



A Scoping Review of the Role of Speech-Language Pathologists in Youth Justice with Application to Canada



Revue exploratoire sur le rôle des orthophonistes dans le système de justice pour les jeunes et les implications pour le Canada

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Abstract

The objective of this paper was to describe the current state of speech-language pathology (S-LP) services in youth justice and to form recommendations for S-LP involvement within this population in Canada as a critical preventative and rehabilitative measure. This rapid-scoping review used a systematic search of applicable databases, including relevant grey literature. Included resources were published in English from 2000 to the present and focused on defendants under 18 years at any stage in the youth justice system. The final sample included 19 research articles and 11 additional grey literature resources. Findings were organized into two main categories: a) descriptions of existing S-LP roles in youth justice internationally, and b) S-LP-related research. Recommendations for S-LP involvement in Canada include an S-LP-guided community referral system to connect youth at risk for communication impairments to appropriate services; S-LP communication screening upon detention, with assessment and intervention postsentencing; inclusion of S-LPs in planning and execution of recidivism prevention and transition programs; training for justice and law enforcement personnel regarding the communication challenges experienced by youth in the justice system; and an increase in the use of communication intermediaries. S-LPs can play a critical role in the youth justice system by encouraging and supporting effective communication and full participation. A cohesive action plan that includes S-LP services in Canada is needed to improve health and well-being outcomes of youth in the justice system, at-risk youth, and the community.

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Abrégé

L'objectif du présent article était de décrire l'état actuel des services d'orthophonie dans le système de justice pour les jeunes et de formuler des recommandations concernant la participation des orthophonistes auprès de la population en contact avec le système de justice canadien, et ce, puisqu'il s'agit d'une mesure essentielle de prévention et de réadaptation. Une recherche systématique des bases de données pertinentes et de la littérature grise a été réalisée dans cette revue exploratoire sommaire. Les ressources retenues ont été publiées en anglais entre 2000 et ce jour et portaient sur les accusés âgés de moins de 18 ans en contact avec le système de justice pour les jeunes (peu importe l'étape). L'échantillon final comprenait 19 articles de recherche et 11 ressources tirées de la littérature grise. Les résultats de ces articles et ressources grises ont été classés selon les deux catégories principales suivantes : a) la description du rôle des orthophonistes dans les systèmes de justice pour les jeunes internationaux et b) la recherche en lien avec l'orthophonie. Les recommandations concernant la participation des orthophonistes dans le système de justice pour les jeunes canadien incluent : un système de référence dirigé par des orthophonistes afin d'orienter les jeunes à risque vers des services adaptés; un dépistage orthophonique au moment de la détention, ainsi que des services d'évaluation et d'intervention après le dépistage; l'inclusion d'orthophonistes au moment de planifier et d'exécuter les programmes encadrant les récidives et les transitions; la formation du personnel du système de justice et des services de police concernant les problèmes de communication rencontrés par les jeunes dans le système judiciaire; et une augmentation de l'utilisation d'intermédiaires de communication. Les orthophonistes peuvent jouer un rôle important dans le système de justice pour les jeunes en encourageant et en soutenant une communication efficace et une participation active. Un plan d'action cohérent et qui intègre les services des orthophonistes est nécessaire pour améliorer la santé et le bien-être des jeunes en contact avec le système de justice, de ceux à risque et de la collectivité.

Communication disorders are defined as impairments in speech, language, or hearing that can significantly affect an individual's literacy and day-to-day functioning in all aspects of school, work, and community life (Holland, 2015; Hughes et al., 2012). It is estimated that up to 12% of children have a communication disorder (McLeod & McKinnon, 2007), which does not include communication challenges related to learning disability, hearing loss, or low literacy. Given the wide-ranging negative consequences of communication challenges early in life, the estimated 10% prevalence of communication disorders is a significant concern. This number is eclipsed, however, by the prevalence of communication disorders among young people in the criminal justice system.

The prevalence of communication disorders among youth in the justice system has been estimated to be as high as 60%–90% (Bryan et al., 2007; Gregory & Bryan, 2011). This number is likely an underestimate, however, as communication disorders are often missed in this setting (Gregory & Bryan, 2011; Snow, 2019; Sowerbutts et al., 2021). Sowerbutts et al. (2021) reported that a “substantial number” (p. 87) of youth in the criminal justice system present with undiagnosed developmental language disorder. In the United Kingdom, Gregory and Bryan (2011) screened all youth described as “persistent and prolific offenders” (p. 202) who were sentenced to the Intensive Supervision and Surveillance Programme (ISSP) over a 12-month period. Sixty-five percent of those screened had indications of language difficulties requiring further evaluation, including 20% with severe language delay, and as a cohort, their language abilities were reported to be below those of the general population (Gregory and Bryan, 2011). Youth in the justice system have low literacy rates and high rates of early school dropout (Bryan et al., 2007; I CAN & Royal College of Speech and Language Therapists, 2018; Snow & Powell, 2011; Snowling et al., 2000), further suggesting undiagnosed language problems long before the first contact with the justice system. Communication deficits can also be misdiagnosed as mental health disorders (Bryan et al., 2007; Hughes et al., 2012; Snow, 2019; Snow et al., 2016; Stanford, 2019), contributing to underdiagnosis and lack of referral for appropriate supports (Hughes et al., 2012; Stanford, 2019).

