



Royal College of Speech and Language Therapists (RCSLT)

RCSLT Northern Ireland welcomes the opportunity to take part in this vital consultation. This response was formed following consultation with RCSLT Northern Ireland members who advise on, manage and deliver Autism services.

Royal College of Speech and Language Therapists

The Royal College of Speech and Language Therapists (RCSLT) is the professional body for speech and language therapists (SLTs), SLT students and support workers working in the UK.

The RCSLT has over 13,000 members, representing approximately 95% of the speech and language therapists working in the UK (registered with the Health Professions Council). We promote excellence in practice and influence health, education, care and justice policies.

Speech and language therapists play a major role in working directly with children and adults, as well as supporting other professionals in working with speech, language and communication needs.

Speech and language therapy as an early intervention for children plays a critical role in breaking the inter-generational cycle of poverty.

Communication Disability

Communication disability impairs the social and emotional capabilities of children and adults. It is the most common disorder seen in childhood, affecting up to 10% of all children (Law 2007).

Emerging research demonstrates that over 60% of children within the justice pathway have a communication disability, which is so severe that it prevents them from accessing prison educational programmes (Bryan et al 2007; Bryan et al 2004).

Prevalence of speech, language and communication difficulties.

- As many as 10% of children in the UK (over 1 million) have speech language and communication needs (SLCN) that require specialist help. This represents approximately three children in every classroom (Law 2000).
- Up to 55% of children in deprived areas experience speech and language difficulties at age five (Locke & Ginsborg J 2002). This figure includes children with the range of SLCN identified at birth or during pre-school, primary and secondary school.
- Over a quarter of all mainstream-educated, statemented children have speech, language and communication as their primary need.
- Two-thirds of 7-14 year olds with communication difficulties have additional behaviour problems (Cohen et al 1998).
- Over 60 % of young offenders have SLCN (Bryan et al 2007; Bryan et al 2004). Without intervention, SLCN impacts on literacy development, educational outcomes, emotional and social development. Children with SLCN are at an increased risk of emotional and behavioural difficulties (which are often misdiagnosed). Unsupported, approximately one third of children and young people with SLCN will go on to require treatment for mental health problems (Clegg, Hollis and Rutter 1999) and over two thirds will enter the justice system.

COMMENTARY ON CLAUSES

RCSLT NI makes the following comments in relation to the clauses as defined within the Autism Bill below.

Clause 1 - Amendment to the Disability Discrimination Act 1995

Clause 1 amends the Disability Discrimination Act 1995 (“the Act”), first by amending the definition of disability in the Act. Whereas the current definition of ‘disability’ makes reference to having “a physical or mental impairment”, the present bill will amend the definition to include reference to ‘social’ impairments. Social impairments are to be interpreted as including communication difficulties.

1. - (1) The Disability Discrimination Act 1995 is amended in its application to Northern Ireland as follows.

(2) In section 1(1), after the words “a physical” insert “, social (including communication)”;

(3) At the end of paragraph 4(1) of Schedule 1 insert $\frac{3}{4}$

“(i) taking part in normal social interaction; or

(j) forming social relationships.”

RCSLT NI previously commented upon the definition of disability in the Disability Discrimination Act as it was felt at the time that the act would not sufficiently support the needs of individuals with communication disabilities.

RCSLT believe that the change in wording to the act proposed in this Bill will further discriminate against individuals with communication disability who do not have a social communication difficulty. The statement ‘Social impairments are to be interpreted as including communication difficulties’ may be misinterpreted as suggesting that all communication disabilities are subordinate to or result from social impairment. In fact many communication difficulties are not co morbid with Autism and will therefore still be excluded in this bill. RCSLT therefore recommends consideration of the following.

1. RCSLT propose further consideration of the current Disability Discrimination Act to review whether a social model of disability would be more inclusive. The current medical model can be viewed as being divisive as it may lead to discrimination by omission. RCSLT understands that there is support in NI for a review of this legislation by numerous voluntary bodies which support individuals with disability. This Autism Bill demonstrates that the current act is not fit for purpose and will continue to lead to concerns such as those rightly expressed by members of the Autism platforms.

The UN Convention on the Rights of Persons with Disabilities (CRPD) highlights the lack of inclusivity in our own disability legislation. Article 21 Clause b ‘Freedom of expression and opinion and access to information’ states that society must enable ‘accepting and facilitating the use of sign languages, Braille augmentative and alternative communication and all other accessible means modes and formats of communication of their choice by persons with disabilities in official interactions’. If the suggested amendment is made to the DDA it will still exclude individuals with a communication disability that is not the result of physical, sensory or mental disability.

A young man with a fluency difficulty (stammer) is more likely to suffer poor mental health, employment difficulties and reduced educational attainment. Half a million people in the UK stammer. Stammering is found in all parts of the world and affects the rich, the poor, those that are highly intelligent and those who have learning difficulties. Stammering is not simply a speech difficulty but is a serious communication problem. For the child or adult who stammers it can undermine their confidence and self-esteem, and affect their interactions with others as well as their education and employment prospects. It is a disability that is misunderstood and overlooked.

2. If the Disability Discrimination Act is not reviewed RCSLT propose that the wording be changed as follows.

(2) In section 1(1), after the words “a physical” insert “, communication (including social communication)”;

This would then reflect those in society who have a communication disability affecting any aspect of speech, language, voice, fluency (stammering), literacy or social communication.

Clause 1 also extends the definition of “normal day-to-day activities” in Schedule 1 (which supplements the definition of “disability” in the Act) so that a condition which has a substantial and long-term adverse effect on someone’s ability to take part in normal social interaction or to form social relationships can constitute a “disability”.

(3) At the end of paragraph 4(1) of Schedule 1 insert $\frac{3}{4}$

“(i) taking part in normal social interaction; or

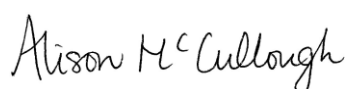
(j) forming social relationships

RCSLT believe that it is not possible for this legislation to be so detailed in respect of what is considered normal social interaction or in forming social relationships and that this in itself does not constitute a disability for some individuals as it is part of their personality.

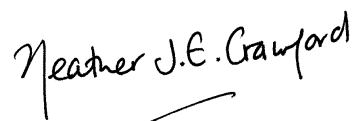
Clause 2 - Autism Strategy

RCSLT understand that significant investment and consideration of Autism is currently being supported by the DHSSPS and the HSCB. The Regional ASD Network (RASDN) is working to implement significant improvements to Autism services and RCSLT members are involved in this work and therefore do not support the need for a separate Autism Strategy. Members consider that this may lead to a duplication of existing resources and may cause considerable confusion for those participating in taking this current work programme forward. RCSLT would advise on consideration of an overarching ‘communication strategy’ which would encompass all individuals with a communication disability and would therefore be inclusive of individuals with Autism.

Yours sincerely



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