



## Domestic Abuse Bill Committee Stage briefing – January 2021

### Executive summary

**These probing amendments are designed to test Government thinking on:**

- How will the Domestic Abuse Strategy deal with the identification and response to communication needs nationally?
- How will local authorities' domestic abuse strategies do the same locally?
- How will information and support available to domestic abuse victims and their children be made accessible and inclusive to those with communication needs?
- How will legal processes be made accessible to those with communication needs?
- What role does the Government see for speech and language therapists in supporting the domestic abuse agenda both nationally and locally, including through the proposed domestic abuse local partnership boards?

***The Royal College of Speech and Language Therapists (RCSLT) would recommend that any statutory local domestic abuse services include dedicated speech and language therapy support, ideally embedded in the team. This is a model that has worked in other areas, such as looked after children and youth justice. It would help support not just those affected by domestic abuse, but also the other professionals working with them to understand the links between domestic abuse and communication needs, how the latter may present and their impact, and how to respond appropriately, including through ensuring support is accessible and available in a range of inclusive formats.***

It is also important to note that although these amendments are aimed at improving support for people who have experienced domestic abuse and their children, it may also be that some perpetrators of domestic abuse have communication needs, either identified or unidentified. Any prevention strategy will need to take account of that.

### Amendments – key issues

#### **Amendment 22**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

Page 4, line 20, at end insert “which must include the identification of and response to any speech, language and communication needs that those people have.”

**Explanation:** this amendment would place a legal duty on the Domestic Abuse Commissioner to ensure that the good practice they have to encourage must include the identification of and appropriate support for communication needs.

**Key thing to ask the Government:** *how is the Government proposing the Domestic Abuse Commissioner encourages good practice in relation to identifying and responding to speech, language and communication needs?*

Geraint Davies asked a Written Question (WQ) on this issue last year.<sup>i</sup> The Government's response was encouraging. It stated: 'early speech and language is an important protective factor for child health and development' and referenced speech and language therapy services.

However, it would be good to get firmer and clearer commitments from the Government on how they propose to ensure identification and appropriate response to communication needs, including amongst victims of domestic abuse and their children - and perpetrators.

### **Amendment 90**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF, BARONESS BURT OF SOLIHULL

Page 35, line 18, after "area" insert ", ensuring that all information and communication relating to support is provided in an accessible and inclusive format,"

**Explanation:** this amendment would ensure that the support provided by local authorities to victims of domestic abuse, both its content and how it is communicated, is in an accessible and inclusive format.

**Key thing to ask the Government: *how is the Government proposing that the local authorities make support as accessible and inclusive as possible?***

Geraint Davies asked a WQ on this issue last year.<sup>ii</sup> In its response, the Government referenced different languages and British Sign Language.

This is very welcome, but not sufficient. Inclusive and accessible information and communication is much broader.

People with communication difficulties may need information or any kind of communication (emails, letters, telephone calls etc.) to be in an Easy Read format, plain English or in formats using signs and symbols. They may need information to be made accessible on AAC (Augmentative and Alternative Communication) devices. People with more complex needs may require more personal support, including from speech and language therapists where appropriate.

Public Health England has recognised this in *Disability and domestic abuse - risk, impacts and response (2015)*.<sup>iii</sup> It states:

**'Effective domestic abuse services for disabled people should be accessible and barrier free.'**

In addition to the physical things that disabled people may need to be provided, *Disability and domestic abuse - risk, impacts and response* says the following need to be provided:

- communication assistance, sign language interpretation, email and text phones for helplines, flashing light alarms, vibrating pillow alarms
- information available in various formats including video, audio and British sign language clips and easy-to-read large print information.

It would be good to test the Government's thinking on this, including how they propose to remove communication barriers.

**Amendment 92**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

Page 35, line 19, at end insert— “(d) ensure that the strategy details how the local authority will identify and respond to speech, language and communication needs.”

**Explanation:** This would place a duty on local authorities to ensure that their domestic abuse strategies included the identification and response to communication needs.

**Key thing to ask the Government:** *how does the Government propose to ensure that local domestic abuse strategies include these issues?*

Geraint Davies asked a WQ on this issue last year.<sup>iv</sup> The Government's response did not really answer the question so it would be good to test its thinking on the issue.

**Amendment 105**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

Page 36, line 41, at end insert— “( ) The members of the domestic abuse local partnership board must also include a speech and language therapist, who may also be the member fulfilling the requirement of subsection (2)(f).”

**Explanation:** this would ensure the domestic abuse local partnership board included a speech and language therapist and that a speech and language therapist is recognised as one of the professionals who provide, or have functions relating to, health care services in its area.

