



Literacy and Policing in Canada

Module 1: Orientation to Literacy Challenges in Canada

Half-day Workshop: Student Workbook

The Canadian Association of Chiefs of Police (CACP) *Literacy and Policing in Canada* project aims to make police officers more aware of the:

- nature of problems caused by low literacy in the community,
- contribution of literacy training to crime prevention and lower recidivism,
- implications of literacy deficits in the criminal justice system, and
- varied challenges to successful communication caused by low literacy.

With the financial assistance of Human Resources and Social Development Canada, the CACP has developed police training materials to increase police effectiveness in communicating with all of those who come into contact with the law: victims of crime, suspects, complainants, witnesses, and the general public. The CACP also encourages police and their organizations to support literacy initiatives in their communities.

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| Overview | |
| Module Title | Orientation to Literacy Challenges in Canada |
| Questions for Your Consideration | |
| Essential Question | How big an issue is literacy in Canada? How does low literacy affect policing? |
| Module Questions | What is “literacy” today in Canada? What are Canadian literacy levels? How do we know? Does this match your experience? Who are the people with low literacy? How does the non-reader think or remember differently? |
| You will discover: literacy statistics, demography, and social impacts. | |

Module Summary

Unit 1 Measuring the Literacy Problem in Canada

Awareness Questionnaire

Unit 2 Literacy and Policing

Exploring relevance to police work

Unit 3 Measuring Literacy

What is Literacy; What is the Range of Literacy

Unit 4 The Prevalence of Low Literacy

Literacy Statistics

Unit 5 Who Are These People?

Do the demographics match your own experience?

Unit 6 How Does the Person with Low Literacy Differ from You?

How does the problem-solving approach of a person affect their ability to cope in society?

Unit 7 What Can You Do?

Planning goals

Wrap-up and Close

Evaluations

Unit 1**Measuring the Literacy Problem in Canada****Activity**

Fill in the Awareness Questionnaire.

Materials

Awareness Questionnaire

Fact Sheet 1-1, Measuring the Literacy Problem in Canada

Awareness Questionnaire

Note that the questions include multiple choice and true or false questions

Which of these people suffer from low literacy at higher than average rates?

- Smart kids with learning disabilities
- Elderly women and men
- Adult children of alcoholics
- Survivors of sexual abuse

Which of these can cause short-term literacy problems?

- Harassment
- Abuse
- Mental health problems
- Head injury
- Stress or anxiety
- Fear

Which is the better definition of literacy?

- Literacy is the ability to comprehend or understand and interpret text, and make meaning from it.
- A person is literate who can read and write with full understanding and perform elementary mathematical operations.
- Literacy is 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.

Nature of the problems caused by low literacy in the community

People who are literate are more likely to be active citizens, who participate in activities in their communities, and to find and hold jobs.

True or False

True False

Neighborhoods with low literacy rates and higher poverty rates are more likely to have higher crime rates.

True False

Adults with limited literacy are twice as likely to be unemployed or hold a low-wage, insecure job. True False

Implications of literacy deficits in the criminal justice system

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

The credibility of a witness may be doubted because he cannot give a straight answer but seems to talk in circles. True False

An accused person may plead guilty to a crime they did not commit rather than confess to having low literacy. True False

An accused person is not likely to speak up and admit to illiteracy when they come into contact with the police. True False

Signs of a literacy problem may be seen in:

- Body language
- Blank or puzzled look
- Manner of expressing self

True False

Literacy skills can be lost through lack of use, and this can begin as early as 25 years, and peak at 40. True False

A person who can speak clearly in English may not understand legal uses of words like “duty counsel”. True False

A complainant with low literacy skills might:

- speak to several members of the community before deciding to call the police;
- have difficulty understanding the legal process and seem to be the cause of delays;
- become frustrated or angry and refuse to cooperate out of fear that she will be asked to read or write something.

Fact Sheet 1-1

Measuring the Literacy Problem in Canada

What is literacy?

More than 23,000 Canadian adults took part in an International Adult Literacy and Skills Survey in 2003. This survey defined *literacy* as “the ability to use and understand information that is fundamental to daily life at work, at home, and in the community.” Statistics Canada and Human Resources Development Canada have adopted this definition.

The 2003 International Survey measured four skills:

- **Prose literacy:** the knowledge and skills needed to understand and use information from texts
- **Document literacy:** the knowledge and skills needed to find and use information in various formats, like schedules, maps, tables, and charts
- **Numeracy:** the knowledge and skills needed to do arithmetic and understand numbers in printed materials
- **Problem solving:** the process of solving problems by using goal-directed thinking and action, when the person does not have a routine to follow

How is literacy measured?

Everyone who took part was rated on each skill on a scale from 0 to 500 points. Their prose literacy, document literacy, and numeracy scores were then grouped into five levels of competency. (Problem solving has only four levels.)

The Government of Canada sets Level 3 as the minimum literacy that people need to cope with the increasing information demands of our society. The Conference Board of Canada believes that, in an information society, people need a score of at least 300 to be employable.

These are the five cognitive levels:

- | | | |
|-----------|----------------|--|
| • Level 1 | 0–225 points | This is the lowest level of literacy. |
| • Level 2 | 226–275 points | |
| • Level 3 | 276–325 points | This is the minimum level needed. |
| • Level 4 | 326–375 points | |
| • Level 5 | 376–500 points | This is the highest level of literacy. |

How literate are Canadians?

- 58 of 100 adults in Canada aged 16 to 65 have the basic reading skills they need for most everyday tasks.
- The average score for Canadian adults in prose literacy and document literacy is near the bottom of Level 3.
- That means that about two in every five Canadian adults— 9 million people —can't read well enough to do everyday things. If we add in the people who are older than 65, that number goes up to 12 million Canadians.
- The average for numeracy and problem solving is just below Level 3. Only 45 of 100 adults in Canada aged 16 to 65 can do everyday arithmetic and understand the numbers in printed materials.

Some people who have low literacy skills come from vulnerable groups, but that isn't the whole story. This problem affects many people in the general adult population too.

But people who come into contact with police, as suspects, victims, or witnesses, tend to have lower literacy skills. And neighbourhoods with low literacy levels tend to have higher crime rates.

These basic facts show the challenge to improve literacy performance among Canadians is far from over and affects law enforcement.

Unit 2**Literacy and Policing**

Read the *Officers Speak* pages throughout this workbook until you find an anecdote that connects with you.

Share this anecdote and your own related experiences with your partner.

Materials

Each Unit in this workbook begins with some anecdotes reported to us by Canadian police officers and entitled *Officers Speak*.

Officers speak

There's a built-in assumption that if they can speak to you in English, they can actually read English. But that's not always the case.

You could be speaking to someone who's very well spoken, and with great knowledge, but has really got a problem with putting it down in writing.

