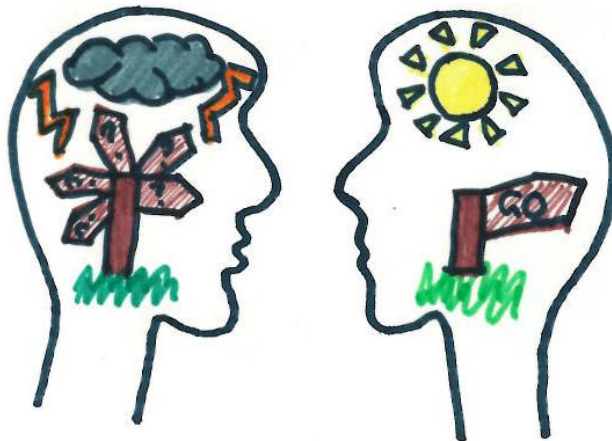




HM Prison &
Probation Service

Supporting People with Learning Disability & Learning Challenges



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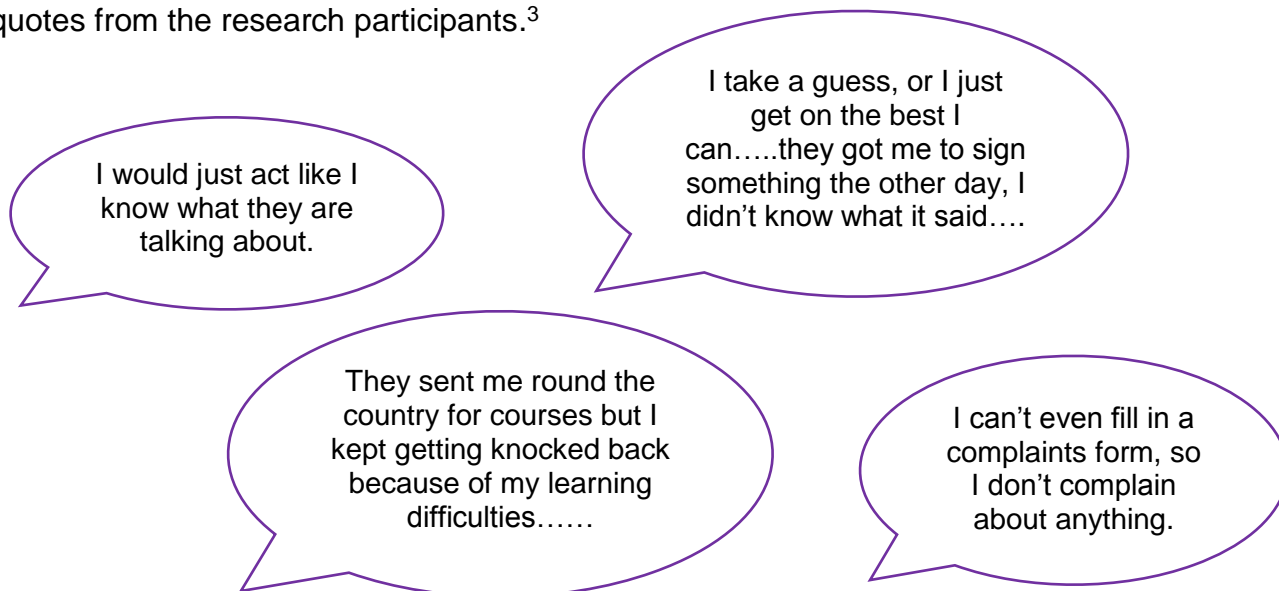
Introduction

Working with people who have learning disability and learning challenges (LDC) is relevant to all of us.

- Between 2% and 40% of people in the Criminal Justice System (CJS) have a Learning Disability¹. The exact percentage is difficult to determine because so many different definitions of Learning Disability and assessments are used.
- Data from the Ministry of Justice (July 2018) has indicated that 32% of females and 28% of males in community or custody care have a learning disability or learning challenge².

Disability is one of the nine protected characteristics under the Equality Act (2010). We have a responsibility to ensure we offer equality of opportunity in supporting people with LDC, who reside in our care. This means that we need to identify those individuals who need support with their LDC from the start of sentencing, all the way through to release and care in the community.

In 2008 the Prison Reform Trust published their research on the experiences of people with Learning disabilities and difficulties within the Criminal Justice System. The following are some quotes from the research participants.³



This guidance is designed to offer you information about LDC, and tips to support you in working responsively with people who have LDC.

¹ Jones, Jessica. (2008). Persons with Intellectual Disabilities in the Criminal Justice System, *International Journal of Offender Therapy and Comparative Criminology*, 51 (6), 723 - 733.

