



THE JOHN HOWARD SOCIETY  
OF SASKATCHEWAN

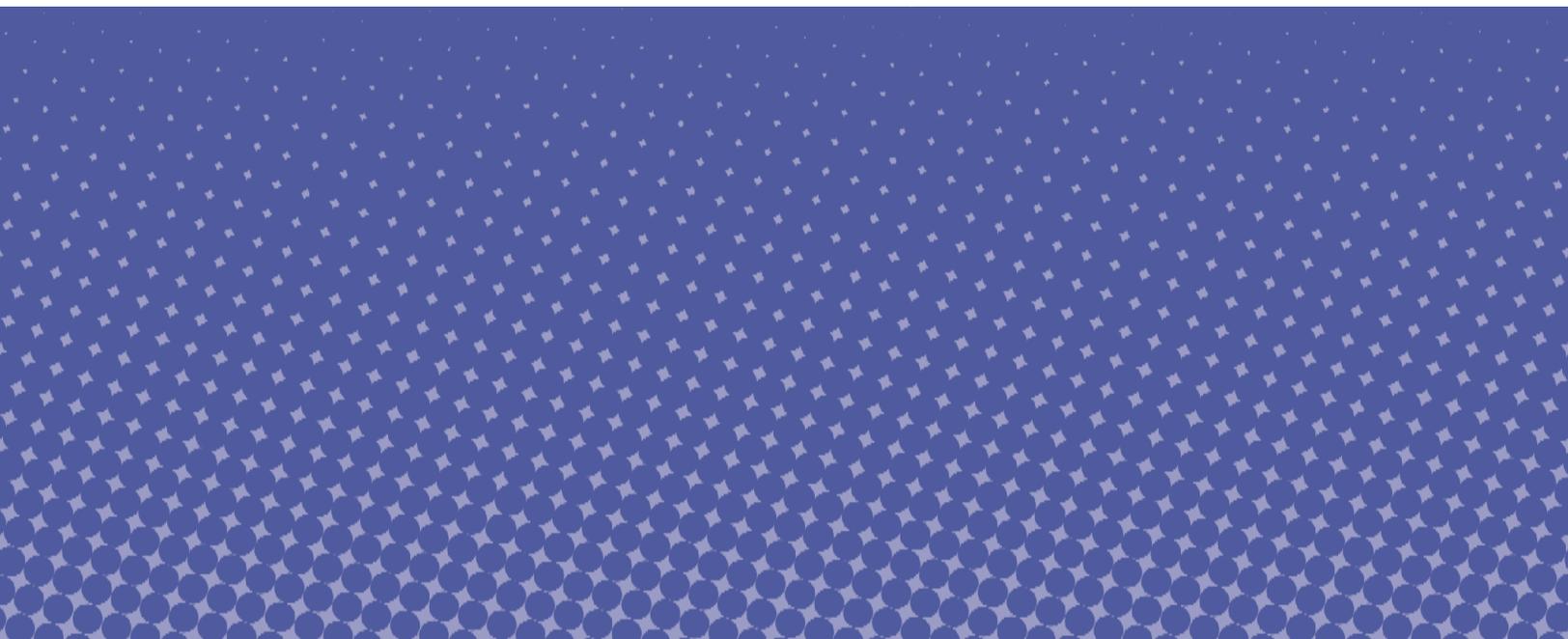
# JUSTICE LITERACY WORKSHOP

JOHN HOWARD SOCIETY OF SASKATCHEWAN

REGINA COUNCIL

COMMUNITY JUSTICE SERVICES

THROUGH OUR PROGRAMS AND SERVICES, WE WORK TO PREVENT CRIME AND TO HELP PEOPLE AFFECTED BY CRIME





## Table of Contents

Lesson Plan for the Justice Literacy Assessment and Awareness Workshop.....	1
Reading Skills in Canada.....	5
The Social Effects of Limited Literacy.....	8
The Personal Effects of Limited Literacy.....	10
The Justice Literacy Assessment & Awareness Project .....	12
The Justice Process.....	15
Limited Literacy and The Justice Process .....	17
Construction of the Justice Literacy Indicator (JLI) Tool.....	21
Administer, Score, and Interpret the Justice Literacy Indicator (JLI).....	26
Justice Literacy Indicator .....	29
Community Literacy Providers and Resources.....	32
Suggested Scenarios and Topics for Small and/or Large Group Discussions .....	33
Acknowledgements.....	35

## Lesson Plan for the Justice Literacy Assessment and Awareness Workshop

*“Justice and social services practitioners understand justice/literacy issues and are able to effectively test for clients’ literacy abilities.”*

The Justice/Literacy Workshop was designed for justice and social services practitioners to enrich their awareness and understanding of the challenges that people with limited literacy skills face when they come into contact with the criminal justice system. As well, this workshop was developed to promote the professional development of justice and social services practitioners about how to administer, score, and interpret a quick, scientifically valid literacy test that determines a person’s ability to read and understand those legal documents used in the charging, trial and sentencing stages of the criminal justice system.

The objectives for the sections of the workshop are outlined below. Each section will help workshop participants to understand the major research findings on which this project was based. Each section has an information sheet specific to the topic, and test questions to check for learning (content) transfer. At the end of the workshop there are some scenarios and discussion points for small or large groups. These scenarios offer instructor/facilitators an opportunity to use group process to further promote awareness and understanding of justice/literacy issues.