Often an accused has a voice but the victim has nobody to speak for them, or to assist them through the court process. "I don't know what just happened there. Why is this happening to me? Now I am being victimized again." Coming out at the other end of the hearing not feeling cheated would help them.

I'll be standing at the counter listening to a clerk read something to a young person that I know cannot read or write, sometimes can't even spell their own name. And their parent is standing there, and they cannot read or write either. They are expected to comply with the conditions set by the judge, and carry that piece of paper with them, but they have no idea what it says.

Officers Speak continues throughout your workbook.

Unit 3

Measuring Literacy

“Understanding” is different from “reading”. The best definition of literacy is:

Literacy is 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.

Activity 1

You will need a standard sheet of paper that is 8 1/2” x 11”. Wait for instructions.

When the trainer is ready to start, stand up. Hold the paper behind your back. Do not ask any questions.

You will see that, while everyone heard the same directions, their actions varied.

Activity 2

Look over the **reading tests** at the back of this workbook, found at Attachment.

Materials

Reading tests

Estimated Time to Complete All Steps for Selected Occurrences (in hours)

| Year | 1975 | 1985 | 1995 | 2005 |
|-----------------------------|--------------|--------------|---------------|----------------|
| Occurrence Type | | | | |
| Break & Enter | Up to 1 hour | 5 to 7 hours | 6 to 10 hours | 5 to 10 hours |
| Domestic Assault | Up to 1 hour | 1 to 2 hours | 3 to 4 hours | 10 to 12 hours |
| Driving Under the Influence | 1 hour | 2 hours | 3 hours | 5 hours |

Adapted from: Malm, Aili et al. (2005), p. 19.

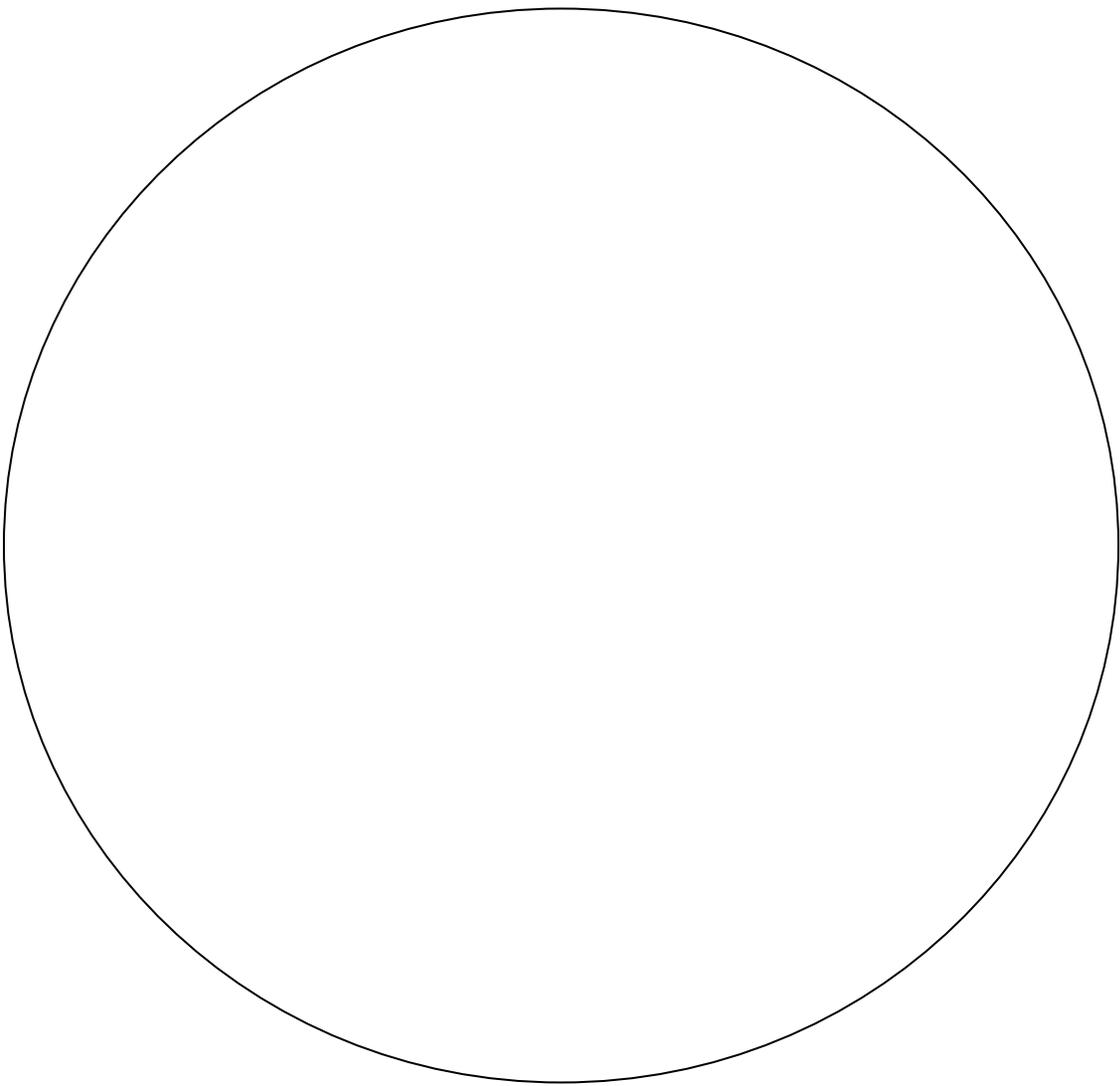
Unit 4**The Prevalence of Low Literacy****Materials**

Council of Canadian Administrative Tribunals (CCAT) Poster 1
Pie Chart Form

Create a Statistics Pie Chart

Use the available resources to create a pie chart showing the literacy levels of the Canadian population of working age.

| Levels | | % Canada |
|------------|--|----------|
| Level 1 | Cannot read or have extreme difficulty | 22 |
| Level 2 | Can read for limited purposes | 26 |
| Level 3 | Everyday skills | 33 |
| Levels 4/5 | Comfortable and proficient | 19 |





Literacy is the ability to understand and use printed information in daily activities, at home, at work and in the community.

| How Literacy Is Measured | 2003 Averages | Prose | Document | Numeracy | Problem Solving |
|---|---------------|-------|----------|----------|-----------------|
| <p>Prose Literacy: The knowledge and skills needed for understanding and using information from texts</p> <p>Document Literacy: The knowledge and skills required for locating and using information in various formats – schedules, maps, tables & charts</p> <p>Numeracy: The knowledge and skills required for applying arithmetic to numbers in printed materials</p> <p>Problem Solving: The process of solving problems for which no routine procedure is known to the person</p> | Can | 281 | 281 | 272 | 274 |

276 points out of a possible 500 is considered the minimum score appropriate for a modern, information economy.

