police
Ombudsman
FOR NORTHERN IRELAND

Northern Ireland
PolicingBoard

Views and Experiences of People with Learning Disability in relation to Policing Arrangements in Northern Ireland

Final Report

31 May 2011

SMR

www.socialmarketresearch.co.uk

ACKNOWLEDGEMENT

Social Market Research (SMR) wishes to formally acknowledge all of those who supported us in carrying out this important research on behalf of the Police Ombudsman for Northern Ireland and the Northern Ireland Policing Board. We would like to add a special word of thanks to Mencap and Disability Action, whose personnel assisted us in (a) the refinement of the research instruments used; and (b) accessing both people with learning disability and the staff who support them. Please know that your support was greatly appreciated.

DISCLAIMER

This report has been prepared for and only for the Police Ombudsman for Northern Ireland and the Northern Ireland Policing Board in accordance with the terms of reference specified to SMR in August 2010 and for no other purpose.

The opinions expressed by the participants in this evaluation are strictly those of the person who gave them and not SMR.

SMR does not accept or assume any liability or duty of care for any other purpose or to any other person to whom this report is shown or into whose hands it may come save where expressly agreed by our prior consent in writing.

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1.1   Background

In all major organisations stakeholder opinion is vitally important to help the organisation strive for continuous improvement in the services it delivers. Within the context of policing in Northern Ireland, the opinion of vulnerable groups helps support this process by providing a consultation framework which allows these voices to be heard and to directly inform corporate-level actions and subsequent improvement in the operational plans of the Office of the Police Ombudsman for Northern Ireland ('the Ombudsman'), the Northern Ireland Policing Board (the Board), the Police Service for Northern Ireland (PSNI), and District Policing Partnerships (DPPs).

In seeking to ensure that policing arrangements meet the needs of people with learning disability, the Ombudsman and the Board commissioned research to further understand the views and experiences of this specific client group.

1.2   Terms of Reference

The aim of the research was to:

'...provide a comprehensive research report on the views and experiences of people with learning disabilities towards the Ombudsman, NIPB, the Police Service of Northern Ireland (PSNI), and DPPs. We envisage that this will entail an initial scoping exercise of the relevant issues to develop the focus of the research'.

In September 2010, an independent social research company, Social Market Research (SMR - www.socialmarketresearch.co.uk) was appointed to undertake all aspects of the research.

1.3   Parameters of the Research

"What is learning disability?"

For the purposes of the research, SMR, in agreement with the Project Steering Group (SG), used the Government's *Valuing people* White Paper[1] definition, which was also used by the Prison Reform Trust's No One Knows programme of work. These defined learning disability as:

- *"a significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence), with;*
- *a reduced ability to cope independently (impaired social functioning);*
- *which started before adulthood, with a lasting effect on development."*

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[1]
http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4009153

"How many people in Northern Ireland have a learning disability?"

Although there is no definitive data on the prevalence of learning disability in Northern Ireland, McConkey et al (2003)[2] estimated a prevalence rate of 9.7 per 1,000 (n=16,366).

"How many people in Northern Ireland with a learning disability are interacting with police organisations?"

Whilst some information on the numbers of people with *'disability'* interacting with policing organisations is available, the stakeholders we consulted indicated that there was no specific information available on the numbers of people with learning disability who were interacting with policing organisations in Northern Ireland.

1.4   The Challenge of Identifying Learning Disability

Consultation with key stakeholders, in tandem with a review of available literature, confirmed that detecting learning disability can be highly complex. Indeed, the publication, 'Vulnerable Witnesses, A Police Service Guide', openly acknowledged that *"Identification of intellectual disability is one of the most difficult issues for personnel in the criminal justice system"* [3] There are several possible reasons for this including:

- A person may not be aware that they have a learning disability;
- A person may not wish to declare that they have a learning disability;
- Learning disability could remain hidden for many years as a result of the strategies some people with learning disability adopt to mask their difficulties with understanding and / or getting their point across; and,
- Outward behaviour (which appears similar to learning disability) could have different causes (e.g. drugs, alcohol etc).

1.5   People With Learning Disability – Victims and Offenders

"Are people with a learning disability more likely to be a victim of crime?"

The available evidence suggests that the answer to this is 'Yes'.

The Home Office's report, 'Speaking Up For Justice' (June 1998) states that, *"The precise extent of these groups' vulnerability to crime is not known. Official statistics on criminal proceedings and convictions do not contain details of whether witnesses (or for that matter suspects and defendants) have disabilities or illnesses. Even the British Crime Survey, which covers unreported crime, does not cover people in residential homes, psychiatric wards or care. However, there is some Australian evidence (Wilson 1990, cited by NSW Law Reform Commission 1996 para 2.23) that people with an intellectual disability are twice as likely to be victims of a personal crime (e.g. assault), and one and a halftimes more likely to experience a property offence."* [4]

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[2] Mc Conkey R, Spollen M, and Jamison J (2003). Administrative Prevalence of Learning Disability In Northern Ireland Belfast: DHSSPS.
[3] See 4.1 http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf
[4] http://www.nationalarchives.gov.uk/ERORecords/HO/421/2/cpd/pvu/sufj.pdf

Deborah Kitson, Director of the Ann Craft Trust (which also supports people with learning difficulties who have been abused) underlined the importance of the role of the police: *"It is absolutely essential that all police should be trained so that they can effectively communicate with people with learning disabilities, particularly because we know they are more likely to victims of crimes."* [5]

"Is the proportion of people with learning disability convicted of crime higher than the general population?"

Again, the available evidence suggests that the answer to this is 'Yes'.

"Children with learning disabilities and other impairments are more likely to go to prison than other young people because the youth justice system is failing to recognise their needs, according to a major survey of youth offending team (YOT) staff.

23% of young offenders have very low IQs of less than 70, and 25% have special educational needs – a far higher proportion than in the general population." [6]

1.6 Changed Society for People With Learning Disability

The model of care for people with learning disability has changed radically in recent years. It has moved from one where many people with a learning disability were 'protected' in residential or care homes to one where they are more likely to be living (independently or with support) within the wider community. Whilst the latter model has many benefits in terms of new freedoms for the person with learning disability, and this is to be welcomed, one possible downside is that the person with learning disability could be more at risk of becoming a victim of crime and / or of becoming involved in crime. In addition, the whole area of social networking and the attendant potential to make and contact 'friends' creates further risks that did not exist even a decade ago.

1.7 Duties Upon Policing Organisations and Wider Society

Not Meeting Needs Could Exacerbate Vulnerability

'Speaking Up for Justice' is emphatic about the duty upon organisations within the criminal justice system to be alive to the needs of people with learning disability and to actively and appropriately support such vulnerable clients. The report points out that the potential consequences of not doing so are grave, *"by not adequately meeting the needs of these groups [including people with learning disability] in the criminal justice system, we may be increasing their vulnerability to crime."*

The *'Customer Journey'*

The quality of *'customer journey'* through the various policing organisations (and the wider criminal justice system) is paramount in this. It is clear that if needs of someone with a learning disability are not recognised at the outset – and responded to appropriately – that the potential for the journey to go *'off track'* is

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[5] http://www.respond.org.uk/support/resources/articles/special_investigation_how_police_are_letting_down_people_with_learning_difficulties.html
[6] http://www.prisonreformtrust.org.uk/Publications/vw/1/ItemID/67

quite considerable. This could have serious lifelong consequences for the individual concerned, including:

- Potential miscarriage of justice;
- Wrongful acquisition of a criminal record; and,
- Inappropriate disposals.

The Speaking Up For Justice report is unequivocal in stating that the customer journey must start correctly with the needs of the person with learning disability recognised and appropriately supported right from the first *'step'*, *"The identification of vulnerable witnesses at the investigation stage is fundamental to the operation of the whole Speaking up for Justice scheme. This document* [Speaking up for Justice] *is designed to assist the police in such identification, through a series of prompts, and to provide guidance on making an overall assessment of the needs of an individual witness. My particular hope is that its use will help to ensure that every vulnerable witness will be treated as an individual, consulted and enabled to give their evidence in the best way possible"*.

The Need for Positive Action

What is also clear from our research is that organisations acting alone, however, commendable, will not be enough. A greater collaborative effort, centred on positive action for people with learning disability, is needed both *within* the criminal justice system and *across* wider society. Researcher Christopher Williams described the circularity of the current situation and the imperative to break the *'cycle'*, *"redressing the stereotyped view of people with learning difficulties, in relation to crime, is the key element in changing the present situation. Justice is frustrated not only because of the response of the separate agencies, but of the effect they have on each other. The police do not record crimes because they believe the CPS* [Crown Prosecution Service] *will not prosecute, staff do not report to the police because they 'do nothing' and victims do not tell staff because 'they say the police won't help'. Consequently, the courts are unpractised at dealing with vulnerable witnesses, and perpetrators see people with learning disabilities as safe targets. Positive action...could break this spiral."*[7] Hence, in SMR's recommendations, we emphasise the need for collaborative working across many organisations within the criminal justice system and the community and voluntary sector as well.

In short, the key messages from the Bradley Report[8], resonate strongly with the findings from this research in that the Bradley Report identified the need for *"early assessment, continuity of care and support ….; and, for the organisations, working in partnership and better information flows"* as the recipe for a marked improvement to the current arrangements. SMR's overall findings concur with this.

Action Costs Money? Or Does It?

In the current economic climate there is, understandably, always going to be a question around the cost of any actions. The available literature suggests that responding aptly is not necessarily cumbersome or cost prohibitive, *"Some people*

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[7] Williams, C (1995a) "Crime against people with learning difficulties" in Social Care Research 70, August York: Joseph Rowntree Foundation

[8] http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_098698.pdf

have disabilities or difficulties, which makes communication a special challenge for them. In order to communicate effectively, and participate fully, these people may need some additional support and are therefore said to have communication needs. Meeting these needs is not necessarily difficult or costly; often it is just about awareness and understanding and small adjustments to procedures and routines." [9]

Moreover, the Bradley Report states that *"what is clear is that costs of implementing effective triage and assessment services across the police service may not be prohibitive, and may [actually] result in a reduction in required prison places (due to an overall reduction in the demand for remand places)".*

1.8   Summary of Methodology

In summary, SMR's research involved:

- **November 2010** - A Pre-Consultation Workshop with the key representatives of the Project Steering Group (SG) and the key stakeholders to consider and deliberate on issues to be addressed by the research; as well as the practical challenges in accessing and engaging with the target group.

- **December 2010** - Working collaboratively with members of the SG and key stakeholders to develop the discussion schedules for the interviews with key stakeholders and key workers plus the focus groups and survey with people with learning disability.

- **December 2010 to January 2011** - Conducting 10 face to face interview sessions with key stakeholders spanning representatives from the policing sector and representatives from the learning disability sector.

- **February to April 2011** – Conducting a face to face survey (including a pilot) with 240 adults with learning disability.

- **February to April 2011** – Conducting five focus groups with adults with learning disability. A total of 48 people took part.

- **February to April 2011** – Conducting two focus groups with key workers. Eleven key workers took part.

In relation to securing the views of people with learning disability, Mencap worked collaboratively with SMR in:

- The arrangements for the conduct of the pilot survey and focus group respectively;
- The refinement of the pilot survey;
- The refinement of the materials to be used for the focus groups with people with learning disability;
- Promoting awareness of the survey and focus groups and inviting people with learning disability to take part;

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[9] Source: The Communication Trust : Sentence Trouble
http://www.thecommunicationtrust.org.uk/~/media/Communication%20Trust/Youth%20Justice/Sentence%20Trouble.ashx

▪ Accessing people with learning disability at venues where they regularly met (for both the focus groups and the survey); and,

▪ Providing staff to support those people with learning disability to participate as required.

SMR and Mencap worked in partnership to ensure that, as far as possible, across the survey and focus groups of people with learning disability that there was a spread of the following characteristics – gender, age, severity of learning disability, location (within Northern Ireland) and urban/rural.

This close collaborative working between SMR and Mencap was central to securing the high levels and high quality of input from people with learning disability that were achieved on this project. Note also that a range of other organisations supported the roll out of the survey element of the project including: ARC; Destined; Orchardville Charity; Triangle Housing; Stepping Stones; and, the Gateway Club.

1.9 Key Findings , Conclusions and Recommendations

It was evident at an early stage, both from consultation with key stakeholders and from pilots of focus groups and surveys, that amongst people with learning disability, the level of awareness of policing organisations, other than PSNI, was very low. Hence, it was agreed with SG that the major focus for this research would be on the police.

Our conclusions and recommendations are set in the context of the current legislation (Section 75, Human Rights, PSNI legislation etc.) which collectively assert the entitlement of people with learning disability to an equitable service.

Based on the available evidence, SMR makes the following conclusions **(shown in bold)** and recommendations (shown in blue):

We have divided our conclusions and recommendations into two main parts:

▪ **The Views of People with Learning Disability, including…**

   o *Awareness and knowledge of the roles and functions of the various policing organisations; and,*

   o *Their perceptions of these organisations/their feelings about them.*

▪ **The Experiences of People with Learning Disability including…**

   o *What it has been like, or can be like, for them interacting or seeking to interact with these organisations; and*

   o *How this experience could be improved.*

SMR recognises that the following recommendations require the appropriate authorities, structures, budgets and work programmes in order to take them forward. Consequently, whilst we have itemised the conclusions and

recommendations below, we follow this with a matrix of all the recommendations, setting out which organisation we consider most appropriate to take the lead role in relation to implementing each specific recommendation, and those whom we consider have an important support role.

VIEWS OF PEOPLE WITH LEARNING DISABILITY

AWARENESS

There is a very high level of awareness of who the police are and what they do. However, there is little to no awareness of the Police Ombudsman, the Policing Board or the District Policing Partnerships.

Whilst there was a high level of awareness of how to contact the police – dial 999 – there was no distinction made between emergency and non-emergency uses of this number.

There was very limited understanding of how to make a complaint if people with learning disability needed to.

Consequently, SMR recommends:

- Continuation of the efforts to sustain this high level of awareness of the police and their role.

- Consideration is given to methods of supporting people with learning disability to distinguish between how to contact the police in an emergency and non-emergency.

- Consideration is given as to how to promote awareness of the other policing organisations in the most appropriate and efficient manner.

- Work is done to promote awareness of how and when to make a complaint if someone is not happy with police conduct or treatment.

PERCEPTION

The lack of awareness regarding the Police Ombudsman, the Policing Board or the District Policing Partnerships precluded any assessment of the perception of these organisations.

In general, people with learning disability hold a positive image of the police. However, it is clear this view can be influenced by the views of the community in which they reside.

However, almost one in ten (9%) people with learning disability in the survey said that they are afraid of the police, with this more likely to be the case among women.

Consequently, SMR recommends:

▪ That following an awareness raising programme, and at an appropriate point, that a separate assessment is made of the perception of the other policing organisations[10] amongst people with learning disability.

▪ Continuation of the work to sustain the overall strong positive image of the police.

▪ Special consideration is given to working closely with communities to improve the image of the police in areas with a history of poor or weak relationships with the police.

▪ Special consideration should be given to devising ways to reassure those who may be fearful of the police.

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

REPORTING

The overall levels of reporting incidents to the police and the overall levels of reporting by victims specifically are consistent with Northern Ireland average estimates from Northern Ireland policing surveys. However, the nature of the victimisation is fundamentally different with most cases relating to bullying and harassment. By comparison, the Northern Ireland crime profile shows that criminal damage and theft predominate. The feedback from stakeholders and key workers suggests that:

- The victim does not always understand that bullying and harassment are crimes;

- Within parts of society there is a level of *'acceptance'* of this type of behaviour towards people with learning disability and a reticence to get police involved.

Consequently, SMR recommends:

▪ Further work to raise awareness of bullying and harassment of people with learning disability as a hate crime amongst people with learning disability and their families, carers and social care personnel;

▪ Further work to make it easier for people with learning disability to come forward if they are experiencing this type of crime.

OVERALL SATISFACTION

The perception of how the police treat victims and offenders was highly positive. Of the people with learning disability who had been victimised and who contacted the police regarding such incidents, 77% were satisfied with their contact with the police, which is slightly higher than the Northern Ireland average of 65%. The

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[10] SMR notes that the District Policing Partnerships and the Community Safety Partnerships are currently being reconfigured and this would need to be factored into any plans to raise awareness.

experience among those who had *'done something wrong'* was overwhelmingly positive in terms of how the police had treated them.

Whilst these findings are very encouraging, feedback from stakeholders, key workers and findings from the literature all point to key stages on the *'customer journey'* where aspects of the journey could be improved.

Consequently, SMR recommends:

▪ That the specific points raised in this report regarding the *'customer journey'* are given due consideration taking account of the barriers that people with learning disability face. These span:

   o Training in learning disability awareness for police officers (current and student officers), staff within the criminal justice system, including solicitors and *'appropriate adults'*. (To improve detection and collaborative approaches involving statutory, community and voluntary organisations and people with learning disability themselves in the design and delivery of such training would be the preferred approach.)

   o Use of a standardised check list – across all policing organisations and their partners – to aid detection of learning disability.

   o Promoting the use of a common alert card for those people with learning disability who wish to use it.

   o Closer collaboration between policing organisations, other statutory bodies and community and voluntary agencies to better support the person with the learning disability.

   o Sharing of information about the needs of the person with learning disability through the criminal justice system.

   o The identification of the need for and the choice of an *'appropriate adult'*.

   o The provision of materials in easy read format.

   o Innovative approaches to the determination of an appropriate intervention for offenders – one which matches the gravity of the crime and is compatible with the capabilities of the person with learning disability.

WIDER CONSIDERATIONS

DATA ON PEOPLE WITH LEARNING DISABILITY

No data is available on the numbers and types of people with learning disability that are interacting with any of the policing organisations in Northern Ireland.

Consequently, SMR recommends that:

- Consideration is given to exploring the feasibility of updating the monitoring systems within the policing organisations and the wider criminal justice system to explore capturing such information on a routine basis. A common basis for recording – across all the policing organisations and their partners – would be the preferred approach.

THE VOICE OF PEOPLE WITH LEARNING DISABILITY

There were limited structures in existence across the policing organisations for people with learning disability to give their views on a regular basis.

Consequently, SMR recommends that:

- Policing organisations and the wider criminal justice system give consideration to how best to include the voice of people with learning disability within their consultative arrangements.

MORE ON PREVENTION

The available data indicates that people with learning disability are more likely (than those without) to be a victim of crime.

Consequently, SMR recommends that:

- Consideration is given to increasing awareness amongst people with learning disability about how to:
  - Recognise crime (especially bullying and harassment);
  - Protect themselves against crime;
  - Report all crime to the police.

PHASED APPROACH

SMR recommends a phased approach to the above where the critical areas (specifically work in relation to detection of learning disability) are prioritised.

FORMAL PROJECT PLAN

We further recommend that a formal work programme is developed from the recommendations made in this report and a project plan is produced with clear responsibilities, milestones, outputs and outcomes and progress review points.

BUDGETS FOR RECOMMENDATIONS

SMR recommends that all organisations involved in implementing these recommendations should dedicate an appropriate budget / resources for doing so.

INDEPENDENT EVALUATION

It may be helpful if the implementation of all of these recommendations was subject to a concurrent independent evaluation. The purpose of a concurrent, rather than retrospective, evaluation is to ensure that any learning from the process can be fed back in to the process at the earliest possible opportunity.

NOTE: In the matrix below, we use large *'ticks'* to denote the organisation (that at the time of writing, and based on the evidence available within this report) SMR considers to have lead responsibility; and small *'ticks'* to denote those whom we consider to have a supporting role. **We strongly recommend that the organisations concerned deliberate this proposed division of responsibilities and refine this further as required.**

VIEWS OF PEOPLE WITH LEARNING DISABILITY

AWARENESS

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
Continuation of the efforts to sustain this high level of awareness of the police and their role.	✔ (large)	✔	✔	✔	✔	✔	✔	✔
Consideration is given to methods of supporting people with learning disability to distinguish between how to contact the police in an emergency and non-emergency.	✔ (large)			✔				✔
Consideration is given as to how to promote awareness of the other policing organisations (i.e. beyond PSNI) in the most appropriate and efficient manner.		✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)
Work is done to promote awareness of how and when to make a complaint if someone is not happy with police conduct or treatment.	✔	✔	✔ (large)	✔	✔	✔	✔	✔

PERCEPTION

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
That following an awareness raising programme, and at an appropriate point, that a separate assessment is made of the perception of the other policing organisations[11] amongst people with learning disability.		✔	✔	✔				
Continuation of the work to sustain the overall strong positive image of the police.	✔	✔	✔	✔				
Special consideration is given to working closely with communities to improve the image of the police in areas with a history of poor or weak relationships with the police.	✔	✔		✔				
Special consideration should be given to devising ways to reassure those who may be fearful of the police.	✔	✔	✔	✔	✔	✔	✔	✔

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[11] SMR notes that the District Policing Partnerships and the Community Safety Partnerships are currently being reconfigured and this would need to be factored into any plans to raise awareness.

