



Guidance

Practice advice: speech, language and communication needs (SLCN) in the youth justice system

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1.

Introduction

Joint guidance by the Youth Justice Board (YJB) and the Royal College of Speech and Language Therapists.

This advice is for practitioners and managers in youth offending teams (YOT) and secure accommodation for young people. It aims to help you work with young people with speech, language and communication needs (SLCN).

It will help you consider how SLCN may affect a young person's ability to engage and comply with requirements placed upon them. It will also identify some useful approaches to help you tackle this issue.

For more detailed information about how SLCN affects young people in the youth justice system, read the documents featured at the bottom of this document.

2.

Background

Every two years, the YJB runs an Effective Practice Prioritisation Exercise. It is to find out what areas practitioners would like the YJB to focus on.

As part of the 2012 Effective Practice Prioritisation Exercise youth justice practitioners told us, through an online survey, that they wanted more information to support their work with young people with SLCN. Subsequent focus groups with practitioners identified a need for more information in the following areas:

- how SLCN impacts on young people in the youth justice system
- how best to identify and assess young people with SLCN
- how to work with and adapt interventions for young people with SLCN

The YJB has been working closely with a range of organisations to identify the main challenges YOTs face when they work with young people with

SLCN. It has also looked at the approaches and resources that may provide solutions. The organisations it has worked with are:

- the Royal College of Speech and Language Therapists (RCSLT)
- the Communication Trust
- YOT practitioners
- speech and language therapists in England and Wales

In Wales, the YJB worked with NHS Wales and the Welsh government who commissioned a review of SLCN services within Welsh YOTs.

3.

What are speech, language and communication needs?

At the moment there is not a common definition for SLCN. SLCN can be a 'hidden disability', because it is often not visible or obvious and young people can become adept at hiding the true nature of their difficulties. Young people with SLCN can often come across as "intelligent and articulate", which can make it harder to identify them.

Read the Communication Trust report ['Explaining speech language and communication needs'](#) (Hartshorne et al, 2014) to find out more about children and young people experiencing difficulties across one or many of the different elements of speech, language and communication, resulting in a communication breakdown.

The table below is from that report and highlights the different elements of speech language and communication.

Speech refers to	Language refers to speaking and understanding	Communication refers to how we interact with others
Saying sounds accurately and in the right places in words	Using words to build up sentences, sentences to build up conversation and longer stretches of broken language	Language is used to represent concepts and thoughts
The sounds people make to communicate words	Understanding and making sense of what people say	Using language in different ways to question, clarify, describe
Speaking fluently, without hesitating, or prolonging and repeating words		Non verbal rules of communication, good listening, looking at people
Speaking with expression with a clear voice, using pitch, volume and intonation to support meaning		

(Hartshorne et al, 2014: 4)

The Royal College of Speech and Language Therapists briefing, [Speaking Out: young offenders with communication difficulties](#) (Royal College of Speech and Language Therapists, 2007) indicates that young people with communication difficulties have problems with the following key competencies:

1. Articulation: the ability for an individual to express him or herself effectively through speaking, writing or non-verbal communication.
2. Perception: being able to recognise and understand the spoken or written word, body language and facial expressions.
3. Listening skills: the ability to listen carefully to what is being said.
4. Recall: being capable of remembering information that has previously been given.

5. Expression: being competent at expressing feelings and emotions in an acceptable manner.
6. Interaction: the capacity to relate to others in a socially acceptable manner plays a pivotal role in promoting social integration.

3.1 What is the impact of speech, language and communication needs?

Young people with SLCN have difficulty communicating with others. This may be because they cannot say what they want to, have difficulty in understanding what is being said to them or do not understand the social rules of communication.

By the time young people enter the youth justice system, many of those with SLCN will have developed coping strategies to mask the impact of the SLCN. This might include:

- having a good level of surface conversation which they cannot maintain when conversations develop
- being very quiet and seemingly compliant
- using aggression to deflect hard conversations/to avoid having to admit that they don't understand
- being disruptive and having difficulty engaging
- indicating they understand, when they do not
- saying they understand when they do not

The Communication Trust report, [Doing justice to speech language and communication](#) (Communication Trust, 2015) states young people with SLCN may not understand their sentence and its requirements. The youth justice system uses technical language and many young people do not understand commonly used words such as “breach”, “condition” and remorse. Many young people struggle with the concept of time, which has

an implication if they fail to attend appointments and breach their sentence (ibid: 6).