The Problem

Nine million Canadians between the ages of 16 and 65 would score below 276 points.

42% of the working age population of Canada can't read adequately.

Some **80%** of Canadian seniors (over 65) would score below 276, the upper cut-off for Level Two.

Ressources humaines et Développement social Canada / Human Resources and Social Development Canada

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Unit 5

Who Are These People?

Activity 1

Read **Fact Sheet 1-2** and the **CCAT Poster 2** in this workbook.

Do the demographics, especially identified groups, match with your own experiences with people with communication difficulties?

Can you identify any categories not mentioned?

Materials

Fact Sheet 1-2, Who Are the People with Low Literacy in Canada?
CCAT Poster 2

Officers Speak

Literacy is more of a deep-rooted social issue. We've taken to community policing all over the country. I think that's one part of it, to help reduce the crime. As a police force, because we care about our community enough, we can say, "We can help you." The main thing is finding out what's the best way to do that.

Say a victim doesn't want to provide a statement because of a literacy issue. We need to break down those barriers, let them know there's help there. Again, you have to get to their level of understanding. We need training on how to communicate with various folks who have literacy issues.

Police officers know that some people claim not to speak English, just to make our lives more difficult. But it may not be someone playing games – the person may have a legitimate literacy issue. We need sensitivity. Is there a legitimate issue?

At a collision reporting centre, I came into contact with a lot of literacy-challenged people. They had to fill in their own accident-report forms because we send them to the collision reporting centres, and we are removed from that process. They have to describe the collision to the officer, and to write down their version of events. This is a complicated system even for an English speaker. I can't imagine what it would be like for someone who has literacy challenges. Often, the only people who are in that office who might help them are people for whom English is a second (or a third or fourth) language, so they are not getting any assistance whatsoever. So I have major concerns for those people.

Fact Sheet 1-2

Who Are the People with Low Literacy in Canada?

About 58 out of 100 Canadian adults aged 16 to 65 have the basic reading skills they need for most everyday reading. The other 42 of the 100 working-age adults in Canada has lower literacy than is needed to cope with the increasing information demands of our society.

That means that about two in every five Canadian adults— 9 million people —can't read well enough to do everyday tasks. If we add in the people who are older than 65, that number goes up to 12 million Canadians.

The Statistics

More than 23,000 Canadians took part in an International Adult Literacy and Skills Survey in 2003. Based on the results of that survey, we can make some broad statements about who has low literacy skills in Canada:

- 2.6 million are immigrants
- 5.8 million are employed and over 800,000 are unemployed
- 2.4 million are not actively in the workforce
- 3.1 million have less than high school education
- 3.3 million finished high school
- 2.6 million have post-secondary education

Putting a Human Face on the Numbers

People who have low literacy are found throughout Canadian society – they live in all the provinces and territories, they belong to all the ethnic and religious groups, they are in all the income groups, and they have a whole range of levels of education.

Low literacy is more common in some specific groups than in Canadian society as a whole. These groups include

- seniors
- immigrants
- Aboriginal Canadians
- Francophones
- people entering the corrections system
- people who experienced one or more major roadblocks in their education when they were children or young adults, like being the victim of
 - neglect
 - abuse
 - poverty

- poor nutrition
- racial discrimination

More facts about low literacy in Canada

- Men are more likely to have low literacy skills than women.
- Some children had learning disabilities or social problems when they were in school, and never became good readers.
- Many people don't read regularly. They get their news from television and radio. They don't read for enjoyment either – they get their entertainment from the Internet, TV, movies, and concerts. Gradually, they lose their reading skills.
- Many senior citizens have only elementary school education, and their reading skills were never up to today's standard. Others have stopped reading and let their skills decline.
- Some immigrants who may be literate in their first language are still learning English or French. Others are not literate in their first language, and find it difficult to learn how to read in a second language. Even those immigrants whose first language is English or French have lower literacy than those people born in Canada.

Low literacy in Canada is a personal, family, community, and societal problem. And low literacy is a law enforcement problem.



Literacy problems block access to justice

Many people don't enforce their rights because low literacy blocks their access to legal information and to the legal system. Legal language intimidates others with adequate reading skills.

Who are these people?

Many seniors attended only elementary school so their reading skills may be low by today's standard.

Baby Boomer high-school graduates have let their reading skills deteriorate.

Many young people have lost reading skills - they get news from television and radio & entertainment from tv, films, and concerts.

Some survivors of childhood poverty, abuse, neglect, or racial discrimination had trouble concentrating at school and never learned to read adequately.

The prose literacy skills of the Aboriginal populations are lower than those of the whole Canadian population.

Immigrants who are literate in their first language may struggle with English while others are not literate in their first language and learn English slowly.

Literacy is relative to time and place

People who usually perform at a higher literacy level can experience situational limited literacy. These factors can temporarily affect literacy:

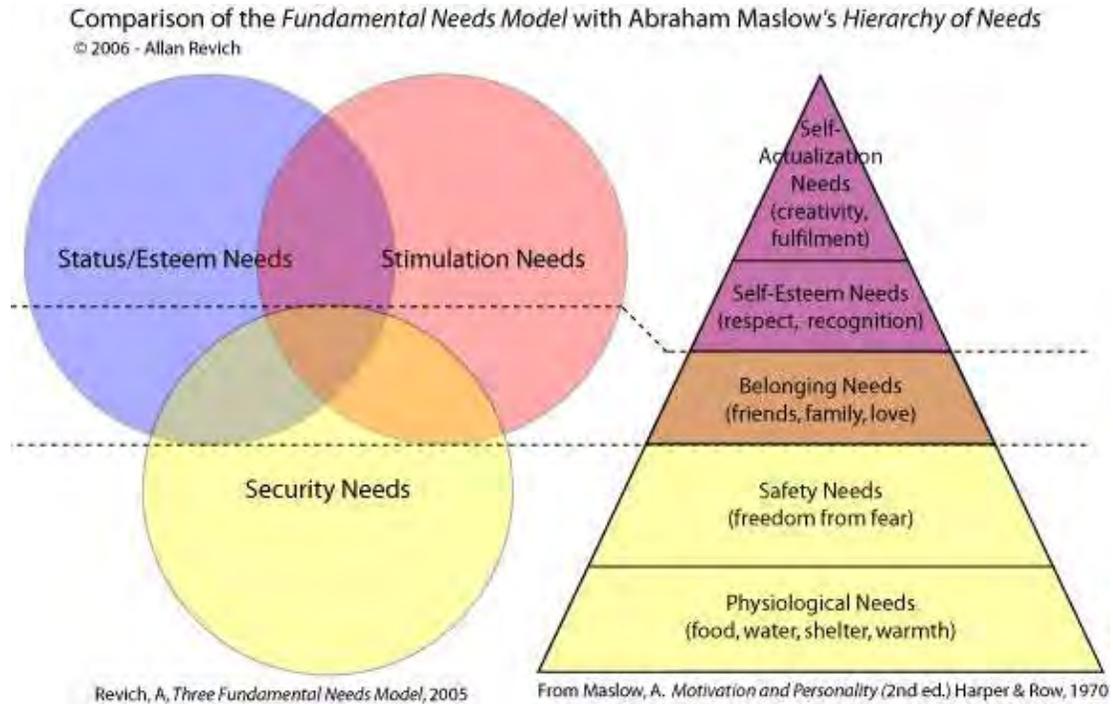
- stress
- mental health
- stage in life
- lack of practice or neglect
- head or other physical injuries
- pressures of legal matter
- intimidation by situation
- legalese



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Blocks to Reading

Before a person can learn to read, they must be ready to learn. What requirements precede learning?



