



25 October 2019

THE ROYAL COLLEGE OF SPEECH AND LANGUAGE THERAPISTS RESPONSE to the Probation Board Northern Ireland (PBNI) Draft Corporate Plan 2020-23

Please find below the response of the Royal College of Speech and Language Therapists (RCSLT) NI to the above consultation. The RCSLT NI welcomes this opportunity to comment and have provided some background information as well as responses to the consultation questions.

There is substantial local and international evidence that individuals in the justice system are more likely to have significant speech, language and communication needs compared to the general population. The RCSLT believes that any person with a communication difficulty or disability has a right to expect and receive specialist support whilst within the criminal justice system.

We have been proactive in raising these issues within government and within the justice and health sectors. We are encouraged that the prevalence of speech, language and communication needs, (SLCN) among people who offend has been recognised in the recent Improving Healthcare in Criminal Justice strategy (2019).

In 2018 one whole time equivalent speech and language therapist post was created within the prison health service. This is a first for Northern Ireland and an important initial step in building capacity and partnership working in this area. However significant gaps in services remain and where communication needs of offenders are not supported, this poses a detrimental risk to the rehabilitation and subsequent life chances of these individuals.

We are keen to support the work of PBNI and are encouraged by the emphasis on early intervention, partnership working in the document and also by the identification of health and social care as key partners.

We would welcome any opportunity to discuss the issues raised in our response more detail with PBNI, and if you would like any further information then please do not hesitate to contact RCSLT.

Yours sincerely,

Ceara Gallagher
Head of the Northern Ireland Office RCSLT

Vivienne Fitzroy
Policy Officer RCSLT NI

Patron: Her Royal Highness The Countess of Wessex
Registered Office: 2 White Hart Yard, London SE1 1NX.
Tel: 020-7378-1200 E-mail: postmaster@rcslt.org

A company limited by guarantee • Incorporated in England No. 518344 • VAT No. 795 8119 77 • Registered Charity

BACKGROUND BRIEFING

1. The Royal College of Speech and Language Therapists

- 1.1.** The Royal College of Speech and Language Therapists (RCSLT) is the professional body for speech and language therapists (SLTs), students and support workers working in the UK. The RCSLT has over 17,000 members (around 700 in Northern Ireland), including nearly 95% of the speech and language therapists working in the UK. We promote excellence in practice and influence health, education, employment, social care and justice policies.
- 1.2.** Speech and language therapists have a major role in working directly with children, young people and adults, as well as supporting and training other professionals in working with speech, language and communication needs (SLCN).
- 1.3.** The RCSLT NI has been calling for greater identification and support for SLCN among children, young people and adults within the criminal justice system in NI. Our previous work in this area includes responses to 'Improving Health Outcomes in Criminal Justice' (2016), the 'Youth Justice Review' (2013) and the report 'Locked up and Locked Out: Communication is the Key' in partnership with the Youth Justice Agency (2011)¹.
- 1.4.** The RCSLT Criminal Justice and Secure Settings Clinical Excellence Network is a network of SLTs working in the field of justice across the UK. In 2017 the RCSLT published a dossier, 'Justice Evidence Base: Consolidation 2017', which is a comprehensive evidence base examining speech and language therapy research and professional practice relating to SLCN and offenders.
- 1.5.** As part of its UK-wide work in this area, the RCSLT has developed The Box - a free eLearning package designed for the justice system across the UK to help support people with SLCN. The Box enables communication barriers to be broken down, saving time, frustration and money, and, most importantly, improving outcomes for people with SLCN. It is 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.

2. Prevalence of SLCN in the criminal justice system in NI

- 2.1.** Research shows up to 60% of young offenders have low language skills, with 46-47% of these being in the poor or very poor range². Many of these individuals have come from chaotic lives with adverse childhood experiences.
- 2.2.** As highlighted in the 2019 'Improving healthcare in criminal Justice Strategy', the RCSLT and YJA study in the Lisburn area (2012)³ carried out 147 screening assessments in six months and found 54% of young people had some communication needs (79 clients). Of those, 78% could probably have had their needs met by a suitably trained CJS professional and 22% probably needed a specialist SLT (17 clients).

¹ Available at <https://www.rcslt.org/members/clinical-guidance/justice/justice-guidance#section-11>

² Bryan, K., Freer, J. and Furlong, C. (2007), Language and Communication Difficulties in Juvenile Offenders. *International Journal of Language and Communication Disorders*, 42 (5), 505-520).

