

# Speech, language and communication difficulties

## Young people in trouble with the law

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### Introduction

Speech, language and communication difficulties experienced by young people in trouble with the law have historically been somewhat overlooked. But in recent times, a number of research reports and initiatives have highlighted these difficulties as a significant area of unmet need, whilst also noting that they may be more prevalent in the offending population than the general population.<sup>1</sup>

Speech, language and communication difficulties are not always easily identifiable. Nor are there systematic processes in the youth justice system for identifying such problems.

The Royal College of Speech and Language Therapists is currently conducting a campaign called 'Locked up and locked out: communication is the key'<sup>2</sup> highlighting the impact of speech, language and communication difficulties on those who offend. It emphasises the importance of identifying speech, language and communication difficulties amongst children and young people in contact with the youth justice system early on and addressing them through specialist support to help prevent further antisocial and offending behaviour.

This briefing paper will outline some of the practical problems surrounding the identification and treatment of speech, language and communication difficulties in young people in trouble with the law, consider how youth offending teams (YOTs) can best support young people with these needs, as well as take a look at some new developments in this area.

## **The impact of speech, language and communication difficulties**

Young people with speech, language and communication needs have poor conversational skills, poor non-verbal skills and poor social perception, all of which can hinder their ability to form friendships with their peers and may lead to them becoming marginalised.<sup>3</sup> Those who become isolated in this way often experience anxiety and depression which can affect their mental health.<sup>4</sup> These problems can become exacerbated with age if they remain unidentified and untreated, and are likely to result in poorer outcomes for the individuals concerned.<sup>5</sup>

Speech, language and communication difficulties can erode self-esteem and affect educational achievement, social integration and general behaviour.<sup>6</sup> In addition, they increase the probability of offending behaviour and early disengagement from school<sup>7</sup> (children with these problems are much less likely to continue in education beyond 16 years of age).<sup>8</sup> The Prison Reform Trust also advises that there is a risk of continued offending behaviour by those with learning difficulties and learning disabilities where those needs remain unidentified, and indicate that a lack of support and services could be a contributory factor in reoffending.<sup>9</sup>

Whilst not directly focused on those with speech, language and communication needs, Lord Bradley's 2009 review of people with learning disabilities and mental health problems in the criminal justice system stressed the importance of early identification, intervention and support at various stages in the criminal justice process: arrest and prosecution; appearance in court; placement on a community order; placement in secure accommodation; and during resettlement.<sup>10</sup>

Once in the youth justice system, young people with speech, language and communication needs can experience difficulties with processes that require the ability to understand and process often complex information in stressful circumstances. They need to understand the processes they are subject to, to be able to communicate proficiently with a wide range of individuals at different stages and to interact. All of this requires the ability to listen, understand, process conversation and formulate ideas and experiences into words.<sup>11</sup> Those with speech, language and communication difficulties are clearly at a disadvantage if they lack the requisite skills to fully comprehend what is happening or to express themselves clearly. Research by Humber and Snow has found that amongst those with speech, language and communication difficulties, the ability to provide narrative information in a logical and sequential manner was frequently lacking – skills that are required particularly in police interviews and court processes. This inability can also make young people more vulnerable because their level of engagement may be misinterpreted as boredom, evasion or resistance and general lack of co-operation when, in fact, the opposite may be true.<sup>12</sup> Additionally, young people can become proficient in covering up their speech, language and communication problems by avoiding engagement or being disruptive since this serves to distract attention from their difficulties.<sup>13</sup>

Speech, language and communication problems can also mean that young people are unable to grasp the jargon, abstract language and complex terminology frequently used by professionals in a variety of criminal justice settings. Bradford YOT carried out some research

in which a group of young people were asked to discuss 37 words they were likely to hear in court. The results showed poor recognition and explanation of commonly used words like 'offence', 'comply', 'breach', 'conviction', 'alleged' and 'magistrate', and all of the young people indicated that they struggled to understand language in court. Crawford and Bull advise that a language comprehension assessment is vital – not just for witnesses but also for young defendants – to gauge what they know and understand about court and the words used since lack of comprehension can acutely affect outcomes, a finding of guilt or innocence, and the sentence received.<sup>14</sup>

Whilst the research cited above relates to court vocabulary, the words described are not significantly different from those which may be used at a police station or when engaging with a young person in a YOT or in the secure estate. If young people are unable to comprehend and respond to information which is being provided to them or requested of them, this could lead to criminal justice outcomes which are more negative than might otherwise be the case.