² Female Offender Strategy. Ministry of Justice. July 2018

³ Talbot, J. (2008). *No One Knows. Experiences of the criminal justice system by prisoners with learning disabilities and difficulties*. Prison Reform Trust.

What is LDC?



Useful Terms

Intellectual abilities – how the brain works in relation to solving problems, understanding information, remembering information and thinking creatively. Intellectual ability is commonly measured through IQ testing.

Social and adaptive functioning – how people get on with daily living skills. This involves tasks such as social communication, coping with change, financial management, housing and employment.

Learning Disability:

- Impairment of intellectual abilities as identified in people whose IQ is under 70 (an average IQ is 100) and;
- Significant problems with social – adaptive functioning and;
- Presence before the age of 18 years.

Learning challenges People whose IQ falls between 70 and 80, who also have challenges with their cognitive and social – adaptive abilities. They have similar challenges to people with learning disabilities, sometimes to a lesser extent.

LDC describes both of these groups. People who have an IQ between 60 and 80 often have problems understanding verbal instructions, remembering information, keeping up with conversations, sequencing, attention, personal care and independence. People with LDC simply learn and 'get on' differently to people who do not have LDC.

Note: Different organisations use different terminology to describe LDC. You may also come across reference to Learning Disability and Intellectual Disability.

Working with people who have LDC

Engagement



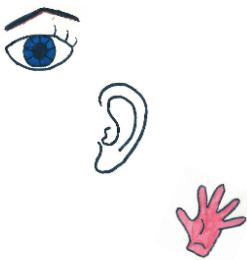
There are a lots of different things you can do to work responsively with people who have LDC. People with LDC are all different so it is really worth spending time working out how each individual learns best. Whilst doing this, start with small adaptations which can make all the difference to your responsivity practice – remind yourself of PACEMAP.

Pace



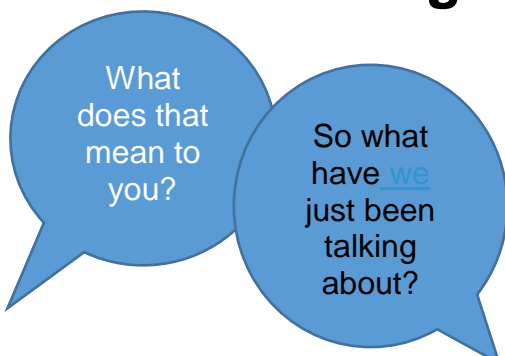
- Speak slower to allow the individual time to think about what you have said, think about their reply and then have time to give you their response.
- Try not to interrupt, as this can disrupt the thought process.
- To stop the temptation of interrupting try asking yourself the question and think about how you might answer it.
- Be comfortable with silence, chances are the individual is working very hard in this time.

Attention



- Use different methods of communication (see **VAK** below). This will help hold the attention and engagement of the individual.
- Give information in short bursts, try not to give lots of lengthy information at once (this can be boring even for people who don't have challenges with attention!)
- Ensure you allow time for 'brain breaks' – small tasks which allow time to rest and re-energise in between tasks. For example, getting up and walking around, mini – exercises or talking about something off topic.

Check learning



- Always provide simple and concrete information.
- Regularly check that the individual has understood what you have said. We can often find it easy just to agree or pretend we understand something, this can be really common in people with LDC.
- Remember to recap and summarise regularly. When you next see the individual, ask them what they remember from last time you met.

Explain



- Be prepared to explain or teach. Do not assume that people with LDC will understand the same words or instructions that you do.
- Ask the individual what you can do to help them understand. Do they learn best through drawings/ symbols/ words/ action?
- Be clear and simple when explaining things, especially new concepts.
- Be prepared to go over the same information a good few times.

Memory



- Information that is meaningful and engaging is more likely to 'stick' in memory. **VAK** techniques (below) will help with this.
- Providing individuals with memory aids such as cue cards can help.
- Giving information one piece at a time can also help. This means individuals aren't having to process lots of information, which can be really challenging to understand and therefore remember.

Again



Repeat
Repeat
Repeat

- Repeating information helps people learn. Be prepared to go over the same topic a few times to help support learning. In doing so think about whether you need to do anything to change your communication to help get key messages across. Can **VAK** help you?
- Encouraging the individual to keep a learning diary can be really helpful in supporting the development of social and adaptive skills. You can use this to review how they are getting on, and to support development. Repeated use of learning/ coping diaries can really support communications.