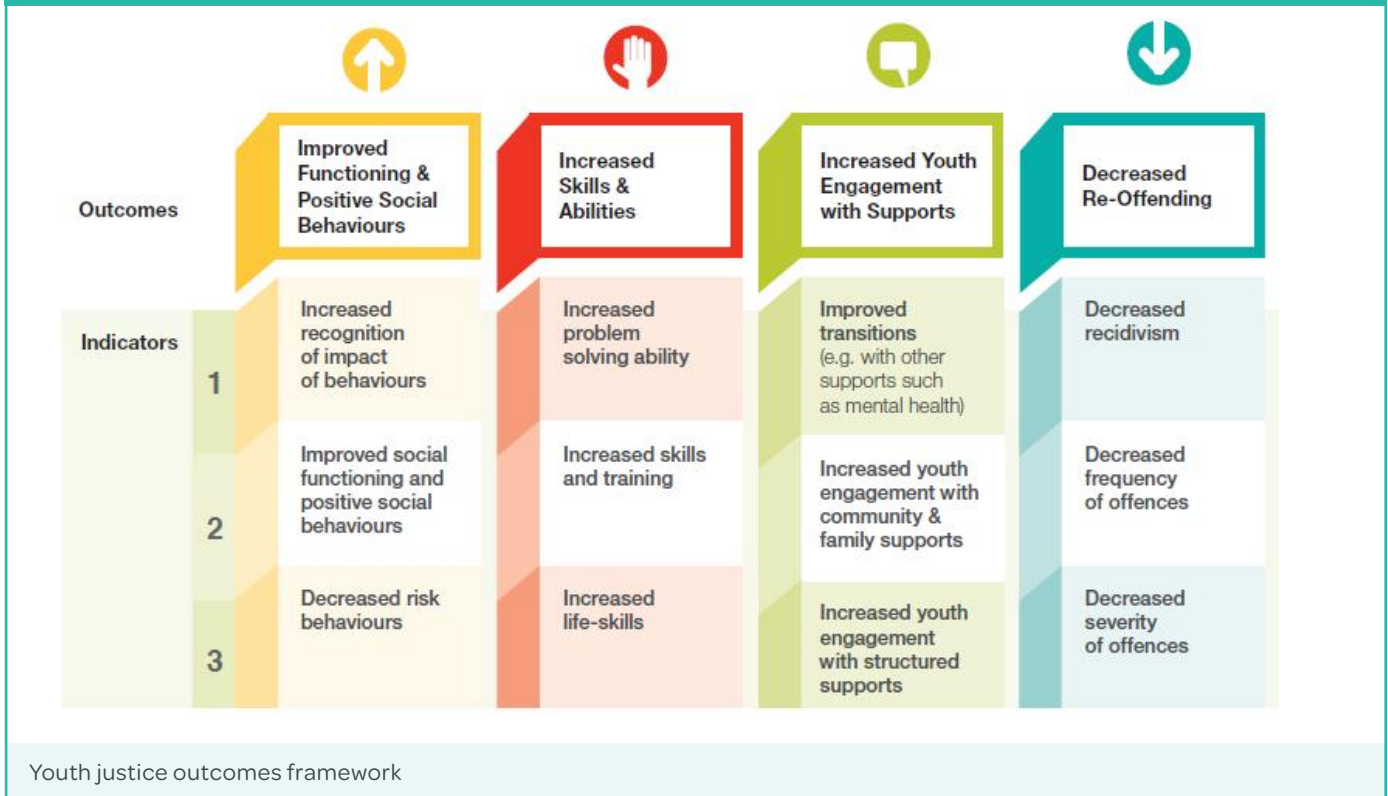
Youth involved in criminal justice can have deficits in both understanding and expressing language, especially in interpersonal interactions (Gregory & Bryan, 2011; Hughes et al., 2012; Snow, 2019). Young offenders also may have impairments in cognitive functions that are critical for effective communication, such as executive functions and their derivatives (e.g., verbal reasoning, control of attention;

Hughes et al., 2012). Cognitive-communication disorders are likely to be particularly prevalent in youth with autism spectrum disorders and traumatic brain injury, who are overrepresented in the justice system (Chiacchia, 2016; Hughes et al., 2012). The prevalence of autism spectrum disorder and traumatic brain injury in youth justice is unsurprising, as behavioural features common to both diagnoses, including reduced empathy, poor abstract reasoning, misunderstanding of social cues, and social naivety, can predispose these youth to offend (Hughes et al., 2012). These comorbidities and intersectionalities complicate the identification of communication disorders.

Communication disorders put young people at high risk for negative consequences at every stage of their contact with the criminal justice system (Bryan et al., 2007; Snow, 2019; Snow et al., 2016, 2018), from initial contacts with police (Wszalek & Turkstra, 2015) to interactions with lawyers (Bryan et al., 2007), to their ability to comprehend and engage in the legal process and accurately present themselves to the court (Hughes et al., 2012; Snow et al., 2012). Forensic interviewing in particular requires strong skills in communication, the ability to produce and understand narrative discourse, and perspective-taking (Hughes et al., 2012; Snow et al., 2012), all of which are common areas of impairment in young people with communication disorders. Not only do communication deficits negatively influence the trajectory of youth within the system, but they may also influence future outcomes, such as increasing risk of reoffending (Bryan et al., 2007; Hughes et al., 2012; Snow, 2019; Snow et al., 2018). Communication disorders also may result in difficulty engaging and complying with noncourt or extrajudicial programs designed to reduce recidivism rates (Gregory & Bryan, 2011). The presence of developmental language disorder specifically has been found to play a significant role in youth recidivism, as youth who have offended and have developmental language disorder are more than twice as likely to reoffend as those without it (Winstanley et al., 2021).

The Youth Criminal Justice Act (2002) was amended in Canada in 2013 to increase noncourt responses to minor offences. The Act states that families, youth, and the justice system should work together to provide youth with meaningful consequences, rehabilitation, and reintegration (Department of Justice, 2013). Aligning with the Act, the Ontario Ministry of Children and Youth Services (now the Ontario Ministry of Children, Community and Social Services; 2014) developed a youth justice outcomes framework (**Figure 1**). The framework identifies four key outcomes for youth within the justice system: improved functioning and positive social behaviours,

Figure 1



Note. From "Youth Justice Outcomes Framework," by the Ontario Ministry of Children and Youth Services [now the Ministry of Children, Community, and Social Services], 2014. Copyright Ontario Ministry of Children, Community and Social Services. Reprinted with permission.

increased skills and abilities, increased youth engagement with supports, and decreased reoffending.