## **Spotting the problem**

Speech, language and communication difficulties are not always easily identifiable. Firstly, they can masquerade as other conditions. Those with comprehension and personal expression difficulties can develop behavioural issues because of a sense of frustration at being unable to express themselves clearly or to be properly understood (particularly where their difficulties are hidden or unidentified). Consequently, communication problems are sometimes interpreted as behavioural problems when they are not.<sup>15</sup> Secondly, communication difficulties are sometimes grouped together with learning difficulties and, whilst they can sometimes be associated, speech, language and communication problems are not necessarily indicative of a learning difficulty or learning disability.<sup>16</sup>

Given the confusion that exists in this area it may be instructive to briefly examine what the terms 'specific language impairment', 'learning disability' and 'learning difficulty' encompass in order to gain an understanding of how they differ from speech, language and communication difficulties.

### **Specific language impairment**

A specific language impairment is, according to the definition from I CAN,<sup>17</sup> a language difficulty that is not caused by 'any known neurological, sensory, intellectual or emotional deficit. It can affect the development of any aspect of language, eg, vocabulary, grammar and discourse skills'. It is described as a very broad category, with some children and young people having mild and transient expressive problems and others having severe and persistent difficulties with both receptive and expressive language. Stammering, for example, is a specific language impairment. Specific language impairments should be distinguished from other speech, language and communication needs which are reflected in poor speech and language skills (compared to other children of the same age) and which can be addressed with the right support. I CAN also advises that speech, language and communication difficulties can relate to (or emerge from) other underlying impairments such as a hearing impairment, general learning difficulties or autistic spectrum disorders.

### **Learning disability**

The British Institute of Learning Disabilities refers to the World Health Organisation's definition of a learning disability as 'a state of arrested or incomplete development of mind', adding that someone with a learning difficulty can have 'significant impairment of adaptive/social functioning'.<sup>18</sup> The British Psychological Society identifies that there are three core criteria which must be met before a person will be considered to have a learning disability:<sup>19</sup>

- Significant impairment of intellectual functioning (the ability to understand new or complex information).
- Significant impairment of adaptive/social functioning.
- Onset before adulthood (ie, problems are not acquired with maturity).

Research undertaken by the Prison Reform Trust advises that a learning disability is defined in diagnostic terms as an IQ below 70.<sup>20</sup> Those with a learning disability will have problems processing verbal and non-verbal information. This can be apparent in difficulties in understanding, learning and remembering new things, and adapting learning to new situations.

### **Learning difficulty**

It should be noted that there is no single definition of a learning difficulty, but problems may be evident in an inability to learn, to get on with others or to follow rules.<sup>21</sup> Dyslexia, for example, is a learning difficulty.

### **Speech, language and communication difficulties**

According to the Bercow report, speech, language and communication needs 'encompass a wide range of difficulties related to all aspects of communication in children and young people. They can include difficulties with fluency, forming sounds and words, formulating sentences, understanding what others say and using language socially.'<sup>22</sup>

Problems in speech, language and communication may not become apparent until a young person falls behind his or her peers in language development,<sup>23</sup> but these problems are not always picked up in school and may be even more difficult to identify if the young person disengages from school. The Communication Trust advises that young people's needs may be evident if they are manifesting any of the following: difficulties conversing with others; being unable to say what they want; having difficulty processing what is being said to them; or not understanding social rules.<sup>24</sup> They may also show signs of poor social and conversational skills, poor organisational skills, unclear speech, poor language skills, a lack of understanding, poor number skills, and poor reading and writing skills. The Royal College of Speech and Language Therapists' briefing, *Speaking Out*, indicates that young people with communication difficulties have problems with the following key competencies:<sup>25</sup>

- **Articulation:** the ability for an individual to express himself or herself effectively through speaking, writing or non-verbal communication.
- **Perception:** being able to recognise and understand the spoken or written word, body language and facial expressions.
- **Listening skills:** the ability to listen carefully to what is being said.

