Golden Thread throughout the whole of the Blueprint Governance Structure. The panel will be represented at the National Partnership, Programme Board and to each workstream, when considering actions, policy and strategy.

Childcare sector

Since the strategy was published an exercise to map the childcare and play workforce has been added to our list of priorities. We are in the process of commissioning research to map the childcare and play workforce in Wales. The overall aim of the research is to better understand the sectors' make up through gathering evidence to provide an accurate picture of the size and make-up of the childcare and play workforce in Wales, and the number of places available in registered settings. This will include gathering data to help us understand the characteristics of the workforce, including ethnicity. The commissioned work will also produce projections for the number of places and staff that will be needed to deliver commitments relating to childcare and play over the next five years. This will be achieved by analysing existing data sources and conducting new research to fill any evidence gaps. This research will be used to inform policy to support and develop the childcare and play workforce now and over the next five years and is expected to be undertaken between January and September 2023.

Yours

A handwritten signature in black ink, reading 'Jane Hutt'. The signature is written in a cursive style with a large initial 'J' and a distinct 'H'.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice

Jane Hutt MS
Minister for Social Justice

2 November 2022

Dear Jane

Equality, Race and Disability Evidence Units: priorities for 2022 to 2027

We welcome the recent publication of the priorities for the Equality, Race and Disability Evidence Units, in particular the commitment to explore the feasibility of collating and publishing annual data on debt in Wales. However, there are two areas on which we would welcome further information:

Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV)

On Monday 17 October we held an informative scrutiny session with the National Advisers for VAWDASV. We note that two of the priorities relate specifically to VAWDASV. The Advisers told us that they have yet to input into the work of the new Data Units, but noted that in terms of protected characteristics, there is a lack of rich data available. We would therefore be grateful if you could set out what plans are in place to monitor data in relation to implementation of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 and how this will link to the work being carried out by the Data Units. In particular, we would be grateful if you could outline what plans there are to involve the National Advisers and how and when co-production with survivors will be used.

Childcare sector

You may recall that Recommendation 8 of our **report on childcare** called on the Welsh Government to set out its plans for the "new race disparity unit to build an evidence base around the level of ethnic minority representation in the childcare workforce". In **response**, the Welsh Government stated: "We will work with the Race Disparity Unit to identify an evidence base for the childcare sector in order to better understand the current profile of the workforce and to be able to measure future progress", however this does not seem to have been included in the priorities for the Units. We would therefore be grateful if you could set out when you expect this work to take place.

I am copying this letter to the Deputy Minister for Social Services.

Yours sincerely

A handwritten signature in black ink on a light yellow background. The signature is written in a cursive style and reads "Jenny Rathbone".

Jenny Rathbone MS

Chair, Equality and Social Justice Committee