Communication disorders and supports are relevant to multiple aspects of the youth justice outcomes framework. For example, social communication impairments may result in youth being unable to recognize the impact of their behaviours on others or to demonstrate that they recognize this impact, to demonstrate positive social behaviours, and to refrain from high-risk behaviours because they miss critical social cues. In this example, the key outcome of improved functioning and positive social behaviours would be less likely. Young people with communication challenges may be less able to show positive indicators, such as increased youth engagement with structured support, improved transitions, and decreased recidivism. For example, extrajudicial programs in Ontario include participation in multiperson spoken conferences and writing apologetic letters or essays (Justice for Children and Youth, n.d.). Successful completion of these activities relies on adequate language comprehension and expression, and without this, young defendants may fail in these programs. Overall, communication problems can reduce the

likelihood of achieving target outcomes of increased youth engagement with supports and decreased reoffending.

The high prevalence of language impairments among youth in the justice system and the consequences of under- and mis-diagnosis support the need for speech-language pathologist (S-LP) involvement in youth justice (I CAN & Royal College of Speech and Language Therapists, 2018; Snow, 2019; Snow et al., 2012, 2018; Stanford, 2019), as a way to both improve outcomes and address health inequities, important aims of the Canadian Health Act (1985). S-LPs are regulated health professionals who identify, diagnose, and treat communication and swallowing disorders across the lifespan (Speech-Language & Audiology Canada, 2016). S-LPs can play a critical role in supporting young people as they navigate the criminal justice system, beginning with screening for communication disorders and including intervention, referral, and serving as a communication intermediary in judicial processes (Gregory & Bryan, 2011; Snow et al., 2016). The declaration of principle in the Youth Criminal Justice Act (2002) states, "The youth justice system is intended to protect the public by promoting

the rehabilitation and reintegration of young persons” (Department of Justice, 2013, p. 2). The Youth Criminal Justice Act states that a youth justice court “may make an intensive rehabilitative custody and supervision order if . . . a plan of treatment and intensive supervision has been developed for the young person” (s. 42[7]), but specific services such as S-LP are not listed. This is also true of the Canada Health Act (1985), which states a priority of “protecting, promoting and restoring the physical and mental health and well-being of residents to Canada and to facilitate reasonable access to health services without financial or other barriers” (s. 3), but does not specify those health services.

Given the high prevalence and costs of communication challenges for youth in the criminal justice system, and the potential for S-LP services to improve critical outcomes, we asked if S-LPs are playing a role in the Canadian youth justice system and, if not, what that role should be. Thus, this review aimed to both describe the state of S-LP services and make recommendations for the future, as a critical preventative and rehabilitative measure.

Methods

We conducted a rapid scoping review following the methodological framework of Arksey and O’Malley (2005), adapted to include recommendations by Levac et al. (2010). This allowed for extraction of a wide range of information including various study designs (Arksey & O’Malley, 2005), which was appropriate for a review that would include grey literature such as policy documents.

We included literature that was published in English in or after 2000, to capture recent public and government documents, and focused on defendants under 18 years of age in any stage of the youth justice system (from arrest to final disposition). We excluded studies that did not discuss the role of the S-LP.

We identified relevant peer-reviewed articles using the search strategy and keywords outlined in **Figure 2**. The search was conducted in Embase, Medline, and CINAHL. Health-related databases were selected to yield articles relevant to S-LP. The initial search yielded 102 articles. Following the Level 1 screening process, resulting articles were screened for relevance based on title, abstract, and keywords, yielding 21 articles. During Level 2 screening, full texts of these articles were reviewed by two authors for relevance. Subsequently, an additional two articles were eliminated, resulting in 19 articles. Given the nature of the topic, grey literature was also reviewed, including government/technical reports and professional organization documents such as newsletters, blogs, and guidelines.

Results

Of the 19 identified articles, four were from the United Kingdom, four from the United States, 10 from Australia, one from New Zealand, and none from Canada. Searches of government sources and grey literature revealed an additional 11 documents: three from the United Kingdom, one from the United States, five from Australia, and two from Canada. Across the documents, S-LPs were referred to as *speech-language pathologists*, *speech therapists*, *speech-language therapists*, or *speech pathologists*. We use the acronym S-LP in this paper for consistency. Findings were divided into two sections: a) descriptions of existing S-LP roles in youth justice; and b) S-LP-related research, e.g., studies of the prevalence of communication disorders and studies aiming to demonstrate feasibility or effectiveness of S-LP services.