- **Recall:** being capable of remembering information that has previously been given.
- **Expression:** being competent at expressing feelings and emotions in an acceptable manner.
- **Interaction:** the capacity to relate to others in a socially acceptable manner plays a pivotal role in promoting social integration.

## The extent of the problem

There does not appear to be a commonly agreed figure of the percentage of the general population with speech, language and communication needs.<sup>26</sup> Equally, the exact proportion of young people with speech, language and communication difficulties in England and Wales in contact with the criminal justice system is unknown. An evaluation of the YOT assessment tool, Asset, indicated that of 3,395 young people in contact with youth justice teams, a quarter had special needs (with just over 60% of these in possession of a statement of educational need), 27% had literacy and numeracy needs, 26% had unspecified problems and 42% showed indications of under-achievement.<sup>27</sup> Any of these factors could be indicative of an unidentified speech, language and communication need.

Most studies conducted to date have been small-scale so it is difficult to establish if they over or underestimate the extent of the problem, although the consensus appears to be that the prevalence of speech, language and communication difficulties amongst the offending population is significantly greater than amongst the general population.

### Young people in custody

A 2007 study into the prevalence of speech, language and communication difficulties amongst young people in secure accommodation found that over two thirds had below average language skills, and 33% had poor literacy skills and were not able to read to a standard appropriate for their age.<sup>28</sup> The study found that because their grasp of vocabulary and grammar was more limited than that of the typical adolescent population, they may not have been able to cope with 'verbally mediated interventions' aimed at reducing their likelihood of reoffending.

Whilst the Youth Justice Board (YJB) has not specifically commissioned research into this area, there is some resonance between the aforementioned study and research the YJB conducted into the mental health needs of young people in custody and the community in 2005.<sup>29</sup> Three hundred and one young people were interviewed – 151 in secure facilities and 150 in the community. Of these, 23% were described as meeting the criteria for a learning disability (as they had an IQ of less than 70) whilst a third of the study sample had borderline learning difficulties. Three quarters of the young people in the study had been temporarily or permanently excluded from school and over three quarters had a reading age and reading comprehension age below their chronological age and well below the mean chronological age of the population sampled (16 years old).<sup>30</sup> Problems in relationships with family and peers were also appreciably evident.

### Young people on community orders

Bradford YOT conducted research to identify young people with communication needs on a six-month pilot project for whom a speech and language assessment could be carried out. It

estimated that 40-60% of the project caseload had communication difficulties, using the following criteria to identify communication needs: poor communication skills; limited vocabulary; lack of understanding of the work undertaken; not benefiting from the work undertaken; difficulties with anger management; poor educational attainment (particularly in relation to literacy); and difficulty relating to adults. The research found that 14 of the 19 young people were below the average age of development compared to their peers, with 42% of them rated as having severe communication difficulties.<sup>31</sup>

In 2008, Leeds YOT screened 72 young people subject to intensive supervision and surveillance programmes for language and communication problems with the support of a speech and language therapist.<sup>32</sup> Screening included self-assessment by the young person, verbal reasoning and a narrative skills task. Where there was evidence of difficulties, further assessments were then undertaken (eg, understanding of spoken paragraphs, word associations and sentence formulation). Of the young people screened: 65% received some form of language and communication intervention; 20% had very low understanding of verbally presented information; 18% had limited vocabulary and/or word retrieval difficulties; and over 77% had social skills difficulties that were noticeable to staff. The majority had difficulties in more than one area and although the young people often reported that they found concentrating on spoken information and/or explaining events difficult, they did not tend to consider that they had communication problems. Notably, only 8% had had any previous contact with speech and language therapy.

## **Engaging with a YOT**

It is vital that a young person under YOT supervision is able to understand what is happening to them and what is required of them. They need to be able to grasp the requirements of any statutory order and any conditions that are imposed with it. They need to understand they will be required to meet and work with a range of individuals delivering different interventions. In addition, they will need to attend appointments at pre-arranged times and provide a range of information about the offence and their personal histories for assessments and progress reviews. They may also be required to read and understand information relating to some or all of the above and to take part in activities and programmes – either alone or with others.