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
Further work to raise awareness of bullying and harassment of people with learning disability as a hate crime amongst people with learning disability and their families, carers and social care personnel;	✔	✔	✔	✔	✔	✔	✔	✔ Also, HSC Trusts
Further work to make it easier for people with learning disability to come forward if they are experiencing this type of crime.	✔	✔	✔	✔	✔	✔	✔	✔

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN/ CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

OVERALL SATISFACTION

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
That the specific points raised in this report regarding the 'customer journey' are given due consideration taking account of the barriers that people with learning disability face. These span:								
Training in learning disability awareness for police officers (current and student officers), staff within the criminal justice system, including solicitors and *'appropriate adults'*. (To improve detection and collaborative approaches involving statutory, community and voluntary organisations and people with learning disability themselves in the design and delivery of such training would be the preferred approach.)	✔	✔	✔	✔	✔	✔	✔	✔
Use of a standardised check list – across all policing organisations and their partners - to aid detection of learning disability.	✔	✔	✔	✔	✔	✔	✔	✔
Promoting the use of a common alert card for those people with learning disability who wish to use it.	✔	✔	✔	✔	✔	✔	✔	✔

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

OVERALL SATISFACTION (Continued…)

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. & Vol. Sector
Closer collaboration between policing organisations, other statutory bodies and community and voluntary agencies to better support the person with learning disability.	✔	✔	✔	✔	✔	✔	✔	✔
Sharing of information about the needs of the person with learning disability through the criminal justice system.	✔	✔	✔	✔	✔	✔	✔	✔
The identification of the need for and the choice of an *'appropriate adult'*.	✔	✔	✔	✔	✔	✔	✔	✔
The provision of materials in easy read format.	✔	✔	✔	✔	✔	✔	✔	✔
Innovative approaches to the determination of an appropriate intervention for offenders – one which matches the gravity of the crime and is compatible with the capabilities of the person with learning disability.	✔	✔	✔	✔	✔	✔ Including the Court Service	✔	✔

WIDER CONSIDERATIONS

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
DATA ON PEOPLE WITH LEARNING DISABILITY								
Consideration is given to exploring the feasibility of updating the monitoring systems within policing organisations and the wider criminal justice system to explore capturing such information on a routine basis. A common basis for recording – across all the policing organisations and their partners - would be the preferred approach.	✔	✔	✔	✔	✔	✔	✔	✔
VOICE OF PEOPLE WITH LEARNING DISABILITY								
Policing organisations and the wider criminal justice system give consideration to how best to include the voice of people with learning disability within their consultative arrangements.	✔	✔	✔	✔	✔	✔	✔	✔
MORE ON PREVENTION								
Consideration is given to increasing awareness amongst people with learning disability about how to: ▪ Recognise crime (especially bullying and harassment); ▪ Protect themselves against crime; ▪ Report all crime to the police.	✔	✔	✔	✔	✔	✔	✔	✔

WIDER CONSIDERATIONS (Continued…)

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
PHASED APPROACH								
Phased approach to the above where the critical areas (specifically work in relation to detection of learning disability) are prioritised.	✔	✔	✔	✔	✔	✔	✔	✔
FORMAL PROJECT PLAN								
Recommend that a formal work programme is developed from the recommendations made in this report and a project plan is produced with clear responsibilities, milestones, outputs and outcomes and progress review points	✔	✔	✔	✔	✔	✔	✔	✔
INDEPENDENT EVALUATION								
Recommend that the implementation of all of these recommendations is subject to a concurrent independent evaluation which would: ▪ Confirm that the recommendations are being carried out; and, ▪ Assess the impact of the actions taken.	✔	✔	✔	✔	✔	✔	✔	✔

2. Introduction

2.1 Background to the Research – Key Drivers

In all major organisations stakeholder opinion is vitally important to help the organisation strive for continuous improvement in the services it delivers. Within the context of policing in Northern Ireland the opinion of vulnerable groups helps support this process by providing a consultation framework which allows these voices to be heard and to directly inform corporate-level actions and subsequent improvement in the operational plans of the Office of the Police Ombudsman for Northern Ireland ('the Ombudsman'), the Northern Ireland Policing Board (the Board), the Police Service of Northern Ireland (PSNI), and District Policing Partnerships (DPPs).

In seeking to ensure that policing arrangements meet the needs of people with learning disability, the Ombudsman and the Board commissioned research to further understand the views and experiences of this group.

The United Nations[12] (UN) state that, *'Persons with disabilities are members of society and have the right to remain within their local communities. They should receive the support they need within the ordinary structures of education, health, employment and social services'.* This statement by the UN is evidence of a significant shift in how society views people with a disability, with legislative and social policy changes further supporting people with a learning disability by removing barriers to inhibitors to their full participation in society. Within the Northern Ireland context a key legislative change has come in the form of the Northern Ireland Act (1998) which states that '*a public authority shall, in carrying out its functions in Northern Ireland, have due regard to the need to promote equality of opportunity between persons... with a disability and persons without'.*

In terms of social policy much of the focus in Northern Ireland has witnessed public bodies addressing issues of social inclusion, reducing the impact of disability, a focus on individual needs and improved choice, empowerment of people with learning disability to make choices, as well as on interagency working to ensure that these objectives are met. It is within this overall context that this research was commissioned.

2.2 Research Aim

The research aim is summarised as to:

'...provide a comprehensive research report on the views and experiences of people with learning disabilities towards the Ombudsman, NIPB, the Police Service of Northern Ireland (PSNI), and DPPs. We envisage that this will entail an initial scoping exercise of the relevant issues to develop the focus of the research'.

In September 2010, Social Market Research (www.socialmarketresearch.co.uk) was appointed to undertake all aspects of the research.

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[12] Standard Rules On The United Nations Equalization Of Opportunities For Persons With Disabilities

2.3   Research Objectives

The following objectives were set for the research:

- to design and conduct quantitative and qualitative methods of data collection;

- to undertake a comprehensive analysis of the findings; and

- to complete a draft report and final report, including an executive summary, of the research findings and analysis.

2.4   Project Steering Group

A Project Steering Group (SG) was established to oversee the running of the research project. The group consisted of representatives from the Police Ombudsman's Office, one of whom chaired the SG and performed the role of Project Manager, the Policing Board, Mencap and Disability Action. The SG agreed the questionnaire content, topics for discussion in the focus groups and individual interviews. It met with SMR at regular intervals to review progress against the project timetable and provide advice and feedback. The Ombudsman and the Board were particularly grateful for the input of both Mencap and Disability Action on that group.

2.5   Selection of People with Learning Disability

In designing this research, SMR sought to listen to the views of as diverse a range of people with learning disability as the time and budgetary constraints would permit. Consequently, across the sample as a whole (i.e. focus groups and the survey), SMR sought to ensure that, as far as possible, there was a balance of the following characteristics:

- **Gender** - The focus groups and the survey each had male and female participants;

- **Age** - The focus groups and the survey each had participants from different age bands -16 year olds and upwards;

- **Type of learning disability** - The focus groups and the survey each had participants with mild, moderate and severe learning disability;

- **Location across NI** - The focus groups and the survey each had participants from the five Health and Social Care Trust geographies; and,

- **Urban / Rural** - The focus groups and the survey each had a mix of people with learning disability living in rural areas and those living in urban areas.

The timescales set for this research meant that the choice of focus group and survey opportunities was determined, in part, by the times and locations where people with learning disability naturally met. However, the key reasons SMR sought to fit in with the existing arrangements as far as possible were because:

a)   It avoided placing a further burden on the voluntary agencies supporting the Police Ombudsman and the Policing Board with this research, and; most importantly,

b)   It avoided placing a further burden on people with learning disability by asking them to attend an unfamiliar venue.

Mencap worked in partnership with SMR to pilot the survey and the focus groups. The pilot instruments were then refined with input from Mencap staff and the participants themselves.

Mencap worked in partnership with SMR to set up each of the focus groups and also provided staff support to the focus group participants as required. Specifically with regard to the survey, SMR was assisted by the following organisations: Mencap; ARC; Destined; Orchardville Charity; Triangle Housing; Stepping Stones; and the Gateway Club.

2.6   Notes on Tables and Figures

2.6.1   Notes on Tables

Due to rounding, row and column percentages within tables may not always sum to 100. Note that base totals may also change in tables.

2.6.2   Statistical Significance

It should be noted that in this report, symbols have been used to denote statistical significance. This means that relationships or associations identified are *'probably true'*. For example, if something is significant at the 95% level, we can say that we can be 95% confident that the difference identified is *'probably true'*.

In the tables the following convention has been used to denote statistical significance:

* statistically significant at the 95% confidence level;
** statistically significant at the 99% confidence level; and
*** statistically significant at the 99.9% confidence level.

Note that the Chi-Square test has been used to identify significant differences between different categoric variables [e.g. gender (male and female)].

Note also that differences alluded to in the text are statistically significant at the 95% level.

3   Methodology

The following methodology was agreed with the Project Steering Group (SG) and was detailed in SMR's proposal to the Ombudsman and the Board (dated August 2010). In summary, the approach involved:

Stage 1: Project Initiation
(September 2010)
Met Steering Group.
Agreed methodology and timescales.
Identified documentation and contacts etc.

Stage 2: Pre-Consultation Workshop
(November 2010)
Worked collaboratively with the key representatives of the Steering Group and the key stakeholders to consider and deliberate on:

- issues to be addressed by the research; as well as,
- the practical challenges in accessing and engaging with the target group.

(See Appendix A)

Stage 3: Agreed Research Instruments and Approach
(December 2010)

Worked collaboratively with the key representatives of the Steering Group to develop:

- the discussion schedule for the interviews with key stakeholders;
- the format for the focus groups with people with learning disability; and,
- the format for the focus groups with key workers.

Stage 4: Interviews with Key Stakeholders
(December 2010 – January 2011)

Conducted face-to-face interviews with key stakeholders

(See Appendix B)

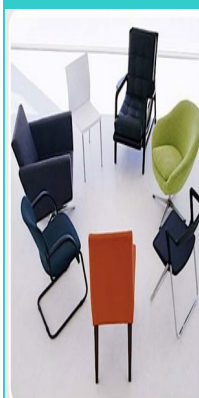The findings from this are set out in Section 7.

Stage 5: Survey of People with Learning Disability
(February - April 2011)

- Pilot survey of people with learning disability.
- Following refinement, main survey of people with learning disability.
- Survey findings based on a sample of 240 participants.
- Dependent on stakeholder organisations to enable access.
- Worked with organisations to ensure that the relevant data was captured at all the key stages.
- Interviewer-administered survey was piloted, refined and rolled out. Data analysed using SPSS.
- SMR applied appropriate statistical procedures to test for statistical significance between different respondent subgroups.

(See Appendix C)

The findings from this are set out in Section 4.

Stage 6: Focus Groups with People with Learning Disability
(February - April 2011)

Conducted one pilot focus group with people with learning disability. The focus group format was then refined before a further four focus groups were conducted with people with learning disability.

(See Appendix D)

The findings from this are set out in Section 5.

Stage 7: Focus Groups With Key Workers
(February - April 2011)

Conducted in-depth face to face interviews with a range of individuals involved in the delivery of the projects at local level.

(See Appendix E)

The findings from this are set out in Section 6.

Stage 8: Report
(March / April 2011)

- Production of interim report – 23rd March 2011
- Feedback from SG – End of March 2011
- Draft final report produced – April 2011
- Final report produced – May 2011

4   Survey of People with Learning Disability

4.1   Overview

This section of the report presents the findings of a survey of people with learning disability. A total of 244 respondents were invited to participate in the survey with 240 taking part (four respondents were screened out as they did not know who the police are or what they do).

The survey was administered on a face to face basis by research interviewers on the premises of organisations representing people with learning disability. In consultation with various representative organisations, it was felt that conducting the interviews in places that respondents are familiar with would reduce any unnecessary anxiety or stress among respondents. Also conducting the interviews at these locations meant that staff from the organisation, and volunteers, were onsite should the respondent for any reason become distressed at either the thought of being interviewed or during the process of actually being interviewed.

In acknowledging the potential for respondent distress, interviewers were instructed to present at each venue at least an hour before conducting survey interviews. In advance of this, photographs of the interviewers were forwarded to participating organisations in advance to allow potential respondents to get some familiarisation of the interviewers in advance. This was to ensure that potential respondents became familiar with the interviewers, with interviewers also provided with an opportunity to present the research to potential respondents. Respondents were then invited to take part in the interview with organisation staff also helping to encourage respondents to take part. A list of participating organisations is presented in Appendix C. The survey was completed between 1 March 2011 and 11 April 2011. The survey was piloted on nine respondents between 10 and 11 February 2011. A copy of the survey questionnaire is attached at Appendix C.

4.2   Sample Profile

Table 4.1 presents an overview of the sample profile based on 240 completed interviews and shows that the sample is made up of similar numbers of males (46%) and females (54%). The majority (51%) of the sample is aged under 30, with most (52%) saying they live in cities, large towns or suburbs.

Table 4.1 Sample Profile (n=240)		
		Sample (%)
Sex	Male	46
	Female	54
Age	16-29	51
	30-49	35
	50-64	10
	65+	3
Area of Residence	City, Large Town, Suburbs	52
	Small Town	43
	Village / Country	5

Table 4.2 presents an overview of respondent area of residence by region and shows that 10% of interviews were conducted in Belfast, 70% in areas East of the Bann and 20% in areas West of the Bann (Note that residents of the following Local Government Districts were represented in the sample: Antrim; Belfast; Ballymena; Banbridge; Carrickfergus; Coleraine; Cookstown; Derry / Londonderry; Down; Fermanagh; Larne; Lisburn; Moyle; Newry and Mourne; Newtownabbey; North Down; and Magherafelt.

Table 4.2: Respondent Profile by Area of Residence (n=240)		
	%	n
Belfast	10	24
East of the Bann	70	169
West of the Bann	20	47
Total	100	240

4.3   Awareness of the Police

The interview commenced with a screening question asking respondents if they know who the police are or what they do. Of the 244 respondents surveyed, almost all (98%) said they are aware of who the police are and what they do. Those aware (n=240) proceeded to a full interview [note that base totals change in tables as not every respondent answered each question].

Figure 1: First of all can you please tell me, do you know who the police are or what they do? (n=244)
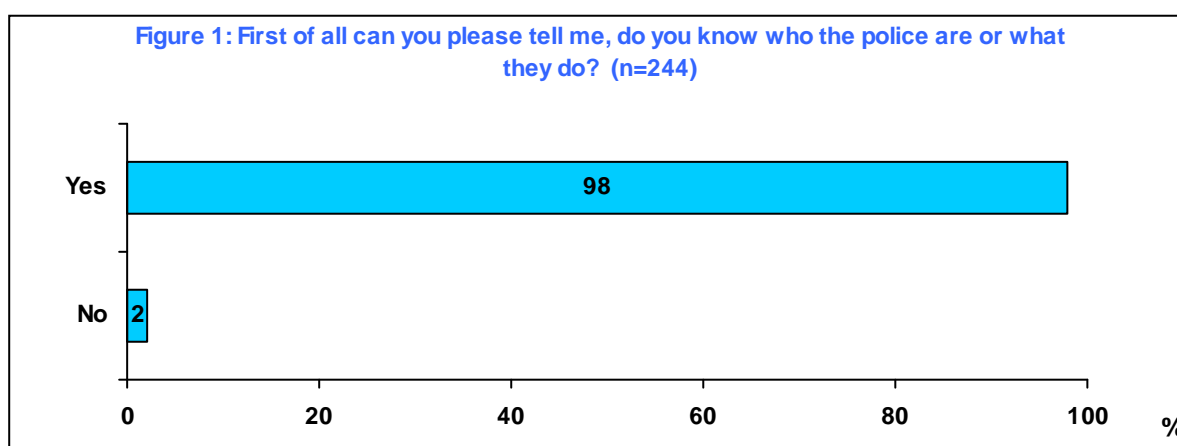
Those respondents who said they are aware of the police were asked to describe the things the police do. The most common response was that the police are there to solve crime, arrest criminals and put them in jail (59%), with 23% saying the police are there to help you and 14% saying that they walk the beat to look after people and keep law and order.

Table 4.3: Do you feel you can describe any of the things the police do? (n=238) [Note that respondents could provide more than one answer]		
	%	n
Solve crime, arrest criminals and put them in jail	59	141
They help you if you are lost or in trouble and make sure you are safe	23	54
They walk the beat to look after the public and keep law and order	14	34
They help people who have accidents or in emergencies	13	30
Drive police cars, bikes, wear hats, have dogs / put handcuffs on people	13	30
Look after traffic / stop or arrest people who drive dangerously or speed	7	17
Give talks / tell you about road safety, community safety and staying safe	5	12
They can arrest you and put you in jail	3	8
Other	8	19
Don't know	1	2

Perception of the police was found to be generally positive, with approximately eight out of ten (84) respondents saying that they feel happy when they think about the police, 3% and 14% neither happy nor sad. There was no statistically significant variation in response to this question by respondent age[13], sex or area of residence[14].

Figure 2: I would be very interested if perhaps you could please tell me, when you think about the police, does this make you feel happy or sad?   (n=236)
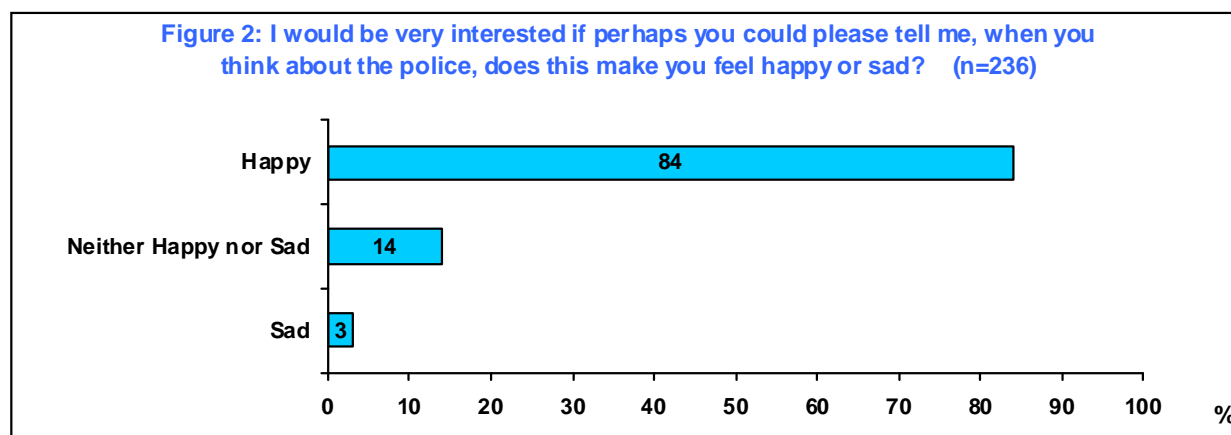
Respondents who reported feeling happy when they think about the police were asked to say why this is the case. Among these respondents (n=201), 40% said that the police are there to help and protect you if you are in trouble or need help, with one third (33%) saying they are happy when thinking about the police because they do a good job and make you feel safe and happy.

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[13] For the purposes of analysis, age has been categorised as follows: 16-24, 25-39 and 40+.
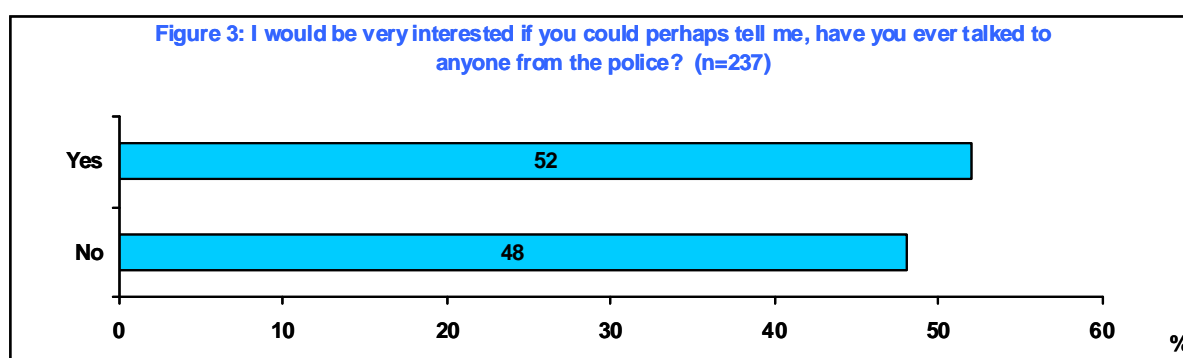[14] For the purposes of this research, **'urban'** was defined as 'city', 'large town' or 'suburb' whilst **'rural'** was defined as 'Small town', 'village' or 'country'.

Table 4.4: When you think about the police how come this makes you feel happy? (n=201)[Note that respondents could provide more than one answer]	%	n
They are there to help and protect you if you are in trouble or need help	40	81
They are good people who do a good job and make me feel safe and happy	33	66
They catch criminals who do bad things, arrest them and put them in jail	18	37
They are nice and take time to speak and listen to you. Sometimes they come to your house to ask questions so they can help you.	4	8
They walk the beat to look after the public and keep law and order	2	5
Don't know / Not applicable	3	6
Other	3	6

Conversely, the nine respondents who said they feel sad when they think about the police offered the following reasons why: the police can sometimes arrest the wrong people (n=4); I don't like them because they make me feel angry (n=2); in the past something had happened to a member of my family (n=1); sometimes the police don't understand because they don't take the time to listen (n=1); and something happened in the past (n=1).

4.4   Contact with the Police

In most cases (52%), respondents reported having talked to someone from the police, with no variation by respondent age, sex or area of residence. The level of contact reported in this survey is higher than the 27% estimated by the Policing Board module of the September 2010 Northern Ireland Omnibus Survey[15], although the Omnibus Survey related to the previous 12 months compared with the current survey which is not time bound [note that the questions are also different, but both focus on level of contact].
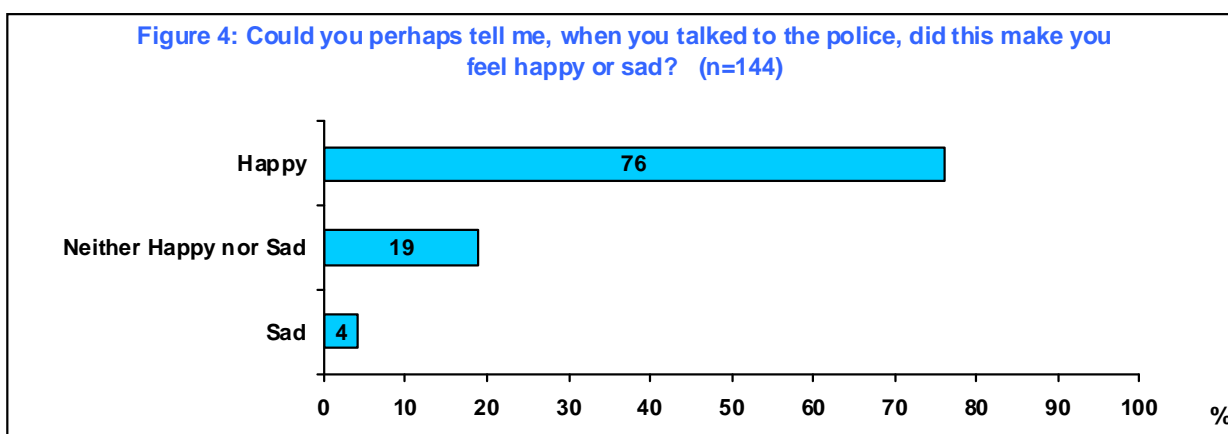

Figure 3: I would be very interested if you could perhaps tell me, have you ever talked to anyone from the police? (n=237)

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[15] http://www.nipolicingboard.org.uk/final_version_-_nipb_omnibus_survey_sep_2010-3.pdf

The main reasons for talking with the police related to the police visiting schools or centres to speak with respondents (18%), with 16% saying they spoke with the police as a result of being a victim of crime or were suspected of carrying out a crime.

