

Communication difficulties and contact with the justice system

People involved with the justice system often have **unmet communication needs**. These needs may have gone unnoticed before their contact with the justice system.

There are also many people involved with the justice system who experience **difficulty swallowing** (dysphagia).

Similarly, many victims of crime also have speech, language and communication needs.

About the justice system

The justice system includes criminal and civil settings such as:

- police stations
- criminal or family courts
- industrial tribunals
- immigration hearings
- forensic mental health or rehabilitation services
- youth/adult community or custodial justice facilities.

People may be in contact with the justice system as witnesses to a crime or alleged victims. They may be accused (or convicted) of committing an offence.

Speech, language and communication needs

Speech, language and communication needs are the different skills needed for successful interactions with people in daily life.

This includes:

- **speech** – speaking in a way that can be understood by other people, and at an appropriate rate, pitch, volume and intonation
- **language** – understanding and using spoken and written language (or sign language) effectively to exchange thoughts, feelings and ideas, and to build conversations
- **communication** – how we talk with other people. This includes changing the way we talk depending on who we're talking to, taking turns during conversation, staying on topic, and understanding and using nonverbal communication such as eye contact, gestures and facial expressions.

Speech, language and communication needs can occur in the absence of other conditions.

They can also be part of other conditions that are common in justice settings, including mental health problems, intellectual disability, autism, 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 make it hard for a person in their journey through the justice system.

Examples include:

- during police investigations or trial (they may have difficulty understanding or responding to questions, or explaining what happened)
- participating in restorative justice conferences or conflict-resolution meetings
- taking part in treatment programs (such as cognitive behaviour therapy, anger management, or sex-offender treatment programs)
- taking part in educational programs (such as acquiring education certificates, or taking part in workplace skills training or literacy programs).

Dysphagia

Dysphagia is the term used for problems with eating, drinking and swallowing. It can mean people need changes to their diet or extra support at mealtimes.

Dysphagia can lead to life-threatening choking episodes, aspiration pneumonia (where food or fluid enters the lungs and causes infection), and/or poor nutrition or hydration.

People who have trouble eating and drinking often experience poor social interaction and quality of life.

People 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.

How speech pathologists can help in justice settings

Speech pathologists diagnose and treat dysphagia and speech, language and communication needs of people of all ages.

Speech pathologists work within justice teams to support people with these issues.

Speech pathology can help young people and adults (including those in custody) develop their oral and written communication skills, as well as their social interaction skills.

Speech pathologists can also help the wider justice workforce in their interactions with people with speech, language and communication needs.

Speech pathology can help people participate more effectively in prosocial, educational and vocational programs, as well as those addressing the person's offending behaviour.

These interventions can help the person turn their life around and reduce the risk of reoffending. This reduces the social and economic cost of crime.

Other roles for speech pathology in the justice system

Speech pathologists can also:

- support people's communication with legal professionals during investigations and trials
- be expert witnesses giving evidence in their area of expertise within a legal matter.