When a young person is referred to a YOT, an assessment is carried out using Asset to screen for any risk factors for antisocial and offending behaviour. The assessment process should provide YOT workers with a good understanding of the individual's needs so they can work with them in the most effective way to address their offending behaviour. However, the ability of YOTs to assess and support young people with speech, language and communication difficulties is hindered by the fact that staff have generally not had the appropriate training to identify or work with those with these difficulties. Whilst there are local initiatives in some areas, there is currently no systematic national means of assessing people with speech, language and communication difficulties at the start of their contact with a YOT.

YOT staff typically use a variety of oral and written interventions (frequently involving exercises and activities) to help young people explore their experiences, their ability to think

about the consequences of their actions and to avoid or adjust certain behaviour patterns in the future. For this engagement to be meaningful and participatory, YOT workers must have the necessary knowledge and resources to be able to identify and respond to problems correctly, as well as be aware of other pathways to support and assistance.

Given that there is no standard and comprehensive national tool in place to assess needs in this area, speech, language and communication problems can be misinterpreted by YOT workers as other difficulties or as a lack of co-operation. Lack of awareness may also mean that young people are not worked with in a way that is most appropriate to their personal capabilities. This can have two effects: it can result in staff having lower expectations of what an individual can achieve; and it may also lead to the young person having additional difficulties in responding to interventions or adhering to orders. And this can affect outcomes. The Bercow report described difficulties in responding to interventions as being 'sufficient to affect their ability to communicate with staff on a day-to-day basis, to prevent them from benefiting from verbally mediated interventions, such as education and offender behaviour work and, if not addressed, to contribute to reoffending'.<sup>33</sup>

Humber and Snow suggest that successful participation in interventions and programmes is reliant on language skills which include listening and understanding, finding non-literal meanings, processing conversation, formulating one's own ideas and experiences into words, and the ability to participate in group and individual sessions.<sup>34</sup> They advise that the effectiveness of interventions will be significantly limited for those who have inadequate receptive and/or language skills. Programmes, interactions and interventions need to be carefully developed and delivered, with literacy, writing, speaking and listening demands set at the right level. This problem is not confined to the youth justice system. Research on general offending behaviour programmes for adults reached a similar conclusion.<sup>35</sup>

YOT practitioners must ensure that young people have fully understood the requirements of the statutory order and that they have the necessary information to carry out the order.<sup>36</sup> There is evidence that children and young people who have been subject to enforcement procedures may have struggled to comply because of a lack of comprehension about expectations.<sup>37</sup> Even when adults think they have explained the expectations of orders and the consequences of not complying, the message has not necessarily been understood. *National Standards for Youth Justice Services* states that every effort should also be made to support the young person to successfully complete the order,<sup>38</sup> which suggests that the requirement is not just to provide information but also to take steps to check that it has been understood. This applies to written as well as verbal information.<sup>39</sup>

A 2010 thematic inspection of youth alcohol misuse and offending highlighted the variation amongst YOTs in relation to how they assess communication difficulties and noted that there tended to be an assumption that any specific needs in this area would previously have been picked up in an educational setting.<sup>40</sup> *Crossing the Communication Divide: A toolkit for prison and probation staff working with offenders who experience communication difficulties* lists a number of factors which may indicate that someone has a communication problem meriting further investigation as follows:<sup>41</sup>

- Difficulty coping at school.
- Poor achievement at school.
- Attendance at any sort of special school.
- Difficulty managing processes such as housing and benefits.
- Not understanding court or probation processes.
- Avoidance of situations that require communication, such as attendance at support groups.
- Difficulty in providing information even when the other person present is clearly there to help.

The toolkit provides some basic guidance which might help YOT staff to identify particular difficulties, as well as information on how to communicate more effectively with the young person concerned and considerations for making written information more accessible. Basic strategies should include checking the young person's level of understanding by asking the same question in different ways and allowing young people plenty of time to respond when being interviewed or in the course of general discussion. Another useful technique staff can adopt is to simplify the language they use as far as possible using open-ended questions and grammatically simple sentences. The Communication Trust suggests that workers delivering youth justice services can positively interact with a young person with speech and language difficulties by concentrating on the following:

- Giving the young person extra time to listen to and understand what is being said.
- Asking what would assist them in promoting their understanding.
- Emphasising specific words that they should focus on.
- Ensuring that the young person gives their own explanation of what has been said to verify whether they fully understand what is expected from them.
- Giving the young person reminders of any future appointments.
- Flagging anything the young person has said which the staff member does not understand.
- Providing the young person with a brief overview before providing them with a more in-depth explanation.
- Providing them with a wide variety of activities to encourage their engagement.
- Providing them with positive encouragement and feedback.
- Simplifying written materials using clear writing and understandable terminology.
- Speaking at a slower speed to facilitate their listening to what is being communicated.
- Using short sentences with appropriate pauses to allow them to process new information.
- Using uncomplicated language that the young person is familiar with.
- Using visual tools to encourage their understanding.