Section 1: Descriptions of Existing S-LP Roles

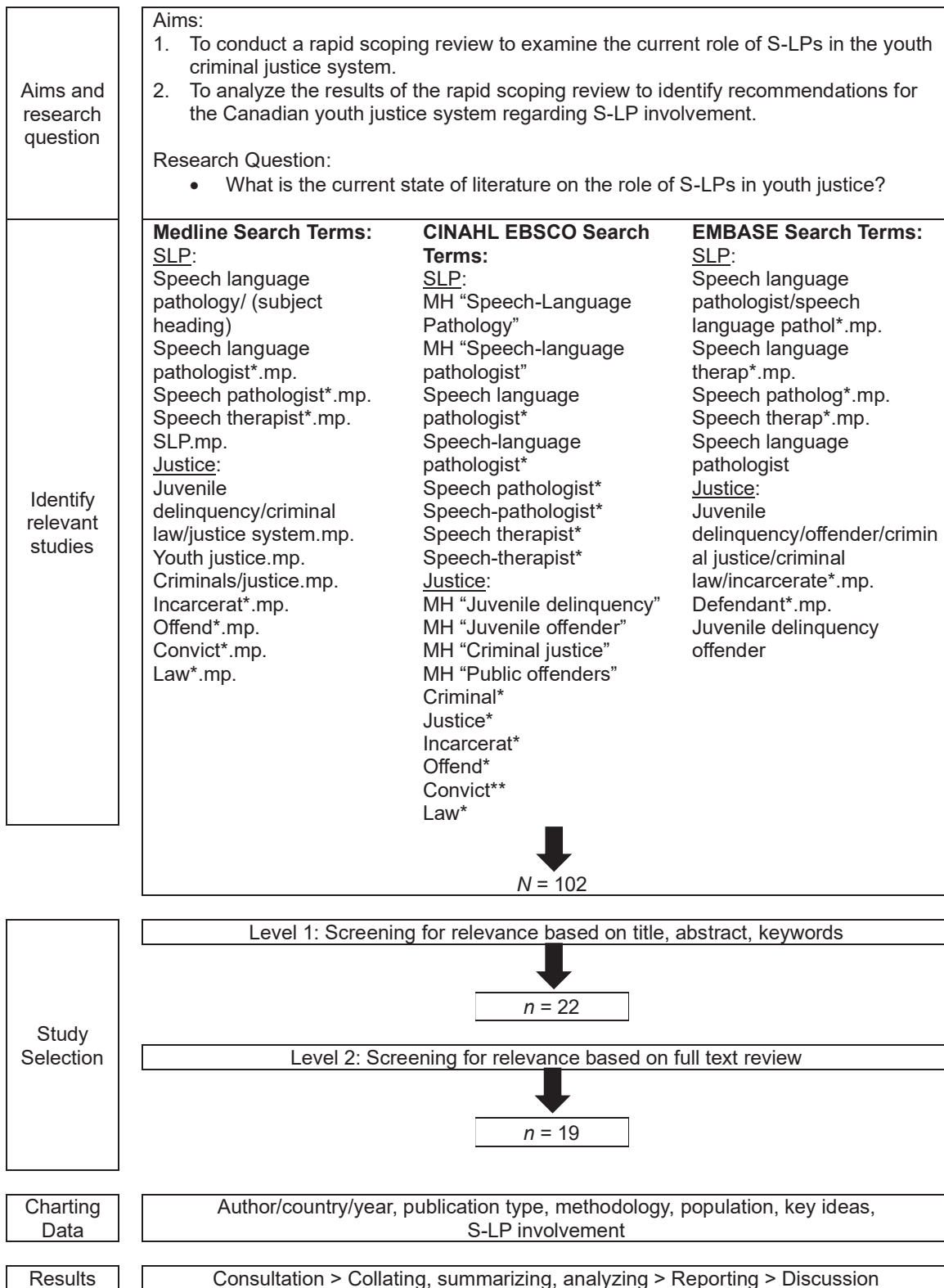
Screening and Assessment

S-LPs have played a role in the screening and assessment of youth offenders in Australia, the United Kingdom, and the United States. Martin (2019a) stated that S-LPs in Queensland, Australia were involved in one-to-one, individualized assessments of language for juvenile offenders. After the assessments, S-LPs created comprehensive communication reports that could be provided to the various parties involved in the justice system (Martin, 2019a).

In the United Kingdom, the Royal College of Speech and Language Therapists (Coles et al., 2017) declared that all youth in the justice system should receive screening and/or assessment of their speech, language, and communication needs from a qualified S-LP. This screening and/or assessment would include either the community or custodial version of the Comprehensive Health Assessment Tool (Chitsabesan et al., 2014), which had been mandated for youth entering custody in England and Wales. S-LPs also would administer the AssetPlus (Youth Justice Board, 2014), a speech, language, and neuro-disability screening tool that had been mandated within England and Wales for youth who would be in contact with any youth offending service (Coles et al., 2017).

In the United States, Stanford (2019) reported that her role as a juvenile forensic S-LP included conducting specialized speech and language forensic assessments and generating detailed reports. The reports described how the communication impairments of each young person could impact their behaviors, ability to make decisions, and actions that were the subject of the offense.

Figure 2



Flowchart detailing the scoping review process of the role of S-LP in the Canadian justice system

Note. Based on the framework outlined in "Scoping Studies: Towards a Methodological Framework," by H. Arksey and L. O'Malley, 2005, *International Journal of Social Research Methodology*, 8(1), 19-32 (<https://doi.org/10.1080/1364557032000119616>). Copyright Taylor & Francis.

Training Staff

S-LPs were involved in training youth justice system staff in some areas of Australia and the United Kingdom. Martin (2019b) reported that one role of the S-LP was to advocate for S-LP services by educating justice staff during information sessions or participating in staff and executive meetings. S-LPs also provided workshops for staff focusing on how to support young people who may have communication difficulties, including topics such as how to modify written documents to increase access for youth. Martin (2019a) emphasized the importance of collaborative practice between S-LPs and justice staff to connect and coordinate services, to promote a smooth transition between custody and the community. Speech Pathology Australia (2013) also reported that they assisted in developing training guidelines for police and other workers involved in youth justice, to support youth in their participation in and understanding of the justice system.

The Royal College of Speech and Language Therapists (Coles et al., 2017) emphasized the S-LP's role in training staff by helping them recognize and respond to speech, language, and communication needs. S-LPs also provided staff with strategies and recommendations following assessment of a young person (Coles et al., 2017). Results of a survey by The Communication Trust (2014) revealed that training of the youth offending team was most effective when provided face-to-face by S-LPs. The Royal College of Speech and Language Therapists developed a training program called "Mind Your Words" (<https://www.rcslt.org/learning/mind-your-words/>) designed to improve the understanding of children and young people with social, emotional, and mental health needs and speech, language, and communication needs. This series of online and publicly available courses included one specifically for justice professionals, called "The BOX."