Activity 2

Read the page *Is there a phone number on there?*

Discuss the hidden messages in comments like that and others in the fact sheet.

Materials

Fact Sheet 4-1, Identifying People Who Have Low Literacy

Is there a phone number on there?

Fact Sheet 4-1

Identifying People Who Have Low Literacy

Police are required by law to “accommodate” people who have low literacy. This means that you must do everything you reasonably can to make sure people understand the verbal and written information that you give them.

Before you can make changes for people who have low literacy skills, you must first be able to identify who they are. Keep in mind that people who have trouble reading, writing, and understanding verbal information often try to cover up their problem or aren't even aware of it. They use a variety of strategies to do this, including avoidance and denial.

Here are some of the signs that may indicate a person has a low level of literacy.

In a verbal interview, a person with low literacy may:

- have difficulty telling a clear story; for example, they may get the order of events confused
- seem to talk in circles – this thinking pattern is common among people with low literacy
- have stiff body language; for example, they may not nod or shake their head to indicate agreement or disagreement
- seem nervous or embarrassed
- seem to lack confidence and be easily intimidated

When asked to read or write something, a person with low literacy may:

- make excuses to avoid the task; for example,
 - "I can't read this because I forgot my glasses,"
 - "I don't have time to read this now. Can I take it home?"
 - "I hurt my hand, so I can't fill out this form."
- read very slowly
- stare at the page they're supposed to read, but not move their eyes back and forth
- ask questions about things that are clearly stated in the document
- make a lot of spelling or grammar mistakes in their writing, or fill out a form with incorrect information
- bring a friend or relative with them who helps with reading and writing

People who have difficulty understanding verbal and written information have other tell-tale behaviours. Many people with low literacy:

- give what seem to be indirect, confused, or irrelevant answers to questions
- act confused or ask questions that do not seem to relate to the problem or situation
- may not ask any questions at all (rather than reveal they don't understand what's going on)
- nod to indicate they agree or understand something, but then not do what you expect

They may also:

- not show up for meetings or hearings (because they did not understand the instructions on a written notice)
- sign statements or legal documents that they do not understand (rather than admit they have a reading problem)
- look dazed or uncomfortable when someone gives them something to read

They may show their confusion when they:

- give the impression that they don't understand the seriousness of their situation
- become frustrated and angry easily; they may storm out, or become physically confrontational

When you question if a person has low literacy, remember that:

- Low literacy is more than a reading problem. People with low literacy also have difficulties understanding oral and written information. Many tend to have different thinking strategies and problem-solving approaches.
- People with low literacy skills are likely to understand verbal and written information more slowly than others.
- What seems to be a bad attitude may be a literacy problem.

Is there a phone number on there?

Video at <http://clipswtf.com/4351/funny-videos/Is-There-A-Phone-Number-On-There>



A California patrol officer stops an old man after he did not stop his car at a stop sign. The old man is senile. He is cooperative but asks the same question 5 times: "Is there a phone number on there?"

The police officer is patient and speaks to him clearly each time. First she tells him, "You just have to call the phone number on there." Then she writes the courthouse phone number on the back of the ticket. He asks 3 more times.

What was the difficulty? The old man's senility. What could have been done to improve his understanding?

He seemed to understand each time, and she spoke well. The senile man became confused as he worried over what to do next. He was having trouble processing the information to move from his present situation to the future.

His question, "Is there a phone number on there?" may have meant:

- "What do I have to do next?"
- "Who will help me?"
- "Where do I get more information?"

The police officer could have written more on the ticket: "Call this phone number for information". Or the ticket could have been easier to read.

If you communicate with older adults or non-native English speakers, writing down numbers and information may not be enough. Listen and interpret questions that they do not clearly ask.

Unit 6

How Does the Person with Low Literacy Differ from You?

Activity

Read Fact Sheet 1-3, The Problem of Low Literacy In Canada and Fact Sheet 4-3, Working With an Accused Who Has Low Literacy Skills

Research has shown that learning to read actually re-programs the mind. Research into the problem-solving methods of oral societies is rapidly developing, but we know their approach is different. They use narrative form to help remember things –stories are told to retrieve information from memory.

A reader's way of thinking about and organizing information changes. The problem-solving method of a reader is different from that of a non-reader.

See the **Problem-solving Chart**.

This is an explanation of the methodology studied in the IALLS. The people tested generally had problem-solving skills at the same level as their reading skills.

Materials

Fact Sheet 1-3, The Problem of Low Literacy in Canada
Fact Sheet 4-3, Working with an Accused Who Has Low Literacy Skills
Problem-solving Chart

Officers Speak

The tool you need the most is common sense and empathy. Don't make a person who's lacking in aptitude feel stupid, because then they'll clam up.

A lot of times they don't want to sign an *undertaking* because they think they are signing a confession. It all comes back to taking your time, explaining it, putting it in layman's terms. Don't be so quick to get them processed and out the door so you can move on to the next one. You have to take the time to explain to them in layman's terms that it's not an admission of guilt.

Quite often, I take a complaint from somebody talking in circles, and I don't understand exactly what they're saying. The more you ask them, "What exactly are you telling me?" the more I can see them becoming frustrated or flustered, because they can't clearly communicate what they are trying to tell me.

I think people with low rates of literacy just can't say what they want to say. They spend a lot of time talking around the issue, to sort of make themselves confident, or just to come up with something they think you're looking for.

Fact Sheet 1-3

The Problem of Low Literacy in Canada

The Problem

In Canada, about 58 of 100 adults aged 16 to 65 have the basic reading skills they need for most everyday tasks. The other 42 – 9 million adult Canadians – have low literacy skills.

How does low literacy affect people?

People with low literacy can only read short pieces of text and understand a specific piece of information at a time. If text isn't written in clear language and presented in a simple layout, they have trouble understanding it.