Instructor/facilitators can download the Justice/Literacy Workbook and provide learners with an opportunity to use the Justice Literacy tool and become competent in its application. Using learning pairs, each participant can have the opportunity to “test” their partner and learn to administer, score, and interpret the literacy test. Learners can then switch positions and repeat the ‘testing’ process from the other’s perspective.

To complete the workshop, instructors/facilitators are encouraged to provide learners with an inventory of literacy upgrading providers and literacy agencies or resources in their respective communities.

**1.0 The lecture/developmental and demonstration/performance methods of instruction, along with facilitated discussion in small and large groups, will cover:**

1.1 Orientation to Literacy

- literacy and limited literacy defined
- the personal effects of limited literacy
- the social effects of limited literacy
- The Justice Literacy Assessment and Awareness Project

1.2 Justice/Literacy Issues

- justice processes
- effects of limited literacy skills on people as they go through criminal justice proceedings

1.3 The Justice Literacy Indicator (**JLI**) Tool

- construction of the **JLI** Tool
- administering
- scoring
- interpreting

1.4 Community Literacy Providers and Resources

**2.0 At the end of the workshop, participants will be able to:**

2.1 Define literacy and limited literacy.

2.2 Discuss the personal and social effects of limited literacy.

2.3 Describe the Justice Literacy Assessment and Awareness Project.

2.4 Describe and discuss the effects that limited literacy has on client/offenders as they go through the justice process.

2.5 Administer, score, and interpret the Justice Literacy Indicator (**JLI**) tool.

2.6 Identify literacy upgrading providers and other literacy resources in your community.

### 3.0 References

- 3.1 ABC CANADA Literacy Foundation. (2006). Adult Literacy and Life Skills Survey (ALL). Canada.
- 3.2 John Howard Society of Saskatchewan, Regina Council. Community Justice Services. (2006). The Justice Literacy Assessment and Awareness Project. Regina. SK. Canada.
- 3.3 McDougall-Gagnon-Gingras, Susan. (1993). "Presumed to Understand, Do you Understand?" An Analysis of Literacy, the Accused, and the Justice Sector. The John Howard Society of Canada. Ottawa. ONT. Canada.
- 3.4 Statistics Canada. (2000). Government of Canada. [www.Statistics Canada.ca](http://www.Statistics Canada.ca)

# THE JUSTICE LITERACY WORKBOOK

## COMPETENCY PROFILE

(knowledge, skills, and abilities)

### A. Orientation to Literacy

- A1 Define literacy and limited literacy.
- A2 Identify the personal effects of limited literacy.
- A3 Identify the social effects of limited literacy.
- A4 State the purpose of the Justice Literacy Assessment and Awareness Project.

### B. Justice Literacy Issues

- B1 Describe justice processes.
- B2 Discuss the effects of limited literacy skills on people as they go through justice processes.

### C. The Justice Literacy Indicator (JLI)

- C1 Discuss the construction of the Justice Literacy Indicator (JLI) tool.
- C2 Administer, score, and interpret the Justice Literacy Indicator (JLI).

### D. Community Based Literacy Providers and Resources

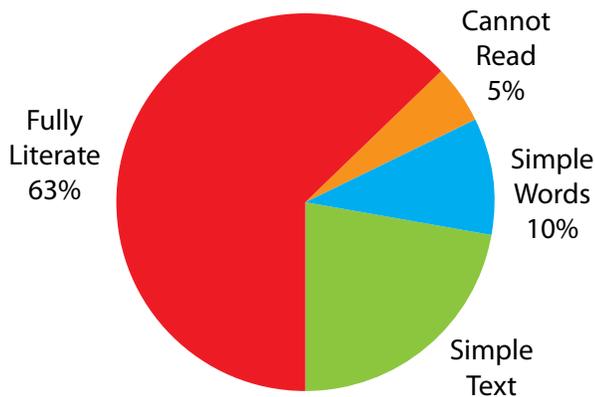
- D1 Identify literacy providers and resources available in the community.

# Reading Skills in Canada

## Survey of Literacy Skills

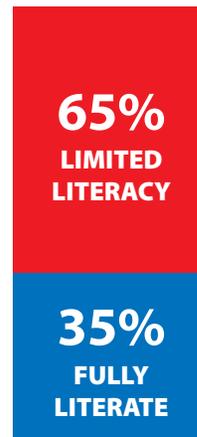
(Statistics Canada)

Canadians (in general)



Population 13,237

(Federal Penitentiaries; men & women)



## Literacy Defined

According to ABC Canada Literacy Foundation, literacy is defined as “the ability to understand and employ printed information in daily activities at home, at work and in the community – to achieve one’s goals and to develop one’s knowledge and potential.”

This ability to read, write, use numbers, as well as comprehend and problem-solve, constitutes a primary foundation for functioning well in Canadian society.

According to ABC CANADA, 22% of Canadians have serious problems dealing with any printed materials; 26% can read, but not very well. This means that 48% of Canadian are not able to manage the everyday reading and writing demands of our society.

*...literacy is the base of comprehension.*

(Presumed to Understand: Do You Understand? p. 7)

22% of Canadian adults cannot write a simple note and only 14% of Canadians cannot recognize numbers in a brief text or story.

### **Limited Literacy Defined**

A commonly accepted working definition of ‘limited literacy’ for adults, refers to a person who is 15 years of age or older, has less than a Grade 9 education, and has had no other training (after being out of school for at least one year). Often, when we speak of people as having limited literacy skills, we use three different levels to assess their degree of limitation.