³ <https://www.justice-ni.gov.uk/sites/default/files/publications/doi/yja-and-rcslt-joint-conference-report.pdf>.

- 2.3. There is also now substantial evidence through the evaluation of the Registered Intermediary scheme in Northern Ireland that significant numbers of individuals in the justice system require support with their communication⁴.
- 2.4. In 2017/18 a prevalence study to ascertain the level of SLCN among a sample population at Hydebank Wood College found 75% of women and 100% of men in the sample were found to have SLCN.
- 2.5. The evidence from Northern Ireland is in line with studies from elsewhere in the UK and further afield that clearly demonstrate a far higher incidence of SLCN among the prison population compared with the general population⁵. For example a study conducted in North West England found that up to 80% of adult prisoners had speech, language and communication needs⁶. Furthermore a project based in Pontypridd Probation Service showed that all participants had "below average" speech, language and communication ability and revealed specific problems experienced with comprehension and expression. (Iredale, Pierpoint and Parow B, 2010).

3. The impact of SLCN in the criminal justice system

- 3.1. Some of the types of SLCN experienced by individuals in the justice system include:
 - Difficulty understanding spoken words and using language to communicate.
 - Difficulties remembering and recalling information accurately.
 - Difficulty understanding commonly used legal vocabulary, for example Liable, Remorse, Reparation, Threatening or Victim. These difficulties have prevented effective access to the legal and court system.
 - Difficulties in listening and understanding
 - Difficulties sequencing information to tell a story.
 - Difficulty using abstract language (for example idioms, metaphors).
 - Difficulties staying on topic.
 - Understanding non-verbal communication and relating to others in socially acceptable ways.
 - Difficulty expressing feelings and emotions in an appropriate way, for example they may use aggressive behaviour, instead of words, to express themselves.
- 3.2. Communication difficulty and disability 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 CJS.
- 3.3. The implications for a young person with SLCN within the CJS can be profound. Young people with SLCN may not understand the terms of their sentence and what is required of them in their court order or under a licence agreement. Evidence has showed that

⁴ Department of Justice, Northern Ireland Registered Intermediaries Schemes Pilot Project, Post-Project Review, January 2015, Pg 4. <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/ri-post-project-reviewfeb15.pdf>

⁵ See <https://www.rcslt.org/-/media/Project/RCSLT/justice-evidence-base2017-1.pdf> for a full review of the evidence base relating to SLCN and Justice.

⁶ McNamara, Nicola. "Speech and language therapy within a forensic support service." *Journal of Learning Disabilities and Offending Behaviour* 3.2 (2012): 111-117

one of the main reasons for breach of community licence is failure to meet the terms of that sentence due to a lack of understanding of the terms⁷.

3.4. Interventions to support rehabilitation can include education, counselling and those related to their offending behaviour (for example 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.

4. The role of SLTs in the criminal justice system

4.1. Speech and language therapists provide direct and indirect interventions for individuals speech, language and communication needs. Typically SLTs working in justice settings will:

- **Screen and assess young people** to determine their speech, language and communication needs and support the implementation of the forthcoming Mental Capacity Act (2016) where relevant.
- **Support young people** to develop their own strategies to facilitate communication
- **Work with others** to make treatment, education and information more accessible and ensure that programmes and regimes are aimed at appropriate levels for individuals.
- **Train the workforce** to be able to identify who may need support with speech, language and communication, understand how this might impact on the young person and how to improve their interaction with individuals.
- **Act as Registered Intermediaries** to facilitate participation and engagement of children and adults who are classed as vulnerable, to access the criminal justice system. Currently in Northern Ireland 65% of RIs are speech and language therapists.

CONSULTATION QUESTIONS

1. Do you agree with our aim, vision and values as outlined in the Consultation document?
--

Yes. The reference to tackling the “root causes of offending and rehabilitation” is particularly welcome for the RCSLT as communication difficulties are especially prevalent among those groups who are overrepresented in the criminal justice system. Identifying these at the earliest possible stage can help to break the cycle of offending through improving access to education, employment and rehabilitation programmes for a significant numbers of individuals within criminal justice.