Direct Intervention

S-LPs have provided direct intervention to youth offenders in the United Kingdom, Australia, and the United States. In the United Kingdom, S-LPs have been routinely employed by youth offender teams (Snow et al., 2015; Snow & Woodward, 2017). Direct services provided by S-LPs within these teams included one-to-one, paired, or group intervention services; and targeted skills such as narratives, social communication, vocabulary, time concepts, and strategy use (Coles et al., 2017; Royal College of Speech and Language Therapists, n.d.).

In Australia, there had been progress in S-LP-provided youth justice services over several years prior to a 2017

report (Snow & Woodward, 2017), but services had not yet reached the level of existing models in the United Kingdom. The first full-time youth justice S-LP in Australia was employed in 2014 at the Parkville Youth Justice Centre, a government school in Victoria, Australia, that educates young people in custody (Caire, 2014; Snow et al., 2015). More recently, S-LP services in youth justice extended to Queensland, Australia, with six S-LPs employed by the Queensland youth justice system, ensuring that young people in the justice system had direct access to S-LPs (Martin, 2019a, 2019b).

Evidence of direct S-LP intervention in the United States was difficult to locate. Snow and Woodward (2017) stated that they were unaware of any United States jurisdictions where S-LPs provided therapy services to young offenders. In a blog post in the American Speech-Language-Hearing Association publication, *The ASHA Leader*, Kerner (2016) outlined their previous role as an S-LP in a school system in Texas, United States. In this role, the author had the opportunity to provide S-LP services to incarcerated youth aged 14–17 who had been diagnosed with speech-language impairments. Treatment was provided while children were serving their sentences at the county residential centre, as the facility was part of the school district in which Kerner was employed. In providing services, Kerner was obligated to follow sets of rules from both the county residential centre and students' individualized education plans.

Also in *The ASHA Leader*, Stanford (2019) described her role as a juvenile forensic S-LP in the United States, primarily conducting assessments and writing reports. Stanford described a collaborative course entitled "Inside Out" she taught to seven master's and doctoral students and seven women incarcerated at a Washington, D.C., correctional treatment facility. The course targeted core social communication skills such as cultural communication differences, accents, dialects, and communication styles (Stanford, 2019). This course was considered to be part of the national Inside-Out prison exchange program, which partnered more than 300 university students and 400 incarcerated individuals nationwide (The Inside-Out Center, 2020). The Inside-Out program aimed to motivate future clinicians (outside) to create and deliver optimal restorative interventions to reduce recidivism risk, and to challenge offenders (inside) to strive for academic attainment while receiving educational support and mentorship (The Inside-Out Center, 2020). Overall, the evidence suggests some direct S-LP involvement within United States youth justice, but not a consistent system or process across states.

Communication Intermediaries

As described by the Royal College of Speech and Language Therapists (n.d.), a communication or registered intermediary is a trained professional who facilitates communication participation and engagement of vulnerable youth in court, including young people who are victims, witnesses, and suspects. The intermediaries function as neutral and impartial parties to assist communication between the young person and the court, legal teams, and police. The duty of the intermediary is to the court, ensuring that the communication process is as comprehensive and accurate as possible. Intermediaries were used in some courts in Australia, and S-LPs were involved as intermediaries in youth justice systems in the United Kingdom and Canada. In the United Kingdom, over 80% of registered intermediary services were provided by S-LPs. If a young offender presented with communication needs following S-LP-administered assessment, the S-LP's report included a recommendation for the individual to receive access to an intermediary in court (Coles et al., 2017).

In Canada, communication intermediaries are available through Communication Disabilities Access Canada (CDAC), a relatively new service compared to that in the United Kingdom (Birenbaum & Collier, 2017). CDAC is a national nonprofit organization with the vision of promoting human rights, accessibility, and inclusion for people with speech, language, or communication disabilities (Birenbaum & Collier, 2017). Part of the CDAC's mission is to provide all people with communication disabilities with equal rights to accommodations and support within the legal system. Communication intermediaries in Canada are required to be qualified S-LPs who have additional training from the CDAC. They are listed on provincial rosters managed by CDAC that are accessible to police and legal and justice professionals. Similar to the system in the United Kingdom, Canadian communication intermediaries provide assistance in police, legal, and justice processes, which can include assessment of communication, preparation of formal reports addressing individual communication needs and recommendations, and assistance in police interviews and throughout trial processes (Birenbaum & Collier, 2017). Although communication intermediaries are available in Canada at the time of this writing, there are barriers to widespread use, including lack of awareness of the service (Birenbaum & Collier, 2017). Unfortunately, this finding is consistent with what is reported in other jurisdictions. It is unclear if this is due to a lack of awareness, funding, or availability.

Section 2: S-LP Service-Related Research

Gregory and Bryan (2011) obtained pilot government funding to support a part-time S-LP to work 3.5 days per week for 17 months in the ISSP in the United Kingdom. The S-LP developed an individualized communication plan for each young person and discussed it with the youth's key youth justice worker in the facility. The authors noted that most staff had received no formal education or training related to communication, and they had diverse backgrounds and levels of education. The S-LP suggested resources, helped staff adapt resources, and was available to help staff support youth in their communication. The S-LP also provided direct intervention, but details were not provided and the cited source for those details was unpublished and not accessible online.

After the funding period, Bryan and Gregory (2013) surveyed and interviewed the ISSP staff about their experience working with the S-LP. The authors asked how S-LP input and the therapy they provided influenced ISSP delivery, and in general about staff members' experiences working with an S-LP. Staff reported that S-LP input was valuable and made a positive contribution to the ISSP, including helping young people comply with the program requirements. Some respondents reported initial skepticism about the usefulness of S-LPs, but after seeing how young people benefitted and learning how communication could affect behaviour, all supported regular S-LP involvement.