*Level One* literacy represents **functional illiteracy**. Here, people recognize that they are not able to read and that they are not able to pick out a sign or any text at all. According to Statistics Canada (2000), 7% of Canadians fall into this category.

*Level Two* literacy represents **basic reading**. Here, people are able to find familiar words in simple texts, such as grocery ads. They also recognize that they have this difficulty reading and writing. According to Statistics Canada (2000), 10% of high school graduates and about 9% of the general population fall into this category.

*Level Three* literacy represents **hesitant reading**. Here, people can read simple sentences but only if the material is clearly laid-out and the corresponding tasks are simple. They do not see themselves as having reading difficulties; however, they avoid reading if possible. According to Statistics Canada (2000), 20% of high school graduates and about 22% of the general population fall into this category.

**Note:** ABC Canada also uses a level four literacy level that represents very sound literacy skills; however, for this document, we have only focused on levels one, two, and three.

# SELF-CHECK



## Literacy and Limited Literacy Defined

1. Literacy is the ability to use printed and written information to function in society, to achieve one's goals, and to develop one's knowledge and potential.

**True**      False

2. Literacy refers to the ability to:

- a) read and write
- b) use numbers
- c) comprehend and problem-solve
- d) a only
- e) b and c
- f) **a, b, and c**

3. If a person could find familiar words in a simple text, which of the identified literacy levels would accurately reflect their literacy ability.

- a) level one
- b) **level two**
- c) level three

4. An adult with limited literacy skills is said to be 15 years of age or older, with less than a grade nine education.

**True**      False

## The Social Effects of Limited Literacy

In a hunting society one's personal, social and economic well-being is determined by personal knowledge and skill in some aspect of the hunting process. Subsequently, one could say that someone who cannot read or write would have difficulty living in our literacy-based society where information processing is dependent on reading, writing, and numerical skills knowledge.

In the past, war was often cited as a major cause of low literacy levels in adult populations. Today, according to **Presumed to Understand: Do You Understand?**, some of the major social causes of limited literacy include: a stressed educational system, poverty, breakdown in the structure of family life, and a general breakdown in societal values.

The social effects of limited literacy in Canada create a lack of competitiveness in our economic markets, a loss of productivity that leads to underemployment or unemployment, a subsequent increase in criminal activity, and an increase in taxes due to extended social welfare costs.

Adults with limited literacy levels either have no income at all or have incomes of less than \$27,000 per year. This income is only two-thirds of the average income acquired by literate adults in Canada. People with limited literacy skills are twice as likely to be unemployed or have low paying, unattractive, and insecure jobs. The inability to fully understand employment postings and to properly fill out applications for promotions or re-training can be directly linked to their limited literacy skills. As a result, people with limited literacy skills are more likely have higher rates of unemployment or to require social assistance.

# SELF-CHECK



## The Social Effects of Limited Literacy

1 What are some of the causes of limited literacy in our adult populations today?

- a) poverty
- b) a stressed educational system
- c) a breakdown in family structure
- d) a and b
- e) **a, b, and c**
- f) c and b

2. Crime rates are higher in countries where citizens have limited literacy skills.

**True**      False

3. Taxes are higher in countries where citizens have limited literacy skills.

**True**      False

4. Unemployment rates are higher in countries where citizens have limited literacy skills.

**True**      False

## **The Personal Effects of Limited Literacy**

For the adult with limited literacy skills, the quality of the life experiences is compromised. Research indicates that some of the personal causes of limited literacy include the following:

- little or no parental guidance in childhood,
- no importance was placed on reading and writing by family members,
- teachers did not respond to the realities of students' lives and students dropped out of the school system at an early age,
- a lack of early diagnosis of learning disabilities,
- adults with limited literacy skills were often raised in poverty and subsequently, got involved with criminal activities at an early age.

The personal effects of limited literacy are such that many adults cannot read safety instructions, medical prescriptions, directions, warnings, menus, letters, books or newspapers. As well, adults with limited literacy skills cannot fill out enrolment forms, either for themselves or for their children, and as a result, do not participate in many recreational or educational activities.

Because of some or all of these factors, people with limited literacy often lack respect for themselves and, consequently, respect for others. Related to this is a lack of respect for property. The most severe effects of limited literacy, however, are on people's self-esteem and in their abilities to fully participate as workers and citizens. In spite of this, only about 2% of adults with limited literacy are enrolled in community-based literacy upgrading programs.

# SELF-CHECK



## The Personal Effects of Limited Literacy

1 What are some of the causes of limited literacy in our adult populations today?

- a) health
- b) socio-economic status
- c) work life
- d) self-respect
- e) self-esteem
- f) all of the above**
- g) b and c
- h) d and e

2. One serious effect of limited literacy has on people is that they are unable to fully participate in our society as workers, voters, or users of recreational facilities.

**True**      False

3. The lack of self-respect often found in people with limited literacy skills, can lead to disrespect for other people and their property.

**True**      False

## The Justice Literacy Assessment & Awareness Project

The Justice Literacy Assessment & Awareness Project is a project of the John Howard Society of Saskatchewan, Regina Council, in response to the personal and social effects of limited literacy and its interface with criminal activities and behaviours.