**Key thing to ask the Government:** *which health care services professionals does the Government envisage being on the domestic abuse local partnership boards? Could this include speech and language therapists? Given all the links between domestic abuse and communication needs, will the Government ensure that speech and language therapists are members of the boards?*

We understand that the Government will be very reluctant to mandate speech and language therapists being members of the Boards, but it would be good to test the Government's thinking on what it sees our role being in relation to them.

**Amendment 110**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

Page 39, line 28, at end insert— “( ) Rules of court made by virtue of subsection (1) must include the provision of appropriate support for those with speech, language and communication needs.”

**Explanation:** this would ensure that relevant rules of court were accessible to those with communication needs.

**Key thing to ask the Government:** *how do they intend to make any legal processes accessible to people with communication needs? Will that be for both victims and perpetrators of abuse?*

Legal proceedings, especially those in court, can be baffling to anyone. They can pose particular and daunting challenges for those with communication needs – in terms of understanding the language being used about proceedings, understanding the questions being asked and what is happening, being able to make themselves understood, explain what has happened, and talking about feelings and emotions (with which many people with communication needs can struggle). If people with communication needs are not properly supported, it could impact on the quality of their evidence and risk injustices being committed.

It would, therefore, be good to press the Government on how it proposes to make these processes inclusive and accessible.

### **Amendment 187**

LORD RAMSBOTHAM, BARONESS ANDREWS, BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

Page 58, line 8, at end insert— “( ) Any guidance issued under this section must include information on— (a) the links between— (i) domestic abuse, and (ii) speech, language and communication needs; (b) the impact of witnessing domestic abuse on children’s speech, language and communication needs.”

**Explanation:** this would ensure that when and if a Secretary of State issues any guidance it includes information on the links between domestic abuse and the impact of witnessing it on children’s speech, language and communication.

**Key thing to ask the Government: *how does the Government foresee any guidance issued by the Secretary of State covering these issues?***

Again, we understand that the Government will be very reluctant to have this on the face of the Bill, but it would be good to test its thinking on how any guidance would cover the issues.

## **Background information**

### **Links between domestic abuse and people with communication needs**

Public Health England’s *Disability and domestic abuse - risk, impacts and response*<sup>vi</sup> reported that:

- disabled people experience disproportionately higher rates of domestic abuse. They also experience domestic abuse for longer periods of time, and more severe and frequent abuse than non-disabled people. This will include those with communication needs - *Disability and domestic abuse - risk, impacts and response*’s definition of disability included communication impairment.
- not only do disabled people experience higher rates of domestic abuse, they also experience more barriers to accessing support, such as health and social care services and domestic abuse services.

Research has also shown that people with communication needs are also found to be at a greater risk of gender based sexual violence.<sup>vii</sup>

## **Links between domestic abuse and children and young people's communication skills**

Domestic abuse can have deep and lasting impacts on children's speech, language and communication resulting from not just the physical consequences of abuse, but also its mental and emotional repercussions, including if a child has seen their parent being abused.

### **Research**

- Research conducted by domestic violence charity Refuge has found that pre-school children exposed to domestic violence are likely to be at risk of developing significant speech and language problems and showed a significant difference in hearing and speech development.<sup>viii</sup>
- Domestic violence can impact on children's educational attainment<sup>ix</sup> and children who have experienced domestic violence can have difficulty with expressive language which can impact on cognitive development, especially reading and writing.
- Maltreated children are likely to have poor language and social communication skills.<sup>x</sup>
- Flashbacks and chronic stress shut down language areas and language skills may be diminished or lost in the longer term.<sup>xi</sup>
- Children in abusive or neglectful situations are likely to develop insecure attachment to their care givers which can lead to difficulties in social communication, reduced language skills, an impaired ability to feel and express emotions, and a limited vocabulary for thoughts and feelings.<sup>xii</sup>
- High-risk young people, such as those who are subject to child protection orders because of suspected or confirmed maltreatment, face an elevated risk of communication needs.<sup>xiii</sup>

In addition, speech and language therapists who work with vulnerable children and young people, including those in care and the youth justice system, report that many of them have witnessed or experienced domestic abuse.

### **Lived experience**

During the Public Bill Committee's oral evidence sessions in the House of Commons on 4 June 2020<sup>xiv</sup>, two witnesses highlighted the impact of domestic abuse on children's communication.

Somiya Basar, a parent commented:

I approached the school when I came here. My older son has special needs, but the school did not even recognise that. He had a major speech delay. He saw the abuse. As he was growing up, he saw me being abused. He was abused by the father, sometimes physically, in a very bad manner. He has been left with a lot of difficulties.