But low literacy means more than having trouble reading marks on paper. People who have poor literacy skills may also have trouble organizing information, following a line of reasoning (even when the information is given orally), and keeping track of a set of instructions.

Many people with low literacy find it hard to do everyday things that others take for granted. Here are some examples:

- Parents may not be able to help their children with homework, or to understand letters they receive from the school.
- People may have difficulty understanding the newspaper, so they don't find out about important community notices and other information.
- Drivers who get tickets may not be able to understand the instructions on the ticket. This could cause more legal problems for them.
- People who can't understand contracts and due dates may get into financial and legal difficulties.
- People who don't read well may avoid reading their mail, which could lead to problems like getting their electricity cut off or not attending at court when required.
- People who don't understand instructions from the lawyer, counsellor, or probation officer, can't follow those instructions properly. As a result, their legal problems get worse instead of better.

Having low literacy skills affects many aspects of a person's life. It can also affect the lives of their spouse, children, neighbours and co-workers.

What can you do about low literacy?

- Be aware of the extent of the problem and how it affects the everyday lives of the people you meet.
- When someone is acting inappropriately, remember that low literacy may be a factor in how they're feeling and behaving. Make sure you are communicating with them clearly, and remember that the reason for their behaviour may be that they don't fully understand the situation.
- Remember the 42% of adult Canadians who have trouble reading are found throughout Canadian society – they live in all the provinces and territories, they belong to all the ethnic and religious groups, and they are in all income groups.
- Keep in mind that how much education a person has and their literacy don't always go together – some well-educated people have lost their literacy skills.
- Help to improve relationships with the community by making sure that you communicate clearly and in a way that works for the people you are in contact with.
- Use tact and consideration to encourage cooperation.
- When you become aware that someone has low literacy skills, refer them to the appropriate community service agencies.

Fact Sheet 4-3

Working with an Accused Who Has Low Literacy Skills

When you suspect that an accused has low literacy skills, your first step is to overcome the person's desire to hide their reading problem.

- If you suspect that English is not the person's first language, ask them if they need an interpreter.
- Ask defence counsel if they know about a reading problem.
- Ask the accused directly – in private –if they have a reading problem.
- To ask “Do you understand?” can be intimidating. Instead, ask the accused to tell you, in their own words, what the information means to them.
- Speak in a way that is easy for anyone to understand. Avoid using police jargon, legal terms, or other specialized language.
- Ask the person what they need to help them understand better.

Once you have confirmation that the accused has difficulty understanding written and spoken information, you may have to “teach” them the context of the charges against them. It is your job to make sure the accused understands

- what is happening
- how the *Canadian Charter of Rights and Freedoms* applies to them in their current situation
- what the charge is and how serious it is
- what their choices are, and how those choices play out
- that they should not sign a document until they understand it fully

Problem-solving steps and instantiations

| | |
|------------------------------|--|
| Define the goals | <ul style="list-style-type: none">• Set goals.• Recognize which goals are to be reached and specify the essential reasons for the decision.• Recognize which goals/wishes are contradictory and which are compatible.• Assign priorities to goals/wishes. |
| Analyze the situation | <ul style="list-style-type: none">• Select, obtain and evaluate information.<ul style="list-style-type: none">⇒ What information is required, what is already available, what is still missing, and what is superfluous?⇒ Where and how can you obtain the information?⇒ How should you interpret the information?• Identify the people (e.g. with what knowledge and skills) who are to be involved in solving the problem.• Select the tools to be used.• Recognize conditions (e.g. time restrictions) that need to be taken into account. |
| Plan the solution | <ul style="list-style-type: none">• Recognize which steps need to be taken.• Decide on the sequence of steps (e.g. items on the agenda).• Coordinate work and deadlines.• Make a comparative analysis of alternative plans (recognize which plan is suitable for reaching the goals).• Adapt the plan to changed conditions.• Opt for a plan. |
| Execute the plan | <ul style="list-style-type: none">• Carry out the individual steps (e.g., write a letter, fill in a form, make calculations). |
| Evaluate the results | <ul style="list-style-type: none">• Assess whether and to what extent the target has been reached.• Recognize mistakes.• Identify reasons for mistakes.• Assess consequences of mistakes. |

Here are some guidelines to follow when you are communicating with an accused who has low literacy:

Keep your message as simple as possible. Be clear and to the point. Long, complicated sentences will probably confuse the person, making it more difficult to get the information you need.

Use plain and clear language. Don't quote the statute word for word or use police jargon – specialized language can seem like a foreign language to people who have low literacy skills.

Be specific. Don't make broad, general statements or ask for them. Focus on specifics and on the recent past as it applies to the event or charges.

Repeat information. Repeat in the same words the first time. Then try to phrase the information in a different way or present it in a different order. This gives the person more chances to understand.

Be patient. Don't interrupt the person or tell them to "give it to me straight." Even though their story may seem rambling and repetitive, that may be their only way of expressing their ideas or understanding what is going on. Encourage the person to tell you everything about the situation, because you want to be fair.

Get feedback. Ask the person to explain what you have said, using their own words. Ask them how well they understand legal information. Ask, "What does this mean to you, in your situation now?"

Encourage questions. Tell the accused that you want them to understand the process and their situation. Encourage them to ask you questions about what is going on. Be careful not to react negatively if they ask very simple questions, or ask the same question more than once.

Record what you did. Make notes of the facts that convinced you that the person understood everything. Make notes of the steps you took to ensure they understood.

Officers Speak

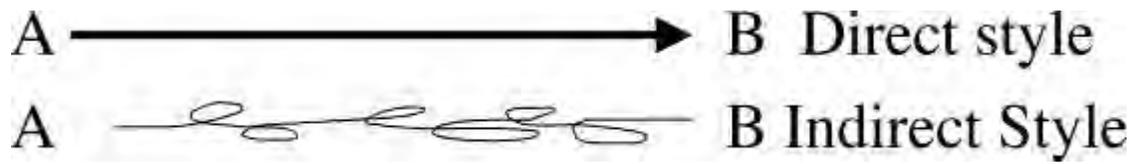
How do we know when somebody who is illiterate does understand? I think you need to look at their facial expressions. Hopefully, you know how to read a person.

What do you look for? Well, for example, "My handwriting is too messy. If I write, nobody will be able to read it." Maybe his handwriting is messy, but it may be an indication that he can't write at all. I'd like a list of cues to look for so we know what we'll have to spend more time on.

Look for signs like staring, or when you say, "I want you to read this," and they look at you with terror in their eyes and say, "No, I don't have to read that." Or when you get to the part where you see they are trying to sign something, but they're just scribbling their name.

Sometimes you can pick it up in their body language, when you're showing them something and they're just staring at the piece of paper blankly. "Where do I sign my name?" It's something that you have to be looking for, because if you're just processing, you can pass it by very quickly.

