

Written evidence submitted by the Royal College of Speech and Language Therapists (DAB02)

Executive summary

- The Royal College of Speech and Language Therapists (RCSLT) welcomes the Domestic Abuse Bill. It is particularly timely given the COVID-19 pandemic.
- In particular, we welcome the Government setting out the first ever all-purpose definition of domestic abuse, the establishment of the Domestic Abuse Commissioner and the duty on local authorities in England to provide support to victims and their children.
- The Bill is relevant to:
 - people with disabilities, including those who have speech, language and communication needs (communication needs). They are twice as likely to experience domestic abuse, at greater severity for longer periods of time. People with communication needs are also found to be at a greater risk of gender based sexual violence.
 - the children of people subject to domestic abuse. Experiencing or witnessing domestic abuse can have an impact on the development of children and young people's speech, language and communication skills.
- We think protections for people affected by domestic abuse and their children could be strengthened by:
 - a duty being placed on the Domestic Abuse Commissioner to ensure that good practice they must encourage must include the identification of and appropriate support for communication needs;
 - the strategy local authorities have to produce including details of how they are going to identify and support communication needs;
 - the definition of 'domestic abuse support' to include the provision of information and all communications relating to support being in accessible and inclusive formats;
 - special measures to allow people with disabilities and communication needs to give evidence in private; and
 - where appropriate speech and language therapists being able to serve on the domestic abuse local partnerships boards.
- We welcome the Home Office's announcement in April that £3.1 million will go to specialist services for children who have both been directly and indirectly affected by domestic abuse. This can include one-to-one and group counselling sessions to improve the mental health of children affected and early intervention schemes.
- Speech and language therapy is one such specialist service which could support children and young people affected by domestic abuse. We can support children and young people directly through identifying and supporting their communication needs, as well as supporting the other professionals working with them so they are able to fulfil their professional responsibilities, for example by advising on how therapeutic approaches, such as talking therapies which require comprehension and expressive language skills, can be adapted. We hope, therefore, that some of the funding announced by the Home Office will be used to identify and provide appropriate support for communication needs.

What needs to happen?

1. 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).
2. 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 Equality Act 2010. It is vital, therefore, that the Bill makes provision for support for people with communication needs.

People at risk of domestic abuse

3. The evidence is clear: people with disabilities are at a higher risk of domestic abuse, with people with communication needs found to be at a greater risk of sexual and gender based violence¹. 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

4. 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.

5. To offer better protection and support to people affected by domestic abuse, their children, and the professionals working with them, we think the Bill should be amended accordingly:

Part 2 – The Domestic Abuse Commissioner

6 General functions of Commissioner

Page 4 after line 8 insert –

(e) The provision of protection and support to people affected by domestic abuse must include the identification of and appropriate response to any speech, language and

communication needs that those people have.

Part 4 – Local Authority Support

53 Support provided by local authorities to victims of domestic abuse

Page 34 after line 26 insert –

(d) must ensure that the strategy details how the local authority will identify and support speech, language and communication needs;

Page 34 after line 30 insert -

“domestic abuse support” means support, in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation, ensuring all information and communication relating to support is provided in an accessible and inclusive format.

54 Domestic abuse local partnership boards

Page 35 after line 44 insert –

(g) there shall be at least one person appearing to the authority to represent the interests of persons who provide, or have functions relating to, health care services in its area can be a speech and language therapist and each board should include a speech and language therapist ;

Part 5 – Protection for Victims and Witnesses in Court

58 Special measures directions in cases involving domestic abuse

Page 37 lines 25 insert –

(c) where the victim may have a disability or communication need

Communication needs and domestic abuse

6. Communication needs impact a significant proportion of the United Kingdom’s population. This is a hidden disability and is 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 Equality Act 2010² 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)³.
- 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 as more severe and frequent abuse than non-disabled people in wider contexts and from significant others.^{4,5}
- 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.⁶
- 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.⁷

7. 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

8. 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.

9. 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.⁸
- Domestic violence can impact on children's educational attainment⁹ 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 SLCN) not necessarily due to the maltreatment itself.¹⁰
- Maltreated children are likely to have poor language and social communication skills.¹¹
- Flashbacks and chronic stress shut down language areas and language skills may be diminished or lost in the longer term.¹²
- 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.¹³
- High-risk young people, such as those who are subject to child protection orders because of suspected or confirmed maltreatment, face an elevated risk for SLCN.¹⁴

10. 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 the vulnerable children and young people.

- In one study of children and young people in residential care, 63% had communication needs.¹⁵
- 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.¹⁶
- At least 60% of young people in the United Kingdom who are accessing youth justice services present with communication needs which are largely unrecognised.¹⁷

The role of speech and language therapy

11. Given their unique expertise in speech, language and communication, speech and language therapists have a key role to play in supporting people affected by domestic abuse and their children.

12. Speech and language therapists are able to identify people's communication needs and advise on the appropriate response. This can include training other professionals in how such needs present and how they might be best supported as well as providing direct speech and language therapy to those who require it.

13. Working with other professionals, speech and language therapists have an important role to play in safeguarding vulnerable individuals of all ages, ranging from children, to adolescents and adults.

14. Without the identification of, and appropriate support for, communication needs programmes designed to support people affected by domestic abuse may be inaccessible and of no benefit, and crucially people affected by domestic abuse may not be able to express what has happened to them or understand what is being said to them or asked of them, including by the professionals who are attempting to help them.

15. Given the potential impact of abuse on children and young people's speech, language and communication skills, we hope that the Government will recognise speech and language therapy as one of the specialist services that is central to supporting those affected by domestic abuse and ensure the appropriate level of speech and language therapy support is provided where required for people affected by domestic abuse, their children and the other professionals working with them.

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¹ 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>

² 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>

³ Ibid

⁴ Public Health England. (2015). Disability and domestic abuse: Risk, impacts and response. <https://bit.ly/3bQyoqd>

⁵ 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.

⁶ Equality Act 2010 Guidance. op cit.

⁷ Marshall, J. E., & Barret, H. (2017). op cit.

⁸ Refuge. (2005). Refuge assessment and intervention for pre-school children exposed to domestic violence.

⁹ 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.

¹⁰ 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>

¹¹ Van de Kolk, B. (2015). *The body keeps the score*. Penguin.

¹² Yehuda, N. (2016). *Communicating trauma. Clinical presentations and Interventions with Traumatised Children* Routledge.

¹³ 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.

¹⁴ 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.

¹⁵ 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.

¹⁶ Lushey C., Hyde-Dryden G., Holmes L. and Blackmore J. (2017) Evaluation of the No Wrong Door Innovation Programme Research Report, Department for Education

¹⁷ 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.