Lyndsey Dearlove, who works at the charity Hestia and is head of UK SAYS NO MORE—Hestia's national prevention campaign commented:

there are some practical issues that can make a real difference for children who have experienced domestic abuse. Some of that is about looking at their interaction with the NHS and at how they can maintain their appointments. One woman, who has allowed me to tell her story, came into our refuge after she had waited about 18 months for a referral to a speech therapist; she was concerned about her daughter's speech. The social worker in the area told her that she had to leave and move into a refuge. After arriving in the refuge, she waited another 8 months for a referral to speech therapy. She was then rehoused, but her child was too old to benefit from speech therapy.

## **Why it matters**

Sometimes speech, language and communication needs and the need to identify and respond to them can be seen as a niche issue. It is not – it is a crucial issue, too often overlooked.

- Communication is fundamental and foundational, the central life skill.
- People with communication needs may have difficulties understanding language, using language to express thoughts and feelings and social communication skills (knowing the right thing to say in the right way, and at the right time). These needs can often be hidden, sometimes masked by behaviour.

In relation to domestic abuse, they are a critically important issue.

- People experiencing domestic abuse who have communication needs may not understand what is happening to them, may not be able to explain what is happening to them and may not be able to seek, access and benefit from support. Given this, communication impairment can be one of the barriers to accessing support identified by Public Health England.
- Research shows that not identifying and responding to children and young people's communication needs can have major long-term negative impacts on their life, including education, health and wellbeing, and employment. It can also risk their involvement in the criminal justice system.

As highlighted above, for the same reason, it would also be important to identify any communication needs perpetrators of domestic abuse had for any prevention strategy to be successful.

## **How speech and language therapists can help**

Speech and language therapists can play a key role in supporting people affected by domestic abuse and their children, including where appropriate working with perpetrators.

This can involve:

- identifying communication needs and advising on the appropriate response;
- training and advising other professionals working with all those affected by domestic abuse on the links between abuse and communication needs, how the latter might present and how to respond so that people are able effectively to access and benefit from support services;
- advise on how support services, both oral and written, might be made accessible and inclusive to those with communication needs; and
- provide one to one speech and language therapy for those who require it.

### **RCSLT recommendation**

**To ensure the best possible level, and maximise the impact, of speech and language therapy support the Royal College of Speech and Language Therapists recommends that any statutory local domestic abuse services include dedicated speech and language therapy, preferably embedded in the team.**

**This is a model that has worked in other areas, such as looked after children and youth justice.**

**It would help to support not just those affected by domestic abuse, but also the other professionals working with them to understand the links between domestic abuse and communication needs, how the latter may present and their impact, and how to respond appropriately.**

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## REFERENCES

- <sup>i</sup> <https://questions-statements.parliament.uk/written-questions/detail/2020-06-25/64812>
- <sup>ii</sup> <https://questions-statements.parliament.uk/written-questions/detail/2020-06-25/64810>
- <sup>iii</sup> Public Health England. (2015). Disability and domestic abuse: Risk, impacts and response. <https://bit.ly/3bQyoqd>
- <sup>iv</sup> <https://questions-statements.parliament.uk/written-questions/detail/2020-06-25/64811>
- <sup>v</sup> Public Health England. (2015). op cit.
- <sup>vi</sup> Ibid.
- <sup>vii</sup> Marshall, J. E., & Barret, H. (2017). Understanding Sexual and Gender-Based Violence against Refugees with a Communication Disability and challenges to accessing appropriate support: A literature review. <https://bit.ly/3dZxaKG>
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- <sup>ix</sup> Cobos-Cali, M. et al. (2018). Language disorders in victims of domestic violence in children's homes. *Child Abuse & Neglect*. Volume 86, Pages 384-392.
- <sup>x</sup> Van de Kolk, B. (2015). *The body keeps the score*. Penguin.
- <sup>xi</sup> Yehuda, N. (2016). *Communicating trauma. Clinical presentations and Interventions with Traumatized Children* Routledge.
- <sup>xii</sup> Sadiq F. A. et al. (2012). Social use of language in children with reactive attachment disorder and autism spectrum disorders. *Eur Child Adolesc Psychiatry*. 21: 267. Beeghly, M. & Cicchetti, D. (1994). Child maltreatment, attachment, and the self system: Emergence of an internal state lexicon in toddlers at high social risk. *Development and Psychopathology*. 6: 5-30. Barlow, J. & Schrader McMillan, A. (2010). *Safeguarding Children from Emotional Maltreatment: What Works*, Jessica Kingsley Publishers. Lemche, E. et al. (2004). Mentalizing Language Development in a Longitudinal Attachment Sample: Implications for Alexithymia. *Psychother Psychosom*. 73:366–374.
- <sup>xiii</sup> Snow, P. C. et al. (2012). Oral language competence, young speakers, and the law, *Language, Speech and Hearing Services in Schools*. Oct;43(4):496- 506.
- <sup>xiv</sup> <https://hansard.parliament.uk/pdf/commons/2020-06-04/53d6764e-24e5-4287-8e40-fc3690d696b1>

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