There is a much greater incidence of SLCN among young people from the poorest areas of Northern Ireland compared to the general population. In 2010 a study in the Colin area of Belfast found that 41% of children had a language difficulty. A similar study in Downpatrick found that 46% of children

⁷ RCSLT Justice Evidence Base: Consolidation 2017

were entering primary one with a language delay⁸. Unidentified SLCN has a detrimental impact on language, literacy and employment opportunities later in life, for example:

- Vocabulary difficulties at age five are significantly associated with poor literacy, mental health, and employment outcomes at age 34⁹.
- Studies show as many as 88% of long-term unemployed young men have communication needs¹⁰. This figure was again found in a study carried out in an Access to Work Programme in South London in 2019 (evidence in preparation).

It is also important to note that the vulnerable populations mentioned in the document - such as looked after children and those with mental health problems - are much more likely to have communication difficulties:

- A screening of 34 children in secure residential settings in the Western Trust has found 64% of children have speech, language and communication needs – only 2 of these were previously referred to services¹¹.
- 81% of children with emotional and behavioural disorders have significant language deficits¹².
- men who have speech difficulties in adolescence have a significantly higher risk of mental health problems¹³

SLCN and Children in care: a hidden need

A Pilot Project in Residential Care in Western Health and Social Care Trust (WHST)

This innovative pilot project is currently employing a speech and language therapist on a one year temporary post (concluding March 2020) as part of the residential team working across six children's homes with 34 young people.

These young people are often moving between residential care, juvenile justice centre and secure settings and have heavy involvement with the police, courts and youth justice system.

Screening for SLCN is ongoing, however early results show that **64% of young people resident have significant and unidentified SLCN** – of those screened only 2 had previous referral to speech and language therapy.

In addition to scoping the level of need within residential care, education and training in these settings is vital. The SLT is putting communication strategies in place to support the work of the wider team, for example each home now has an identified 'communication champion' and the team are working with the SLT to adapt processes and encourage the young person's involvement in a

⁸ Jordan, J., Coulter, L., McKeever, A and Dowling, C. (2013) *Prevalence Of Speech And Language Delay In Primary One Children In The Downpatrick Area*, South Eastern Health And Social Care Trust Speech And Language Therapy Department.

⁹ Law J, et al. Modelling developmental language difficulties from school entry into adulthood: literacy, mental health, and employment outcomes. *Journal of Speech, Language and Hearing Research* 2009; 52(6): 1401-16.

¹⁰ Elliott N. Interim results from PhD in preparation. An investigation into the communication skills of long-term unemployed men. 2009

¹¹ Data provided by WHST SLT Service, October 2019.

¹² Hollo A, Wehby JH, Oliver RM. Unidentified Language Deficits in Children with Emotional and Behavioral Disorders: A Meta-Analysis. *Exceptional Children* 2014; 80(2): 169-186.

¹³ Sadiq FA, Slator L, Skuse D, et al. Social use of language in children with reactive attachment disorder and autism spectrum disorders. *Eur Child Adolesc Psychiatry* 2012; 21: 267.

communication friendly way. This includes piloting the use of talking mats –picture communication symbols – in one home to support the completion of a young person’s ‘my views’ report which feeds into their looked after children review to help young people better express their feelings and needs.

As mentioned above, unidentified SLCN can prevent individuals from accessing rehabilitation programmes, employment and building relationships which can perpetuate the cycle of offending. Evidence shows that around **40% of offenders** find it difficult to access, or are unable to benefit from rehabilitation programmes that are delivered verbally, such as drug rehabilitation.

However embedding good communication practices and increasing awareness of the communication needs of those under supervision offers an opportunity to address this often hidden vulnerability and support rehabilitation. Supporting the communication needs of offenders should underpin the guiding principle outlined in the document that states that “all people, given the right circumstances, have the ability to transform their lives’.

Following the Winterbourne View Review, the Department of Health (England) developed a Concordat and the RCSLT was a signatory. The concordat outlines a programme of action and as part of this the RCSLT agreed to produce good practice standards for commissioners and providers, to promote reasonable adjustments required to meet the speech, language and communication needs of people with learning disabilities in specialist learning disability or autism hospital and residential settings. The [five good communication standards](#) are detailed below:

- Standard 1: There is a detailed description of how best to communicate with individuals.
- Standard 2: Services demonstrate how they support individuals with communication needs to be involved with decisions about their care and their services.
- Standard 3: Staff value and use competently the best approaches to communication with each individual they support.
- Standard 4: Services create opportunities, relationships and environments that make individuals want to communicate.
- Standard 5: Individuals are supported to understand and express their needs in relation to their health and wellbeing.