In the winter of 1992 - 1993, the John Howard Society of Canada, funded by the National Literacy Secretariat, conducted a research study that focused on practitioners working in the justice system and their awareness of limited literacy and its effects on their client/offenders. The report **Presumed to Understand: Do you Understand? An Analysis of Literacy, the Accused and the Justice Sector** (1993) by Susan McDougall-Gagnon-Gingras, outlined the major findings of this research.

The research study identified that justice workers were generally unaware of the impact of limited literacy on those who come into contact with the justice system, and that even when justice practitioners were aware of the impact of limited literacy levels on the accused, they had no way to identify the extent of that limitation. The research study concluded that justice and human services practitioners needed and wanted more knowledge of justice/literacy issues, a reliable literacy measurement tool, and familiarity with community-based literacy providers and resources to reference for their clients.

**Justice Literacy Assessment & Awareness Project** was created as a response to these research findings. The John Howard Society of Saskatchewan, Regina Council and the University of Regina's SIDRU (Saskatchewan Instructional Development and Research Unit) at the University of Regina, formed a partnership and began to develop initiatives which linked the above mentioned research findings with goals and objectives in a phase by phase project.

**Phase 1:** The goal of this phase was to address the need for a reliable literacy measurement tool. Our objective was to develop the **Justice Literacy Indicator (JLI)**.

- Phase 2:** The goal of this phase was to address the need for a comprehensive knowledge base about justice/literacy issues and a familiarity with community-based literacy upgrading providers. Our objective was to develop the **Justice Literacy Workshop (JLW)**.
- Phase 3:** The goal of this phase was to address the need for increased access to professional development information about literacy for justice and human services practitioners. Our objectives for Phase III were to promote the **JLW** and begin to implement the **JLI** at various places or stages in the legal process.
- Phase 4:** The objective for this phase was to deliver and further promote the **Justice Literacy Workbook** in both workshops and interactive, web-site training events for individual practitioners.
- Phase 5:** The objective for this phase was to deliver the **Justice Literacy Workbook** as an interactive, web-site training event for individuals and as a workshop that government and community based agencies could provide to their employees to increase their awareness and understanding of justice/literacy issues.

# SELF-CHECK



## The Justice Literacy Assessment and Awareness Project

1. The **Justice Literacy Assessment and Awareness Project** is an initiative of the John Howard Society of Saskatchewan, Regina Council, that stems from a research study that indicated employees within the justice and social services systems want knowledge about literacy issues and how limited literacy skills can affect people who are going through the criminal justice system.

**True**      False

2. A partnership between the University of Regina and the John Howard Society of Saskatchewan, Regina Council, has produced a scientifically valid, quick, easy, and reliable tool (test) that can be administered and scored by justice and social services practitioners and will estimate a client/offender's grade level and provide the implications of their test results.

**True**      False

3. The 'right to understand' can be compromised when people with limited literacy skills go through our criminal justice process.

**True**      False

## The Justice Process

As people progress through the legal system, more and more paperwork is added to their file and all of it affects their personal lives. Just keeping up with law-specific documents, forms, and jargon is overwhelming and any attempt to understand what is happening is blurred in this process, even for those without literacy limitations. The search for legal information and solutions to legal problems should be a clearly defined process and one that is relatively easy to follow. People with limited literacy skills need to be able to understand the law and its implications for them at each stage of the legal process.

**Presumed to Understand - Do you Understand?** is a compilation of data from interviews with justice practitioners at the front end (charging, trial, and sentencing stages) of the legal system. In these stages, the demand on resources, such as time, money and workload, is heavy and decisions have important consequences for the accused.

People with limited literacy levels can significantly increase the demand on available resources in the Criminal Justice System. Unnecessary delays and costs in court proceedings can be a result of a client/offender's lack of understanding of letters, warrants, summons, subpoenas, and probation conditions. Subsequently, the costs of appeals related to the accused person's right to understand is considerable. Violations of the 'right to understand' are demonstrated in the increasing number of cases that have been discharged from our courts because a client/offender's right to understand legal processes and procedures has been compromised.

The actual number of people with limited literacy skills who are going through the legal process is unknown at any given time. For the most part, they do not identify themselves and practitioners, due to their lack of awareness of literacy issues and their own heavy workloads, remain unaware of the extent and implications of limited literacy issues in their client/offenders.

When limited literacy skills are not recognized by practitioners, 'due process' in the justice system is compromised, mistakes are more readily made and heavier costs may occur in the charging, trial, and sentencing processes; however, according to Ms. Gagnon-Gingras's research, the majority of justice and social services practitioners are seeking creative ways to deal with the client/offender with limited literacy levels and want to help their clients and the justice process by trying to keep the causes of criminal behaviour in mind.

# SELF-CHECK



## The Justice Process

1. The highest demands on time, money and human resources are found during the arrest, charging, and sentencing parts of the criminal justice process.

**True**      False

2. 'Due Process' and the 'right to understand' can be undermined when people with limited literacy skills go through the criminal justice system.

**True**      False

3. When a person does not understand his/her warrant, subpoena, or summons, costly delays to court proceedings can result.

**True**      False

## Limited Literacy and The Justice Process

Legal processes and procedures often appear complex even to those who are fully literate. If literacy forms the basis of comprehension and the level of legal language is complex, it is no wonder that those with limited literacy often conclude that the justice system is beyond their reach and is not there to help them.

