

# Justice

## What do we mean by 'justice'?

In this fact sheet, the term 'justice' refers to all criminal and civil justice processes. These may take place in a variety of settings, such as police stations, criminal or family courts, industrial tribunals, immigration hearings, forensic mental health or rehabilitation services, or youth/adult community or custodial justice facilities. Individuals may be in contact with the justice system as alleged victims, or witnesses, or may be accused (or convicted) of committing an offence.

## What do we mean by speech, language and communication needs (SLCN)?

The terms 'speech', 'language' and 'communication' refer to different skills which are required for successful interactions with other people in everyday life:

- Speech = pronouncing sounds in words accurately, clearly, and smoothly in a way that can be understood by other people, and speaking at an appropriate rate, pitch and volume, and with appropriate intonation, to add meaning and expression to the words.
- Language = understanding and using spoken and written language (or sign language) effectively to exchange thoughts, feelings and ideas, and to build conversations.
- Communication = the social use of language, i.e. how we talk with other people. This includes changing the way we talk depending on the social context (e.g. when, where, and with whom), taking turns during conversation, staying on topic, and understanding and using nonverbal communication such as eye contact, gestures and facial expressions.

Having speech, language and communication needs can affect all aspects of an individual's life, including social, emotional and behavioural development, engagement in education, training and employment, and participation in 'talk therapies'. While most people with speech, language and communication needs will not commit offences, research has shown that the majority (up to 90%) of individuals in custody have speech, language and communication needs that may not have been

recognised or supported previously. Similarly, many people who are victims of crime have speech, language and communication needs. Speech, language and communication needs can occur in the absence of other conditions, or they can be associated with other conditions which are also common in justice settings, such as mental health problems, intellectual disability, autism spectrum disorder, attention deficit hyperactivity disorder, fetal alcohol spectrum disorder, acquired brain injury, hearing loss, or a history of trauma, abuse or neglect.

Speech, language and communication needs can negatively impact an individual's participation at every stage of the justice system, such as:

- during police investigations or trial (e.g. difficulty understanding or responding to questions, or explaining what happened);
- participating in restorative justice conferences or conflict resolution meetings;
- engagement in therapeutic treatment programs (e.g. cognitive behaviour therapy, anger management, or sex-offender treatment programs); and,
- engagement with educational and vocational programs (i.e. acquiring education certificates, or taking part in workplace skills training or literacy programs).

## What do we mean by dysphagia?

Dysphagia is the term used for problems with eating, drinking and swallowing and can lead to people requiring changes to their diet or additional support at mealtimes. Dysphagia may result in life-threatening choking episodes, aspiration pneumonia (where food or fluid enters the lungs and causes infection), and poor nutrition or hydration. The subsequent difficulties participating in mealtimes can contribute to reduced social interaction and quality of life.

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Individuals in contact with the justice system, especially those living with a mental illness, elderly people, or those with conditions such as stroke, brain injury or dental problems, are at risk of experiencing dysphagia.

## What is the role of speech pathologists in justice settings?

Speech pathologists are university-trained allied health professionals who specialise in diagnosing and treating the speech, language and communication needs and dysphagia of people of all ages. They also play a role in the assessment and treatment of literacy (reading, writing, and spelling) difficulties, which are often experienced by those with underlying speech, language and communication needs. Speech pathologists work within justice teams to support speech, language and communication needs and/or swallowing difficulties at three levels:

- **universal interventions** to target whole populations to prevent and minimise the impact of speech, language and communication needs or swallowing difficulties. This might include ensuring speech, language, communication and swallowing are included in intake screening assessments, helping to modify the environment to make it 'communication friendly', or providing staff training on the recognition and management of speech, language and communication needs and swallowing problems;
- **targeted interventions** for those identified as having speech, language and communication needs or dysphagia, such as providing group therapy, or collaborating with other disciplines to support the delivery of other interventions;

- **specialist interventions** to address the specific difficulties of individuals who show additional needs that are not met by universal or targeted interventions, such as completing further assessments or providing 1:1 therapy.

Research suggests that speech pathology input can help young people and adults (including those in custody) develop their oral and written communication and social interaction skills, and can also help the wider justice workforce in their interactions with people with speech, language and communication needs. Speech pathology interventions can help people participate more effectively in prosocial, educational and vocational programs, including those specifically targeting factors contributing to an individual's offending behaviour. In doing so, these interventions can help change an individual's future and reduce the risk of reoffending.

## Other roles for speech pathology in the justice system

There is increasing recognition of the value that speech pathologists can add when acting in other roles in the justice system, and these include:

- training and acting as an intermediary supporting the communication between an individual with speech, language and communication needs and legal professionals during investigative / trial processes; and
- being an expert witness providing relevant and impartial evidence in their area of expertise within a legal matter.

## How do I become a speech pathologist?

Speech pathology is an accredited undergraduate or entry level masters degree.

To find out more go to [speechpathologyaustralia.org.au/become](http://speechpathologyaustralia.org.au/become)

## How do I find a speech pathologist in my area?

Go to [www.speechpathologyaustralia.org.au/find](http://www.speechpathologyaustralia.org.au/find)

## For further information

contact Speech Pathology Australia – the national peak body representing speech pathologists, the professionals who work with and advocate for people who have a communication and/or swallowing disability, and all Australian consumers of speech pathology services.

## Contact Us

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