

Young People with Learning and Communication Difficulties and Youth Justice

Adults and young people with learning and communication difficulties are over represented in prisons and the secure estate. A recent report for the [Children's Commissioner of England and Wales](#) details the range and extent of literacy and speech and language difficulties, specific learning disabilities, and traumatic brain injuries in young people who commit crimes. Diagnosis and support appears frequently not to have been available at an earlier stage.

- Young people with learning and communication difficulties are likely to struggle with police questioning. They may incriminate themselves even if they are innocent. Social work practitioners may inadvertently confuse young people through their interviewing style. Young people will not necessarily understand the language routinely used in interviewing and assessment processes. Online information and resources to assist practitioners include: [Sentence Trouble](#) ; [Autism - A Guide for Criminal Justice Professionals](#); [Justice and ADHD](#), [NACRO](#) , and [The Association of Speech and Language Therapy](#) .
- The first time a young person comes to the attention of agencies due to offending or challenging behaviour is critical. Practitioners undertaking assessments should always consider whether a learning or communication disorder could be a contributory factor to challenging or offending behaviour.
- Many young people who offend have reading, writing, speaking and listening skills below the requirements of most youth justice cognitive programmes. Practitioners who deliver programmes should ensure that the young person's ability to understand and benefit from a specific programme has been fully assessed. They should also consider whether the programme could become more accessible through changing the format or delivery style to meet the learning needs of individual young people.
- Multi agency EOI processes should routinely request information about a learning or communication difficulty and identify support. In structured youth justice assessments the single plan should link the young person's specific difficulty to the supports required to improve wellbeing and reduce the likelihood of future offending.
- Diversion from prosecution may be an appropriate disposal for many 16 and 17 year olds where a learning and communication difficulty or disability is a contributory factor to the alleged offence and it is not in the public interest to prosecute. Practitioners should ensure that the Procurator Fiscal is aware of young person's specific difficulties where possible to ensure they are taken into account during decision making.
- Practitioners should develop good links with relevant local services for advice and use GIRFEC multi agency planning processes to consider the need for a specific assessment from Psychological Services, CAMHS or Speech and Language Therapy. Good links with local Disability partnerships will assist integrated transitions.
- Further information on youth justice practice can be found at www.cjsw.ac.uk.

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