For people with limited literacy skills, barriers to justice can begin from the moment they are picked up by the police. Initial police contact is often a brief encounter, but the investigating officer's time with the client/offender is more extensive as **the charging process** begins. At this stage, many questions are asked, forms are filled out, statements are taken, and documents are read. For a person with a limited vocabulary and/or limited comprehension, reactions to these quick processes and unfamiliar terms can be reflected in behaviour that appears as uncooperativeness, belligerence, non-commitment, defensiveness, evasiveness, indecisiveness, frustration, and anger. Frequently, these kinds of behaviours are interpreted as non-compliance on the part of the offender.

The rapid pace of the arrest/charging process also poses another serious disadvantage for those with limited literacy skills. With all the fast questions and decisions to be made, it's possible that the client could confess that he or she did something (an action), even though the context (intention) renders them innocent.

The **court room process** is not any easier. Complex language, lofty courtroom conduct, complicated (and mostly written) processes and procedures, and busy court room workers, can all be intimidating for those with limited literacy skills. Court professionals and lawyers often act on behalf of client/offenders and may fill out forms and make important decisions for them. These decisions can have serious consequences for the client/offender at a later time; therefore, client participation in the decision making process is crucial.

In the **sentencing process**, those with limited literacy continue to encounter difficulties. Judges often recommend programs such as anger management, drug rehabilitation and/or life skills programs for the offender and assume a literacy level that many offenders do not

have. As a consequence of not being able to fully participate in rehabilitative programs a client/offender's frustration and anger could very well increase and further offending may be the result. Literacy upgrading, as a part of the sentencing process, would play a vital part in the client/offender's ability to learn from rehabilitation programs, and in so doing, start to build the self esteem and respect that is necessary for a law abiding life style.

Jurors, witnesses, and defendants with limited literacy skills are also disadvantaged. Often, jurors are required to answer only yes or no to questions posed by court officials. If a juror's literacy skills are limited, they may not fully understand complex directives given by judges or important discussions with other jurors. They may not be able to interpret important evidence or read the information essential for a fair trial process.

# SELF-CHECK



## Limited Literacy and the Justice Process

1. The definition of limited literacy includes limited vocabulary and subsequently, limited understanding.

**True**      False

2. What are some of the behaviours that an offender may display as a result of their inability to understand words used in the criminal justice process?

- |                      |                            |
|----------------------|----------------------------|
| a) indifference      | f) indecisiveness          |
| b) evasiveness       | g) frustration             |
| c) uncooperativeness | h) anger                   |
| d) belligerence      | <b>i) all of the above</b> |
| e) defensiveness     |                            |

3. Rehabilitation programs, such as alcohol or drug rehabilitation, and/or anger management, may be difficult or ineffective for people with limited literacy skills because they are based on the assumption that the client/offender can read and understand the written material used during the program.

**True**      False

*continued...*

4. As a consequence of not being able to fully participate in one's own defense, frustration and anger can build and further offending could be the result.

**True**      False

5. If a jury member is unable to read or interpret the documents and/or evidence that are essential components for a fair trial, we might wonder if justice for the accused person has been served.

**True**      False

## Construction of the Justice Literacy Indicator (JLI) Tool

Justice practitioners can protect their client/offender in the legal process by recognizing the restrictions that limited literacy can place on them. Justice and social services providers can then encourage their client to take a quick, scientifically valid test to identify the extent of that limitation. Recognizing that there may be literacy limitations and providing an opportunity to have consideration placed on the client/offenders limitation as he progresses through the system, will help to ensure one of **his basic Charter rights; the right to understand.**

### **The JLI: Construction, Development, and Field-testing**

In the report, *Presumed to Understand, Do you Understand?*, justice practitioners indicated that in addition to more information about justice literacy issues, they needed a mechanism to determine the extent of literacy limitations in their clients. As a result, a proper tool that would be a rapid, scientifically valid indicator of the literacy level of justice system users, such as the accused, witnesses, or jurors was recommended for development.

### *Background*

Professionals who work at various levels of the justice system with people accused of criminal offences, often assume that their clients are able to read the various consent forms, printed rules and regulations, handbooks, printed evidence and statements, educational brochures/materials, summons and other compliance forms. People with low literacy abilities often successfully hide their reading deficiencies so that potential problems are not recognized and the person is not stigmatised.

Problems occur when there is a discrepancy between a client/offender's reading ability and the materials given to him to read. The ability to read and understand printed material can be a critical factor in a client/offender's compliance with probation or parole conditions, restrictions placed on him while awaiting trial, participation in rehabilitation and educational programs, and understanding their rights and responsibilities in criminal proceedings.

As part of the Justice Literacy Assessment & Awareness Project, 202 inmates in Saskatchewan federal penitentiaries, provincial correctional institutions, and community

training centres were administered a number of standardised reading tests. For one of these tests, the WRAT-R, the following conclusion was obtained from the test results:

**While approximately 55% of the sampled inmates scored at a high school level or above, approximately 45% scored below the high school level; a serious cause for concern when looking at the reading level of printed materials given to offenders.**

At the same time that this testing was being done, the Justice Literacy Assessment & Awareness Project collected materials that various organizations and institutions expected offenders to read. The readability of ten sets of materials, including educational brochures, compliance forms, handbooks, and posted rules and regulations was assessed using the Fry Readability Graph. The results were surprising and unforeseen. One set of materials scored above college level; in fact, the graph could not give an assessment to this material as it was written at such a high level. Three sets of materials scored at the college level for readability. Three sets of materials scored at a Grade 11-12 level, and three sets scored at a Grade 10 level. It was apparent that these print materials would cause a lot of difficulty for most of the sampled offenders. Clearly, the materials need to be rewritten so that they would become more accessible to more of their intended audience.

