

**RCSLT NI Evidence Briefing to the Department of Health & the Department of Justice on Domestic
& Sexual Abuse and Speech, Language and Communication Needs**

April 2023

Summary: People with communication needs are at greater risk of domestic and sexual abuse

- Research from Public Health England has shown that disabled people are twice as likely to experience domestic abuse than non-disabled people. This includes those who have communication needs.
- Evidence has shown that people with communication needs are considered the ‘perfect targets’ for gender-based sexual abuse, as they are less able to tell others about their experiences.
- Similarly, the children of people who experience domestic abuse are also at significant risk. Experiencing or witnessing domestic abuse can have deep and lasting impacts on their speech, language and communication skills.
- Research conducted by Refuge has found that pre-school children exposed to domestic violence are likely to be at risk of developing significant speech and language problems.
- Children and young people who have had very negative early experiences often miss out on opportunities to learn positive language and interaction skills. This can have significant long-term impacts on their educational attainment, physical and mental health and wellbeing, employment prospects, future life chances and ability to form positive relationships. It can also risk involvement in the criminal justice.

What are communication needs and why are they relevant to domestic and sexual abuse?

Speech, language and communication needs (communication needs) is the term we use to describe one or more of the following:

- difficulties with understanding language;
- difficulties 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).

Due to the ‘substantial’ and ‘long term’ impact of communication needs, they are by their nature a disability and can therefore be described as a protected characteristic under the Disability Discrimination Act 1995.

People at risk of domestic and sexual abuse

The evidence is clear: people with disabilities are at a higher risk of domestic abuse¹, as highlighted in the recent Domestic Abuse Act 2021 Statutory Guidance for England (July 2022)². This includes

¹ Women’s Aid. The Domestic Abuse Report 2019: The Annual Audit: Bristol: 2019

² Domestic Abuse Act 2021 Statutory Guidance for England (July 2022) available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089015/Domestic_Abuse_Act_2021_Statutory_Guidance.pdf

people with communication disabilities. Further research into this area shows that people with communication needs have been found to be at a greater risk of sexual and gender-based violence³.

As communication needs may occur with a range of conditions, they may be invisible and not immediately apparent. Communication needs affect people in different ways; some people may find it hard to ask a question, name an object or simply ask for help, while others may have speech difficulties that make them difficult to understand.

People with communication needs are therefore particularly vulnerable. It is crucial that measures are in place to support them.

Children of people who have experienced domestic abuse

Experiencing and/or witnessing domestic abuse can also have a huge impact on children and young people's speech, language and communication. This can have potentially long-term negative consequences on their educational attainment, ability to form positive relationships, employment prospects, physical and mental health and wellbeing, and their life chances. It can also risk their involvement in the criminal justice system.

The evidence base: communication needs and domestic and sexual abuse

Communication needs impact a significant proportion of Northern Ireland's population. Up to 90% of people with learning disabilities have communication difficulties, 33% of stroke survivors and more than 20% of people with brain injury will also experience some level of communication difficulties⁴ They are a hidden disability and are often invisible; potentially impacting the life chances of people significantly while also placing them at increased risk of abuse.

- Communication needs are substantial and long-term and therefore fall within the definition of disability within the Disability Discrimination Act 1995 NI⁵ and can be considered a protected characteristic under the same legislation.
- These needs are wide ranging and may occur with a range of other conditions including cerebral palsy, learning disabilities, down syndrome, autism, hearing impairment, stroke, brain injury, head and neck cancers, Parkinson's disease, multiple sclerosis, motor neurone disease, dementia and mental health conditions.
- Communication needs may also occur without the presence of another condition, such as a stammer (an example used in guidance for the definition of disability for the Equality Act 2010)⁶.
- Numerous pieces of research including findings by Public Health England have concluded that disabled people are twice as likely to experience domestic abuse, for longer periods of time as well

³ 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>

⁴ RCSLT Factsheet available at <https://www.rcslt.org/wp-content/uploads/media/Project/RCSLT/rcslt-communication-needs-factsheet.pdf>

⁵ The Equality Commission (2007) Definition of a disability Guidance available here <https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/DefinitionofDisability07.pdf>

⁶ Equality Act 2010 Guidance - Guidance on matters to be taken into account in determining questions relating to the definition of disability. <https://bit.ly/3cNj7HY>

as more severe and frequent abuse than non-disabled people in wider contexts and from significant others.^{7 8}

- Public Health England also states that people with disabilities that limit day to day activities, such as communication needs, are at a much higher risk of domestic abuse.⁹
- A literature review of global evidence undertaken at Manchester Metropolitan University reinforced these findings, while also reporting that people with communication needs are considered the 'perfect targets' for gender based sexual abuse (including long-term, multi-form abuse) as they are less able to tell others about their experiences.¹⁰

The provision of support through accessible information and inclusive communication formats will allow people with communication needs to engage and most importantly report instances of domestic abuse.

Impact of experiencing domestic abuse on children's speech, language and communication

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.

Such impacts have a wide range, but may include the following:

- 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.¹¹
- Domestic violence can impact on children's educational attainment¹² 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 at greater risk of developmental difficulties (including communication needs) not necessarily due to the maltreatment itself.¹³
- Maltreated children are likely to have poor language and social communication skills.¹⁴

⁷ Public Health England. (2015). Disability and domestic abuse: Risk, impacts and response. <https://bit.ly/3bQyoqd>

⁸ Hind, K. et al. (2013) Violence against people with disability in England and Wales: findings from a national cross-sectional survey. PloS one 8.2

⁹ Equality Act 2010 Guidance. op cit.