Table 4.5: Do you feel you can tell me what you talked to the police about? (n=119) [Note that respondents could provide more than one answer]	%	n
They came to our school or centre and gave us a talk about their jobs	18	22
Spoke to them because I was a victim of crime / suspected of carrying out a crime	16	19
I had to ask police for help - had a problem and needed help with it	15	18
Spoke about personal safety and to be wary of strangers	11	13
General chat in the street or elsewhere	10	12
A friend or a family member was a victim of crime or committed a crime	8	10
Spoke to us about the green cross code and road safety issues	7	8
Family member or friend in the police force	5	6
Interviewed me / took a statement	4	5
I was involved in an accident	3	4
They talked to us about Internet safety, crime prevention, fire safety, community safety and personal safety	2	2
Talked to them in the police station	2	2
Other	4	5
Don't know / No	3	3

In the vast majority of cases (76%), talking to the police made the respondent feel happy, with 4% feeling sad and 19% neither happy nor sad. This level of satisfaction compares favourably with the Policing Board survey (ibid) which found that 65% of those who had been in contact with the police in the previous 12 months were satisfied with the PSNI during this contact.

Figure 4: Could you perhaps tell me, when you talked to the police, did this make you feel happy or sad? (n=144)

The main reasons why talking to the police made respondents feel happy were: that the police cared and were friendly and nice (34%), they made me feel safe and keep me safe (20%) and they helped me or a family member when help was needed (19%).

Table 4.6: It would be very helpful if you could tell me what made you feel happy about talking to the police (n=104) [Note that respondents could provide more than one answer]	%	n
They cared and were friendly and nice to me	34	35
They make me feel safe and keep me safe	20	21
They helped me or a family member when we needed help	19	20
Just talking to the police who listened and said they would try their best	16	17
They catch bad boys or criminals and put them in jail	8	8
They gave us advice or a talk which was very helpful	7	7
They do a good job	6	6
Other	1	1
Don't know	3	3

Those respondents who said they felt sad when talking to the police offered the following reasons: I feel uncomfortable (n=1); was under pressure looking for work and what I said was taken out of context (n=1); when you phone them regarding burglaries they don't come out in time (n=1).
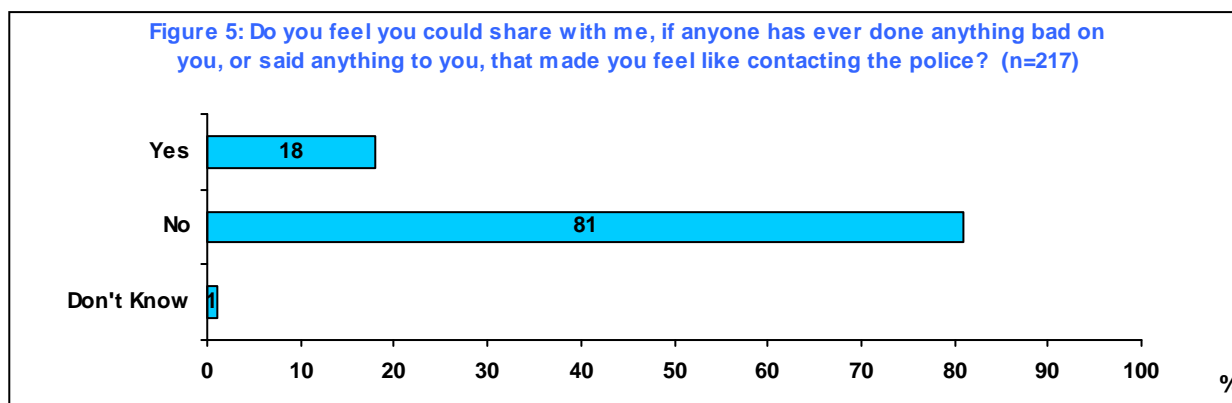
4.5   Victims of Crime

The survey sought to get some estimate of the number of respondents who have been a victim of crime and whether or not those who have experienced crime had contacted the police.

The survey found that 18% of all respondents said that someone had done something bad on them which had made them feel like calling the police. Although not directly comparable, this level of self-reported victimisation is consistent with the 2009/10 Northern Ireland Crime Survey[16] which estimated that *'...14.3% of all households and their adult occupants were victims of at least one crime during the last 12 months'.* It should also be noted that in this current survey respondents were asked if anyone had 'ever' done anything bad on them, whereas the Northern Ireland Crime Survey relates to the previous year. Nonetheless the measures are consistent which suggests that the level of victimisation among those with learning disability is consistent with the Northern Ireland average. This is further supported by the Policing Board module of the September 2010 Northern Ireland Omnibus Survey which found that 19% of respondents had contacted the police because they were the victim of a crime[17].

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[16] http://www.dojni.gov.uk/index/statistics-research/stats-research-publications/nics_2009-10_experience_of_crime.pdf
[17] http://www.nipolicingboard.org.uk/final_version_-_nipb_omnibus_survey_sep_2010-3.pdf

Figure 5: Do you feel you could share with me, if anyone has ever done anything bad on you, or said anything to you, that made you feel like contacting the police? (n=217)

4.5.1 Reporting Crime

Among those who indicated that they had experienced something bad which made them feel like contacting the police, 70% actually did make contact with 19% doing so themselves and 51% saying that someone contacted the police on their behalf. This level of reporting is higher than the Northern Ireland estimate from the 2009/10 Northern Ireland Crime Survey which found that *'half (50%) of all NICS 2009/10 crimes that are comparable with recorded crime were reported to the police'*. This suggests that respondents with learning disability may be more likely to report crimes when compared with the Northern Ireland average.

Respondents who failed to contact the police were asked to say why this was the case. The reasons cited for not contacting the police included: fear of getting into trouble (n=1); telling a member of staff instead (n=1); ignoring the bullying (n=1); and speaking with a policeman walking down the street rather than contacting the police (n=1).
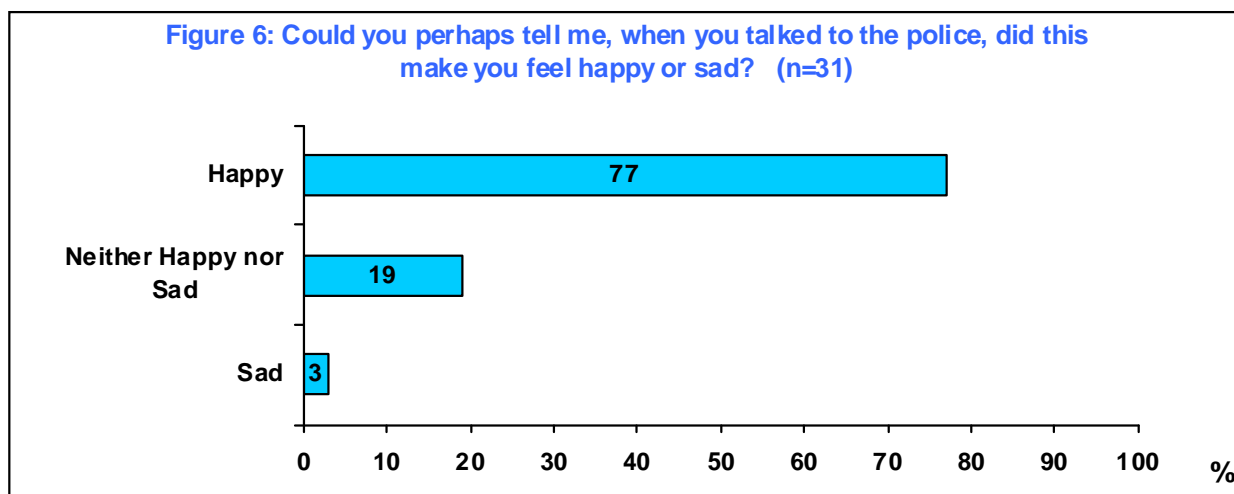
4.5.2 Nature of Victimisation

The vast majority (90%) of respondents who indicated that they had experienced 'anything bad' said that they were able to talk to someone about it. Respondents were then asked if they could explain what happened that made them feel like contacting the police. Using this approach to establish the nature of victimisation found that the majority (59%) of cases related to harassment or bullying, with 14% relating to personal / domestic violence.

Table 4.7: Do you feel you can tell me what happened that made you feel like contacting the police (n=37) [Note that respondents could provide more than one answer]		
	%	n
Harassment or bullying	59	22
Personal /domestic violence in house or in home attack or incident	14	5
Sexual attack or harassment	11	4
Theft or burglary incident	11	4
The police listened to me and believed me [encouraged further contact]	5	2
Police didn't help me when I needed help [motivated respondent to make further contact]	5	2
I was in an accident	3	1
Other	8	3
Don't Know	3	1

4.5.3 Satisfaction with Police Contact

Overall 77% of respondents who contacted the police said that they were happy with the way the police treated them, with 3% sad and 19% neither happy nor sad. This level of satisfaction is higher than the 65% of respondents satisfied with the police from the September 2010 Omnibus Survey.

Figure 6: Could you perhaps tell me, when you talked to the police, did this make you feel happy or sad?   (n=31)

The reasons why respondents were happy about talking to the police included: the police listened (67%, n=16); police were nice and made me feel safe (13%, n=3); they catch bad people / criminals and put them in jail (13%, n=3); happy with the police but they need more training (4%, n=1); and, the police give good advice (4%, n=1). The one respondent who offered a reason for feeling sad with their contact with the police said they had asked for help but didn't receive any.

4.6   Level of Offending

As with victimisation, the survey included a question as a proxy for gaining some estimation of the level of offending within the target population.   Respondents were presented with the following question: *'Sometimes people do bad things and get into trouble with the police. Has that ever happened to you?'*

In response, 3% or 7 respondents reported getting into trouble with the police. The reasons why respondents got into trouble with the police were: stealing (n=4); abusive behaviour (n=1); incident at school (n=1); and, running away (n=1). [Although not directly comparable, in Northern Ireland 7%[18] of those aged 16+ have criminal convictions].

Figure 7: Sometimes people do bad things and get into trouble with the police. Has that ever happened to you? (n=225)
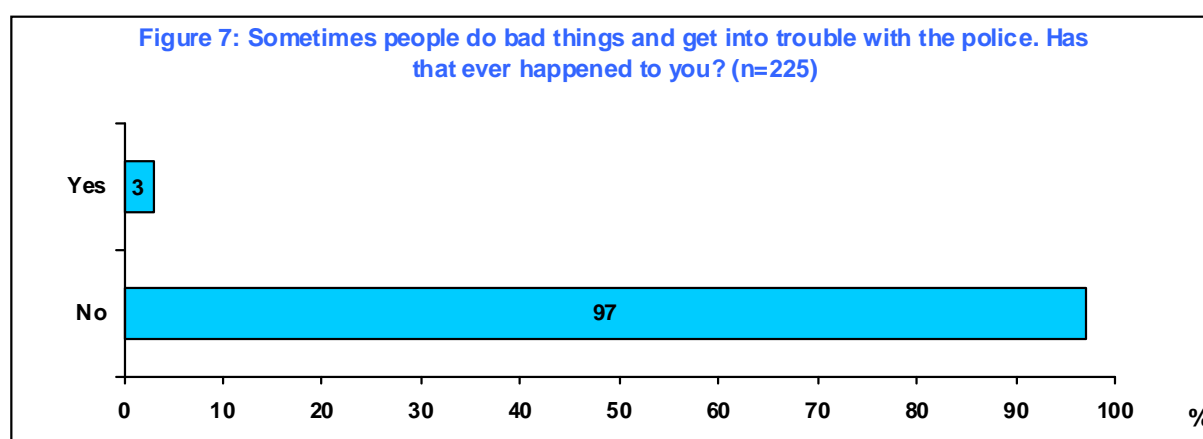
Six out of the seven respondents who reported getting into trouble with the police, said that they had talked to someone about the incident.

When asked what had happened that they got into trouble, one respondent had been involved in rioting with police, with the police allowing them to telephone their family (police were OK). Another had lost their temper in a home they were living in and the police were called, with one respondent saying that the police had simply spoken with their family. The final respondent who had got into trouble with the police said they didn't want to talk about the incident.   In almost all (n=6) cases respondents said that they were treated well by the police after the incident with one respondent saying they were treated badly.
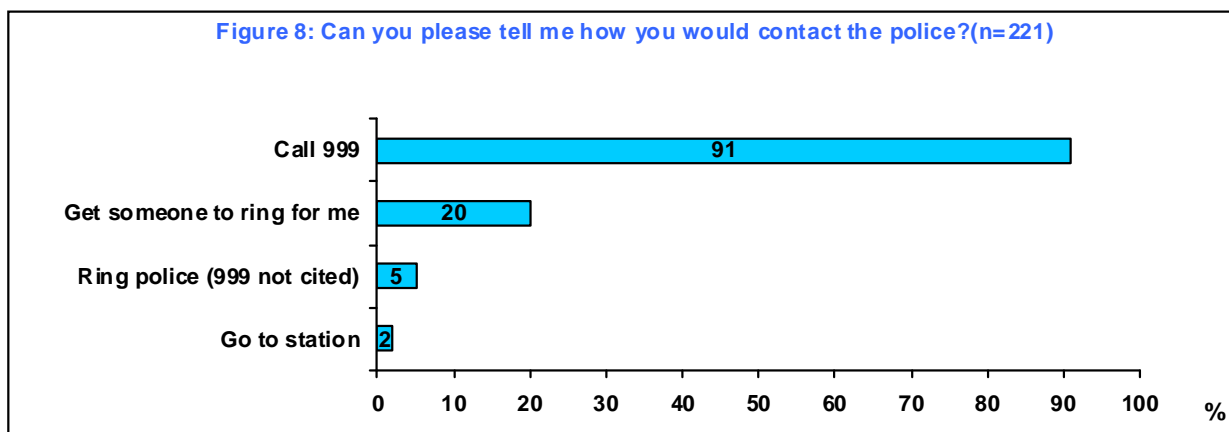
The reasons why respondents felt happy with the way the police treated them included: like the police (n=1); police helped them (n=1); police made them a cup of tea (n=1); police talked to them until they were calm (n=1); police looked after them (n=1); and, they were friendly (n=1).

The one respondent who felt sad at the way they were treated by the police said that *'when people with learning disability are accosted by the police, the police do not understand because the police don't listen to us'* (n=1).   This same respondent added that they *'would have liked someone from the drop in centre to have accompanied them'* [when interacting with the police].

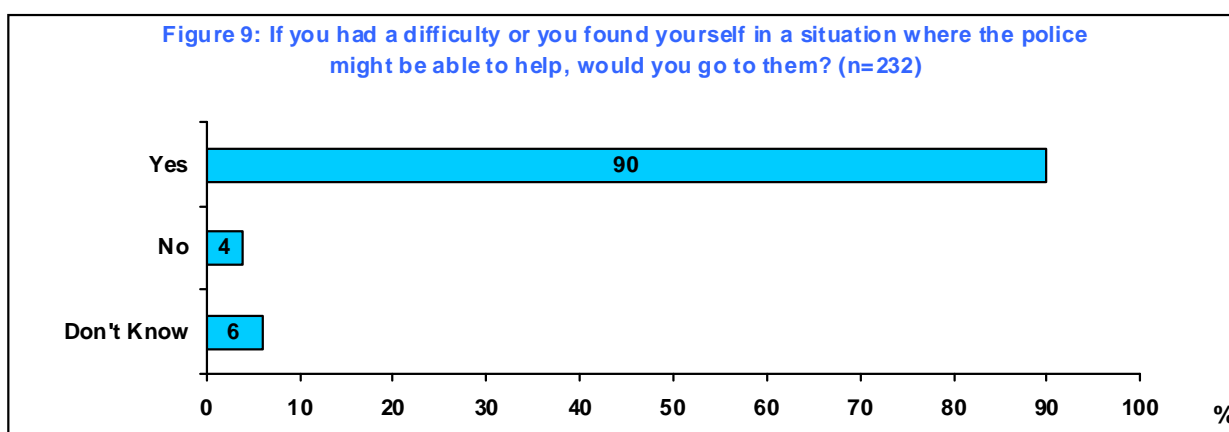[18] http://www.niacro.co.uk/briefing-notes/?id=2

4.7   Knowledge of how to contact the Police

Almost all (95%) respondents said that they know how to contact the police, with 91% specifically saying that they would call 999[19]. One in five (20%) said they would get someone to call the police on their behalf (parent, key worker etc). Going directly to a police station was cited by 2% of respondents with 5% saying they would ring the police (but did not cite 999).

Figure 8: Can you please tell me how you would contact the police?(n=221)

	%
Call 999	91
Get someone to ring for me	20
Ring police (999 not cited)	5
Go to station	2

The most common sources of finding out how to contact the police were parents / family (48%), staff / school (19%), common knowledge (11%), TV (6%), telephone boxes / directories (5%) and police (3%).

In 90% of cases, respondents said they would call the police if they had a difficulty or they found themselves in a situation where the police might be able to help. Those living in small towns, villages or in more rural areas were more likely to say they would call the police if they had a difficulty (95%) compared with respondents in cities, large towns or suburban areas (85%, $p <= 0.01$).

Figure 9: If you had a difficulty or you found yourself in a situation where the police might be able to help, would you go to them? (n=232)

	%
Yes	90
No	4
Don't Know	6

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[19] Note that respondents could provide more than one answer to this question.

Among those respondents (n=217) who listed a reason[20] why they would go to the police, most (60%) said that the police would be able to help them.

Table 4.8: Can you tell me why you would go to the police? (n=217)	%	n
They are there to help you or others if you have a problem or need help	60	144
They can arrest bad people - criminals and put them in jail	9	22
If you are a victim of crime or if you saw someone being a victim of crime	8	19
They are good, nice and would listen to me	4	10
They keep the peace, law and order and make bad people behave	3	6
If you have or saw an accident or fire	3	6
Help me if someone tried to take me away	2	5
I think it would be easier to get help from the police	1	3
They make you feel safe and keep you safe	1	2
If domestic violence or death in a house	0.4	1
Other	3	8
Don't know	0.4	1

Among the seven respondents who listed reasons why they would not go to the police, three said they would tell their parents, with one respondent saying they would not go due to family circumstances. Other reasons for not going to the police included: would go to a staff member instead (n=1); the police wouldn't do anything (n=1); and, being uncomfortable with the police (n=1).

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[20] Note that respondents could list more than one reason.

4.8   Views on the Police

Respondents were asked a number of questions to elicit attitudes to the police. In almost all cases (97%), respondents believe that the police are there to help keep them safe, with 95% of the view that the police are doing a good job (figure for Northern Ireland is 67% based on the Policing Board module of the September 2010 Northern Ireland Omnibus Survey).

More than nine out of ten respondents (93%) believe that the police will help them if something bad happens to them, with 91% of the view that police tell the truth and 90% of the view that the police are caring towards them. When asked if the police treat them the same as everyone else, 88% agreed.

Figure 10: I am now going to ask you about a few different things that you might think or feel about the police. If I was to ask you…what would you say? (n=236)

	Yes	No	Don't Know

Are the police there to help you stay safe? — 97 · 1 · 2

Are the police doing a good job? — 95 · 2 · 3

Do you think the police will help you if something bad happened to you? — 93 · 1 · 6

Do the police tell the truth? — 91 · 1 · 8

Are the police caring towards you? — 90 · 3 · 7

Do the police treat you the same as everybody else? — 88 · 4 · 8

Analysis by respondent characteristics found that women in the target group were more likely to agree that the police treat them like everyone else (93% vs. 82%, $p<=0.05$). Note that there were no other significant variations in response to these questions by age, gender or area of residence.

4.9   Fear of the Police

Approximately one in ten (9%) respondents said that they are afraid of the police, with women in the target group (13% vs. 3%, $p<0.05$) more likely to say this is the case compared with men.
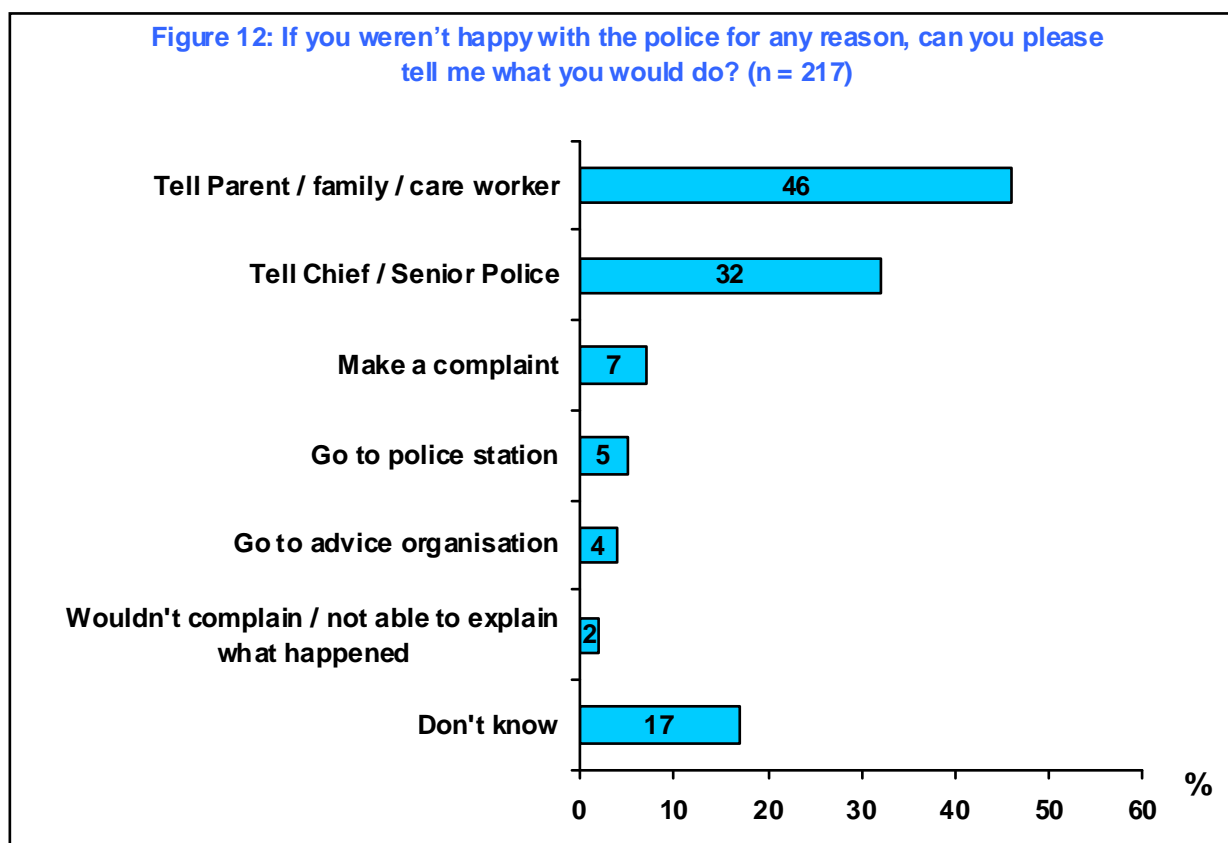

Figure 11: Can you please tell me, are you afraid of the police in any way? (n=236)
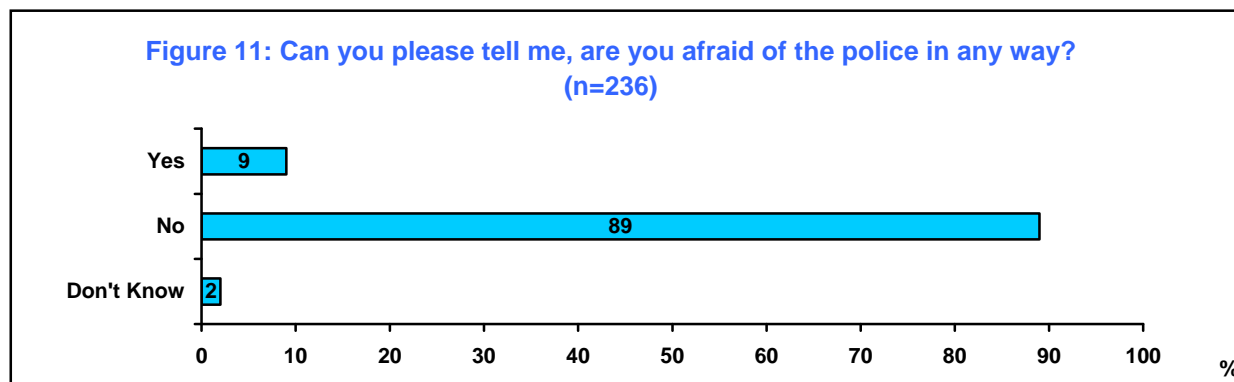
Those who said they were afraid of the police were asked why, with the most common response being fear of police clothing and sirens (n=6).