Communication styles



Readers are more likely to follow the direct style than non-readers. Non-readers use stories and interpersonal connections to remember information and to establish its credibility.

Unit 7

What Can You Do?

Activity

Fill out the **Goal Sheet**. Pick a personal goal or one for the whole department.

In small groups, share your goal and ask for advice from the others on how to deal with **Alliances and Resistances** you will encounter.

Materials

Fact Sheet 3-2, Department Policies and Procedures Relating to People with Low Literacy Skills
Goal Sheets, Page 1 and 2

Officers Speak

If you don't really take the time to explain it, and the person doesn't understand, as an officer you are liable. It's your responsibility.

In the courts, it can be confusing even for some officers to follow what's going on. By the time you throw in a language barrier and literacy issue, no wonder no one is following the law.

The whole British common law – the rights of counsel, the right to remain silent – is in archaic judicial language that does not translate well at the common level of speaking in our communities, especially with members of ethnic groups. So we try to put traditional legal language into more common parlance. It has to be broken down to the lowest common denominator.

We are doing this because we want to get these numbers down, because we can save time and effort in the long run, instead of retracing our steps over and over again. People need to understand about the investment, how much is this going to cost, how much is this going to save. You invest in literacy, and then you might have (fewer) shootings in the city in 20 years.

The huge issue is making certain that officers truly accept the need to make sure the accused understands. As long as I do it respectfully, I've never seen anything wrong with asking if they are comfortable speaking, reading, and writing English.

Most police officers are aware of what they need to do, but some of us communicate better than others. As police, we need to communicate in layman's terms.

Literacy is a very important issue in policing. As a cop in an interview room, I would struggle over what words I could use. How could I articulate clearly to make certain this person understands the right to counsel and to remain silent, and understands that anything they say could and would be used as evidence against them? What steps can I take? It has been left to the police themselves to come up with the answers to those questions, and I don't know if it's being done effectively.

We need to break it down so they understand and are aware of what they are facing or what we are investigating, why we are interacting with them, and what their options are.

Fact Sheet 3-2

Departmental Policies and Procedures Related to People with Low Literacy Skills

The responsibilities of individual officers

Police officers are legally and morally obligated to make sure that people with low literacy skills understand their situation, their rights, and the effects of their decisions.

- Know how to recognize the signs that a person has low literacy skills.
- Make sure the person understands all the information given to them orally and in writing.
- Understand that failing to take into account a person's low literacy skills may result in lost cases, evidence ruled inadmissible in court, and civil actions against the police service.

The responsibilities of police departments

Police services are obliged to make sure that all officers take appropriate steps to help people with low literacy.

- Train officers in how to recognize literacy problems and how to assist these problems.
- Develop procedures for officers to assess the literacy of victims, witnesses, and accused persons.
- Develop or adopt quick, practical tests for officers to use to identify a person's literacy problem as early in the process as possible.
- Develop ways to explain the rights to remain silent and to have legal counsel so that people with low literacy can understand them
- Check regularly to see that officers are applying the policies and using the procedures consistently, and that these steps are working

The benefits of recognizing the importance of literacy issues

Police agencies that take reasonable and necessary steps to assist people with low literacy skills improve their service delivery. They also avoid:

- having evidence and statements ruled inadmissible in court (If the court finds that a witness or defendant didn't fully understand their rights or the documents they were asked to sign.)
- costs of legal disputes and civil lawsuits (from accused who believe their rights were violated because they didn't fully understand what was going on)

- negative publicity and damage to the department's reputation (from individuals going public with their complaints that the police treated them unfairly or disrespectfully).

The risks of ignoring the importance of literacy issues

Departments that *don't* put in place policies and procedures to assist people with low literacy skills may be accused of systemic discrimination.

Systemic discrimination occurs when an organization's policies or practices have a negative effect on a particular group of people because they don't recognize the group's unique characteristics and make adjustments for them. It is important to note that systemic discrimination can occur *even when everyone is treated the same and there is no intent to discriminate*. This is sometimes called **adverse effect discrimination**.

The intent of the organization is not the issue – the issue is whether a certain group of people are negatively affected because the organization failed to accommodate their particular characteristic: an inability to understand due to low literacy skills.

Systemic discrimination is prohibited under the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, and provincial human rights laws. Police departments that are found to have practised systemic discrimination may be liable for damages. Police departments that don't have policies, procedures, and training programs for dealing with people with low literacy skills could be violating the *Charter* and human rights legislation.

Police chiefs, departments, police boards, and city governments (by failing to respect the requirements of human rights law, thus showing a lack of good faith) may face negligence claims. This can happen if *you* don't make reasonable efforts to meet the special needs of those with literacy challenges.

Goal Sheets

I **Achieving Goals: Arrange to be held accountable**

A study by the American Society for Training and Development learned that, of people who

- consciously decide to set a goal, 25% achieve their goal;
- decide when they will do it, 40% achieve their goal;
- plan how they will do it, 50% achieve their goal;
- commit to someone else they will do it, 65% their achieve goal;
- have a specific accountability appointment with the person they committed to, 95% achieve their goal.

1. Set yourself one goal for a change you need to make (personally or departmentally) in future:
2. Set a date by which you will have made this change or acquired this habit:
3. How will you do it?
4. Who will you tell about this goal?
5. Who will be your allies?
6. Make an appointment to report achieving your goal.

II Prepare for the Negative

Uncover the negative obstacles to achieving a positive result.
Consider the alliances you can make to overcome the resistances. Write it down:

Resistances

Alliances

Create "positive power"

How will you do it?

Extra Learning

Here is an extra activity for the reflective learner. Take a minute of time to figure out what this material offers you and what more you need to know on this subject. Ask yourself:

- On the scale 1 to 10, how well do I understand this topic?
- What are the most challenging aspects of the material?
- What can I do to learn it better?
- What resources would help me most?
- How do I know that I have done enough?

Want more questions?

1. What confused you most here?
2. What is the best way to resolve your confusion?
3. What key ideas and information did you learn?
4. What was the most important idea you learned?
5. What surprised, dismayed, delighted you most?
6. How does your learning relate to the larger context of your life and work goals?
7. Have you learned any practical skills, ideas, tools, techniques that you can easily apply to real-life situations?
8. Have you learned anything new about yourself, your interests, feelings, values?
9. What helped your learning?
10. What interfered with your learning?
11. What should you do more of? What should you do less of?
12. What is one thing (skill, habit, activity) you want to focus on next?

[adapted from Lawsagna, <http://lawsagna.typepad.com/>]

Wrap-up and Close

Evaluation of Session

Identify any of the questions on the flip chart that have not been answered.

Ask any remaining questions you may have.

Ask about becoming a *Literacy Champion*.

Please fill out the session evaluation on the next page.

Post-Training Summary Evaluation

1. What are the three most important things [or topics] you learned during this training?

1.