## Developments

A number of initiatives have emerged which attempt to address some of the youth justice system's issues in dealing with young people's speech, language and communication difficulties. Some of these are briefly described below.

### The Communication Trust

The Communication Trust has been working with the YJB to increase the level of understanding of the importance of young people's communication needs amongst the youth justice workforce, to improve skills and confidence within the sector, and to provide appropriate training. Its training materials are designed to help practitioners identify the links between a variety of communication needs including: dyslexia; dyspraxia; speech, language and communication needs; autism spectrum disorder; and attention deficit hyperactivity disorder.

As part of this awareness raising, a free guide has been produced called *Sentence Trouble* for individuals working in YOTs, secure children's homes, secure training centres and young offender institutions.<sup>42</sup> There is also a Sentence Trouble website which builds on this booklet and provides a forum for youth justice practitioners to share ideas and practice in relation to this area.<sup>43</sup>

### Assessing need

The Royal College of Speech and Language Therapists has long advocated that appropriate screening, assessment and interventions be made available to children and young people in the youth justice system. They are now launching a free e-learning tool called *The Box: What's it like to be inside?* which will be available to professionals in the justice system.<sup>44</sup>

As indicated earlier, the assessment by Asset that takes place when a young person is referred to a YOT is not designed to assess speech and language needs and, as such, does not have specific questions or a section that address this area. However, an assessment tool called the Oracy Profile has now been developed by Wrexham Youth Justice Service and the Education Learning and Achievement Department of Wrexham County Borough Council which seeks to identify any unrecognised communication difficulties. It is designed to raise awareness amongst staff of such problems, help them tailor their approaches to meet young people's needs and improve the effectiveness of interventions with those experiencing communication difficulties. In addition to the Oracy Profile, Wrexham Youth Justice Service has also developed a number of tailored interventions to help staff work with young people in the most appropriate way, according to their needs.

Afasic is a UK charity which supports children and young people with speech, language and communication needs, as well as their parents. It has developed a checklist of indicators for non-specialist staff, including those working in the youth justice system, to help them identify young people with speech, language and communication needs. In addition, it suggests a number of possible causes of problems and strategies for addressing them.

### **Speech and language therapy in YOTs**

Only a relatively small number of YOTs have had speech and language therapists seconded to their teams to date. One example is Leeds YOT which had a therapist providing support to young people subject to intensive supervision and surveillance programmes. The therapist's role was to identify any speech, language and communication difficulties amongst the young people, plan and co-ordinate appropriate interventions, support staff to become more aware and confident in dealing with affected young people and to evaluate any changes in their language and communication skills following the intervention. The evaluation found that, following a speech and language intervention, 75% of those completing the programme had made a significant improvement in every communication area targeted and 88% had made significant progress in their ability to understand sentence formulation and in word association tasks. Leeds YOT staff are convinced of the value therapy adds and have recommended that a therapist role becomes an integral post in their team.

### **Conclusion**

Raising awareness of the speech, language and communication problems that some young people in trouble with the law experience is an important first step in starting to identify how best to respond. The indications are that a significant number have speech, language and communication problems which have not been officially identified and which could be impacting on their behaviour and personal and social development. Although the number of studies undertaken to date appear to be small-scale, they also demonstrate that this is an area of unmet need.

There are a number of useful resources available which can assist workers delivering youth justice services to young people. Further clarification on screening and assessment methodologies would also be useful, as would training that improves knowledge and understanding amongst youth justice practitioners. However, this would need to be supported by the expertise of appropriate agencies, which would require a commitment from lead justice agencies, a greater commitment from health and education services, as well as the involvement of speech and language services.

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