Table 4.9: Do you feel you can tell me why you feel frightened of the police? (n=25)	%	n
Because of their clothes and sirens	24	6
Just feel nervous around the police	16	4
I was told some bad things about the police that frightened me	8	2
They shout, tell you to sit down and scare me	8	2
Think they are going to arrest me	4	1
Because if I do wrong they will arrest me and I could go to jail	4	1
I would be frightened if I was arrested because I don't think they would listen to me	4	1
Don't like guns and handcuffs	4	1
Other[21]	20	5
Don't know	4	1

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[21] Includes: what happened to someone I know was not nice (n=1); they kick you (n=1); saw police in the night getting a Chinese (n=1); they alarmed me (n=1); and, tell them (n=1).

4.10   Complaints about the Police

If respondents were not happy with the police for any reason, 46% said they would tell their family or a care worker, with 32% saying they would go to the police chief / senior police officer. Seventeen percent of those who answered this question said they don't know what they would do if they were unhappy with the police for any reason [note that respondents could offer more than one answer to this question].

Figure 12: If you weren't happy with the police for any reason, can you please tell me what you would do? (n = 217)

Response	%
Tell Parent / family / care worker	46
Tell Chief / Senior Police	32
Make a complaint	7
Go to police station	5
Go to advice organisation	4
Wouldn't complain / not able to explain what happened	2
Don't know	17

When asked how they would go about making a complaint against the police (n=196), 41% of respondents said they don't know, with 19% saying they would tell their family, 15% would approach a senior police officer and 7% would go directly to a police station. Six percent said they would phone the police enquiry line / support helpline, with 5% saying they would make a complaint (but did not state any specific organisation they would complain to). Three percent of respondents (n=6) said they would write to the Policing Board, contact a politician or the local press.

4.11   Overall Satisfaction with the Police

Almost nine out of ten (88%) respondents said that overall they feel happy about the police, with 1% feeling sad and 11% neither happy nor sad. By comparison, 67% of respondents in the Policing Board module of the September 2010 Northern Ireland Omnibus Survey think that the police do a good job in Northern Ireland as a whole.

Figure 13: Overall, how do you feel about the police? (n=231)
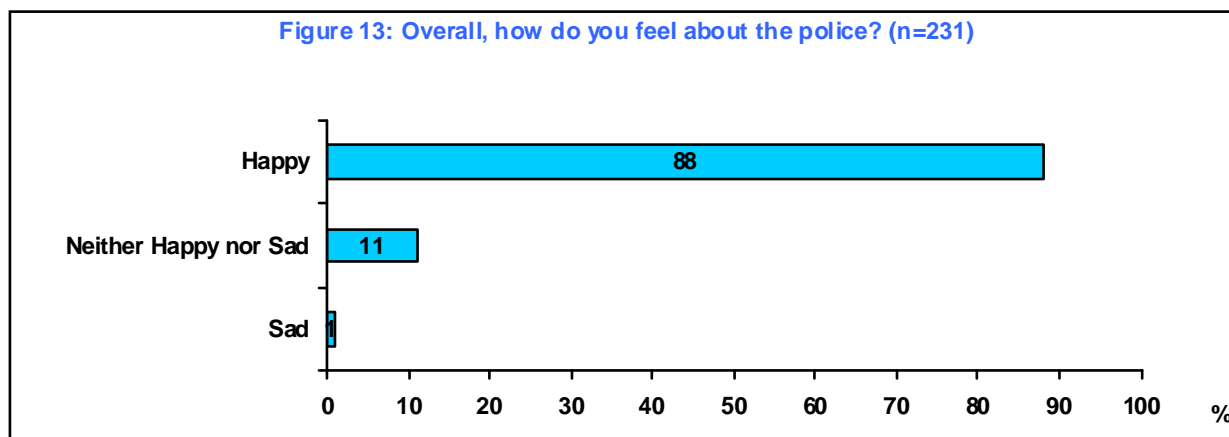
Respondents were asked to say what would make the police better for them. Almost half (46%) of respondents who answered this question felt that the police do a good job and could do nothing more, with 18% (n=36) calling for more police on the streets.

Table 4.10: What could make the police better for you? (n=199)		
	%	n
No nothing they do a good job	46	92
More police on the streets especially at night time and on the weekends	18	36
Protect us against criminals, maintain law and order and keep us safe	11	21
Learn to be patient, talk to us and listen to us so you can understand our problems	9	18
The police should receive disability training from people who work with people who have learning disabilities	3	6
Don't be patronising, treat us with respect like everybody else	2	3
Other	7	14
Don't know	18	36

Six respondents made final comments about the police: I like them (n=1); like police to control kids that hang around outside my flat (n=1); they smoke too much (n=1); keep friendly (n=1); they should bring the dogs out more often to help people (n=1); and, more information needed on how to get police checks (n=1).

4.12   Summary from Survey of People with Learning Disability

Based on the results from the survey, the views and experiences of people with learning disability on the police in Northern Ireland appear to be generally positive, with the vast majority (88%) saying that they are generally happy with the police overall. Almost all respondents are aware of the police, with most seeing the police in their capacity of tackling crime and acting against the perpetrators of crime.

In terms of perception of the police, again the evidence from this survey is positive, with only a small minority (3%) feeling 'sad' when they think of the police. This positive perception relates to a belief that the police generally do a good job and are there to help when required.

Among those who have had contact with the police, the experience has been positive albeit the level of satisfaction is relatively lower compared with overall perception and satisfaction.

In relation to victimisation, the survey found that 18% of respondents reported someone *'doing something bad on them which made them feel like calling the police'*. As a proxy, this measure of victimisation is consistent with Northern Ireland average estimates from Northern Ireland policing surveys, although the nature of the victimisation is fundamentally different with most cases relating to bullying and harassment. By comparison, the Northern Ireland crime profile shows that criminal damage and theft predominate.

Among those who said that they have been victimised, 70% reported the incident to the police, which is consistent with the Northern Ireland average of 71%. In the vast majority of cases (77%), respondents who contacted the police regarding such incidents were satisfied with their contact with the police, which is higher than 65% in the most recent Policing Board Omnibus Survey results.

In terms of offending, the survey estimated a proxy level of 3% among respondents which is lower that the Northern Ireland average of 7%, however these estimates are measured differently and are not directly comparable. Nevertheless, the experience among those who had *'done something wrong'* was overwhelmingly positive in terms of how the police had treated them.

The evidence from the survey also shows clearly that respondents are knowledgeable in terms of how to contact the police, with the vast majority (91%) citing 999, and parents, family and care / support workers being the most important source of awareness. Furthermore, the survey shows that should respondents have a difficulty, most (90%) said they would call the police, with the majority of the view that the police should be able to help them.

The survey also revealed that attitudes to the police amongst the target group are positive, with the police scoring highly in relation to keeping you safe, doing a good job, telling the truth, being caring and treating respondents equally.

Although the survey findings are generally positive, it should be of concern that almost one in ten (9%) people with learning disability in the survey said that they are afraid of the police, with this more likely to be the case among women. The main reasons for being afraid relate to police uniform and the use of sirens.

Finally, in terms of complaints, respondents would be most likely to inform their parents, family or a key worker to help resolve an issue with the police, with a significant minority prepared to go directly to a senior police officer to resolve any issue which may arise.

5   Focus Groups with People with Learning Disability

5.1   Design of Focus Groups and Profile of Participants

SMR conducted qualitative research in the form of five focus groups. In designing the focus groups, SMR sought to listen to the views of as diverse a range of people with learning disability as the time and budgetary constraints would permit. The timescales set for this exercise meant that the choice of focus group was determined, in part, by the times and locations where people with learning disability naturally met. However, the key reasons SMR sought to fit in with the existing arrangements as far as possible were because:

a)   It avoided placing a further burden on the voluntary agencies supporting the Ombudsman and the Board with this exercise, and; most importantly,

b)   It avoided placing a further burden on people with learning disability by asking them to attend an unfamiliar venue.

Mencap supported SMR in the set up of all of the focus groups. Both organisations worked in partnership to ensure that, as far as possible, each focus group had a balance of the following characteristics:

▪ **Gender** – Each focus group had male and female participants;

▪ **Age** – Each focus group had participants from different age bands (overall spanning 16 year olds and upwards);

▪ **Severity of learning disability** - Each focus group had participants with mild, moderate and severe learning disability (and, in some cases, other complex needs);

▪ **Location across NI** - Each focus group had participants residing in one of five Health and Social Care Trust geographies; and,

▪ **Urban / Rural** - Each focus group and the survey had a mix of people with learning disability living in rural areas and urban areas.

The process of recruitment for the focus groups was again, a collaborative effort between SMR and Mencap. Mencap identified existing meeting places within each of the five Health and Social Care Trust areas (i.e. their offices and local Further Education Colleges) where there was potential for a focus group. SMR composed, and Mencap subsequently issued, a letter of invitation[22] to potential participants[23] to attend each of the focus groups. Taking part in the focus groups was voluntary and each participant opted in. Mencap further assisted SMR by recording the key characteristics of interest (see above) of each of the participants at the outset of each focus group.

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[22] Note: Mencap converted SMR's letter of invitation into easy read format and made people with learning disability aware of the invitation to give their views.
[23] Note: SMR, with the approval of the SG, gave Mencap the authority to invite only people with learning disability who, in their judgement, had the capacity to give informed consent to take part and had the capacity(albeit with support in some cases) to take part in a group discussion.

Following a pilot focus group[24], (in Belfast) Mencap staff and the focus group participants worked collaboratively with SMR to further refine the discussion schedule and the approach to be used to elicit views from people with learning disability in the subsequent focus groups. One of the focus groups was held in Mencap's offices in Armagh and the remaining three were held in Further Education Colleges in Lisburn and Downpatrick respectively[25]. Key workers from Mencap were in attendance throughout each focus group to support the participants as required.

Using the above approach, SMR maximised the amount of comparative information that could be gleaned from this set of focus groups by ensuring that, as far as possible[26], the focus group participants overall were balanced across a range of key variables including:

- Gender;
- Age;
- Severity of disability; and
- Urban / rural[27].

Table 5.1 below shows the profile of people who took part in the focus groups.

Table 5.1 Focus group profile										
Gender		**Age**				**Severity of Learning Disability**			**Where participant lives**	
Male	Female	16 - 29	30 - 49	50-64	65+	Mild	Moderate	Severe	Urban	Rural
24	**24**	**35**	**10**	**3**	**0**	**25**	**13**	**10**	**28**	**20**

All of the focus groups took place between mid-February and late March 2011.

5.2   Themes Covered

The specific issues explored in the focus groups are set out in detail in Appendix D. The key issues were divided into six parts as follows:

- **Part 1 – Knowledge of the police and what they do**;

- **Part 2 – How the police make you feel and why**;

- **Part 3 – Confidence in the police**;

- **Part 4 – How to contact the police**;

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[24] The feedback from the pilot focus group has been included within the series of five focus groups conducted.
[25] Mencap clients attended these colleges for education and training.
[26] The timescales set for this research meant that the choice of focus group opportunities was determined, in part, by the times and locations where people with learning disability naturally met. To avoid placing a further burden on the voluntary agencies supporting the Police Ombudsman and the Policing Board with this research, SMR sought to fit in with the existing arrangements as far as possible.
[27] For the purposes of this research, **'urban'** was defined as 'city', 'large town' or 'suburb' whilst **'rural'** was defined as 'Small town', 'village' or 'country'.

- **Part 5 – Perceptions of the police; and,**

- **Part 6 – Awareness of how to make a complaint.**

In all but the first pilot focus group, SMR used its Electronic Audience Response System (EARS) combined with open discussion and visual aids (depicting various emotions) to support participants to give their views.

5.3   Analysis of the Focus Groups

The themes emerging from each of the focus groups were very similar. Therefore, to avoid repetition, we have:

- Aggregated the voting from our Electronic Audience Response System (EARS) across all the groups[28]; and,

- Thematically analysed the qualitative feedback from all of the focus groups together.

Where there were discernable differences in the feedback from any one group compared with another, these differences are highlighted in Section 5.4 below.

5.4   Findings from the Focus Groups

The findings from the focus groups are presented overleaf. Please note that whilst the feedback from EARS is informative, in a number of instances, participants made comments that added further insight to the issues under deliberation, which are included in the following commentary.

PART 1 – KNOWLEDGE OF THE POLICE AND WHAT THEY DO

Do you know who the police are?

All but two of the participants indicated that they knew who the police were. (Two indicated that they were 'Not sure'.)

Can you tell me some of the things the police do?

When asked to describe some of the things the police do, almost all of the participants described some aspect of police duties related to maintaining law and order.

Examples include…

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[28] Note: The Electronic Audience Response System (EARS) was deliberately not used in the first pilot group. Where possible, a 'show of hands' was used to indicate the responses to key questions within the pilot focus group. These results were added to the feedback from the subsequent four focus groups.

- *"They take care of bad things"*
- *"They keep law and order"*
- *"They do investigations [into crimes]"*
- *"They help you if you are in a car accident"*
- *"Stop drink drivers"*
- *"They give out speeding and penalty points"*
- *"Stop you if you have no seat belt on"*
- *"Stop shop lifters"*
- *"They check pub licences"*
- *"There's two of them in a patrol car… they keep an eye on the neighbours [neighbourhood]"*
- *"They go to Neighbourhood Watch meetings"*
- *"They look for drugs at discos"*
- *"They have sniffer dogs to find drugs"*
- *"They search for weapons and knives"*
- *"They check your house after a break in … and help you if there is a break in"*
- *"Go to schools and give advice in how to prevent crime"*
- *"Crowd control"*
- *"Break up house parties and get the music turned down"*
- *"They stop illegal street racing"*
- *"They stop rioting"*
- *"They use pepper spray to break up fights"*
- *"They use tasers"*
- *"They go under cover [to catch criminals"*
- *"Check you have your car tax [up to date]"*
- *"They arrest robbers and thieves"*
- *"They take you to court"*
- *"They can put people in jail"*

PART 2 – HOW THE POLICE MAKE YOU FEEL AND WHY

When you think about the police, how does that make you feel?

At this point, participants were invited to describe how they felt when they thought about the police. In the pilot focus group, participants classified their emotions as happy, sad or neither. In the subsequent focus groups, five positive and five negative emotions were pre-printed - pictorially and in words - on cards. Each participant was given a pack with all ten cards. (See Appendix D for details). Each participant was then invited to pick, from the ten cards, up to two emotions that reflected how they felt when they thought about the police. All participants were then invited to stick the cards they had selected on to a flip chart.

Table 5.2 below shows that the overwhelming perception of the police was a positive one. However, there were a number of participants for whom the thought of the police evoked a negative feeling.

Focus Group	Location of focus group	Happy	They helped me	They are fun	They make me feel safe	Neither	Don't know	Sad	Scared	Angry	Nervous / Worried	Confused
1	Belfast	3				4		1				
2	Armagh	1	3	1	4				1		1	1
3	Lisburn-1	6	3		7							
4	Lisburn-2	1	4		4				2	1		1
5	D'patrick	12	5		11			1		1	3	2
TOTALS		**23**	**15**	**1**	**26**	**4**	**0**	**2**	**3**	**2**	**4**	**4**

Table 5.2 Perceptions of the police

TOTAL   **POSITIVE**   **65**

                NEGATIVE   **15**

Note: Because of the risk of participants disclosing details of incidents relating to them or others in a group situation, participants were not asked to 'unpack' these views further at this point. These details were picked up within the survey of people with learning disability wherein respondents could speak one-to-one with the interviewer.

PART 3 – CONFIDENCE IN THE POLICE

If you needed help would you go to the police?

Almost two thirds of the participants indicated that they would go to the police if they needed help (28 out of 45[29]). There was a high proportion of participants in the Belfast focus group who indicated that they would not go to the police if they needed help.

Focus Group	Location of focus group	Yes	No	Don't know
1	Belfast	1	6	1
2	Armagh	4	1	1
3	Lisburn-1	7	0	1
4	Lisburn-2	6	0	2
5	Downpatrick	10	1	4
TOTALS[30]		**28**	**8**	**9**

Table 5.3 If you needed help, would you go to the police?

Those who indicated that they would go the police for help indicated that they would do so if they considered the matter was serious:

- *"If there was a murder";*

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[29] One person in the Belfast focus group did not vote and two in the Downpatrick focus group did not vote on this question.

[30] One participant in the Belfast focus group and two in the Downpatrick focus group did not vote on this question.

- *"If there was a fire"*;
- *"… people robbing your house"*;
- *"…if someone was a drug dealer"*;
- *"If someone stole your car"*;
- *"If my mobile [phone] was stolen"*;
- *"If someone was taking your [hand] bag"*;
- *"If there was a crime"*.

If something or someone was impacting directly and/or negatively on them, for example:

- If they were being threatened or bullied:
    - *"If someone is saying fighting talk to you"*;
    - *"If someone threatened you with a dangerous weapon"*; or
- If they were lost; and / or,

If they were trying to help someone else:

- *"To report a missing person"*;
- *"If someone was being abused"*;
- *"If someone else needed help"* and / or,

If they could assist the police:

- *"You can help police with their investigations"* and / or,

If they could prevent a crime:

- *"They [the police] could stop something bad happening"*

Those who indicated that they would <u>not</u> go to the police if they needed help indicated that they would approach the following people for help instead:

- *"Mum and dad"*;
- *"Family"*; and / or
- *"Best friend"* or *"friend"*.

A few of the participants considered that, even if they did go to the police,

- *"They [police] don't have enough experience of people with learning disability"*.

PART 4 – HOW TO CONTACT THE POLICE

How would you contact the police if you needed to?

The overwhelming majority of the participants indicated that they would dial *'999'*. One participant indicated that the *'999 operator'* "wasn't very pleased" when they had phoned 999 for a situation that the operator did not classify as an emergency.[31] (Note: A few participants indicated that they would dial *'911'*, the emergency services number in the USA. This may be as a result of watching USA-based TV programmes involving police).

Various other possible approaches were also cited:

- Go in person to the nearest police station;
- Approach a police officer on the street, "*You see them out and about*";
- Use Crimestoppers.

One participant indicated that if they needed the police they would use the online chat facility on Facebook.

It was also clear that some participants did not know how to contact the police:

- *"I wouldn't know… my mother could contact them for me"*;
- *"I would ring my uncle and my uncle would phone the police"*;
- *"I would ring the police exchange"*. However, when asked to describe how they would do this, the participant concerned could recall only that the number started with *'65'* – they could not recall the rest.

How did you find out how to contact the police?

Participants stated that they had found out how to dial *'999'* in a number of ways, including:

- Parents and family (the most frequently cited source);
- *"You hear it on TV"* (Crime Watch was mentioned by a few participants);
- *"Crimestoppers"*;
- *"You see it on posters"*;
- *"Newspapers"*;
- *"Magazines"*;
- *"Leaflets"*;
- *"The number's in the phone book"*;
- *"Probably through school"*;
- Via family's friends who were police officers;
- Via trainee / work experience (part of induction); and,
- As part of a Duke of Edinburgh award (one participant).

Those who indicated that they would have called Crimestoppers indicated that they had found out how to do this because of information they had seen on the back of buses and on the television (i.e. advertisements for Crimestoppers).

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[31] Note: The limited capacity of some people with learning disability to distinguish between an emergency that requires police involvement and one which does not has been recognised by key workers.

Finally, those who said they would go into a police station knew how to do this because they had already built up a positive relationship with some of the local police staff as a result of recent community policing initiatives.

PART 5 – PERCEPTIONS OF THE POLICE

At this point, participants were presented with a series of statements – one at a time - and asked to indicate (via EARS[32]) whether or not they agreed with the statement (i.e. as presented) or did not know. The feedback given is summarised in the table below. Overall, it suggests that the perceptions of the police are generally positive. (Further details in each statement are set out below).

Statement	Yes	No	Don't know
The police tell the truth	33	9	6
The police help you to stay safe[33]	36	5[34]	5
The police treat you the same as everyone else	25	14[35]	9
The police help you if something bad happens to you	35	5	8
The police are caring towards you	32	6	10
I am afraid of the police	11	26	11
The police are doing a good job[36]	27	12	8

After the participants had given their responses to each of the statements, they were invited to give further details on the reasons for their responses.

It was noteworthy in at least one of the focus groups that previous negative experiences of the police in a specific situation(s) (e.g. police allegedly failing to intervene to the satisfaction of participants in specific situations) had damaged some participants' perceptions of the police in general. This was particularly evident in feedback from some participants in the Belfast focus group.

The police tell the truth

The majority view (33 out of 48 participants) was that the police do tell the truth.