SLCN also prevents young people from benefiting from verbally mediated interventions. Interventions can include rehabilitation, education and treatment programmes. The verbal aspect of these programmes can be a barrier to access and successful completion of an intervention.

3.2 SLCN in the youth justice system

There is currently little data available across YOTs or the secure estate on the proportion of young people with SLCN. Traditionally, case management systems have not systematically recorded this information, which means there is no national picture of need available. The YJB collected youth justice practitioners' views in a small scale, self-selecting online survey about SLCN in February 2014. Due to these limitations, the findings are not representative of all YOTs, but give an indication of the views of a small sample of practitioners. The survey results suggested that about half of those responding were screening young people for SLCN, due to an identified need.

While some YOTs have speech and language therapists embedded within their organisations, this is not consistent. Data from the Royal College of Speech and Language Therapists highlighted in [the Communication Trust report](#) of the proceedings of a round table on SLCN found that funding and recruitment of speech and language therapists to support children and young people in the youth justice sector has increased, both in YOTs and youth accommodation (Communication Trust, 2015).


However, this picture is still patchy, with some YOTs having speech and language therapists embedded in their service whilst others have outreach agreements with their community therapy teams. In the event you do not

have speech and language therapists within your service, you should ensure you know how to access speech and language therapists in your local area.

Phone the Royal College for speech and language therapists on 020 7378 3000. It will help you access your local speech and language therapy team.

3.3 Identifying and screening young people with SLCN

A [criminal justice joint inspection thematic report](#) of youth alcohol misuse and offending (Care Quality Commission et al, 2010) highlighted the variation amongst YOTs in relation to how they assess communication difficulties. The report 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.

You should be aware that many young people entering the youth justice system may not have had their SLCN identified at school, and many may not be in formal education at all. The [Children's Communication Coalition report](#) (Children's Communication Coalition, 2010) indicates that a study of SLCN services in Milton Keynes YOT suggested children are often misdiagnosed as having a behavioural problem or conduct disorder when in fact they have undiagnosed SLCN (Lanz, 2009). 

The YJB has worked with the Royal College of Speech and Language Therapists to develop a specialist screening tool to work within Asset Plus. AssetPlus is a new assessment and planning framework developed by the Youth Justice Board (YJB) to replace the existing Asset tool. It aims to provide a holistic assessment and intervention plan, which allows one record to follow a child or young person throughout their time in the youth

justice system.

AssetPlus incorporates elements of the Royal College Speech and Language Therapists SLCN screening tool with additional neuro-disability questions.

The screening tool should be completed in relation to all young people and can be conducted by practitioners / non-specialist health staff. Judgements will need to be made based on your observation of the young person (e.g. how s/he responds in interviews or in everyday interactions) and also on any information provided by parents/carers or teachers.

The SLCN tool is only a screening tool which identifies those young people who may have a SLCN need. Following the screen, these young people may need to be referred onto speech and language therapy for a full assessment to determine the extent of their problem. The Royal College of Speech and Language Therapists recommends that YOTs will need to build good relationships with their local speech and language therapy teams who can provide advice and support for practitioners in undertaking the screening tool and to provide guidance on how to refer young people onto services. The tool is accompanied by supporting guidance which practitioners should read before they use the tool.

It can be hard to identify someone with SLCN, especially if they present as articulate and intelligent.

Contact Claire Moser claire.moser@rcslt.org with general SLCN enquiries or Sarah Mathews sarah.mathews@rcslt.org for information on SLCN training.

The screening tool has been published as an 'Early Practice Change', and provides the opportunity for YOTs to use the tool before they receive AssetPlus as part of the phased deployment beginning in July 2015. For young people in secure youth accommodation, SLCN is assessed by the

health worker as part of the Comprehensive Health Assessment Tool (CHAT).

3.4 Speech, language and communication needs at court

The challenge for young people with SLCN who appear at court has been recognised. It can be a particular disadvantage due to the stressful nature of the environment, and the complex language used.

A lack of awareness of the impact of communication difficulties on a young person's ability to understand spoken and written instructions by justice professionals, risks jeopardising their compliance with court orders and instructions.

Vulnerable witnesses with SLCN already have access to registered intermediaries, who help them understand and communicate during trial. Section 33BA of the Youth Justice and Criminal Evidence Act 1999 extends such support to defendants who qualify for intermediary special measures. However, this provision has not yet been commenced and is therefore not yet in effect.