Do you agree with our strategic priorities or is there anything else we should add or take out?

Under the section ‘**Shaping and influencing criminal justice policy and practice**’ we note that PBNI have highlighted the need for a greater focus on preventing people from becoming involved in criminality and early intervention. As outlined above, SLCN can be a barrier to education, employment and indeed diversionary and rehabilitation programmes. Therefore it is vital that where individuals with high risk factors for SLCN are screened at the earliest opportunity so that appropriate communication strategies can be used to ensure subsequent programmes and interventions are not inaccessible from the outset.

At present there is one full time (job share) speech and language therapist working in prison health in Northern Ireland. However there are currently no speech and language therapists working in youth justice in Northern Ireland and speech and language therapists are not part of CAMHS teams here, this is in contrast to youth justice and many CAMHS services in England. This service gap means

that potential opportunities to identify SLCN, support effective communication, and thus reduce the ongoing impact of SLCN on rehabilitation and life chances may be missed.

The RCSLT note the strategic priorities highlight the intention to focus on ‘...building opportunities to enhance people’s education, employment and parenting skills’. The RCSLT suggest that the PBNI consider expanding this to commit **to ‘identifying and addressing barriers to education and employment opportunities’**. SLCN is a significant risk factor for literacy and learning, therefore opportunities can only be meaningful for those with SLCN if their needs are identified and supported from the outset.

What are probation doing that you feel is important and should continue or develop?

The RCSLT believe that considering the ways in which PBNI can upskill their workforce in understanding and recognising SLCN would not only help individuals with SLCN under supervision, but also help ensure value for money in the programmes delivered to those individuals.

“...in all the years I have been looking at prisons and the treatment of offenders, I have never found anything so capable of doing so much for so many people at so little cost as the work that speech and language therapists carry out”.

Lord Ramsbotham, Young Offenders: Speech and language Therapy’, House of Lords, 2006¹⁴

The RCSLT understand that some initial links have been made with the emerging SLT services currently working in Hydebank which is a very welcome development in partnership working. The clear commitment to working in partnership in the corporate plan is one area we feel is vitally important to continue and develop at pace. We would welcome further engagement though dialogue and inter-professional working.

Speech and Language Therapy in NI Prison Health – an emerging service

In 2017/18 a speech and language therapy scoping project assessed the prevalence of SLCN among a sample population at Hydebank Wood College and considered the need for SLT input in the setting.

It found that 75% of woman and 100% of men had speech, language and communication difficulties, these included receptive language difficulties (comprehension) and expressive language difficulties (use of language).

The findings of this study led to the creation of the first full-time SLT post in prison health in June 2019, with a mandate to develop a SLT service within prisons here. At this stage the model is being established in Hydebank Wood before being extended to other prison sites.

To provide a baseline and inform the development of the SLT service, a questionnaire is being conducted with all staff within Hydebank Wood – including healthcare, Personal Development Unit (PDU), Northern Ireland Prison Service (NIPS) staff to ascertain confidence levels in understanding, identifying and supporting communication difficulties.

¹⁴ Full text available at <https://www.theyworkforyou.com/lords/?id=2006-10-27b.1446.0>

Although only in its infancy (June 2019) the SLTs have identified several 'quick wins' by implementing communication supports. For example, developing communication tips sheets, easy read versions of documents including licence agreements and the tuck list, and conducting social communication group jointly with OT for men.

Next steps include a rolling programme of interagency training which will be open to all staff at prison sites, including NIPs, PDU (incl. other agencies such as Adept, Start 360 and Belfast Met) and chaplaincy staff.

The RCSLT's free elearning course – the Box - may also be of interest. For more information on this please feel free to contact us or visit <https://www.rcslt.org/learning/the-box-training#section-1> for a more detailed description of what the course offers.

What could probation do better in the future?

The RCSLT suggest that the following actions would help support the implementation of the corporate plan.

- Embedding good communication practices across the work of PBNI, ensuring that settings and staff are communication aware.
- Ensuring that the communication needs of offenders is addressed as part of staff training.
- Developing a joined up pathway with prison health to facilitate screening, identification and referral where necessary to provide support for SLCN for those under supervision who may need it.
- Consider opportunities within PBNI programmes to address potential barriers for those with communication difficulties to ensure these are accessible.
- Exploring opportunities in your work with CAMHs, secure settings and youth justice, where there is no current SLT provision, to raise the profile of communication needs and create a dialogue around this important gap in services.