Some participants took telling the truth simply to be a matter of fact:

- *"They [the police] just do [tell the truth]."*

Others perceived that it was crucial for police officers to tell the truth and therefore, they surmised, they did:

- *"They [the police] are always honest and truthful... they have to be to keep their job... [if they were not] it could be serious [for an investigation and their job].*

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[32] Via a 'show of hands' in the pilot focus group.
[33] The total number of votes does not add to 48 because one person in the group in the Lisburn-2 focus group, and one person in the Downpatrick focus group did not vote on this question.
[34] Three of the *'No's* that make up this five were from the Belfast focus group.
[35] Seven of the *'No's* that make up this 14 were from the Belfast focus group.
[36] The total number of votes does not add to 48 because one person in the Lisburn-2 focus group did not vote on this question.

Some used the facial expressions of the police, quality of eye contact, and their tone of voice and how they responded emotionally themselves as indicators of whether or not the police were telling the truth. However, it is evident that some of these *'cues'* or *'clues'* were not wholly reliable and may be open to alternative interpretations. For example, some participants perceived that the police were telling the truth:

- *"By the way they [the police] look you [straight] in the eye";*

- Because *"you can 'feel' it… you feel happy inside sorta";*

- *"If they [the police] look serious… [in contrast]… if they were smiling they would be telling a lie";* however, a different participant had a contrasting opinion on this, "*If they're cross… I think they're telling lies".*

Others still commented directly from their own experience:

- *"They [the police] have always been helpful and truthful to me".*

There were, however, nine participants who considered that the police did not tell the truth. Four of these were participants in the Belfast focus group and three were from the Lisburn-2 focus group. Some of these participants expressed the view that:

- *"They [the police] are liars… if they do something wrong… [they will say whatever is required to] save their own skins".*

The police help you to stay safe

Four out of five participants (36) perceived that the police helped them stay safe. When asked to explain their view, most participants considered this was a core part of police duties:

- *"They [the police] have to keep you safe… if somebody was blackmailing you";*
- *"To keep you safe, they [the police] have to keep witnesses somewhere else"; and*
- *"They protect you from bad stuff".*

Some also commented on specific aspects of police duties that promote personal safety:

- *"They [the police] make sure no-one is on their mobile [phone] while driving";*
- They enforce the "*never ever drink and drive"* campaign;
- *"They give you penalty points if you don't have your seat belt on"; and*
- *"They have a lot of speed cameras up… speed kills".*

Five participants, however, considered that the police did not help them to stay safe. Three of these were participants in the Belfast focus group and two were from the Lisburn-2 focus group. The generally held view amongst these participants was that the police *"don't really care too much".*

The police treat you the same as everyone else

Just over half of the participants (25) perceived that the police did treat them the same as everyone else. There were various reasons given for this:

- A sense of entitlement to equitable treatment, *"You [people with learning disability] have to be treated the same";*

- A sense of common humanity, *"You're [people with learning disability] still human… still part of the public"; and*

- The rule of reciprocity, *"If they [the police] want respect, they have to treat others with respect".*

Those who perceived that the police did not treat them the same as everyone else referred repeatedly to issues concerning empathy, understanding, communication, and listening:

- *"They talk to you [people with learning disability] differently";*

- *"They talk down to you [people with learning disability]";*

- *"They don't understand the situation [incident] as well when you [I] explain it… it feels like they don't listen"; and*

- *"If you have a lot of disability, they [the police] don't want to know… [when they come to the house e.g. to investigate / take a statement]… they look for someone else [someone in the household without a disability]… [even though the incident involved / affected me]… they don't give you the chance to tell the story yourself… they don't talk to you [me]".*

The participants who cited the above points had clearly felt undermined and disempowered as a direct result of this.

The inappropriate manner of individual police officers was also raised as an issue, *"Some police can be rude and arrogant… it depends on the officer"; "They're all different… some are grumpy…some are not".* Whilst the feeling was that a 'rude' officer would be rude to everyone not just people with learning disability, the underlying point was that incivility and bad manners were fundamentally incompatible with the professional approach expected from police officers and, consequently, were regarded as unacceptable.

Across all the focus groups, 14 participants considered that the police did not treat them the same as everyone else. Seven of these were participants in the Belfast focus group and four were from the Lisburn-2 focus group.

The police help you if something bad happens to you

Three quarters of participants (35) perceived that the police were there to help if something bad happened to them. Among the reasons given for their view were:

- The perception that this was the police's duty, *"It's their job to help people if something bad happens"; "They are getting paid to do that [help people]";*

- The view that, in general, the police were supportive and protective of people in need:

    o *"If you haven't got a home, they send you somewhere"*;
    o *"If you're scared and stuff, they're there to resolve the problem"*;
    o *"They protect you from evil people"; and,*
    o *"They support us [members of general public]".*

- The impartiality and approachability of the police, *"You could tell the police [about an incident] if you were too scared to tell your parents".*

The police are caring towards you

More than two thirds of participants (32) perceived that the police were caring towards them. The following sorts of reasons were given for their view:

- It is the police's duty, *"They have to care about innocent [people]"*;

- It is in the police's interests to care i.e. better care of witnesses was thought to relate to better / faster solving of crimes, *"They [the police] have to care… to get information.. to make [solving the] crime easier"*;

- Caring was assumed to be an integral part of the *'nature'* of policing,

    o *"They care about people who have been hurt"*;
    o *"They help you if anybody hurts you"*;
    o *"They care about the public".*

- Treating a person with dignity and respect were seen as positive aspects of *'caring'*:

    o *"They ask you about the details of what happened and all [listening]"*
    o *"They talk to you nicely"*;
    o *"They talk to you quietly and in private… confidential"; and,*
    o They provide reassurance, *"they tell you they are going to investigate".*

However, six participants perceived that the police were not caring. Three were participants in the Belfast focus group and two were from the Lisburn-2 focus group. These participants referred repeatedly to issues concerning lack of empathy, lack of understanding and what they perceived as poor communication and listening skills:

- *"They [police officers] need to understand more about people with learning disability"*;

- *"They need more teaching [training] on learning disability"*;

- *"Sometimes the police don't know you [a person] have a learning disability"; and*

- *"People with learning disability can go in [to a police station] and be frightened... being questioned... [they] need someone there who understands learning disability".*

In addition, one participant perceived some police behaviour that they had witnessed as uncaring, *"I've seen police out on the street throwing people up against a wall before they even questioned them".*

I am afraid of the police[37]

Over half of participants (26) indicated that they were not afraid of the police.

Many simply felt that there was no reason to be afraid of the police:

- *"It's their job to help you... they're good people";* and
- *"They're not that scary".*

A few had got to know individual police officers through community policing initiatives and this had helped dissipate any fear they may previously have had:

- *"No, [I'm not afraid]... I know them [certain police officers] very well [by name]";*
- *"Once you get to know them, you're not afraid of them";* and
- *"[The police officers I met at Community Fun Day]... were very kind and very friendly".*

For a few participants, their encounters with the police had been real fun:

- *"I sat on a police bike [part of Community Police initiative]... they told you about their cars and all... one of them knowed me".*

However, almost a quarter of the participants (11) indicated that they were afraid of the police. The main reasons given were:

- What *'police'* presence represented to them - *"When they [the police] come knocking on your door... you expect bad news";*

- An anxiety around perceived isolation and potential vulnerability in relation to police procedures - *"I would have a fear of going into a police station alone... with no-one to help me";* and,

- A general dislike of the toughness / roughness they perceived some police officers sought to portray, *"I don't like them... they* [police officers] *think they're so 'hard' ".*

A few of those who said they did not know whether or not they were afraid of the police said that:

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[37] Note: The responses to this question were consistent with the profile of responses given to the earlier question re, *" When you think about the police, how does that make you feel?"* where only a small number of participants had indicated that they were *'nervous/worried'* or *'confused'*.

- *"It depends on what situation you are in… If you've done something wrong, you would be [afraid]! … but if you hadn't, you wouldn't be."*

The police are doing a good job

Over half (27) of participants perceived the police were doing a good job. There were references to:

- The perceived determination of the police, *"They never give up on catching the criminals"*;

- *"[The police] keep crime off the streets… otherwise you would have gangs all over the place"*;

- *"They're good at helping stopping car crime… stealing and stuff"*;

- *"They [the police] stop street drinking"*;

- They stop people from speeding – *"There would be race tracks all over the place without the police"*;

- *"They go out at night [patrol cars] to see that people are alright"*;

- *"They're patrolling"*;

- *"They helped keep the peace [during the Troubles]"*;

- They are helpful to outsiders, *"If you're a tourist, and you don't know where something is, the police are there to help you"*; and

- *"They are trying to be helpful"*.

In contrast, one quarter of participants (12) perceived the police were not doing a good job. This 12 was made up of four from the Belfast focus group, four from the Lisburn-2 focus group and four from the Downpatrick focus group. The reasons given were as follows:

- *"Overall [across Northern Ireland] they [the police] are doing an ok job, but not where I live [housing estate]"*;

- Not enough done about underage drinking in public places, *"You always see people [where I live] out under-age drinking"*;

- Perception that anti-social behaviour was still at an unacceptable level where they lived, *"There's still … people… doing bad things"*; and

- A view that speeding was still an issue, *"They [the police] don't stop the speeders"*.

PART 6 – AWARENESS OF HOW TO MAKE A COMPLAINT

If you were not happy with the police, who would you go to?

The responses to this question appeared to depend on the capacity and confidence of the individuals themselves.

One participant said that if they were not happy with the police they would *"ignore them"* i.e. they would not take any direct action but try to ensure that the police's behaviour did not affect them.

A very small number of participants felt capable of speaking for themselves:

- *"I would ask to speak to someone … like an Inspector"*;

- *"I would just walk away and go to [speak to] the 'boss' [Inspector]"*; and

- *"I would ask them [the police] to explain what is going on [i.e. explain their behaviour and] … I would ask them to stop being rude"*.

The vast majority of the others indicated that they would call on support:

- Either from parents and family members. A few indicated that they would *"bring them [parents/ family members] along as 'back-up'"*; or

- From a professional person from whom they currently received support, and whom they trusted, for example:

  - An advisor - *"I would go to Mencap… for someone [an advisor] to sit down with me and write a letter [to the police]"*;

  - A Care Worker - *"I would get my … day care worker to phone or write"*;

  - A Social Worker – *"I would get my social worker… she would ring the police"*.

- Or a friend, *"If you were feeling nervous, you would get a good friend to help you"*.

A few mentioned that they could contact a police-related organisation, for example:

- Neighbourhood Watch; or,
- The Police Ombudsman.

Others seemed unclear where to go and indicated that they would contact different organisations, for example:

- *"I would go to the [local] Council"*;
- *"I would go to the Government or the courts"*; or
- *"I would report them [the police] to the court"*.

However, when asked for further details on these approaches, it was clear that none of these participants were aware of the precise process(es) for following through on any of their previous proposals.

It was also clear that having to express dissatisfaction in writing was a barrier for many people with a learning disability and that an appropriately structured face-to-face session (where the person with learning disability felt heard and understood) would be preferred in most cases:

- *"[If I was unhappy... I would prefer to go to see them... speak to them [the police]"; and*

- *"It's hard to write [a letter] ... I don't know what to write".*

A few participants acknowledged that if they were unhappy with the police that, at times, they would find it very difficult to manage their own behaviour sufficiently to make a reasoned or considered comment. Consequently, their only recourse would be to 'lash out':

- *"[I wouldn't go to anybody]... I would shout and tell them [the police] where to go... I'd probably get lifted... keeping calm... that's one thing... I can't do that sometimes".*

- *"I would just tell then to p*** off".* Another participant in the group retorted, *"You would go to jail for that"* to which the former participant replied, *"I don't care".*

If you needed to, how would you go about making a complaint about the police?

In the main, participants reverted to the responses they had given above. Only a very small number of participants seemed cognisant of the formality of a 'complaint' and the attendant implications. Those who did, stated that if they wished to make a complaint they would approach a senior member of the police directly:

- *"I would go to somebody 'high up' in the police... Chief Inspector.... Or the Police Ombudsman";*

- *"I would go and say to the 'Chief' ";*

- *"I would go to the [police's] 'boss' straight away... [by phone]... then I would walk up to the police station and talk to the Chief".*

One participant said that they would go to their solicitor and get a letter of complaint written. Another participant said that if they had a reason to complain, they would *"go to the papers [media]".*

Throughout the discussions on this topic, very few of the participants mentioned the actual complaints process or what it entailed. Only one person said that they would, "*go to [police station] reception and ask for a complaint form".*

Moreover, there was a perception amongst a small number of participants (specifically in the Belfast focus group) that it was futile to try to make a complaint

against the police because, they perceived, it was very unlikely that it would be upheld,

- *"The police are always right... if the police go to court, they get off with it... whatever they do... the judge always takes their point of view".*

6 Focus Groups with Key Workers

6.1 Design of Focus Groups and Profile of Participants

SMR conducted qualitative research in the form of two focus groups with key workers who support people with learning disability. Mencap supported SMR in the set up of one of these groups, the other was set up directly by SMR. The discussion schedule used for these focus groups is set out in Appendix E.

SMR sought to maximise the amount of comparative information that could be gleaned from these two focus groups by ensuring that, as far as possible[38], the focus group participants overall were balanced across a range of key variables including:

- Gender;
- Age;
- Geographical area[39].
- Severity of disability that key workers had experience of; and,
- The type of support / care that the key workers provided.

Table 6.1 Focus group profile Feature	Focus Group 1	Focus Group 2
Location of focus group	Banbridge	Derry / Londonderry
Gender		
Male	0	3
Female	6	2
Age		
18 - 35	3	1
36 - 50	3	2
50+	0	2
Type of area where key workers live		
Urban	6	5
Rural	0	0
Severity of learning disability with which Key Workers have Experience		
Mild	5	5
Moderate	5	5
Severe	3	5
Type of care / support that key workers provide		
Support (tasks of every living)[40]	6	5
Personal care	6	0

[38] The timescales set for this research meant that the choice of focus group opportunities was determined, in part, by the times and locations where key workers could be made available to give their views to SMR. To avoid placing a further burden on the voluntary agency, Mencap, that was supporting the Police Ombudsman and the Policing Board with this research, SMR sought to fit in with the existing arrangements as far as possible.

[39] It was agreed with the SG that SMR would host one of these groups in the east (Banbridge) and the other in the west (Derry / Londonderry) of Northern Ireland.

[40] Note: The key workers in the Derry / Londonderry focus group supported people with learning disability with education, use of IT, engaging in social activities, access to welfare etc. The focus was on empowering people with learning disability to make their own decisions as far as possible.

The focus groups took place between early March and early April 2011.

6.2 Themes Covered

The specific issues explored in the focus groups are set out in detail in Appendix E. The key issues were divided into five parts as follows:

- Part 1 – Perceptions of Awareness;

- Part 2 – Experience of Policing Arrangements;

- Part 3 – Contacting the police;

- Part 4 – Challenges for Key Workers; and,

- Part 5 – Overall Assessment and Suggestions for Improvements.

6.3 Analysis of the Focus Groups

The themes emerging from each of the focus groups were very similar. Therefore, to avoid repetition, we have thematically analysed the qualitative feedback from both focus groups together.

Where there were discernable differences in the feedback between one group and another, we highlight this in Section 6.4 below.

6.4 Findings from the Focus Groups

PART 1 – PERCEPTIONS OF AWARENESS

How aware / unaware would you say people with learning disability are in relation to the Police, Police Ombudsman, Policing Board, District Policing Partnerships? In your opinion, how likely or unlikely are they to know who these are / what they do?

All participants believed that people with learning disability would be aware of who the police were. This was attributed to a variety of factors including:

- *"The police are more visible* [in everyday life] *"*;
- *"They* [the police] *are the first point of contact* [in an emergency]*"*; and,
- It was thought that people with a learning disability would seldom have direct contact with the other policing organisations, such as the Police Ombudsman, Policing Board, District Policing Partnerships etc.

However, it was acknowledged that, amongst people with a learning disability, the individual level of awareness would vary from person to person depending on their capability and / or experience. Some participants speculated that people with learning disability, who had family members who were police officers, or who knew police officers personally, might know more about police and policing arrangements.

In contrast, there was a general perception that people with learning disability were likely to have a very low level of awareness of the other organisations

involved in policing arrangements in Northern Ireland (i.e. Police Ombudsman, Policing Board, District Policing Partnerships etc.). It was thought that this level of awareness was likely to be even lower than the general public's level of awareness of these organisations, which itself was assumed to be low.

There was also a widespread view that, in general, people with learning disability would be highly unlikely to distinguish one policing organisation (i.e. Police Ombudsman, Policing Board, District Policing Partnerships) from another in terms of specific roles and responsibilities, As one participant put it:

"Basically, [to a person with learning disability…] anything with the word 'police' in it, is the police [PSNI]".

However, many participants questioned whether members of the general public would be capable of making this distinction.

Finally, one participant expressed a view that the other main policing organisations should have "some mechanism" through which the views of people with learning disability could be heard on an ongoing basis.

For those policing organisations[41] that people with learning disability have an awareness of:

How, in general, does the person with learning disability become aware of these organisations and their services?

The main ways that people with learning disability were thought to become aware of the police and their services was through:

- Television – adverts and programmes about the police or featuring police;

- Being involved in an incident – for example, if a person with learning disability assaulted a member of staff, the police may be involved; and

- Police *'talks'* – Participants referred to members of PSNI (Community Police) *"coming in* [to their premises] *and doing talks* …. [on subjects like]… *'Stranger Danger'"*. Others commented on the helpfulness of talks given by police to students in *"special schools"* e.g. in relation to road safety and personal safety.

Are there any especially helpful / highly effective approaches that you know of that promote awareness of these organisations and what they do to people with learning disability? If so, why do you consider them especially helpful?

The following methods were considered to be helpful:

- Police *'talks'* – Because such talks were informal and non-threatening, (and sometimes took place in venues with which people with learning disability were already very familiar e.g. supported living schemes etc) they were considered to be very beneficial in helping people with a learning disability to (a)

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[41] The discussion on this was restricted to an exploration of awareness of the PSNI since participants considered that most people with learning disability would not be aware of the other policing organisations.

understand what the police do, and (b), experience the police in a positive context.

▪ Taking a person with learning disability to a police station and supporting them while a police officer speaks to them – If a person with a learning disability was repeatedly displaying challenging and / or threatening behaviour, then some participants indicated that it had been effective to take that person *and support them* (this was crucial) while a police officer, in uniform, spoke to them about their behaviour. This was done to help the person to (a) recognise the seriousness of their actions, (b) become aware that there could be implications if their behaviour did not change and (c) through all of this motivate them to change their behaviour. As one person put it:

" In the past, there was very much a culture of [people with learning disability]… getting away with things… this is changing".

▪ Mencap training – There was reference to Mencap's training materials on the role of the police and how to contact them[42].

▪ Bringing policing organisations together with people with learning disability – Participants in one of the focus groups commented favourably on an event that had recently been organised by their local DPP. This event brought together members of the DPP, local police and other local stakeholders including those involved in supporting people with learning disability. The sharing of experiences was considered to be immensely valuable, *"we* [as key workers supporting people with learning disability] *got to hear the experiences* [re policing] *of the other disability groups…* [and] *it was useful for the DPP and the police to hear about our experience".*

It was also noted that pro-activity was key in all of this. As one participant remarked, *"We initiated contact with the police and the Police Commander* [e.g. to arrange talks to people with learning disability etc.]*"* but expressed disappointment that, it seemed to them, *"nothing is ever initiated the other way".*

Any approaches that you are aware of that you consider are unhelpful / ineffective in terms of raising awareness, and again, why so?

▪ Fear mongering by others – For example, the sound of a police siren appeared to engender fear in some people with learning disability. Awareness of this was exploited by others (including others with learning disability) in an attempt to manipulate behaviour. For example, at the sound of a police siren, one person might say to another, *"There's the police coming to lift you".*

▪ One-off events with no follow-up / feedback – Whilst the event run by the DPP (referred to above) was considered to have been very valuable, the lack of feedback and follow-up from it was considered a missed opportunity - momentum had been lost in terms of building knowledge and important relationships. Follow-up and feedback from such events was considered crucial.

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[42] About the Police - For People with a Learning Disability, Mencap (Available from Mencap) and
Travel Safe, A guide about community safety for people with learning disabilities, Mencap & PSNI, DRD, Translink and DOE

- Police uniforms - There were mixed views on whether or not police uniforms were helpful. Participants reported that, for some people with learning disability, the sight of a police uniform could engender fear whilst for others, the sight of a police uniform could be comforting (e.g. if the person needed police help). On balance, it was felt that the police uniform was *"a symbol"*, it was something that people with learning disability could readily identify. Therefore, if a person with learning disability was trying to find a police officer, the uniform was thought to be helpful.

PART 2 – EXPERIENCE OF POLICING ARRANGEMENTS

Positive experiences

Looking over say the last 3 years, are you aware of any positive experiences that people with learning disability have had in relation to police or policing arrangements? What were these and what happened that was helpful to the person with learning disability?

None of the participants were aware of any positive experiences in this regard.

Negative experiences

Again, looking over say the last 3 years, are you aware of any negative experiences that people with learning disability have had in relation to police or policing arrangements? What were these and what happened that was unhelpful to the person with learning disability?

In one focus group, participants referred to an incident which had taken place recently where a man, with learning disability, (a tenant within a supported housing scheme) had been knocked down outside the scheme. The man concerned had speech difficulties. The feedback from participants suggests that the police had not taken sufficient time, or care, to properly assess the situation. Consequently, in the opinion of the participants, the police had acted inappropriately on a number of fronts:

- *"They [the police] treated him [the man who had been knocked down] as though he was drunk [reference to the mis-diagnosis of the speech difficulties]"*.

- *"The assumption was that he [the man with learning disabilities] was not fit [competent] to be out [of doors alone]"* - Whereas past experience of this man had indicated that he was capable of being on the streets on his own.

- *"They [the police] did not breathalyse the driver... they assumed he [the man with learning disability] was at fault"*.

- *"I [a key worker] had to call A & E [ambulance]"*. It was assumed that the police should have done that automatically at the scene of a road traffic accident were someone had been injured.

- When the officer at the scene was told that the man who had been knocked down had a learning disability, the officer was alleged to have said in a disparaging tone, *'Oh, is that what they are calling it now?'*

▪ Police attitude to staff – when the officer was asked to give a key worker his name, he allegedly put his hand over his badge, "*He seemed afraid he would be reported*".

There was also dissatisfaction with police response times to incidents in locations where people with learning disability live (e.g. supported living schemes):

"*We are based at a troubled end of the town [and when there was ASB [anti-social behaviour] [at the scheme]... we didn't feel we [staff and tenants] got great support [from the police]...it took them a long time to come [40 mins]... [yet] they are only across the road*".