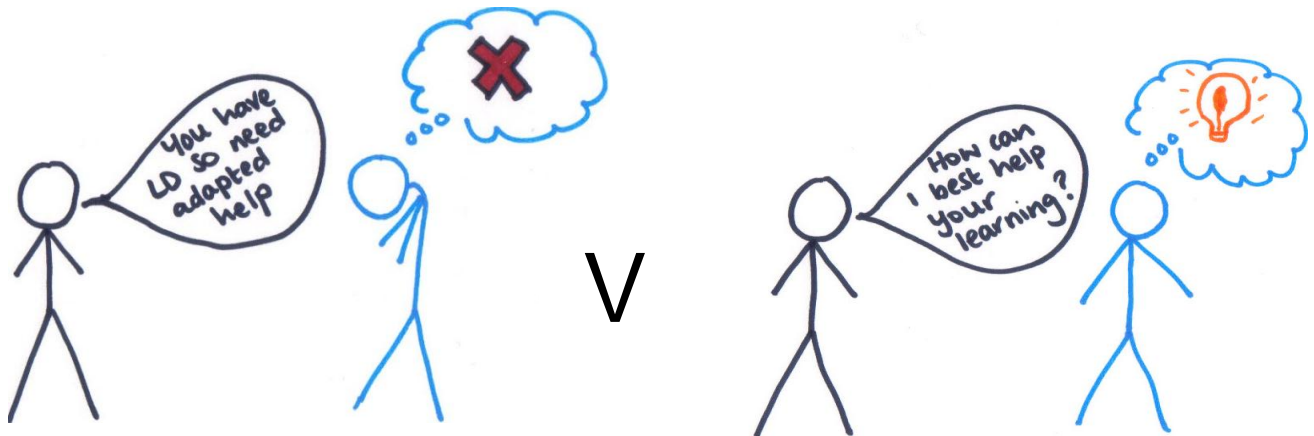
Practice



- Supporting individuals with LDC in practising skills relating to daily living, social interactions, personal care and management of risk is really important. Ongoing practice is essential for long term success.
- It is unrealistic to think that an individual who has attended an LDC offending behaviour programme will be able to maintain their learning and skills without ongoing support, practice and guidance from others.



Talking about ability with someone who has LDC



The way in which we speak to people can have a lasting effect. There is a big difference between someone being told they are learning disabled therefore need 'adapted' measures or interventions, and telling someone you want to understand how they learn and get on with others best, so you can work with them to make sure they have the things they need to achieve their goals, or get on day to day.

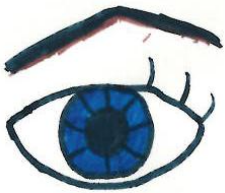
Taking a strengths based approach to our support of people with LDC can really help. This means focussing on what strengths they already have, and how these can be built upon through working on clear, simple and achievable goals. Strengths based approaches are present within accredited offending behaviour programmes and support people on striving to achieve, as opposed to focussing on what they cannot do.

You can have this type of discussion with people who have LDC, and those who don't. This ensures judgement is not assigned about someone's ability based on pre-determined factors.

- ? How often do you think about the language you use when working with someone who has LDC?
- ? How do you describe the LDC suite of interventions to colleagues and potential participants?
- ? What could you do differently when talking about the abilities of people with LDC?

Accessible communication

People learn through a variety of different methods so it is advisable for you to communicate using multi – modal approaches. This will create the best opportunity for accessible communication, particularly for people with LDC. To help put PACEMAP into practice, you can use **VAK** techniques (also known as **VARK** to accommodate people who like learning through **R**eading) to support your communication. Below are some suggestions as to how you can do this.



- Time lines or life maps to represent events and sequences
- Feelings charts that include different faces or colours, which represent different emotions. This can be easier to use than expecting individuals to verbalise their feelings
- Draw what you mean using simple line drawings
- Ask the individual to show you what they mean through drawing
- Ask the individual to bring in materials e.g. pictures, books, writing to trigger memory, story board, collages, symbols



- Ask one question at a time
- Use simple language
- Use short sentences
- Be concrete with what you mean - no clichés or dry humour which can be taken literally
- Help the individuals describe what they mean – ‘if your feeling was a colour, cartoon character etc...’



- Exercises which help the individuals get into a ‘state’ to work with you – icebreaker and brain breaks
- Explore things in role-plays – ‘show me’ what you would do/did do
- You show the individuals – demonstrate points or questions by role play or holding positions
- Have the individuals direct you – ‘tell me what I should do’
- Add movement to a session
- Skills practices. Do not rely on an individuals being able to tell you verbally about their skills for risk management. They may be able to show you them more successfully, particularly if they have practiced already.

Assessing risk and progress in risk reduction

Supporting individuals in reducing their risk of recidivism, so they can safely re-join society is at the heart of the work we do. In order to assess risk, and make recommendations about what this means with regard to sentence progression, we need to evaluate an individual's progress. A significant part of this involves communicating with an individual in order to understand their personal insight into the factors relevant to their offending, and importantly their plans to manage these moving forward.