Direct testing people is the most reliable way to identify client/offenders with limited reading skills; however, the common standardised decoding and comprehension reading tests are not practical for use in most busy offices and in institutional settings. These test are either too lengthy, require on-going maintenance and monitoring, or are too expensive to administer.

In the initial phase of the Justice Literacy Indicator Project, a brief, inexpensive, and easily administered testing instrument called the Justice Literacy Indicator (**JLI**) was developed to screen clients/offender's reading ability. The test contains 20 words arranged in three columns in ascending order. This order represents the number of syllables in each word and the increasing difficulty of the words. The test is printed in large type set in widely spaced columns. A sample of the **JLI** test follows the self check.

# SELF-CHECK



## Construction of the Justice Literacy Indicator (JLI) Tool

1. The ability to read and understand written materials that are used in the criminal justice system is essential for a client/offender's compliance to court directives.

**True**      False

2. People with limited literacy levels often become very good at hiding their reading and writing deficiencies.

**True**      False

3. Direct testing is the most reliable way to identify people with limited literacy skills.

**True**      False

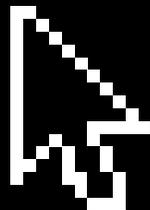
4. A quickly processed, easily administered, inexpensive and scientifically valid literacy test, called the Justice Literacy Indicator (**JLI**), has been developed for use by justice and social services professionals to identify limited literacy skills in their clients.

**True**      False

Password for web access to print the  
Justice Literacy Indicator (JLI) is:

**JUSTICE**

[www.justiceliteracy.org](http://www.justiceliteracy.org)



# JUSTICE LITERACY INDICATOR

Name Harold Eyon Birthdate 02/29/59  
 Grade Completed Six Date of Testing 12/13/06  
 Examiner RB Institution/Organization Legal Aid

forms [fɔrmz]	+	leisure [li:ʒer] or [lé:ʒer]	+	regulation [rɛgju'leɪʃən]	-
<b>Sample Test</b>					
<p>One client's test was completed as shown. The RAW SCORE of 16 indicated that the client/offender had a GRADE LEVEL ESTIMATE of Grade 7-9. It can be assumed that this client will have difficulty reading most of the materials that have been prepared for use in the criminal justice system. We would then recommend that someone review and explain the content of these reading materials with the client/offender after he has read them.</p>					
abide [ə'baɪd]	+	reprimand [rɛ'prɪmænd]	+	confidentially [kɒnfɪ'denʃəl]	+
		judicial [dʒu:di'ʃəl]	+		
		rescinded [rɪ'sɪndɪd]	+		

LIST ONE	LIST TWO	LIST THREE
----------	----------	------------

Phonetic Reference\*:  
 | e - colony | æ - cat | a - art | εe - beart | ei - snake | b - hanana | tʃ - charm | d - dog | e - request | i: - sneeze | ie - fear | f - fee | g - goat | h - house | i - fish | ai - wise | dʒ - edge | ʒ - corsage | k - pick | l - life | l - able | m - moon | n - noon | n - hidden | ŋ - wing | ʒ - lock | c - court | ou - vote | au - cow | ci - void | p - pack | r - rock | s - silly | f - wish | t - time | p - thin | ð - mother | v - duck | e: - bird | u - book | ue - sewer | u: - food | ju: - unite | v - wage | w - well | x - lock | j - youth | z - zoom |

The accent (ˈ) shown above phonetic characters represents primary stress, the accent (ˌ) shown below represents the secondary stress of the word.  
 \* As used by The New Lexicon - Webster's Encyclopedic Dictionary - The English Language - Canadian Edition

Raw Score (Number Correct) 16/20 Grade Level Estimate 7-9

## Administer, Score, and Interpret the Justice Literacy Indicator (JLI)

The following activities represent the steps in the administrative process of the JLI:

1. Read the instruction sheet
2. Read the Examiner's Copy of the JLI
3. Review the Pronunciation Sheet for the JLI and/or listen to the sound clips provided at [www.justiceliteracy.org](http://www.justiceliteracy.org)
4. Administer the JLI to your partner (a friend or co-worker)
5. Score the JLI result
6. Interpret the JLI score (according to the grade level estimate on the examiner's copy)
7. Review the examiner's recommendations for interpreting the grade level estimate

### Instruction Sheet

Find a friend or co-worker and agree to test each other. Pretend that your partner has just been brought into police custody.

Explain to your friend or co-worker the importance of understanding what will be happening during the criminal justice process and that you would like their participation in a quick test that will help you to help him with the proceedings.

Tell your partner that this is **not** a timed test and that he can take as much time as is necessary.

Tell your partner to read as many of the words on the test form as he/she can. If a word cannot be pronounced, tell your partner that he may go to the next word or discontinue testing at any time.

Tell your partner to begin at the top of each list (beginning on the left hand side of the form), work down each column, and then proceed to the top of the next column of words, until the test is completed or he indicates that he has read as many words as possible. As your partner is reading the words, mark each correctly pronounced word with a plus mark ( + ) and each incorrectly pronounced or skipped word with a minus mark ( - ).