Snow and Woodward (2017) implemented a small-scale S-LP intervention in a secure youth justice facility in Australia. Intervention was delivered to six young males, for 12–16 weeks. The intervention was provided directly by an S-LP in a one-to-one setting, once or twice a week for 46–60 minutes. Treatment goals were created by the S-LP and individualized based on the young person's communication needs. Treatment duration and frequency were based on individual participant factors as well as uncontrollable institutional events (e.g., serious incidents requiring youth to be locked in their units for safety; Snow & Woodward, 2017). The S-LP intervention programs consisted of engaging activities of interest to the youth (e.g., writing rap songs) and were designed to improve awareness and insight of interpersonal difficulties (Snow et al., 2018). Posttreatment, the youth were reported to demonstrate increased confidence, communication skills, and positive behaviours. Additionally, staff recognized and supported the benefits of S-LP involvement within the youth justice setting (Snow et al., 2018). However, the generalizability of this study may be restricted due to the small sample size and limited setting (Snow et al., 2018; Snow & Woodward, 2017).

Also in Australia, Swain (2017) worked in a youth justice centre daily for 1 year, implementing a language intervention trial with four participants. In the intervention trial, one-to-one intervention was delivered by the S-LP, guided by individualized intervention plans. Results were not reported. Quinn and Swain (2018) conducted a single-case-study intervention for a transgender participant in a youth justice institution. Intensive voice feminization therapy was offered twice a day for 60 minutes each session over a 2-week period. This therapy plan included vocal function exercises, resonant voice therapy, and between-session practice. The participant noted an improvement from the negative feelings they felt about their voice preintervention. They expressed that the treatment was beneficial and they would be open to further therapy. However, the client experienced some difficulty implementing feminine speech strategies conversationally, resulting in inconsistent perceptions of their gender (Quinn & Swain, 2018). It is important to take into consideration that this study cannot be generalized to all youth justice populations due to the single-subject design. In addition, this study focused solely on voice, which is only one aspect of the S-LP's role.

The literature reviewed suggested six roles of S-LPs and recommendations for the future. Roles and recommendations are as follows:

- S-LP services must be viewed as essential in youth justice facilities (Snow, 2019).
- S-LPs should provide both direct and indirect intervention as well as education for other team members (Snow, 2019).
- Policymakers must take the health and developmental needs of children into account (Brookman, 2004).
- S-LPs must raise awareness of communication impairments and advocate for services when youth justice programs and research studies are being planned (Snow and Sanger, 2011). Two examples of resources developed for this purpose are *Sentence Trouble* (The Communication Trust, 2010), an information booklet designed to assist professionals working with youth offenders; and *Doing Justice to Speech, Language, and Communication Needs: Proceedings of a Round Table on Speech Language and Communication Needs in the Youth Justice Sector* (The Communication Trust, 2014), which summarizes statistics and legislation related to communication in youth justice. Both of these were produced by The Communication Trust in the United Kingdom and

aimed to increase knowledge of the importance of communication within the youth justice system.

- To obtain system-wide funding, S-LPs must have both a cohesive framework to plan and deliver treatments and evidence of effectiveness and value for money, which requires funded pilot trials (Kinnane, 2015).

Discussion

A scoping review of the literature supported the need for S-LPs to be involved in communication screening, rehabilitation, and education in all sectors of the youth criminal justice system. The following section applies the scoping-review results to make recommendations for S-LP involvement within community services, law enforcement, initial detention, courts, youth correction centres, transition programs, and antirecidivism programs.

Prevention: Community Services

The literature supports pre-judicial intervention to reduce the likelihood that youth with communication disorders will enter the youth justice system. Snow (2019) described the trajectory for children with communication disorders who ultimately come into contact with youth justice services as the "school-to-prison pipeline" (p. 324). Snow argued that S-LP involvement early in this process could divert children from the court system by embedding S-LPs in community-based services that intersect with the justice system such as youth welfare, social services, and child protection agencies. A community system that connects youth with an S-LP could ensure those who are most at risk are assessed for communication difficulties and are given access to treatment if appropriate. Alternatively, Snow proposed that a whole-school approach to addressing students' communication needs could be an effective method to ensure all children have access to S-LP services. A community-service or whole-school approach could be a systematic and proactive upstream approach to decreasing contact with criminal justice. This type of early intervention would target youth in their most relevant environments, helping to decrease future risk of offending and entry into the youth justice system by promoting academic success and prosocial behaviour.

Education: Law Enforcement

The United Kingdom and Australian experiences support S-LP training for police, probation workers, and parole officers. Training should include learning about the types of communication difficulties young people may encounter, how these difficulties may present in justice contexts, how to communicate effectively, and how to engage with resources like communication intermediaries

and refer for S-LP services. Research by Togher et al. (2004) in adult criminal justice showed the benefits of training frontline officers who are the first point of contact. Togher et al. (2004) implemented a 6-week training program aimed at improving the communication of police officers during service encounters with people with traumatic brain injury. Results indicated that trained police learned and incorporated strategies that made interactions clearer, more supportive, and more efficient (Togher et al., 2004). Togher et al. argued that training the communication partner shifts the focus to the communication exchange as opposed to the communication impairment, and thus has more generalized benefit. A more effective initial law enforcement encounter may help redirect youth trajectories from their point of entry into the judicial system. It should be noted that the study by Togher et al. was almost 2 decades ago, highlighting the need for new research examining the efficacy of S-LP training for law enforcement staff. Togher et al. limited their investigation to law enforcement staff working with adults with traumatic brain injuries, excluding youth or individuals without traumatic brain injuries. This indicates a need for further research in educating law enforcement on communication difficulties, with the inclusion of law enforcement staff who regularly interact with youth. If communication support training were to occur for these staff members, informative resources such as *Giving Voice* fact sheets (Royal College of Speech and Language Therapists, 2019, 2020) could serve as a method for sharing accessible S-LP education with law enforcement staff.