In the other focus group, there was reference to situations where, it seemed, "*the police didn't understand that the person phoning up had a learning disability ...* [would] *need a face to face* [contact]". It was thought that this lack of understanding could result in the person with learning disability becoming more anxious or frustrated and perhaps hanging up, and consequently, not receiving the help they were seeking.

There was also reference to a situation where a person with learning disability was going to be arrested by the police and the police, in making the arrest, were intending to take this person from a room at the back of the building through a crowded room into the police car. The key workers tried to intervene saying that, to minimise the possible distress for the person with learning disability, could they be allowed to escort the person with learning disability to the police car (because they considered it would be traumatic for the person with learning disability to be taken through a crowded room by police). According to the participants in the focus group, the officers concerned would not accept this and proceeded with the arrest as they had originally intended. The key workers could not understand why their alternative approach was not taken up. In their view, the arrest could still have been made whilst being sensitive to the potential emotional impact on the person with learning disability.

PART 3 – CONTACTING THE POLICE

Some people with learning disability feel confident contacting the police themselves, many do not. What do you consider to be the main barriers in terms of someone with a learning disability contacting the police directly? And, what more do you think could / should be done?

Those consulted identified the following barriers and suggested various ways to overcome them:

▪ Emotional barriers – There was a perception that many people with learning disability are frightened of the police, "*They [people with learning disability] don't relate to them [the police]*"; "*Some ...have had a bad experience [of the police]... [or] they associate them with 'bad things*'"; "*The fear of contacting the police depends on what they have seen [i.e. reference to negative experiences of policing in their local area during The Troubles]*". Consequently, measures that reduce anxiety and actions that help build a positive image of the police would both be beneficial. For example, it was suggested that having more events where the police attend, in uniform, and give *'talks'* and interact

informally and have fun with people with learning disability - getting to know one another, having positive encounters - would be highly beneficial.

- Social barriers – *"Communication… some people [with learning disability] may not be able to convey the facts [as a consequence of intellectual, physical or emotional factors]"*. In such situations, a person with learning disability could benefit from support from an advocate / key worker etc.

- Intellectual / Cognitive barriers:

  o Not being able to discern when it is, and is not, appropriate to contact police – One key worker explained that people with learning disability can struggle with distinguishing between a real 'emergency' (i.e. something that would necessitate contacting the police) and a 'non-emergency' that might be dealt with in another way. For example, if the person with learning disability did not have enough money for a taxi home, there were other ways to cope with this other than dial 999. Key workers in one focus group referred to training they had developed and delivered in this regard, which they considered to have been helpful.

  o Not knowing their rights – *"Some people* [with learning disability] *may not even know their rights"*. Hence, any measures that improve awareness of rights, in an accessible way, would be helpful.

  o Using the phone - Some people with learning disability would not be aware of how to use a phone (e.g. to contact the police), *"They wouldn't know what to do"*. Such people would benefit from someone to support them directly.

- Practical barriers – It was noted that, on occasions, there could be delays between an incident being reported to the police and the person with learning disability being subsequently interviewed about it. Such delays could be detrimental in cases where the person with learning disability could no longer recall the events with sufficient accuracy.

PART 4 – CHALLENGES FOR KEY WORKERS

What would you say are the main challenges for key workers, carers and family members seeking to / trying to support a person with learning disability if / when they need to interact with one of the policing organisations?

Those consulted identified the following challenges:

- 'The person with learning disability being treated as *'invisible'* – *"They* [the police] *talk to me rather than* [the person with learning disability]"; *"They speak to staff as though the person* [with learning disability] *is not in the room"*. This was considered, not merely discourteous, but wholly inappropriate particularly where the person concerned was *"capable of putting their point across"*. In short, there was a strong preference for police (and other professionals) to communicate directly with the person with learning disability wherever possible.

- The person with learning disability not being taken seriously – Some participants found it frustrating and discouraging when people with learning disability were

"trying to get their point across" but it seemed to them that police officers were not taking the matter seriously. Behind this frustration appeared to be a desire for officers to display more empathy and better communication skills when interacting with people with learning disability rather than suggest (implicitly or explicitly) that the person with learning disability *"knows nothing… is wasting police time"*.

- Lack of control over when police are actually involved – For example, a key worker may have been assaulted by a person with a learning disability (e.g. a tenant). However, when such incidents are reported, it is typically[43] the Health and Social Care Trust that decides whether or not the police are to be involved, not the individual.

- The appropriateness of the *'appropriate adult'* – Some key workers questioned the current arrangements for the provision of an *'appropriate adult'* and suggested that this area merits review for the following reasons:

  o The appropriate adult (e.g. parent, carer etc) may not be the most capable to support the person with learning disability:

    ▪ They may not know police protocols; and / or,
    ▪ They may be unaware of their rights and / or the rights of the person with learning disability; and / or,
    ▪ They may be emotionally distressed themselves e.g. if the person with learning disability has been arrested – and consequently, may be unfit to support them fully.

  o The appropriate adult (e.g. Doctor etc. from the PSNI's Public Protection Unit, PPU) may not be known to the person with learning disability and this may make the person with learning disability more anxious.

  o The appropriate adult (e.g. Solicitor) may not have any qualifications and / or experience in interviewing a person with learning disability and consequently, the risk of miscarriages of justice remains.

It was suggested that in some cases, input from a key worker – who is known to the person with learning disability and who has been appropriately trained in protocols and questioning – could provide meaningful support to a person with learning disability when they interact with policing organisations. This was not to the exclusion of other parties but rather as an additional support. However, past experience of some key workers suggested that when they had offered their support in this way, it had been refused. As one person put it, *"my position as an advocate was not recognised"*.

- Concern about the possible consequences of police involvement – This was an important challenge for key workers. When a person with learning disability has committed a crime (e.g. theft, assault etc.), a key worker's typical modus operandi is to strive to identify an intervention that is:

  o Appropriate to that person;

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[43] SMR was advised that practices vary across different organisations working with people with learning disability.

- o Takes account of the gravity of the behaviour;
- o Involves minimum (or ideally, no) force;
- o An effective remedy;
- o Empowering; and,
- o Enduring (likely to establish and sustain positive behaviour).

A major challenge for key workers considering contacting the police about an offence involving a person with learning disability, was key workers' concern that the police process itself, and the possible outcome from it (e.g. imprisonment, criminal record), would have few, if any, of the above characteristics. It seemed to them that *'the system'* dealt with people in an inflexible manner. A major worry in all of the above, was the possibility that a person with learning disability could be sent to prison – a setting that many of those consulted considered was inappropriate, and indeed, detrimental, for the majority of people with learning disability. Hence, the dilemma for key workers in involving police.

PART 5 – OVERALL ASSESSMENT AND SUGGESTIONS FOR IMPROVEMENTS

Overall, how would you rate the quality and scale of support that is currently available for people with learning disability interacting with any of the police-related organisations?

Participants were asked to rate (on a scale of 1 to 10) the quality and scale of support that is currently available for the general public when interacting with any of the police-related organisations. They were then asked to do the same for people with learning disability. The average score for the general public was around 4. The score for people with learning disability was less than half of this, around 1.5

What specific changes would you propose that would make policing arrangements better for people with learning disability / or for you seeking to support people with learning disability?

The following suggestions were put forward:

- Learn to recognise and respond to learning disability - Provide police officers with training on how to recognise, and respond appropriately to, people with learning disability. It was suggested that such training would be beneficial *before* officers take up their duties. It was also recognised that such training was needed for police currently in post. It seems that an appropriate training course would need to be developed for PSNI staff (Note: None of those consulted could point to suitable training that was already available). It was also emphasised, in one focus group that any such training would need to involve officers working *"within a learning disability environment... hands on... with groups"*. The clear emphasis was on a *practical understanding* of the needs of a person with learning disability rather than merely a theoretical one. It was also suggested that new recruits, counter staff, police on patrol duties and Community Police Officers – i.e. those who are in direct contact with local communities - are a priority in terms of acquiring such knowledge. However, it was also stressed that such training should be available to all personnel including senior managers. It seems the importance of such training for the police, and policing organisations, cannot be overstated given the vulnerability

of this client group. Key workers were acutely aware of the immense potential for miscarriages of justice. As one participant put it, *"They* [people with learning disability] *need help... being asked questions... filling out* [forms]*... they are so vulnerable...* [when questioned, their desire to please is so strong that] *...they will say 'Yes' to anything!* [any question they are asked in the context of an investigation]*"*. The possibility of PSNI, people with learning disability and organisations that support people with learning disability collaborating to co-create and co-deliver suitable training was discussed and it seems key workers consulted would strongly support such a proposition.

▪ Check whether or not the person with learning disability has the capacity to be questioned - It was also pointed out that there are *'tests'* already in place within PSNI to assess whether or not someone is capable of being questioned (e.g. following drugs / alcohol consumption). It was suggested that suitable *'tests'* should be developed and applied to ascertain whether a person with learning disability is capable of being questioned – and, if not - then suitable support should be provided.

▪ Question their assessment - Encourage police to question / check correctness of their assessment of a situation / person and to consciously and systematically consider the possibility that learning disability may be a factor.

▪ Ask directly and routinely about disability – Other participants went further and a suggestion was made that, before responding to a call, police officers should routinely ask, 'To your knowledge, is there anyone with a disability involved?' It was thought that this might help officers to respond more effectively to the specific needs of the individuals concerned.

▪ Respond faster - Respond to calls from vulnerable clients and institutions where vulnerable people are based, faster than currently.

▪ Have more positive encounters – Negative perceptions of the police – which appeared to be prevalent in certain communities - need to be addressed. It was suggested that police do more *'talks'*, regular visits to places where there are people with learning disability, more police *'fun days'* and create opportunities for people with learning disability to have a positive experience of the police. This exposure would also help police to understand more about learning disability.

▪ Have named contacts – Whilst it was recognised that police move positions and are moved to different locations, it was suggested that it would be highly beneficial if key contacts in the local community (e.g. staff supporting people with learning disability in supported schemes) could have a named police contact locally with whom they could interact.

▪ Allow people with learning disability to express their views on police arrangements – Whilst this research and the efforts to collate the views of people with learning disability was welcomed, it was suggested that more might be done, on a regular basis, to enable people with learning disability to *"have a voice"* in terms of policing arrangements. It was felt that all of the main policing organisations should have mechanisms to listen to the voice of people with learning disability on an on-going basis. This would also overcome the concern that some initiatives, to listen to the views of people with learning

disability, appear to have been led by specific individuals (with a particular interest in disability / learning disability) – who could *'come and go'*. The clear preference was for mechanisms that were mainstreamed i.e. permanently built into the fabric of how the various policing organisations conduct their business.

▪ Be innovative in the way that offences are dealt with – There was a desire for greater flexibility in way that offences are *'processed'* and a wish for a more person-centred model.

▪ Be proactive – It seems that organisations working with people with learning disability would welcome approaches from the police to do talks etc. to raise awareness (i.e. rather than the onus being placed on the organisation to request such services).

▪ Need for follow-up from events – This was thought to be important in terms of building relationships and developing confidence in the police and policing arrangements.

7   Interviews with Key Stakeholders

7.1   Typology for the Interviews

SMR conducted 10 face-to-face interview sessions with senior representatives from the:

- Policing Sector; and the
- Learning Disability Sector.

Specific policing sector organisations were cited in the terms of reference for this research project and hence it was essential to seek their views. Given the diversity of players in the learning disability sector, SMR, in agreement with the Steering Group, selected organisations whose core role was supporting people with learning disability (i.e. as compared with organisations who supported people with a variety of other disabilities or other needs).

Most of these sessions were one-to-one interviews, however, one (marked '*' below) was a group interview. In place of a face-to-face interview, the Northern Ireland Prison Service and Probation Board for Northern Ireland provided a written submission addressing the issues set out in the discussion schedule. The specific organisations represented were:

Strand 1 : Key Stakeholders Policing Sector	Strand 2: Key Stakeholders Learning Disability Sector
Police Ombudsman	ARC (Association for Real Change)
Policing Board (Disability Reference Group)	Stepping Stones
District Policing Partnership (Derry DPP)	Mencap
PSNI (Community Safety/Hate Crime)	Destined (Derry)
Youth Justice Agency	Orchardville Society and
Northern Ireland Prison Service	Triangle Housing Association *
Probation Board for Northern Ireland	

The interviews took place between November 2010 and January 2011. Whilst there were a few overlapping topics, for the most part the discussion schedule for the policing sector organisations differed from that used for interviews with the stakeholders in the learning disability sector (see Appendix B). Because of this, we set out the feedback from both the police organisations and the learning disability sector separately:

- Sections 7.2 to 7.4 summarise the feedback from the policing organisations; whilst,

- Sections 7.5 to 7.7 set out the findings from the learning disability sector interviews.

7.2   Themes Covered - Policing Sector

The key issues explored in interviews with representatives of the policing sector were divided into six parts as follows:

- Part 1 – Roles and responsibilities;

- Part 2 - Nature and scale of the client group interacting with police and policing arrangements;

- Part 3 - Your organisation's interaction with people with learning disability;

- Part 4 – "Where are we now?" - Assessment of current provision;

- Part 5 - "Where would we like to be?" – Key Features of the Vision for the Future; and

- Part 6 - "How might we get there?" – Key Elements of High Level Action Plan.

7.3   Analysis of the Feedback - Policing Sector

Similar themes emerged from each interview. Consequently, to avoid repetition, we present the common findings below. Where there were discernable differences in the feedback from one organisation compared with another, we highlight this in Section 7.4 below.

In some cases, interviewees referred us to other literature and, SMR has examined as much of this as possible within the time and budgetary constraints of this exercise. We have included key highlights from this literature in the commentary below. (See Appendix K – Bibliography, for a full list of the documentation reviewed).

7.4   Findings from the Interviews – Policing Sector

PART 1 – ROLES AND RESPONSIBILITIES

In broad terms, what are your organisation's main responsibilities in terms of providing services to people with learning disability?

All interviewees referred to their legal obligations under Section 75 (S75) of the Northern Ireland Act (1998)[44] and the Disability Discrimination Act (2006)[45].

Whilst each organisation could potentially provide services to people with learning disability, within the constraints of this study, we were able to identify only that the PSNI and the Probation Board for Northern Ireland had formal, additional responsibilities towards people with learning disability above and beyond the legal obligations above, as shown in the table overleaf.

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[44] http://www.ofmdfmni.gov.uk/index/equality/statutory-duty/section_75.htm

[45] http://www.legislation.gov.uk/uksi/2006/312/pdfs/uksi_20060312_en.pdf

Organisation	Main responsibility
Police Ombudsman for Northern Ireland	To provide an effective, efficient and independent system for dealing with complaints against the police and which secures the confidence of the public and police.
Northern Ireland Policing Board	To ensure for all the people of Northern Ireland an effective, efficient, impartial, representative, and accountable police service which will secure the confidence of the whole community, by reducing crime and the fear of crime.
District Policing Partnerships	To monitor local police performance, provide views to the police on matters concerning the policing of the district, give voice to community views on policing, and obtaining the co-operation of the public with the police in preventing crime.
Youth Justice Agency	Support young people (aged 10 to 17) who consent to take part in a restorative justice process

Additional responsibilities towards People with Learning Disability beyond S75 and DDA?

None stated.

Organisation	Main responsibility
Probation Board for Northern Ireland	To carry out specific policing and justice functions, set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

Additional responsibilities towards People with Learning Disability beyond S75 and DDA?

Criminal Justice Northern Ireland Orders 1996, 2005 and 2008.

Organisation	Main responsibility
Police Service of Northern Ireland	To make Northern Ireland safer for everyone through professional, progressive policing.

Additional responsibilities towards People with Learning Disability beyond S75 and DDA?

Police and Criminal Evidence Act 1984
Under this Act, the police have to call a police surgeon if they think a suspect may have a mental illness (although officers may call one out when the suspect has learning disability because of difficulties in distinguishing symptoms).[46]

Youth Justice and Criminal Evidence Act 1999.
This is part of a coherent scheme to afford vulnerable individuals access to the criminal justice system.[47]

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[46] http://www.nationalarchives.gov.uk/ERORecords/HO/421/2/cpd/pvu/sufj.pdf

[47] http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf

Criminal Evidence (NI) Order 1999

This set out a range of special measures to assist vulnerable or intimidated witnesses, including children, to give their best evidence in criminal proceedings. The report *'Achieving Best Evidence in Criminal Proceedings (Northern Ireland): Guidance for Vulnerable or Intimidated Witnesses, including Children'*[48] contains guidance intended to support the 1999 Act by assisting *"those conducting video-recorded interviews with such witnesses as well as giving guidance to those who are tasked with preparing and supporting such witnesses throughout the criminal justice process"*. The guidance makes it clear that, *"Not all adults with disabilities will necessarily be vulnerable as witnesses and would not wish to be treated as such. This is recognised in the definitions and criteria contained in the1999 Order. Those adults who are eligible for consideration for Special Measures fall into two groups, defined in Article 4 and 5 of the 1999 Order. The first group comprises those who have a disability or illness that the court considers is likely to affect the quality of their evidence."*

PART 2 – NATURE AND SCALE OF THE CLIENT GROUP INTERACTING WITH POLICE AND POLICING ARRANGEMENTS

What number and type of people with learning disability interact with your organisation?

Whilst public bodies are required to gather information on people with disability (as part of their respective duties under S75), they are not currently required to gather specific statistics on learning disability. A key issue therefore is the lack of accurate information on the profile of people with learning disability who engage with policing organisations.

Only one organisation consulted, the Youth Justice Agency, gathered information about the number and type of people with learning disability who were using their services. The Youth Justice Agency estimated that 5% to 10% of the young people going through the community restorative justice process each year have some form of learning disability. Based on their latest annual returns on referrals received, this is approximately 90 to 180 individuals (aged between 10 and 17) per year in Northern Ireland.

The Probation Board pointed us to two pieces of research which sought to estimate the levels of people with learning disability who were interacting with the criminal justice system. Again, the levels estimated were in the region of 10%:

- *Prison Reform Trust – No One Knows Programme (2000-2009_ Briefing Papers. 5-10% of people in UK are people with learning difficulties).*

- *A Survey of the Level of Learning Disability among the Irish Prison Population. Dr Michael Murphy et al 2000. Estimated that 10% of prison population had a learning disability.*

Notwithstanding the above, it was recognised that even if the actual numbers of people with learning disability engaging with the various policing organisations

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[48]http://www.nio.gov.uk/achieving_best_evidence_in_criminal_proceedings_ni_guidance_for_vunerable_and_intimidated_witnesses.pdf

were to be identified, there was a further challenge for the policing organisations in interpreting such data since any figures could, at least in part, be a reflection of:

(a)   How appropriately and completely the services of the organisation were actually promoted;

(b)   Reporting levels (e.g. in the case of reporting crimes to the police or complaints about the police to the Police Ombudsman); and,

(c)   How accessible such services actually were for people with learning disability.

One stakeholder summed up the dilemma,

"We don't know who we are [and are not] *reaching* [e.g. with promotional material, key messages etc] *… we* [therefore] *don't know whom we* [may] *have failed to engage* [who may be in need]*… * [and, finally,] *we don't know who* [and how many] *is* [are] *not capable of contacting us"*.

Do other jurisdictions have such data?

None of those consulted were aware of other jurisdictions where police services and / or policing organisations already captured data on the number and profile of people with learning disability who used their respective services.

Indeed, it seems that reliable data is difficult to find. The closest proxies that SMR could source were in "The Bradley Report"[49] which found that, "*Estimates of the prevalence of learning disabilities in police custody vary considerably, from 0.5% to 9% of all cases. The reason for such a broad differential is generally down to the fact that there is no formal testing of learning disabilities and that most studies have used IQ or self-reporting only, which are known to be problematic…. [The report goes on to say] There is evidence, however, to put the figure at the higher end of the estimate. A further study*[50]*looked at the prevalence rates with two forensically trained community mental health nurses, who screened 9,014 custody record forms over a three-year period in an inner-city police liaison service. They judged 8.7% of suspects to have a definite or possible learning disability"*.

(Note: The Bradley Report also criticised the *"*[lack of] *consensus on the form of collecting data or compatibility of operating systems for analysing data both within and between schemes and their* [criminal justice] *multi-agency partners."* This issue is also evident in Northern Ireland).

Notwithstanding this, the entitlement to equitable[51] service provision under Section 75 was cited as sufficient grounds to improve the data capture mechanisms (in relation to people with learning disability) within these policing organisations. This suggests that a more detailed form of data capture is required for this purpose.

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[49] The Bradley Report: Lord Bradley's review of people with mental health problems or learning disabilities in the criminal justice system. (2009)
http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_098698.pdf
[50] Scott D et al, 2006, The mental health needs of people with a learning disability detained in police custody, *Medicine, Science and the Law*, Vol 46, pp 111–114
[51] In this context, it is noteworthy that, in taking up post, every police officer includes the following words in their pledge to serve communities, *"I do hereby solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office if constable with fairness… upholding human rights and according equal respects to all individuals…"*.

The Bradley Report added a further reason for gathering reliable data, *"Better collection of information on numbers of people with ...learning disability, their specific needs and subsequent management is vital for informing some of the key functions of commissioning and delivering services"*.

PART 3 – YOUR ORGANISATION'S INTERACTION WITH PEOPLE WITH LEARNING DISABILITY

What are the most frequently recorded reasons for a person with a learning disability being in contact with your organisation?

As indicated above, there was little to no data available from the interviewees on the numbers, profile or reasons why people with learning disability interacted with the policing organisations consulted.

Describe the key steps of the 'customer journey' that the person with learning disability goes on depending on their reason for being in contact with your organisation?

The intention of this question was to learn about the processes that a person with learning disability would go through under various scenarios, for example, if they were:

- A victim of crime;
- An offender / accused;
- A complainant; or,
- Someone contacting a policing organisation with a general enquiry.

However, what became clear was that, irrespective of the policing organisations' role, responsibilities, processes or procedures, the core recurring feature of the customer *'journey'* – and one which would determine the future trajectory of the journey – could be boiled down to this: At any stage of the customer *'journey'*, the person with learning disability was either being asked for information or was providing information – and, in either case – they were either being supported to do this or were not. The means to understand and be understood was at the heart of this issue.

Across all of the policing organisations consulted, there was a recognition that the quality of each step in the customer journey could be influenced both by the capability of the person with learning disability and the level of appropriate support that this individual receives. It was therefore acknowledged that recognising and understanding the needs of the person with learning disability and providing appropriate support was crucial to:

- Upholding the rights of the person to an equitable service;
- Achieving best evidence; and,
- Administering justice (and, crucially avoiding miscarriages of justice).