When your partner is finished, add up all the plus marks (the correctly answered words). This number becomes the **raw score** and is out of a possible 20 correct answers. Place this number over the 20 to represent the score as, for example, 18/20.

To interpret the test results use the **conversion chart** displayed on the examiner's copy.

- Reverse the testing process with your partner.

Name \_\_\_\_\_ Birthdate \_\_\_\_\_

Grade Completed \_\_\_\_\_ Date of Testing \_\_\_\_\_

Examiner \_\_\_\_\_ Institution/Organization \_\_\_\_\_

forms [fɔrmz]	leisure [li:zər] or [lézər]	regulation [réguléifən]
plead [pli:d]	schedule [skédʒu:l] or [fédju:l]	surveillance [servéiləns]
check [tʃek]	grievance [grí:vəns]	consecutively [kənsékjutivli:]
curfew [kɜrfyew]	jeopardize [dʒéparaiz]	rehabilitation [rí:hebíliteit] or [rí:ebíliteit]
threat [θret]	addiction [edíkʃən]	revocation [revékéifən]
abide [əbaíd]	reprimand [réprimænd]	confidentially [kɒnfidénʃəl]
	judicial [dʒu:díʃəl]	<b>Sound files for these words can be heard at <a href="http://www.justiceliteracy.org">www.justiceliteracy.org</a></b>
	rescinded [risíndid]	

LIST ONE	LIST TWO	LIST THREE
----------	----------	------------

Phonetic Reference\*:  
 | e - colony | æ - cat | a - art | ée - beart | ei - snake | b - banana | tʃ - charm | d - dog | e - request | i: - sneeze | ie - fear | f - fee | g - goat | h - house | i - fish | ai - wise | dʒ - edge | ʒ - corsage | k - pick | l - life | ʌ - able | m - moon | n - noon | ɪn - hidden | ŋ - wing | ʒ - lock | c - court | ou - vote | au - cow | ci - void | p - pack | r - rock | s - silly | f - wish | t - zime | p - thin | ð - mother | v - duck | e: - bird | u - book | ue - sewer | u: - food | ju: - unite | v - wave | w - well | x - lock | j - youth | z - zoom |

The accent (ˈ) shown above phonetic characters represents primary stress, the accent (ˌ) shown below represents the secondary stress of the word.  
 \* As used by The New Lexicon - Webster's Encyclopedic Dictionary - The English Language - Canadian Edition

Raw Score (Number Correct) \_\_\_\_\_ Grade Level Estimate \_\_\_\_\_

# Justice Literacy Indicator

## *Examiner's Copy*

The Justice Literacy Indicator (JLI) is a brief test that will estimate a client's reading ability according to a grade level estimate. It is a word recognition test that will assesses the ability to pronounce words that commonly appear in legal pamphlets and documents.

### **Directions for Administering the Justice Literacy Indicator (JLI)**

1. Fill in the required demographic information at the top of the test page.
2. Explain to the client/offender that you would like to conduct a quick reading test with him so that you will have an indication of his/her reading ability. Explain the importance of understanding what will be happening during the criminal justice process and that you would like their participation in a quick test that will help him with the proceedings. Ask the client/offender for permission to conduct the test and let him know that you can share the results and what the results indicate him after the test.
3. Ask the client/offender to read the words in each list out loud, pausing briefly between words.
4. Mark each correct response with a + sign. Compare the responses of the client/offender with the correct responses printed on your Examiner's Copy of the JLI. Do not show the client/offender the examiner's copy.
5. Add up the number of correct ( + ) responses. This number is out of 20 possible correct responses. This is the raw score.
6. Using the chart below, convert the raw score to a grade level estimate.

**Conversion  
Chart**

<i>Raw Score</i>	<i>Grade Level Estimate</i>
19-20	Grade 10 through College
16-18	Grade 7-9
11-15	Grade 4-6
0-10	Grade 0-3

## **Interpreting the Results**

*Grade 10 through College:* This person can read with ease most of the materials written for client/offenders, although s/he may have some difficulty reading material which uses legal vocabulary and sentence structure. Recommendation: Give the client/offender the material to read and allow sufficient time for the questions. Documents written in legal language may need to be fully explained.

*Grades 7-9:* This person will have some difficulty reading most of the materials written for client/offenders including reading material which uses legal terminology and sentence structure. Recommendation: Allow the client/offender to read the non legal material and then review the content orally. Ask for questions. Documents written in legal language should be fully explained.

*Grades 4-6:* This person will have great difficulty reading the materials written for client/offenders. Recommendation: Read the materials to this client/offender and explain the content as you go along. Ask for questions. Do not assume that the client/offender can read other adult level materials.

*Grades 1-3:* This person will not be able to read the materials written for client/offenders. Recommendation: Read the materials to this client/offender and explain the content as you go along. Do not assume that the client/offender can read any print material.



## Community Literacy Providers and Resources

In the report, **Presumed to Understand, Do You Understand?** justice and social services practitioners identified their need for knowledge about government and community based agencies in their communities that offer literacy upgrading programs and/or services and resources.

Literacy agencies and coalitions across Canada provide information about literacy and literacy providers in each province. Many of these coalitions offer a commitment to literacy within their mission statements and promote literacy through activities, special events, and the establishment of partnerships with other community literacy organizations.