Screening

Upon initial detention, it would be ideal if youth were screened for communication difficulties by an S-LP (Speech Pathology Australia, 2013). Through routine administration of a screening assessment, youth with language difficulties would be more readily identified in a timely manner. Identifying communication problems early is critical to ensure that young people understand their rights, thereby allowing them to give their testimony as soon as possible after the event (Speech Pathology Australia, 2013). Identifying youth at risk for communication difficulties will allow supports to be put in place as quickly as possible and identify the need for more thorough assessment for youth who do not pass the screening process. This would result in more routine referrals for S-LP assessment (Snow & Sanger, 2011). A core element of the response to intervention framework developed by S-LPs in conjunction with other team members is a universal communication skills screening (Snow et al., 2015). This screening takes place in Tier 1 of the model: "All young people entering custody

should undergo communication screening by an S-LP as part of standard operating procedures" (Snow et al., 2015). According to Coles et al. (2017), all young people in the United Kingdom criminal justice system may now receive a screening of their speech, language, and communication needs with the AssetPlus tool (Youth Justice Board, 2014). Youth in Canada could benefit from a similar process and screening tool.

An alternative to screening, and one that would benefit all youth in the justice system, is a universal design approach. Universal design was first described by Connell and colleagues (1997) and includes removing barriers to accessing information and learning (Morin, 2018). Two universal design principles that are particularly relevant to communication and the justice system are the principle of *equity*, meaning, for example, that court language would be understandable to individuals of all abilities and that persons would not be stigmatized or segregated because of their communication challenges; and *flexibility in use*, which could include supports tailored to each individual. Universal design in youth justice could involve creation and editing of materials, which may be faster to implement and may require less ongoing S-LP support than direct assessment and intervention. However, universal design lacks a client-centred approach to services from the perspective of individualized care plans, so the most effective practice might include implementation of universal design principles and tailored direct assessment and intervention. S-LP involvement would be critical for both these approaches to succeed.

Communication Supports

In 2017, CDAC published a memorandum by Birenbaum and Collier with the purpose of informing police in addition to legal and justice professionals about the benefits of involving communication intermediaries and increasing the overall accessibility of justice services in Canada. The memorandum recognized the current inequity of accessibility supports within the Canadian justice system. Further, it emphasized that communication intermediaries must be treated as a readily available and essential accommodation (Birenbaum & Collier, 2017). Birenbaum and Collier provided two primary reasons why communication intermediaries are not adequately used in the Canadian criminal justice system: a) justice system actors (e.g., police, crowns, defense counsel, judges) lack awareness of the role of communication intermediaries, and b) justice system actors may not feel open to or comfortable involving communication intermediaries. Further, many communication intermediaries have full-time S-LP employment elsewhere and consequently, may not be available to provide intermediary services on an ad hoc

basis (Communication Disabilities Access Canada, 2020). Although current communication intermediary services exist and are available for use in Canada, there are significant barriers to widespread use of these services.

Optimized involvement of communication intermediaries has the potential to greatly assist in identifying and supporting communication difficulties within the youth justice system. The role of the communication intermediaries should include providing the court with a report outlining the youth's communication needs and corresponding recommendations (Birenbaum & Collier, 2017). Communication intermediaries should also be employed to facilitate complete, accurate, and coherent two-way communication in all justice-related contexts (Birenbaum & Collier, 2017). The Canadian youth justice system should be required and able to provide any youth suspected of having communication difficulties, including victims, witnesses and suspects, with communication intermediary services. Continuation of advocacy efforts for communication intermediary use by CDAC is encouraged, as well as involvement of other influential provincial and federal S-LP organizations (e.g., College of Audiologists and Speech-Language Pathologists of Ontario, Speech-Language and Audiology Canada). Additionally, educating S-LP students in graduate programs across Canada about the role of communication intermediaries should be included in the curriculum. Emphasizing the importance of the role and specifying training processes may help to recruit future S-LPs, thereby increasing the availability of communication intermediaries within the Canadian youth justice system.

Rehabilitation Postsentencing

Intervention

Evidence from Australia and the United Kingdom provides some support for a direct role for S-LPs in intervention for Canadian youth postsentencing. S-LPs would be responsible for providing comprehensive assessments of speech, language, and social communication needs to develop treatment plans and goals. Following assessment, the S-LP would provide appropriate intervention tailored to the youth's specific needs. Ideally, intervention delivery methods (such as one-to-one, paired, or group sessions as well as short- or long-term treatment blocks) would be flexible, and determined on an individual-needs basis. The S-LP role within Canadian youth justice should also include staff training and support. Similar to the program implemented by the Royal College of Speech and Language Therapists (Coles et al., 2017), S-LP-led information sessions or workshops should be held

for staff who regularly interact with the youth. This training would be focused on raising awareness of communication difficulties within this population and helping staff to recognize and respond appropriately.

Transition Planning

It would be ideal for S-LPs to be directly involved in transition planning for youth in custody who are reentering the community. Overall, there is a need for follow-up of health services for youth upon release (Martin, 2019a). Effective transition planning is likely to improve reentry outcomes because services would be organized based on the youth's needs prior to release. Specifically, youth should be connected to S-LP services in the community. If participating in S-LP intervention while at a facility, it is crucial for information to be transferred to the community S-LP who is continuing intervention. This collaborative practice is key to building coordinated and connected services for youth to allow for smoother transitions back into the community (Martin, 2019a). S-LPs working in youth justice settings might be key advocates for effective transitions back to the community. For example, they can educate others about the link between speech, language, and communication needs, and educational and vocational success (Snow et al., 2015; Snow & Powell, 2004). Furthermore, S-LPs can advocate for governments to fund S-LP services to address the complex communication needs of young people, including those on community-based orders (Snow, 2019). Moving forward, it is important to consider and evaluate the effectiveness of S-LP involvement in transition planning, and in promoting engagement in education, training, and other prosocial activities.