The literature that interviewees pointed us to, plus the further literature that SMR identified, (See Appendix K - Bibliography for a full list) depicted (in flow diagrams and in table format) the various aspects of a person's *'journey'* through the criminal justice system. The specific stages on the journey where additional support may be needed for a person with learning disability have already been well

researched and documented. Appendix G contains copies of these customer journeys and summarises the specific aspects that need improved. SMR has referenced the source literature in each case.

What was also clear was that the *'journey'* for the customer does not begin with the first contact with a policing organisation but rather it begins in the mind of the person with learning disability, or indeed, their carer. In fact, whether the *'journey'* ever even gets started, seems to depend on the following four factors being present:

- The person understanding that a crime had actually been committed;
- The person knowing their rights;
- The person knowing which policing organisation(s) to approach to exercise those rights; and
- The person feeling confident that they would be treated fairly by the policing organisation(s).

The literature that SMR examined (See Appendix K - Bibliography) makes it clear that these factors are often not present, for one reason or another, and, consequently, the *'journey'* never begins.

Furthermore, recent research[52] highlights the wider barriers within society (e.g. lack of awareness of hate crime) and lack of joined up working across the criminal justice system which further impede the smooth *'journey'* of someone with learning disability seeking to access the policing system. Compounding the barriers still further, was a lack of clarity amongst people with disability (including learning disability) about how the policing processes / reporting arrangements worked, *"In terms of responses to hate crime generally, much emphasis in the PSNI is placed on the role of the Hate Incident Minority Liaison Officer (HIMLO) and the special reporting arrangements in helping to deal with incidents of hate crime and supporting those most affected by them. However, it has to be noted that very few individuals with a disability had any awareness of either the HIMLO, their role with individuals and / or in the community or the special reporting arrangements."* [53]

PARTS 4, 5 & 6 – "WHERE ARE WE NOW?"; "WHERE WOULD WE LIKE TO BE?" AND "HOW MIGHT WE GET THERE?"

What do you consider to be the main, strengths and weaknesses of the current provision for clients with learning disabilities who are in contact with your organisation?

What do you think would contribute most to improving the current level and quality of support to people with learning disability?

What do you think would need to happen (internally, externally or both) for the various changes you proposed to actually be implemented?

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[52] Hate Crime Against People With Disabilities, Institute for Conflict Research, October 2008, http://www.ofmdfmni.gov.uk/hate_crime_against_people_with_disabilities__pdf_760kb_.pdf
[53] http://www.ofmdfmni.gov.uk/hate_crime_against_people_with_disabilities__pdf_760kb_.pdf

In practice, the responses to the above questions were closely inter-related. Consequently, we have presented the main themes that emerged as a collective SWOT analysis below.

Where are we now?

Strengths

- Legislative – Section 75 and DDA provide a legislative framework within which to support people with learning disability.

- General training in place – Many staff across the various policing organisations have received general disability awareness training.

- Some specific training on learning disability already completed – Between September and November 2010, around 200 PSNI personnel in C District (covering Ards, Castlereagh, Down and North Down District Council Areas) received a half-day or full day learning disability awareness training from Autism NI. The feedback from these sessions suggests strongly that such training was well received.

- Suitably qualified staff in place – Within the Probation Board, assessments are undertaken by Probation Officers who are social work qualified and who undertake a comprehensive assessment which covers learning disability. Where potential difficulties are identified, additional assessments can be made. Furthermore, the Probation Board has its own Psychology Department. PSNI can call upon specialist staff within their Public Protection Units (PPU) if it is recognised that a person has learning disability and / or is vulnerable for some other reason. (However, note later in this report that some members of the Learning Disability sector contend that the type of support available from PPU is not the most appropriate for a variety of reasons).

- Flexibility of restorative justice process – People with learning disability can have different interpretations of situations and their own behaviour. Consequently, the current restorative justice system, which allows, where appropriate, for educational rather than punitive measures, was thought to be beneficial. As one stakeholder put it, *"We can be really creative [client-centred] in our plans"*. Again, a specific recommendation in the Multi-Agency Steering Group (MASG)[54] report was, *"Developing improved and appropriate interventions including offender management programmes and learning and skills services that address the learning styles and needs of offenders with a learning disability etc and insure that their needs and limitations are taken into account through court, police etc processes"*.

Weaknesses

- Lack of data: quantitative and qualitative – There was very little data available on the profile of people with learning disability interacting with policing

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[54] Forthcoming report of the Multi Agency Steering Group (MASG), Making A Difference For Individuals With Learning Disability, Learning And Communication Difficulties In The Northern Ireland Criminal Justice System" (to be published later in 2011).

organisations in Northern Ireland or their views and experiences of policing organisations. This was seen as a key weakness.

▪ Lack of specialist training – The feedback from the key stakeholders we interviewed suggests that only a very small proportion of staff across the entire policing sector in Northern Ireland have received training on the needs of people with learning disability specifically. [55]

▪ Lack of clarity re who is responsible for learning disability – In smaller entities, such as a District Policing Partnership, it was unclear who specifically was responsible for matters related to learning disability.

▪ Risks and challenges with favoured initiatives – The Probation Board warned of the challenges that new interventions posed to people with learning disability and staff, "*As cognitive behavioural approaches have been increasingly introduced, because of their effectiveness, the offender's level of ability to undertake such programmes comes into focus. There are some offenders whose level of learning disability would make it very difficult, and at times not possible, to complete a group based cognitive programme. Whilst PBNI take this into account, and where possible, make specific arrangements to facilitate participation, it is nonetheless an ongoing issue faced by programme facilitators".*

▪ Systems and procedures not always applied – In the report, Hate Crime Against People With Disabilities, (ICR, 2008, p9) it states that, "*Whilst the PSNI have tried to facilitate the reporting needs of victims of hate crime, the research found anecdotal evidence that systems and procedures were not always carried out in line with operational practice standards".*

Opportunities

Those consulted considered that their organisation's ability to detect actual or possible learning disability in a service user could be improved by:

▪ Providing appropriate training to staff to enhance their capacity to detect learning disability - The feedback from those consulted suggested that many staff within the policing organisations have already received at least some level of general disability awareness training. However, given the particular challenges associated with detecting actual or possible learning disability, (See Section 1), there was widespread acknowledgement amongst those consulted of the need for compulsory[56], specialised learning disability awareness training to be given to front line staff, in particular, to enhance their capacity in this area. It was emphasised that such training could never simply '*bestow*' perfect knowledge upon the trainee such that they could match the level of experience and insight of someone working in the learning disability sector for years. However, it was hoped that such training would enable front line staff to better assess whether or not learning disability was a possible factor in the

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[55] SMR identified material that suggested there is a similar problem in Great Britain. See Appendix J for findings from a survey by Community Care in Great Britain.
http://www.respond.org.uk/support/resources/articles/special_investigation_how_police_are_letting_down_people_with_learning_difficulties.html

behaviour of the person with whom they were interacting and thereby respond appropriately.[57, 58] It was also suggested that such training should be mandatory for new recruits and, in the case of PSNI, would be added as a mandatory item to the District Training Schedules. Finally, it was suggested that such training should be refreshed as often as necessary.

- **Adopting a corporate approach to supporting service users with learning disability** - At the time of this study, work had been ongoing within the Youth Justice Agency to increase staff's awareness of how to detect learning disability and how best to support people with learning disability. Staff *'packs'* had been developed and were in use. The packs were supplemented with in-house training and training from Autism NI on learning disability. Whilst this was commendable and very helpful, it seemed to us that this initiative was designed and implemented by a specific individual within the Agency with experience and interest in learning disability rather than being led by the Agency corporately. Consequently, beyond those outside this individual's team, we are not aware of any other staff within the Youth Justice Agency who have received specific training on learning disability.

- **Using a standardised check list to aid detection of learning disability** - It was also suggested that as an adjunct to any training (not a substitute for training) that staff might be issued with a *'screening tool / check list'* to remind them of what to look for when considering the possible presence of learning disability. SMR notes that examples of possible check lists or elements of possible check lists have already been developed. See Appendix G for the Preliminary Screening Tools used by Induction Staff at Brinsford YOC, Mencap[59] and Triangle Housing Association respectively. At the time of interview, the Multi-Agency Steering Group, of which the Youth Justice Agency was a member, had just completed the development of a *'screening tool'* which had been submitted to the Department of Justice for consideration. We were advised that, "*Piloting the use of agreed screening tools to identify indications of learning disability, learning and communication difficulties in suspected and convicted offenders*" was one of the key recommendations in the MASG's report (ibid). We were also told that, "*Providing awareness training for all front-line staffing in contact with*

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[56] It was felt that unless such training was mandatory, it may not be taken up.

[57] The need for meaningful training was emphasised in material examined by SMR. John Cawley, one of 15 Commissioners in the Independent Police Complaints Commission in Great Britain (and whose brief includes dealing with complaints about the treatment of people with mental health problems and learning difficulties) was reported as having said, "*I certainly do not have any doubt that there is scope for significant improvement in police training in this area. But there is not a great deal of value in wheeling officers in for half a day's training - what I call sheep-dipping... Police officers are not amateur diagnosticians but they do need to be competent in recognising whether someone has a learning difficulty... so they can proceed with caution or get help*". Source: http://www.respond.org.uk/support/resources/articles/special_investigation_how_police_are_letting_down_people_with_learning_difficulties.html

[58] "*It is vital that police respond appropriately to people who have .... learning disabilities. While officers and staff are not expected to reach the level of diagnostic expertise of clinicians or trained healthcare professionals, they are expected to be able to recognise behavioural, and other signals which could alert them to consider that special support and care is required when dealing with a particular individual*". Source: http://www.npia.police.uk/en/docs/Mental_ill_Health.pdf

[59] Note: MENCAP a draft checklist to help advisors at DEL Jobs n' Benefit offices working in front line interviews.

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suspected or convicted/sentenced offenders in custody and in the community. Providing training to appropriate staff in using the screening tools" have also been recommended in the MASG report. The particular importance of such detection for those in Youth Offending Teams (YOT), was emphasised in the 'Seen and Heard' report, Prison Reform Trust, *"The report illustrates a fundamental problem with the youth justice system. Courts are reliant on YOT staff to highlight a child's learning or communication difficulties. If, as is highlighted, a sizeable percentage of staff do not have the appropriate skills or access to accurate screening and assessment tools, then the negative consequences are significant."*

▪ Being clear on whose is responsible for learning disability – It was suggested that in smaller entities, such as a District Policing Partnership (DPP), that, in addition to general learning disability training for all members (existing and future), that at least one member of each DPP should be designated and receive specialised training to enable them to provide the DPP with advice on matters relating to learning disability.

Those consulted considered that their organisation's capacity to appropriately support a service user with a learning disability could be improved by:

▪ Adopting a more proactive approach towards crime prevention amongst people with learning disability – Acknowledging the vulnerability of people with learning disability in relation to assault and crimes against property[60], it was suggested that there was an opportunity to do more to strengthen the capacity of people with learning disability to reduce the risk of crime against themselves or their property, for example by police going out to schools[61], and to clubs etc, places that are already familiar to people with learning disability and where they meet regularly and giving *'talks'*. It was suggested that schools too could have a role in educating people with learning disability about their rights and entitlements within the policing process.

Reviewing and adjusting policies and procedures - Those consulted suggested that key policies and procedures (i.e. the key stages of the *'customer journey'*) should be reviewed specifically with learning disability in mind. Whilst many policies and procedures had been *'proofed'* with disability, in general, in mind, there was an appreciation that there was room for improvement in reflecting the particular needs of learning disability within this. As part of such a review, consideration should be given as to how specific processes, in their current form, might intrinsically pose a barrier for someone with learning disability and to identify where and how appropriate adjustments might be made so as to enable participation to the greatest possible extent. (Note: SMR was mindful of the existing legal obligations upon organisations, under the Disability Discrimination Act 1995 (NI)[62], and the following list contains some specific instances to consider in this regard i.e. *"a person discriminates against a disabled person if (a) for a reason which relates to the disabled person's disability, he treats him less favourably than he treats or would treat others to*

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[60] Australian evidence (Wilson 1990, cited by NSW LawReform Commission 1996 para 2.23) that people with an intellectual disability are twice as likely to be victims of a personal crime (e.g. assault), and one and a halftimes more likely to experience a property offence."

[61] SMR notes that MENCAP has a publication available relating to this. (See Bibliography)

[62] http://www.qub.ac.uk/safety-reps/sr_webpages/safety_downloads/DDA.pdf

whom that reason does not or would not apply, and (b) he cannot show that the treatment in question is justified".

For example:

- If there is currently no explicit reference to provision for people with learning disability within a particular policy, then such a policy could be revised. For example SMR notes that although the Police Ombudsman document, *"Information People with Disabilities"*[63] describes a range of support available for people with various types of disability (e.g. hearing impairment, sight impairment and mobility impairment), there is no specific reference to the support available for people with learning disability.

- If the requirement to put something in writing – or receive something in writing - is a barrier for some people with learning disability, what other methods of submitting the required information – or receiving the required information - can be considered? The strong reliance on written information throughout the policing system suggests that this is a priority for consideration.

- If the requirement to submit particular paperwork within the same deadlines as someone without learning disability is a barrier to engagement, might consideration be given to extending deadlines if it is clear the person needs additional time as a direct consequence of their learning disability? (See Disability Discrimination Act).

- If the manner in which a particular process is currently described, the terminology used etc. (e.g. going to court, how to complain, what is restorative justice etc.) makes it inaccessible for someone with learning disability, then can consideration be given to:

    o the production of easy read versions of standard leaflets and, if necessary,
    o the provision of support for the person with learning disability to enable them to digest the material?

- If lack of appropriate support is an issue, then perhaps (if after appropriate staff training were in place and better detection of learning disability was being achieved), service provision might be further enhanced by establishing closer working relationships (perhaps via Service Level Agreements) with organisations (e.g. in the statutory, community and voluntary sector) that have specialist skills in supporting people with learning disability. (Note: Whilst we were given to understand that PSNI already engages the services of personnel from the Public Protection Unit, some stakeholders in the learning disability sector contended that such personnel may not have sufficient and / or specialist experience of learning disability to fully support an individual).

- Having a clear protocol to follow when it is evident that a person has a learning disability – Some organisations, like PSNI and the Probation Board have clear protocols (e.g. under *'Achieving Best Evidence'*, use of qualified social workers

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[63] http://www.policeombudsman.org/publicationsuploads/Info_for_People_with_Disabilities.pdf

etc). Similarly, the Office of the Police Ombudsman has investigative interviewing standards which ensure that all investigators are competent to interview witnesses and suspects at a minimum of national level 2 in accordance with the National Investigative Interviewing Strategy as recommended by the Association of Chief Police Officers (ACPO) and overseen by the National Police Improvement Agency. Within this training, investigation officers become skilled in the principles of "Achieving Best Evidence" and are able to identify persons that may be considered vulnerable and should be interviewed by investigation officers who are more skilled in this area at national level 3 standard.

SMR was given to understand that the Youth Justice Agency does not have protocols in respect of discovering that a young person has some sort of learning or communication difficulty/disability (L/CDD). At the moment, the Agency acknowledges that L/CDD exists and continues to work with the young people, as best it can using other support networks such as Speech and Language therapists, psychologists, psychiatrists, Autism NI, Mencap etc. Staff within the Youth Justice Agency are third level qualification trained (mostly Social Work and Youth & Community Work) and working with people with a L/CDD has been part of their training. The Agency has been providing internal training from various learning disability professionals on demand from staff. SMR also notes that in the Agency's Business Plan Summary 2010/11, Point 3 Safety: has a Development Objective Number 15, which states "Develop Guidance for all staff on the 'Safeguarding Vulnerable Groups' legislation.

It was suggested that the key features of the appropriate protocols should apply in all policing organisations.

▪ Ensuring that the protocol is executed – Because of a concern that systems and procedures were not always carried out in line with operational practice standards, it was suggested that an audit process be introduced to confirm compliance with the operational standards in relation to people with learning disability.

▪ Recognising and responding to the resource implications that are sometimes concurrent with supporting people with learning disability – It was evident that in some cases supporting people with learning disability required additional time (e.g. to prepare suitable materials, arrange appropriate support etc). However, this additional resource requirement was not typically factored into staff members' workloads. In order to provide adequate levels of support, this factor needs to be considered and individual *'case loads'* adjusted to reflect this. (Note: This has implications for certain corporate performance targets set by organisations such as the Youth Justice Agency, where the statistics on the number of youth conferences is one indicator used to measure the organisation's *'performance'*. However, the current arrangements did not take case *'complexity'* into consideration.)

▪ Ensuring that others within the Criminal Justice System, who need to know, are made aware of the person's learning disability – We were given to understand that, at the moment, PSNI do not record in *'the file'* (case file) whether or not a person has learning disability – unless the person has declared this. There was a suggestion made that, if a person is known (or is discovered) to have a learning disability, that a specific 'note' should be added to the file that accompanies

that person throughout their journey within the criminal justice sector so as to enable others to be aware of the needs of this individual and, thereby, have an opportunity to support them appropriately. Without this information, a person with learning disability could be interrogated inappropriately, and / or give answers to questions they do not properly understand, and / or, in the worst case, be convicted of a crime they did not commit. Given that the police are the first point of contact in the criminal justice system, it would seem appropriate that the responsibility for detection of learning disability and recording of this on *'the file'* should rest with them. This should not preclude others in the criminal justice system from detecting or recording learning disability on *'the file'* if this only becomes evident at a later stage. This same issue applies when a person with learning disability goes on (after 18 years of age) to Adult Services. Again, it was proposed that the *'note'* re learning disability should follow with the person's file. The key points made were that a) the detection and recording of learning disability should be done at the earliest possible point and b) the fact that the person has a learning disability should *'travel'* with that person throughout their *'journey'* within the criminal justice system. Without this, there is a real risk that police and others in the criminal justice system make decisions without knowing that the person has a learning disability, and hence, without the opportunity to take this into account when considering how the person's learning disability has influenced their behaviour (e.g. in relation to an offence). As one stakeholder put it, *"particularly with young people, on the autistic spectrum, that [awareness of the presence of learning disability] can be such a big, big influence"*. SMR notes that the Bradley Report comments on the lack of information about learning disability on case files and makes a recommendation similar to the one above, *"In a recent study by the CPS [Crown Prosecution Service][64] an Expert Panel reviewed 45 case files involving victims and witnesses with mental health issues and/or learning disabilities, and found that the case file review did not reveal any consistency in the type, level or source of information that was used to inform decision-making. However, [The Bradley Report] considered that, in ideal circumstances, a case file should contain a full assessment of the cognitive abilities of the victim and/or witness, prepared by an appropriate medical (or other) professional, and relevant to the ability of the victim and/or witness to take part in the criminal justice process."* Furthermore, one of the key stakeholders told us that this suggestion had already been made in the forthcoming report of the Multi-Agency Steering Group (MASG), *"One of the key recommendations involving PSNI coming out of MASG is that there should be a flagging process where custody sergeants would ask a set of key questions to suspected offenders to provide an initial indication of a potential learning disability, learning and communication difficulty. Where there is an indication this would be flagged on Causeway for other CJS* [Criminal Justice System] *agencies to pick up."*

- Sharing relevant information with others outside the Criminal Justice System – Stakeholders were aware that, in seeking to be client-centred, there were times when relevant information about the person with learning disability had to be sourced from and / or shared with other organisations. Consequently, the MASG report (ibid) recommended the development of *"Agreed information protocols*

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[64] Research into CPS decision-making in cases involving victims and key witnesses with mental health problems and/or learning disabilities, Crown Prosecution Service - Lee V and Charles C, 2008, http://www.cps.gov.uk/publications/docs/mhld_cps_research.pdf

to share relevant information across departmental and agency boundaries on education assessments including identified learning issues".

▪ Implementing a common alert card system for people with learning disability and actively promoting its use – There was a suggestion made that, if a person is known to have a learning disability then they could, if they wish, be supported to carry a card that would indicate this. The person could show this card at key locations and this would indicate to the organisation concerned that the person concerned needed additional support. SMR notes that Autism NI has recently implemented such an alert card for its users in Northern Ireland. It may be beneficial for others to reflect on the lessons learned from this initiative before any further possible roll-out.

▪ Providing learning disability awareness training to other key personnel within the criminal justice system – It was suggested that learning disability awareness should be provided as part of the professional training (including induction training) for district judges and lay magistrates. It was also suggested that solicitors might be encouraged to undertake specialised training (yet to be developed[65]) in relation to what might be termed 'advanced interviewing skills' (i.e. being able to interview a person with learning disability appropriately). (The Bradley Report also refers to the importance of appropriate training and support for solicitors to enable them to provide the best possible service to their clients, *"One of the key concerns raised … was in relation to the knowledge and experience that solicitors and, in particular, duty solicitors generally have of mental health issues and the impact that it had on their cases. There was a considerable difference between the cases that were handled by a specialist mental health solicitor and those that were not. [Consequently, Bradley recommends that] A source of information and advice on mental health issues would be of benefit to solicitors and their clients. … Such a resource would be able to provide information and advice for a wide range of professionals working with offenders at this stage."*

▪ Providing training on learning disability which is flexible in its delivery and whose quality could be assured – Those consulted supported the view that any training that was to be made available should a) build on the best of what was already available, b) be capable of being delivered in a flexible format (including e-learning and blended learning format) and c) ideally, be capable of being accredited if possible.

▪ Considering how the learning disability may have affected the person's behaviour and respond appropriately – There was a suggestion made that, if a person is known to have learning disability, then consideration should be given to the extent to which the learning disability has contributed to the behaviour.

Threats

▪ "Do the numbers justify it?"– There was a concern amongst some that if it transpired that the numbers of people with learning disability accessing police organisations were deemed to be low, then, particularly in the current climate,

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[65] It is possible that such training could be co-designed and co-delivered by parties such as the Law Society, in collaboration with the Youth Justice Agency, organisations with understanding of the needs of people with learning disability e.g. Mencap and Autism NI and potentially involving people with learning disability.

any proposals for change would be, at best questioned, and at worst, denied. However, this concern was countered by the contention that the fundamental issue was one of equity of service provision and, consequently, even in the current economic climate, should be given due regard. This issue of entitlement echoes statements made within, *'Vulnerable Witnesses, A Guide to Police Service,' "Witnesses should receive as a matter of right a quality of service from the judicial system that meets their needs".[66]* It goes on to state, *"Some people with disabilities may have particular difficulties with receiving information, communicating and/or entering into dialogue. Indeed some individuals experience multiple disabilities which may make communication even more difficult. This, however, should not prevent the individual receiving the quality of service that is expected from the police. The service that vulnerable witnesses are entitled to must be comparable to any other witness, whether completing a crime report, complying with the Victims Charter, or where a witness enters the arena of the courts to give evidence. We must ensure that these individuals receive equal treatment in the criminal justice system."[67]*

- How to procure the services of specialist organisations – There were two possible threats identified here. One was a concern about the appropriateness of paying community / voluntary organisations directly to support people with learning disability. There was perceived to be a risk that such funds might, according to one stakeholder, *"skew the purpose of that organisation… end up chasing money".* The other was the considerable time and administration resource that was envisaged to be involved in setting up and /or managing a contract to procure the services of community and voluntary organisations that could provide support.