Literacy evaluation, using a scientifically valid test, provides a literacy assessor with an estimate of a person's grade level. This assessment provides the basis for access to literacy upgrading programs. Literacy tutoring (one-on-one training) is the preferred way to upgrade skills; however, many agencies effectively use small group processes as well. In addition to literacy assessment and upgrading services, many community agencies provide services such as computer training, life skills, transition to employment programs, and job search strategies.

The John Howard Society of Canada and its many regional councils are non-profit community agencies committed to advancing the ability of people to live law abiding life styles. Beyond the ability to read, write, and understand, being fully literate in this day and age enables people to open new doors to the world and fully participate in our society while living a law abiding life style.

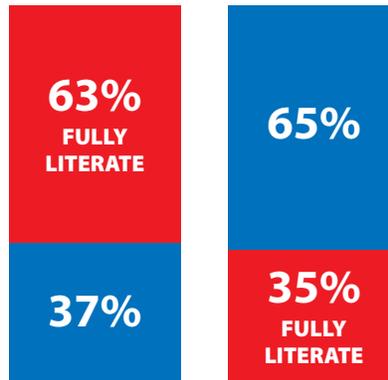
Literacy services and providers in communities through out Canada can be found and downloaded at: [www.NALD.CA](http://www.NALD.CA)

## Suggested Scenarios and Topics for Small and/or Large Group Discussions

- 1 Imagine that your child or the child of a friend asks for help with her homework. For her Grade 6 class assignment about democracy and voting, she needs an understanding of what it means when someone is not able to read or write. What would you be able to tell her about literacy and the democratic process?
- 2 Imagine that you encounter a client who is having difficulty filling out the required forms needed to access the legal or social services that your office provides. You have reasoned that this person may have limited literacy skills. What kinds of difficulties could you assume he/she may have had while he was in police custody last night?
- 3 Discuss how a person with limited literacy skills might affect your workload in the office.
- 4 While appearing in court to enter his plea to a charge, your client/offender seems very anxious and appears intimidated. What factors might be influencing how he is behaving?
- 5 Describe your ideas about the ‘right to understand’ as they relate to an accused person who has limited literacy skills.
- 6 What are some recommendations or policies that you would like to see implemented in your workplace as a result of this workshop?
- 7 The results of your client’s **JLI** indicate that she has a Grade 3-4 grade estimate of her literacy abilities. What could you do when she produces a subpoena to appear in court?
- 8 Your client was released from prison yesterday and has already breached two conditions of his probation order. If you administer the **JLI** to this client, what might his grade level estimate tell you about why he breached his conditions?

## As a Professional in the criminal justice sector

do you know how  
many accused you see  
who have limited  
literacy levels?



Canadian  
Population

Incarcerated  
Population

Literacy of incarcerated people  
are the inverse of the ratios for  
Canadians in general.

## Acknowledgements

The **Justice Literacy Workshop (JLW)** was developed by Wolfgang Pelzer, M.(Adult) Education, and Patricia Joyce, M.(Adult) Education, in partnership with the John Howard Society of Saskatchewan, Regina Council, 2332-11th Avenue, Regina, Saskatchewan, S4P 0K1.

The Justice Literacy Assessment & Awareness Project is funded by the National Literacy Secretariat, Human Resources Development Canada through Adult Literacy and Basic Education Services of Education, Training and Employment Saskatchewan. We are grateful for their financial and consultative support.

We are also grateful to our project partner, Dr. Salina Shrofel, Department of Education, University of Regina, and the Saskatchewan Instructional Development & Research Unit (SIDRU). Dr. Shrofel significantly contributed to this project through her extensive effort in the process of developing the Justice Literacy Indicator (**JLI**) and ensuring its scientific validity.

The John Howard Society, Regina Council, wishes to sincerely thank Ms. Dilys Collier for her early work in constructing a solid foundation in the justice literacy community on which to build The Justice Literacy Assessment & Awareness Project.

We would like to recognize the John Howard Society of Canada whose interest and initiative funded the original research document, “**Presumed to Understand: Do you Understand? An Analysis of Literacy, the Accused and the Justice Sector**” (1995), by Susan MacDougall-Gagnon-Gingras

Finally, we would like to thank the many front line justice and corrections workers and, of course, the inmate volunteers, without whom this project would not have been successful. Each person made a significant contribution to both the project and to our personal and professional development. In all cases, we received nothing but encouragement and support.

## Credits

Patricia Joyce, M. (Adult) Education, Regina, Saskatchewan.

Produced by Zoot Capri Entertainment Inc.

Producer – Leif Kaldor

Development – Rio Saxon Design

The Justice Literacy Assessment and Awareness Project is a partnership project of The John Howard Society of Saskatchewan, Regina Council, The University of Regina (SIDRU), and The National Literacy Secretariat, Ottawa, Ontario.

## References

- 1 ABC CANADA Literacy Foundation. (2006). Adult Literacy and Life Skills Survey (ALL). Canada.
- 2 John Howard Society of Saskatchewan, Regina Council. Community Justice Services. (2006). The Justice Literacy Assessment and Awareness Project. Regina. SK. Canada.
- 3 McDougall-Gagnon-Gingras, Susan. (1993). “Presumed to Understand, Do you Understand?” An Analysis of Literacy, the Accused, and the Justice Sector. The John Howard Society of Canada. Ottawa. ONT. Canada.
- 4 Statistics Canada. (2000). Government of Canada. [www.StatisticsCanada.ca](http://www.StatisticsCanada.ca)