Restorative Justice

Restorative justice conferencing (RJC) is another context in which S-LP involvement could be valuable. Restorative justice has been defined as "a range of informal justice practices designed to require offenders to take responsibility for their wrongdoing and to meet the needs of affected victims and communities" (Strang, 2001, p. 2). Snow & Sanger (2011) outlined the communicative abilities necessary for successful engagement in the verbal exchanges involved in RJC, including strong language-processing, pragmatic language, and social cognition skills. They explained that these skills are necessary for processing disparities between verbal and nonverbal communication, for displaying genuineness and empathy, and for making authentic apologies. RJC often involves face-to-face meetings between an offender and victim, presenting particular difficulties for individuals with communication

deficits (Speech Pathology Australia, 2013). The involvement of S-LPs in these types of recidivism reduction programs would ideally promote the youth offender's ability to engage in and benefit from the practice. We were not able to find evidence that RJC is in widespread use in Canada, other than an older publication from British Columbia (Hillian, Reitsma-Street, & Hackler, 2004) that described giving young offenders the opportunity to participate in RJC as part of or in place of a sentencing process to a custodial order. In settings where RJC is available, however, it is recommended that S-LPs be involved in the planning and execution of programs to address communicative deficits, so youth offenders can successfully engage in the RJC, ideally decreasing their likelihood of reoffending.

Future Research

Further research is required in two main areas. First, there is a need for studies that quantify effects of S-LP involvement on the four categories of outcomes in Ontario's youth justice outcomes framework (Ontario Ministry of Children and Youth Services, 2014): functioning and positive social behaviours, skills and abilities, engagement with supports, and reoffending (or offending, for youth at risk). *Involvement* refers to all the S-LP roles discussed here including screening, assessment, and therapy for young people; training justice system personnel; and helping to modify documents and procedures so they are fully accessible to young people with communication challenges. Several resources made strong arguments supporting the benefits of S-LP involvement, and pilot studies showed promising results, but outcome data are lacking. A useful tool for evaluating intervention effects is the risk-need-responsivity model (Bonta & Andrews, 2007) for offender assessment and intervention. The three core principles of this model identify each individual's risk of reoffending, criminogenic needs (i.e., risk factors associated with criminal behaviour such as low self-control, antisocial personality, substance use, and criminal peers), and responsivity to learning. The model could be applied to study intervention for both youth already in the system and those at risk for offending, as a preventative measure.

Second, despite an acknowledgement from stakeholders that the potential role of S-LP in the Canadian justice context is underrecognized (Wiseman-Hakes et al., 2020), we were unable to locate any further research evidence examining the role of S-LPs in Canada. Grey literature revealed the involvement of S-LPs as communication intermediaries; however, there was no research evidence to support the efficacy of communication intermediaries or on any other involvement with youth with communication challenges. Although

Canadians can learn from other English-speaking countries that currently have roadmaps and procedures in place, the Canadian judicial, cultural, social, and political context is unique, and practices of S-LPs are shaped by those contexts. Research is needed regarding intervention and outcomes in Canadian settings to ensure young people in the Canadian youth justice system receive fair and appropriate treatment.

Limitations

Our study had several limitations. First, a rapid scoping review is not exhaustive by nature; therefore, it is possible that relevant literature was missed. Rapid scoping reviews are appropriate, however, for research in emerging topic areas such as this one and allow for examination of both published and grey literature when there is an overall paucity of published research on the topic (Levac et al., 2010). Second, we recognize that work may have been published after the end-date of our search (e.g., the review paper by Sowerbutts et al., 2021), which is an inherent limitation of any review. Third, although we used a systematic and literature-based approach to our search, it is also possible that a pro-communication bias influenced the interpretation of results, given that all the authors were S-LPs or S-LP graduate students at the time. Last, in certain jurisdictions, for example some parts of Australia, young people aged 17–20 years at the time of their offending can be detained within the youth justice system. As we included only studies of individuals under age 18, we might have excluded some studies from jurisdictions in which older adolescents are part of the youth justice system.

Conclusion

Among youth in the justice system, there is a high prevalence of un/misdiagnosed and untreated communication impairments, including speech deficits, poor comprehension and expression of language, and appropriate use of language in context. S-LPs are trained healthcare professionals who provide assessment and intervention for young people with these impairments and provide support to this population within other English-speaking countries. This study aimed to investigate the role of S-LPs within the youth criminal justice system across English-speaking countries around the world.

We identified 19 published articles related to S-LP involvement in the youth justice system, as well as 11 additional resources and grey literature articles. Although there was modest evidence to support the efficacy of an S-LP role within community services, in law enforcement, across various stages of the court process, and during community reintegration, we found considerable

inconsistencies between and within countries in the extent, location, and nature of S-LP involvement. Overall, there was a paucity of research available surrounding the role of the S-LP in the youth justice system, especially within Canada.

A cohesive action plan is needed to engage justice organizations, S-LPs, educators, policy makers, public health professionals, communities, individuals, and families in an integrated effort to improve communication abilities for at-risk youth. The need for this cohesive action plan is based on the principles that all youth have the right to understand and access information that helps them make informed decisions, and access S-LP services to habilitate or rehabilitate language and communication abilities. S-LPs can play a critical role in reducing the health inequities of these vulnerable youth, ensuring youth criminal justice processes meet the principles of the Youth Criminal Justice Act (2002), that young people are treated fairly and that their right to fully participate in youth justice processes are respected (Department of Justice, 2013, p. 2). With the proper delivery of screening, habilitation, and rehabilitation, we can foster a culture of improved communication outcomes to promote the health and well-being of youth in the justice system, at-risk youth, and their communities.

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