2.

3.

2. Was an appropriate amount of material covered during this session?

Yes ___

No ___

3. To what extent do you expect this meeting will make a difference in the way you do your job?

No
Difference

Tremendous
Difference

1

2

3

4

5

Comments:

Attachment

Reading Tests

Sample Reading Problems as in IALLS

From Assessing the Complexity of Literacy Tasks: A guide to analysis with examples and exercises by Julian Evetts

<http://www.plainlanguagenetwork.org/conferences/2002/litasks/assess/2.htm>

These reading materials are fairly difficult reading. The standard readability tests show them to require high school graduation levels. The author of the paper suggests they are nearer a seventh grade level.

The reading skill level associated with each example is based on one's ability to answer the questions, that is, to make use of the content.

Prose Literacy - Level 1

What is the maximum number of days you should take this medicine?

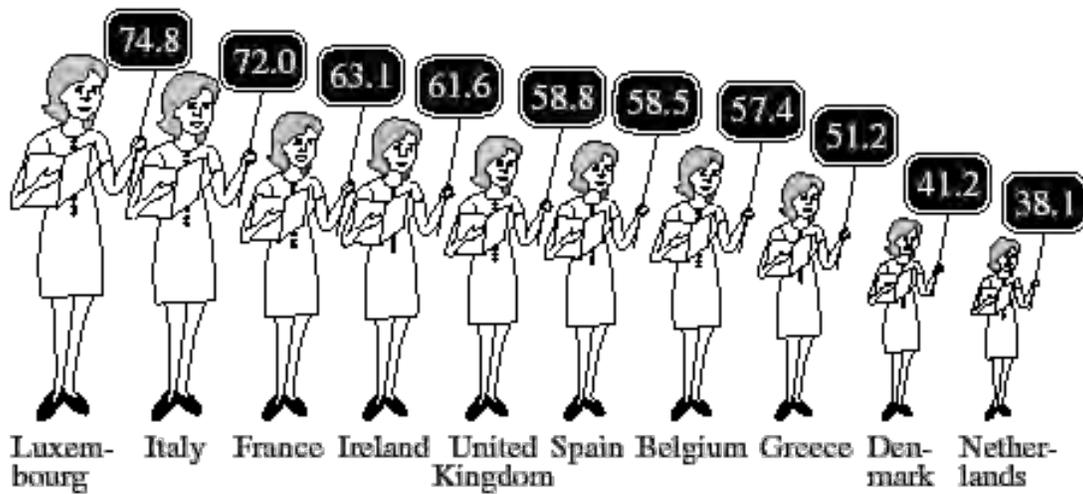
| | |
|--|--|
| MEDCO ASPIRIN | 500 |
| INDICATIONS: Headaches, muscle pains, rheumatic pains, toothaches, earaches. RELIEVES COMMON COLD SYMPTOMS. | |
| DOSAGE: ORAL. 1 or 2 tablets every 6 hours, preferably accompanied by food, for not longer than 7 days. Store in a cool, dry place. | |
| CAUTION: Do not use for gastritis or peptic ulcer. Do not use if taking anticoagulant drugs. Do not use for serious liver illness or bronchial asthma. If taken in large doses and for an extended period, may cause harm to kidneys. Before using this medication for chicken pox or influenza in children, consult with a doctor about Reyes Syndrome, a rare but serious illness. During lactation and pregnancy, consult with a doctor before using this product, especially in the last trimester of pregnancy. If symptoms persist, or in case of an accidental overdose, consult a doctor. Keep out of reach of children. | |
| INGREDIENTS: Each tablet contains 500 mg acetylsalicylic acid. Excipient c.b.p. 1 tablet. Reg. No. 88246 | 0  67736 11079 |
| Made in Canada by STERLING PRODUCTS, INC. 1600 Industrial Blvd., Montreal, Quebec H9J 3P1 | |

Document Literacy - Level 1

What is the percentage of women in the teaching profession in Greece?

FEW DUTCH WOMEN AT THE BLACKBOARD

There is a low percentage of women teachers in the Netherlands compared to other countries. In most of the other countries, the majority of teachers are women. However, if we include the figures for inspectors and school principals, the proportion shrinks considerably and women are in a minority everywhere.



Percentage of women teachers (kindergarten, elementary, and secondary).

EMPLOYMENT APPLICATION

SOCIAL INSURANCE NO. _____ AREA CODE _____ TEL NO. _____

NAME _____
FIRST NAME MIDDLE INITIAL LAST NAME

STREET ADDRESS _____ APT. NO. OR BOX _____

CITY _____ PROVINCE _____ POSTAL CODE _____ ARE YOU 18 OR OLDER? YES NO, AGE _____

EVER WORKED FOR OUR RESTAURANTS BEFORE?
 IF YES, DATES AND LOCATION _____

AVAILABILITY:

TOTAL HOURS AVAILABLE PER WEEK _____ HOURS AVAILABLE: _____

| | M | T | W | T | F | S | S |
|------|---|---|---|---|---|---|---|
| FROM | | | | | | | |
| TO | | | | | | | |

HOW DID YOU HEAR OF JOB? _____ HOW FAR DO YOU LIVE FROM STORE? _____ DO YOU HAVE TRANSPORTATION TO WORK? _____

SCHOOL MOST RECENTLY ATTENDED:

NAME _____ LOCATION _____ PHONE _____

TEACHER OR COUNSELLOR _____ DEPT. _____ LAST GRADE COMPLETED _____ GRADE POINT AVERAGE _____

GRADUATED? YES NO NOW ENROLLED YES NO SPORTS OR ACTIVITIES _____

RECENT JOB: (If not applicable, list work performed on a volunteer basis or personal references.)

COMPANY _____ LOCATION _____ PHONE _____

JOB _____ SUPERVISOR _____ DATES WORKED: FROM _____ TO _____

SALARY _____ REASON FOR LEAVING _____

Document Literacy - Level 2

Using the following information, fill out the availability section of the employment application form for a fast food restaurant above. You do NOT need to fill out anything in the shaded areas.

- You would like to work a total of 15 hours a week starting at 4 p.m.
- You don't want to work Saturday or Sunday.
- You live only 2 kilometres from the store along the bus route convenient to the store.
- A friend told you about the job.

Prose Literacy - Level 2

At what age did Chanin begin to swim competitively?

Swimmer completes Manhattan marathon

The Associated Press

NEW YORK - University of Maryland senior Stacy Chanin on Wednesday became the first person to swim three 28-mile laps around Manhattan.

Chanin, 23, of Virginia, climbed out of the East River at 96th Street at 9:30pm. She began the swim at noon on Tuesday.

A spokesman for the swimmer, Roy Brunett, said Chanin had kept up her strength with "banana and honey" sandwiches, hot chocolate, lots of water and granola bars".