Gaining the information that you need to make an informed decision about an individual's progress will likely require adaptations to **your** communication approach, whether you are a Psychologist, Offender Manager or Parole Board panel member – essentially anyone involved in decision making about risk management. The risk of not doing this may result in an inaccurate perception of the ways in which the individual has, or has not, made progress in learning how to manage their risk. Communicating with the individual in a way that is accessible to them is critical.



Key points:

- Maximise the opportunity for an individual with LDC to best represent themselves and their progress.
- Responsibility is on you as the practitioner to adapt the way in which you communicate, and not on the individual with LDC.

Tip: Include provision of a support person to work with them to support communication.

It is worth thinking about the following common features of people who have LDC, and how these may impact on information provided by individuals when questioned about risk.

- We all want to make a good impression on others. This is particularly true of people with LDC who may be more likely to give you the response that they think will please you the most, regardless of whether it is true to them. This may be particularly relevant during discussions where the individual knows that decisions can be made about their sentence progression.

- People with LDC often present with problems in communicating verbally. They may have a very good understanding of their risk factors, and plans to manage these, but cannot explain this through discussions.
- Retaining the information covered in programmes or one to one work can be hard. It is important to remember that a lapse in 'good behaviour', or ongoing evidence of risk is not necessarily a sign of lack of motivation, or choice to behave badly. It may be more a result of poor memory, or struggling to put new skills into practice without help from others. This can increase the chances of relapse during significant changes within custody or community (change in routine, change in Offender Manager/ Key Worker). Opportunity for repeating and generalising learning, as well as supporting transition into the community is very important. One way this can be supported is through programmes like New Me MOT and Living as New Me. Strengthening external sources of support is very important.
- People with LDC find abstract concepts very difficult to understand, and often take things literally. It can be difficult for people to respond to questions that involve hypothetical situations, or situations the individual has never experienced.

Remind yourself of what you can do to address these challenges:

VAK



You can also:

- ✓ Ask the individual how they learn best – this is really important
- ✓ Establish what language is meaningful to the individual. Do they understand what risk and protective factors are, or do they use the terms Old Me and New Me (most likely if they have participated in programmes)
- ✓ Refer to any LDC assessments that have been done. The WAIS/ WASI/ WRIT can all hold helpful information, as can the OASys Learning Screen and Adaptive Functioning Checklist – Revised (AFC –R). What do they tell you about the individual?

LDC or risky behaviours?

Individuals whose IQ falls under 80 can present with a number of issues relating to emotion, conduct and social skills. For example violent aggression, immaturity, restless over – activity, anti-social behaviour and short listening skills. These characteristics are typical of people with LDC, regardless of whether they have committed an offence or not. It is important to bear these things in mind if the person you are working with starts behaving in a way which could be mistaken for either:

- Purposeful anti – authority behaviours or,
- Behaviours that indicate presence on ongoing risk factors.



If this does happen:

- ✓ Remind yourself of some of the challenges people with LDC can have, whether they have committed offences or not.
- ✓ Explore with the individual what they are finding challenging, what is causing the disruptions? Remember this could easily be frustration, lack of attention or not understanding what you have said. What can you do to change your way of working in order to help the individual understand?

The Poetic Principles of VARK



When you're working with individuals with LDC

Sometimes they struggle with their memory

Information recall and making links

Are things we want to help with, so now let's think

Auditory is about what people hear

Take your time ask simple questions for their recall to be clear.

Kinaesthetic is a tough one as I don't think it rhymes

But it's about experiencing action so maybe try out a mime

In action techniques will help their recall

Then record what they did up on the wall

That leads onto visual which is what we see with our eyes

Seeing a life map with its lows and highs

That will help the recall of information

Maybe then they'll remember a tricky situation

Reading and writing shouldn't be underrated

It can be used to recall what is stated

Reading back about what has been done

Will help memory and recall for everyone



A poem by Ben Hardaker, Operational Facilitator, HMYOI Aylesbury

November 2018

Resources

Below are some useful links to resources which can support our work with people who have learning disability and learning challenges:

- Keyring is a registered charity who work with the Criminal Justice Service to support people who have Learning Disability
<http://www.keyring.org/cjs>
- A booklet for people with LDC to help them understand the Criminal Justice System
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216317/dh_124745.pdf
- A handbook for professionals in the Criminal Justice System, who work with people with LDC
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216318/dh_124744.pdf
- Learning difficulties and disabilities in the Justice System. This provides lots of really good information on difficulties with LDD, strategies that can help, easy read guidance and resources which can help
<http://www.iddnavigator.org.uk/>