¹⁰ Marshall, J. E., & Barret, H. (2017).op cit

¹¹ Refuge. (2005). Refuge assessment and intervention for pre-school children exposed to domestic violence

¹² 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.

¹³ Dinkler, L. et al. (2017). Maltreatment-associated neurodevelopmental disorders: a co-twin control analysis. Journal of Child Psychology and Psychiatry, 58(6), 691–701. <https://doi.org/10.1111/jcpp.12682>

¹⁴ Van de Kolck, B. (2015). The body keeps the score. Penguin.

- Flashbacks and chronic stress shut down language areas and language skills may be diminished or lost in the longer term.¹⁵
- Children and young people who have had very negative early experiences often find it difficult to interact positively with others, so they miss out on opportunities to learn positive language and interaction skills.
- 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.¹⁶
- 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.¹⁷

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. The evidence shows a high degree of communication needs amongst these vulnerable children and young people.

- In one study of children and young people in residential care, 63% had communication needs.¹⁸
- 58% of the young people screened by speech and language therapists as part of No Wrong Door, North Yorkshire County Council's model around rethinking care for adolescents, were identified as having communication needs.¹⁹
- At least 60% of young people in the United Kingdom who are accessing youth justice services present with communication needs which are largely unrecognised.²⁰

How Speech and Language Therapy can help

Our members in Northern Ireland report that domestic and sexual abuse are an issue they can encounter across many different settings in which they currently work. SLTs work in a range of services that can be relevant in the delivery of the proposed strategy across each of the four pillars. This includes in Sure Start, Community and Child Development Clinics, Special Education Needs,

¹⁵ Yehuda, N. (2016). *Communicating trauma. Clinical presentations and Interventions with Traumatized Children* Routledge.

¹⁶ 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.

¹⁷ 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.

¹⁸ McCool S. & Stevens I.C. (2011). Identifying speech, language and communication needs among children and young people in residential care. *International Journal of Language and Communication Disorders*; 46(6): 665-74.

¹⁹ Lushey C., Hyde-Dryden G., Holmes L. and Blackmore J. (2017) *Evaluation of the No Wrong Door Innovation Programme Research Report*, Department for Education, England.

²⁰ Bryan, K. et al.. (2015). Language difficulties and criminal justice: the need for earlier identification. *International Journal of Language and Communication Disorders*, 50(6), 763–775.

Adult Learning Disability services, Registered intermediary Service, Children Looked After Services and Prison Health.

Given our expertise in speech, language and communication we believe we have an important role to play in helping deliver the vision outlined in the domestic and sexual abuse strategy. Speech and language therapy working as part of multi-disciplinary teams and as a specialist service can:

- help to ensure the accessibility of programmes to support people affected by domestic abuse who have communication needs;
- contribute to the safeguarding of vulnerable individuals;
- support the identification and appropriate response to children’s communication needs;
- support other professionals to recognise and make adjustments for communication needs, for example by advising on how therapeutic approaches, such as talking therapies which require comprehension and expressive language skills, can be adapted.

It is also important to note that individuals with communication needs who have been victims or witnesses to abuse in NI, may be accessing support services where there is currently no SLT commissioning or communication support pathways, for example CAMHS and youth justice services. Unidentified communication needs can be a significant barrier to successfully accessing support services.

RCSLT Position on The Domestic Abuse Act 2021 & 2022 Statutory Guidance (England)

The Domestic Abuse Act recognises that speech, language and communication needs are a vulnerability and risk factor in their own right, and we hope that the specialist provision for these particular victims – and all victims with speech, language and communication needs – recognise the important role played by speech and language therapists.

In April 2021 the RCSLT secured a commitment from the Westminster Government to revise statutory guidance for the Domestic Abuse Bill to ensure it specifically referenced speech, language and communication needs. The final guidance²¹ (July 2022) included the following amendments as campaigned for by RCSLT:

- 1) recognition of speech, language and communication needs as a particular vulnerability, reference to exploitation of communication difficulties as a tactic of domestic abuse
- 2) the addition of “delayed development or deterioration in speech, language and communication” to the impacts of domestic abuse on children
- 3) recognition that children with special education needs and disabilities (SEND) may need communication tools and professional support to report abuse.
- 4) Inclusion of a section on speech, language and communication as a related consideration, including:

²¹ Domestic Abuse Act 2021 Statutory Guidance for England (July 2022) available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089015/Domestic_Abuse_Act_2021_Statutory_Guidance.pdf

- recognition that people with speech, language and communication needs may be actively targeted and experience abuse for longer because of difficulties explaining what has happened to them and accessing support;
- recognition that speech and language difficulties may be unidentified or undiagnosed, and as a result, reports from people with such difficulties may not have been taken seriously; and
- affirmation that the communication environment and any potential barriers should be considered.
- addition of “communication difficulties” as a potential barrier to victims disclosing information or seeking support.

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.

NI Domestic & Sexual Abuse Strategy – some considerations

How will the domestic and sexual abuse strategy deal with the identification and response to communication needs?

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 do the Departments see for speech and language therapists in supporting the domestic and sexual abuse strategy implementation?

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