Chanin had twice circled Manhattan

before and trained for the new feat by swimming about 284 miles a week. The Yonkers native has competed as a swimmer since she was 15 and hoped to persuade Olympic authorities to add a longdistance swimming event.

The Leukemia Society of America solicited pledges for each mile she swam.

In July, 1983, Julie Ridge became the first person to swim around Manhattan twice. With her three laps, Chanin came up just short of Diana Nyad's distance record, set on a Florida-to-Cuba swim.

Document Literacy - Level 3

Suppose the annual budget statement will be 105 pages and you need to distribute 300 copies. Would Quick Copy do this job? Explain your answer.

| QUICK COPY Printing Requisition | | FILL IN ALL INFORMATION REQUESTED | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|--------|--------------------------------|-----------------------------|--|--|--|--|--|---|--|--|--|--|--|--|---------------------|--|--------------------------------|--|--|-----------------------------|--|--|
| GUIDELINES: This requisition may be used to order materials to be printed BLACK INK only, and in the quantities that are listed at the right. | | <input type="checkbox"/> SINGLE SHEET PRINTED 1 OR 2 SIDES — 2000 copies maximum <input type="checkbox"/> MORE THAN ONE SHEET UP TO 100 PAGES — 400 copies maximum <input type="checkbox"/> OVER 100 PAGES — 200 copies maximum | | | | | | | | | | | | | | | | | | | | | | | |
| 1. PROJECT TO BE CHARGED | <input style="width: 100px; height: 20px;" type="text"/> | 2. TODAY'S DATE | | | | | | | | | | | | | | | | | | | | | | | |
| 3. TITLE OR DESCRIPTION | <input style="width: 100%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | |
| 4. DATE DELIVERY REQUIRED | <input style="width: 100%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | |
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| 6. NUMBER OF SIDES TO BE PRINTED (Check one box.) | <input type="checkbox"/> 1 One side | <input type="checkbox"/> 2 BOTH sides | | | | | | | | | | | | | | | | | | | | | | | |
| 7. COLOR OF PAPER (Fill in only if NOT white.) | <input style="width: 100%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. SIZE OF PAPER (Fill in only if NOT 8 1/2 x 11) | <input style="width: 100%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | |
| 9. Check any that apply: | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> COLLATE BINDING: <input type="checkbox"/> One staple at upper left <input type="checkbox"/> Two staples in left margin <input type="checkbox"/> BIND-FAST: <input type="checkbox"/> Black <input type="checkbox"/> Brown <input type="checkbox"/> 3-hole punch | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Other instructions <input style="width: 100%; height: 20px;" type="text"/> <input style="width: 100%; height: 20px;" type="text"/> <input style="width: 100%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 10. Project Director (print name) | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 11. Requisitioner (print your own name and phone no.) | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input style="width: 80%; height: 20px;" type="text"/> | | extension <input style="width: 20%; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | |
| 12. Check one: | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Requisitioner will PICK UP completed job. | | MAIL STOP <input style="width: 40px; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Mail completed | | ROOM NO. <input style="width: 40px; height: 20px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | |
| job to: <input style="width: 80%; height: 20px;" type="text"/> <small>Print name, room number, and mail stop</small> | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13. KEEP PINK COPY at least 3 months. When requesting information, you must refer to the requisition number printed here. | | | | | | | | | | | | | | | | | | | | | | | | | |
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Prose Literacy - Level 3

List two things that Chen became involved in or has done to help resolve conflicts due to discrimination:

- 1.
- 2.

Ida Chen is the first Asian-American woman to become a judge of the Commonwealth of Pennsylvania

She understands discrimination because she has experienced it herself.

Soft-spoken and eminently dignified, judge Ida Chen prefers hearing about a new acquaintance rather than talking about herself. She wants to know about career plans, hopes, dreams, fears. She gives unsolicited advice as well as encouragement. She instills confidence.

Her father once hoped that she would become a professor. And she would have also made an outstanding social worker or guidance counselor. The truth is that Chen wears the caps of all these professions as a Family Court judge of the Court of Common Pleas of Philadelphia County, as a participant in public advocacy for minorities, and as a particularly sensitive caring person.

She understands discrimination because she has experienced it herself. As an elementary school student Chen tried to join the local Brownie troop. "You can't be a member," she was told. "Only American girls are in the Brownies."

Originally intent upon a career as a journalist she selected Temple University because of its outstanding journalism department and affordable tuition. Independence being a personal need, she paid for her tuition by working for Temple's Department of Criminal Justice. There she had her first encounter with the legal world and it turned her career plans in a new direction—law school.

Through meticulous planning, Chen was able to earn her undergraduate degree in two and a half years, and she continued to work

three jobs. But when she began her first semester as a Temple law student in the fall of 1973, she was barely able to stay awake. Her teacher Lynne Abraham now a Common Pleas Court judge herself, couldn't help but notice Chen yawning in the back of the class and when she determined that this student was not a party animal but a workhorse, she arranged a teaching assistant's job for Chen on campus.

After graduating from Temple Law School in 1976, Chen worked for the U.S. Equal Employment Opportunity Commission where she was a litigator on behalf of plaintiffs who experienced discrimination in the workplace and then moved on to become the first Asian-American to serve on the Philadelphia Commission on Human Relations.

Appointed by Mayor Wilson Goode, Chen worked with community leaders to resolve racial and ethnic tensions and also made time to contribute free legal counsel to a variety of activist groups.

The Help Wanted section of the newspaper contained an entry that aroused Chen's curiosity — an ad for judge's position. Her application resulted in her selection by a state judicial committee to fill a seat in the state court. And in July of 1988 she officially became a judge of the Court of Common Pleas. Running as both Republican and Democratic candidate, her position was secured when she won her seat on the bench at last November's election.

At Family Court Chen presides over

criminal and civil cases which include adult sex crimes domestic violence juvenile delinquency custody divorce and support. Not a pretty picture. Chen recalls her first day as judge hearing a juvenile dependency case—“it was a horrifying experience. I broke down because the cases were so depressing,” she remembers. Outside of the courtroom Chen has made a name for herself in resolving interracial conflicts while glorying in her Chinese-American identity. In a 1986 incident involving the desecration of Korean street signs in a Philadelphia neighborhood, Chen called for meeting with the leaders of that community

to help resolve the conflict. Chen’s interest in community advocacy is not limited to Asian communities. She has been involved in Hispanic, Jewish, and Black issues and because of her participation in the Ethnic Affairs Committee of the Anti-Defamation League of B’nai B’rith. Chen was one of 10 women nationwide selected to take part in a mission to Israel.

With her recently won mandate to judicate in the affairs of Pennsylvania’s citizens, Chen has pledged to work tirelessly to defend the rights of its people and contribute to the improvement of human welfare. She would have made a fabulous Brownie