The [YJB case management guidance: Work in court](#) outlines the following YOT responsibilities in court:

- help children and young people understand the requirements of their court order
- give initial appointments to assist and enable compliance
- ensure the safety and wellbeing of children and young people in court
- ensure that they receive the support they need to understand and engage in the court processes.

3.5 Working with young people with SLCN

It is essential that young people subject to statutory interventions fully understand the requirements and expectation placed upon them. They will be required to provide information about their offending behaviour and peer and family relationships. Young people attending interventions may be required to interact with other young people and a range of professionals. Identifying where a young person has SLCN may increase the likelihood of a young person successfully completing requirements placed on them.

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” (Bercow, 2008:41).

The report '[Children and Young People in Breach](#)' (Hart, 2010) suggests 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.

While practitioners should ensure the language used with young people at all times is appropriate to their need and development, particular attention should be given to the stages where key information is exchanged:



- at the police station (if undertaking an appropriate adult role)
- while completing an assessment of need, risk or vulnerability
- during the court process
- while explaining the requirements or conditions of an intervention
- when considering issues of non-compliance



The Communication Trust guide [Sentence Trouble](#) (Communication Trust, 2009) suggests that workers delivering youth justice services can

positively interact with a young person with speech and language difficulties by concentrating on:

- 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
- 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

It is also important for you to ensure you share information about the SLCN of young people with your colleagues and other appropriate agencies to ensure others working with the young person are able to tailor their approach to communicate with the young person.

3.6 Special educational needs and disability reforms (SEND) (England only)

Part 3 of the Children and Families Act 2014 places significant responsibilities on Local Authorities (LA) and other services in relation to children and young people who are detained in custody. The provisions commence in April 2015. The main principals are:

- the home LA continuing engagement and responsibility for arranging a CYP's special educational provision while they are in custody
- the child or young person receives appropriate special educational provision and health provision in custody
- identifying need and ensuring that provision continues on release will help a child or young person's resettlement
- making a request and getting an assessment underway in custody will be a good use of time

The provisions only apply to:

- children and young people aged 18 and under (i.e. up to their 19th birthday)
- children and young people who have been sentenced or remanded by the courts to an under-18 young offender institution (YOI), a secure training centre (STC) or a secure children's home (SCH) (relevant youth accommodation) in England
- children voluntarily detained in a SCH

You should read the [SEND reform guidance](#) and associated supporting documents to fully understand your responsibility to young people with SLCN who are in custody.

References

4.

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- [Care Quality Commission, HMI of Probation, Healthcare inspectorate Wales and Estyn \(2010\) Message in a Bottle: A Joint Inspection of Youth Alcohol Misuse and Offending](#). Manchester: HM Inspectorate of Probation.
- [Communication Coalition \(2010\) Engaging for their futures and society - Children's Communication report](#).
- [Communication Trust \(2009\) Sentence Trouble](#) London
- [Communication trust round table \(2015\), Doing justice to speech, language and communication needs](#)
- Hart, D (2010) [Children and young people in breach](#)
- Hartshorne, M. Bush, M. Daly, S. Matthews N (2014) [Explaining speech, language and communication needs](#)
- Lanz, R (2009). [Speech and Language Therapy within Milton Keynes Youth Offending Team. A four month pilot project.](#)
- [Royal College of Speech and Language Therapists \(2006\) Core briefing. Young offenders with communication difficulties](#)
- [Royal College of Speech and Language Therapists \(2007\) Speaking Out. Young people with communication difficulties](#)



5.

Resources and useful links



The following resources may be useful for YOT practitioners when working with young people with SLCN. The resource 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 people with SLCN and considerations for making written information more accessible.



- [YJB Effective Practice Library](#)
- [Crossing the Communication Divide: A toolkit for prison and probation staff working with offenders who experience communication difficulties](#)
- [The Royal College of Speech and Language Therapists has produced 'The Box' training package specifically to help professionals working in the justice system to identify and confidently address communication difficulties](#)
- [Asset plus Speech, language, communication and neuro-disability tool](#)
- [Council for disabled children website](#)
- [AFAISIC](#)
- [Communication trust What works](#)
- [Royal College for Speech and Language Therapists](#)
- [Working with young offenders" fact sheet – RCSLT](#)
- ["Speech, Language and Communication Needs in the Criminal Justice System and Best Practice responses to these" – dossier of evidence](#)
- [Intermediaries of justice](#)

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