



TARGET CRIME WITH LITERACY

CHAPTER 2 - FACT SHEET 1

Low Literacy and Criminal Justice

The problem

People with low literacy have difficulty reading text and, sometimes, making sense of what people are saying. These difficulties get worse if the person is under stress—if they feel anxious, intimidated, or overwhelmed.

Another cause that makes it difficult for people to understand written or spoken information is the use of jargon. Jargon is specialized words and phrases used by particular groups and professions. Some examples: duty counsel, arraigned, lock-up, plainclothes officer, rap sheet.

Everyone who faces Canada's justice system, as a suspect, witness, or victim, must cope with police and legal jargon. Since this is extra difficult for people with low literacy, this can be even more stressful for them than for skilled readers.

Not being able to read well makes it difficult for a person to cope with all aspects of the criminal justice system. At any stage, a person involved with the system will have to:

- answer questions
- fill out forms
- provide statements
- read documents

Often, they are asked to do these in an unfamiliar environment (a police station, law office, or courtroom), and to do them quickly. These add to the person's stress, which in turn makes it even more difficult to understand the information that they read and hear.

How low literacy affects suspects and offenders

Dealing with suspects and offenders who have low literacy can cause problems at all stages of a criminal case, from the first police response to a complaint to the investigation, arrest, and prosecution of a crime. The problems then go on to affect the parole system and rehabilitating the offender.

Low literacy—and a lack of understanding about it—can:

- disrupt courtroom procedure
- clog up the courts with appeals—for example, when an accused person launches an appeal because of not understanding what was happening in court
- directly affect the outcome of a case—for example, an innocent person may feel so confused and intimidated that they plead guilty because they can't see any other way to make the problem go away
- lead to re-arrest—for example, a person on probation who does not fully grasp the terms of their release order may be arrested again and again

All of these causes increase the time and money needed to keep Canada's criminal justice system working.

How low literacy affects witnesses and victims

Most people who have low literacy skills are very aware that they have trouble with reading and understanding oral information. Witnesses and victims with low literacy may feel especially intimidated at the thought of making a statement and testifying in court. As a result, they may hesitate to call police at all.

In cases where a person with low literacy does come forward, officers may become frustrated over delays when the person is actually avoiding reading or writing. If the person avoids the situation or does not cooperate, and if the officer is not sensitive to the problem of low literacy, the whole prosecution may fall apart.

In court, a guilty person may walk free because a witness cannot answer questions clearly, or talks in circles (a sign of memory and thinking patterns common among those with low literacy).

Statistics show that 42 of 100 adult Canadians have low literacy skills. Police and other members of the justice system must be aware of the problem of low literacy and its impact to keep the system running smoothly and make sure that justice is respected and delivered.

[Read Fact Sheet #5 >](#)

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