7.5   Themes Covered – Learning Disability Sector

The key issues explored in interviews with representatives of the learning disability sector were divided into eight parts as follows:

- **Part 1 – Your organisation's interaction with people with learning disability;**

- **Part 2 - Nature and scale of the client group interacting with police and policing arrangements;**

- **Part 3 - Distinctive attributes, needs and implications for policing organisations;**

- **Part 4 - Information on the experience of people with learning disability;**

- **Part 5 - Awareness of roles and functions?**

- **Part 6 - Awareness of rights?**

- **Part 7 - Accessibility of the complaints process?**

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[66] See Forward in http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf

[67] Section 1.4 http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf

▪ **Part 8 - Resources / processes that you use.**

7.6 Analysis of the Feedback – Learning Disability Sector

Similar themes emerged from each of the interviews. Again, to avoid repetition, we present the common findings below. Where there were discernable differences in the feedback from one organisation compared with another, and / or with the feedback given by the stakeholders in the policing sector, we highlight this in Section 7.7 below.

7.7 Findings from the Interviews – Learning Disability Sector

PART 1 – YOUR ORGANISATION'S INTERACTION WITH PEOPLE WITH LEARNING DISABILITY

In broad terms, how many people with learning disability in Northern Ireland does your organisation typically interact with over a year?

The organisations involved in the interviews had a wide variety of types of contact with adults, children and young people with learning disability across Northern Ireland. In the case of adults, this included work experience and employment support, support within specific social enterprises, education and training-related support, housing support, social support, recreation, support for personal development and advocacy. Many of the organisations also provided support to parents and carers of people with learning disability.

Some of the organisations interviewed (e.g. MENCAP, Triangle Housing Association) were large regional organisations with local offices across Northern Ireland. In these cases, the numbers of people with learning disability that they interacted with each year were typically in the hundreds. Other organisations, in contrast, (e.g. Orchardville Society, Arc, Stepping Stones, and Destined) were localised and served the needs of specific geographic communities of people with learning disability. The numbers interacted with in any year varied from 100+ (in the case of Orchardville Society) to around 50 or fewer (in the case of Arc, Stepping Stones and Destined respectively).

Across the various organisations, there was extensive experience of interacting with and providing services and support to a hugely diverse group of people with learning disability. The spectrum included people with mild, moderate and severe learning disability and with people with learning disability who had other complex needs.

PART 2 – NATURE AND SCALE OF THE CLIENT GROUP INTERACTING WITH POLICE AND POLICING ARRANGEMENTS

What number and type of people with learning disability interact with police?

Like the key stakeholders in the policing sector, none of those interviewed in the learning disability sector was aware of any specific data set[68] on the number and

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[68] There were references to the possible use of data collected by the Vulnerable Adults Scheme within Health and Social Services Trusts. However, it was clear that such data would include people with learning disability

type of people with learning disability who interact with the PSNI. There were, however, general references made to the relatively high proportion of people with learning disability who were in prison. The assumption was that a relatively high proportion must therefore, at some stage on this *'journey'*, have interacted with the police.

Moreover, a number of those consulted indicated that if an incident requiring the police occurred while a person with learning disability was in their care, such matters were passed onto the Health Social Care Trust and responsibility for any further action passed to the latter. Consequently, only a few of those consulted, had direct experience of clients interacting with the police.

Do other jurisdictions have such data?

Again, like those interviewed in the policing sector, none of those consulted in the learning disability sector were aware of other jurisdictions where police services and / or policing organisations already captured data on the number and profile of people with learning disability who interacted with their respective services.

Again, the entitlement to equitable service provision under Section 75 was cited as sufficient grounds to improve the data capture mechanisms (in relation to people with learning disability) within these organisations. In addition, PSNI's Policy Directive on *'Dealing with Victims and Witnesses PD05/06'* which states that *"The PSNI will take account of vulnerable victims and witness and will consider a range of issues such as....any disability"* was referenced as further explicit endorsement of the intention to provide an equitable service.

Despite this, literature reviewed by SMR[69] highlighted worries about possible inequitable treatment of children with learning disability, *"The report expresses concern that children with learning disabilities and other impairments may not be receiving the right to a fair trial, enshrined in Article 6 of the European Convention on Human Rights, as a result of their difficulties in understanding the legal and judicial process."*

PART 3 – DISTINCTIVE ATTRIBUTES, NEEDS AND IMPLICATIONS FOR POLICING ORGANISATIONS

When a victim of crime - or an offender - happens to be someone with a learning disability, what are the most important things for the organisation dealing with this person to be aware of when providing a service to this individual?

All of those interviewed indicated that the first and most important thing for the organisation to be aware of was the **fact that the person _has_ a learning disability**. Indeed, the literature examined by SMR confirmed the primacy of this, *"Failing to identify and make provision for children's support needs was the most significant factor identified by YOT staff in determining the likelihood of custody"*[70].

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and people without and therefore, even if it cold be made available within the time and budgetary constraints of this exercise, it was unlikely to yield the insight SMR was seeking.
[69] http://www.prisonreformtrust.org.uk/Publications/vw/1/ItemID/67

[70] http://www.prisonreformtrust.org.uk/Publications/vw/1/ItemID/67

However, it was acknowledged that learning disability can be highly complex to *'detect'*. The enormity of this challenge was made clear by the interviewees and was echoed in the literature SMR reviewed in tandem with these interviews - *"Identification of intellectual disability is one of the most difficult issues for personnel in the criminal justice system"* [71] There were three main reasons offered for this:

▪ Lack of awareness on the part of a person – Those interviewed acknowledged that a person may not be aware that they have a learning disability. In fact, it could be that an encounter with a policing organisation, may be the first opportunity for this to come to light. Again, the literature confirms that for a variety of reasons learning disability may have been hidden for many years, *"Social context and the pressure to 'fit in' can also play a part, "The social context of young people means that it is important not to show weakness or vulnerability and they develop strategies to mask difficulties with understanding or getting their point across."* [72] Whilst this issue was not raised specifically with key stakeholders from the policing sector, one of the policing sector interviewees explained how learning disabilities can remain hidden for many years, even from the individual, but that new processes were seeking to address this, *"Learning Disabilities can go unrecognised and/or undiagnosed through schooling years with individuals not able to function as well as others in the classroom – perhaps demonstrating difficult behaviours leading to school non attendance or school exclusion. …. [However, within the policing system there is] Increasing awareness of the numbers of offenders who have such a disability when entering custody."*

▪ The person may not wish to declare that they have a learning disability – Consequently, the person may decline to answer or otherwise not co-operate with any potential assessments of learning ability / disability.

▪ Outward behaviour similar to learning disability could have different causes – Again, the comments made by those interviewed mirrored statements in the literature on this subject, *"It is important to stress that, while there may be physical or psychological reasons for different sorts of behaviour,* [communication difficulties, lack of eye contact, behavioural issues] *it is possible that these may also result from the use of drugs, alcohol, emotional states of frustration, irritability, anger, fear, acute anxiety or a combination of emotions and outside influences."* [73]

In common with the key stakeholders from the policing sector, those interviewed in this sector perceived that an appropriate way forward would be to:

a) Devise a standard check list to aid detection of learning disability. (See Appendix G for preliminary check lists used by Brinsford YOC, MENCAP and Triangle Housing); and,

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[71] See 4.1 http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf

[72] http://www.rcslt.org/docs/locked_up_locked_out_scotland_karen_bryan
[73] See 4.1 http://frontline.cjsonline.gov.uk/_includes/downloads/guidance/victims-and-witnesses/Vulnerable_witnesses_police_service_guide.pdf

    b)   Provide learning disability awareness training to appropriate personnel within policing organisations.

Beyond *'diagnosis'*, the next most important thing that those interviewed suggested organisations be aware of, and respond appropriately to *the **specific effects*** of the learning disability. The nature and scale of these effects could vary from person to person depending on the type and severity of the learning disability. All of these effects have implications for the way in which policing organisations interact with people with learning disability. Those interviewed provided a few examples of these effects. This was not intended to be a comprehensive list but rather the examples shown are simply by way of illustration:

▪ Speech and language difficulties are a common feature of many forms of learning disability. This is a significant effect and one which is at the heart of this research. Information therefore needs to be in accessible formats and, in tandem with this, communication needs to be in an appropriate style. Furthermore, the environment and style of interaction needs to suit the specific capabilities of the person with learning disability. The importance of all of this was emphasised by those interviewed and echoed in the literature that SMR examined[74]:

    o   *"People with communication needs are likely to misunderstand information given to them verbally;* [Even, when as those interviewed were careful to point out, the person with learning disability appears to and / or asserts that they have understood. A key factor is testing and confirming understanding throughout the interaction]*.*

    o   *Someone with communication needs may not understand the consequences of not following instructions;*

    o   *Not understanding something may cause a person to feel anxious and frustrated, which can lead to an angry outburst or to them disengaging;*

    o   *If a person with communication needs feels stressed, this can bring out their difficulties even more";* and

    o   If not properly understood, the consequences of such communication difficulties, could be dire, *" A court faced with a sullen uncommunicative and defensive 17 year old tends to view the behaviour differently once aware that he has been assessed as having communication difficulties, cannot understand a lot of the language being used and is functioning at the level of a child 10 years younger. (*Diz Minnitt, Speech and Language Lead at the Association of Youth Offending Team Managers, taken from *'Seen and Heard' – See Appendix K - Bibliography*).

▪ Inability to imagine is a consequence of some forms of learning disability. This affects understanding and communication at many levels. As one stakeholder

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http://www.thecommunicationtrust.org.uk/~/media/Communication%20Trust/Youth%20Justice/Sentence%20Trouble.ashx

put it, *"You cannot say, 'Put yourself in the shoes of a victim', they [some people with learning disability] do not have that ability"*.

- **Interpreting questions / comments etc literally** is a feature of some forms of learning disability. Consequently, the use of phrases like, *"Get it off your chest"* etc. are problematic for some people with learning disability.

- **Lack of eye contact** is a common feature of autism. Without an awareness of this, the wrong interpretation could be placed on the lack of eye contact by a person with learning disability when questioned.

It seemed the importance of understanding these effects and responding to them in an appropriate and timely manner could not be overstated. SMR found several references to similar points in the literature. One quote serves to illustrate the centrality of this, *"Too many young people are in prison because their needs are not being recognised or met. There is nothing fair about a system where things are not explained or understood and where youngsters are not properly represented or protected"*, J*uliet Lyon, Director of the Prison Reform Trust* referring to the findings of the *'Seen and Heard'* report.

Consequently, training in learning disability awareness and the acquisition of appropriate communication skills and methods was considered crucial. Furthermore, those interviewed wished policing organisations to see them as a resource, as organisations that had a greater level of contact with the person with learning disability and therefore could provide insight into their needs. There was an openness towards exploring more collaborative arrangements that would better support the needs of the person with learning disability. Indeed, the literature that SMR reviewed in tandem with these interviews suggested that rather than merely being desirable feature, this was essential in relation to people with a disability (including learning disability). The Home Office Publication, *'Hate Crime, delivering a Quality Service'* states that, *"There is a need to deploy innovative approaches to secure evidence and support a successful prosecution….[including drawing] on the expertise of individuals and organisations within strategic and local partnerships with particular knowledge of specific disability to assist the investigative process"*.

Furthermore, those consulted highlighted that it is sometimes necessary to provide **support for a person with learning disability** *after* they have been in contact with the police. For some, the very idea of being in contact with the police has negative connotations even if they have done nothing wrong. As one stakeholder put it, *"There is a perception* [amongst some people with learning disability] *that if you go to the police you have done something wrong"*. For others, overcoming rumination (e.g. after reporting a traumatic event) can be a challenge.

Finally, those interviewed also acknowledged that staff within policing organisations **could not reasonably be expected to attain the level of experience and skill in diagnosing learning disability of specialists** in the learning disability sector.

PART 4 – INFORMATION ON THE EXPERIENCE OF PEOPLE WITH LEARNING DISABILITY

What can your organisation tell us about – and / or what further information can you provide us with that highlights - the quality of the experience people with learning disability have when interacting with policing organisations?

As with the key stakeholders in the policing sector, the intention of this question was to learn about the processes that a person with learning disability would go through under various scenarios, for example, if they were:

- A victim of crime;
- An offender / accused;
- A complainant; or,
- Someone making a general enquiry.

However, there was no empirical information that those interviewed could point us to that described specifically the *quality* of the experience that people with learning disability had with policing organisations in Northern Ireland.

A few of those consulted had direct experience of supporting people with learning disability (victims and offenders) to interact with the police. One of these experiences had been very positive, "[person treated with dignity and respect… [helped to understand] *the process and what is happening next… [talked] directly to the person…not their supporter*". Some others were negative. One example was a situation where it was perceived the police were not sufficiently flexible in their handling the arrest of a person with learning disability. The result of this inflexibility was heightened stress for the person concerned, which, the stakeholder considered, could have been avoided. As they saw it, there was, "*a rigid adherence to procedure… it's the nature of an arrest situation… it's not 'nicey-nicey'…* [it seemed to the stakeholder as if] *there is a culture to be aggressive in an arrest situation".* They concluded a series of similarly negative experiences by saying, "*I think they* [people with learning disability] *are treated the same as everybody else… but that's the problem*"

In common with those interviewed from the policing sector, those interviewed described the various processes (aspects of the *'customer journey'*) within the policing organisations in general terms. Again, like those interviewed from the policing sector, the focus for the comments on the *'customer journey'* was on a person's interaction with the police. In the context of this, there were three main areas that were thought to have potential for improvement. These could apply to any of the policing organisations:

- Detecting a learning disability – See comments above;

- Responding appropriately to specific needs of the person with learning disability – Again, see comments above;

- Providing an appropriate adult – The role of the Appropriate Adult was created in the Police and Criminal Evidence Act 1984 (PACE) with the intention of further safeguarding the rights and welfare of young people and vulnerable adults in custody. The Bradley Report states that, "*Where there is any doubt about a person's mental state or capacity, the police custody officer has a duty to request the attendance of a responsible adult, who is known as an Appropriate Adult".* However, there was a view amongst those consulted that, under the present arrangements, the *'appropriate adult'* appointed is not always the most *'appropriate'* for one or more of the following reasons:

- Some were thought to have **insufficient specialist knowledge** of specific learning disabilities and the specific effects of these disabilities;

- Some were considered to have **insufficient specialist skills** (e.g. in terms of communication skills) to enable them to interact appropriately with and thereby properly support with a person with learning disability. Indeed, this aspect was highlighted in the Bradley Report which recommended that, "*Appropriate Adults should receive training to ensure the most effective support for individuals with mental health problems or learning disabilities.*"

- Some are thought to be **emotionally unsuited** to properly support the person with learning disability e.g. a parent who was too distressed themselves by what may have happened;

- Some were perceived to **lack critical knowledge** e.g. about rights, entitlements, key procedures and protocols, complaints procedures etc and consequently, were considered ill equipped to support a vulnerable person such as someone with a learning disability.

- In addition to these concerns, SMR uncovered **further concerns** about the access to and use of *'appropriate adults'* in the **Bradley Report**:

  - **Level of provision well below estimated levels of need:**
    "Studies into the use of Appropriate Adults have concluded that provision of the Appropriate Adult is very inconsistent. Firstly, the person's needs have to be identified, which we have already seen are often missed… A study undertaken in 1993 used a range of psychological assessments and questionnaires on 163 detainees at two London police stations. On the basis of the researchers' clinical judgements, prevalence rates for mental illness were 7%, 3% for learning disability and 5% for language problems, therefore suggesting a need for an Appropriate Adult in 15% of cases; in contrast, the police called an Appropriate Adult in just 4% of cases. A more recent study[75] stated that, in practice, the Appropriate Adult is rarely called. Research showed that after an analysis of over 21,000 custody records in four police stations in cities in the East Midlands area of England, the Appropriate Adult was used in only 38 instances (or 0.016%). Based on the lowest or most conservative extract of the numbers of mental illness in the population, there should have been about 400 (1.9%), and on the more generous estimate about 3,000 (14%)."

  - **Insufficient numbers of *'Appropriate Adults'* available:** *"Studies into the use of Appropriate Adults show that even when a*

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[75] International Journal of Law and Psychiatry, Vol 24, pp 595–605, Nemitz T and Bean P, Protecting the rights of the mentally disordered in police stations: The use of the appropriate adult in England and Wales, 2001
http://www.ingentaconnect.com/content/els/01602527/2001/00000024/00000006/art00087;jsessionid=1w8cf49sih59b.alice

need for an Appropriate Adult is identified, there is currently a shortage of individuals who can perform the role effectively."

- **Lack of consistency:** *"When an Appropriate Adult has been available, concerns have been raised about the lack of consistency in the role."* This same concern was raised as part of the No One Knows programme, wherein the Prison Reform Trust reported on how the police respond to suspects with learning disabilities, *"The report's key findings confirmed that access to an Appropriate Adult was patchy, as suspects' needs were often not identified. Even when Appropriate Adults were available, there was a lack of individuals who could effectively undertake the role. This view of the Appropriate Adult is also reported in work undertaken by Leggett et al (2007[76]); experiences of people with learning disabilities suggested that there are problems with the availability and role of the Appropriate Adult during police interviews."*

- **Key qualities -** The Legget research also found that, in relation to an appropriate adults, *"the main qualities required [by people with learning disability] were that the person was known to them and was trusted".*

- **Lack of specialist links: "***It is clear that Appropriate Adults would benefit from access to mental health and learning disability specialists within the police environment, such as from liaison and diversion services. This access would provide advice on working with individuals with mental health or learning disabilities, training relating to awareness of the condition and links to organisations outside the police custody suite that may help to enhance their role."*

- Providing an *'appropriate'* solicitor – There was an opinion expressed that solicitors did not always have sufficient specialist knowledge and skills (in terms of understanding learning disability and being able to communicate appropriately with people with learning disability). Given the importance of the role of the solicitor and the vulnerability of the person with learning disability it was thought to be especially important that the solicitor be able to demonstrate an appropriate level of knowledge and skill in these areas. Hence, whilst training for solicitors was suggested, accredited training was the preferred route.

It was suggested that **PSNI officers** would develop a greater understanding of the needs of people with learning disability if it were part of **their training**.

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[76] British Journal of Learning Disabilities, Vol 35, pages 168-173, Leggett J et al, People with learning disabilities' experiences of being interviewed by the police, 2007
http://onlinelibrary.wiley.com/doi/10.1111/j.1468-3156.2007.00458.x/full

PART 5 – AWARENESS OF ROLES AND FUNCTIONS?

To what extent are people with learning disability in NI aware of the respective roles and functions of the police and the various policing organisations?

Whilst it was acknowledged that the level of awareness would vary from person to person, those interviewed perceived that, in general, people with learning disability would have some awareness of the roles and functions of the police. Some suggested that this awareness would have come from *"talks [given] by the [community] police"* at the various organisations. There was also reference to the availability of information on the roles of the police in large print, if required and directly from community police officers *"who would come to talk to people in homes, groups etc to make them aware of who is who and what other roles and responsibilities exist"*. Others added that, notwithstanding the actual awareness of roles and functions, the overall perception of the police could be influenced by the views held by members of their own family and / or their local community.

However, there were doubts about whether people with learning disability, or indeed members of the public would be aware of the specific roles and functions of the Policing Board or District Policing Partnerships. Whilst it was thought that some members of the general public may be aware of the role and function of the Police Ombudsman, it was considered very unlikely that people with learning disability would have any awareness of the remit or functioning of that organisation.

PART 6 – AWARENESS OF RIGHTS?

To what extent are people with learning disability in NI aware of their rights in relation to treatment by the police?

Those interviewed had no empirical information to draw on to answer this question. However, whilst acknowledging that the specific level of awareness could vary from person to person, their perception was that, broadly, the level of awareness of rights regarding treatment by the police amongst people with learning disability would be "very low". As one stakeholder put it, *"It* [information about rights in relation to treatment by police] *is not taught in school... [they are] not likely to pick it up 'naturally"*. Another said, *"...mainly don't have any awareness of rights"*. Another still put it this way, *"Unless you have been actually involved* [as a victim or offender] *you* [a person with learning disability] *would struggle to understand"*. Another cited the fundamental constraints, *"People with a* [learning] *disability may not be aware of their very basic right and certainly have difficulty asserting their rights. People who have limited understanding, and where communication is an issue, will struggle"*.

The provision of a suitable training / awareness raising programme for people with learning disability was cited as a possible way to address this. Some suggested that this could be integrated into programmes the organisations who work with people with learning disability already deliver e.g. on Citizenship. There was a strong desire to work in partnership with people with learning disability and other relevant organisations, e.g. PSNI, Equality Commission, Northern Ireland Human Rights Commission etc. in the development and delivery of such training.

PART 7 – ACCESSIBILITY OF THE COMPLAINTS PROCESS?

To what extent are people with learning disability in Northern Ireland aware of a) their right to complain about the way in which the police (or a policing structure) has (have) treated them? b) the process to make a complaint?

Again, those interviewed perceived that, in general, people with learning disability would have a) a very low level of awareness of the right to complain and b) an even lower level of knowledge about the actual process of making a complaint.

It was suggested that:

- Personnel supporting people with learning disability need training on the police complaints process – As one person put it, *"A lot of us staff don't know the system"*.

- The key features of the complaint process need to be made more accessible to people with learning disability; (Appendix H contains a copy of Triangle Housing's own easy read complaints procedure. The suggestion was that something in this kind for format could be developed in relation to the Police Complaints procedure and other policing organisations e.g. District Policing Partnerships); Also, in terms of accessibility, it was pointed out that any *'solutions'* proposed, whether in relation to the complaints process specifically, or indeed other parts of the customer journey, should **not** necessarily be heavily weighted in favour of online options. As one stakeholder remarked, *"There is a lot of information* [about rights etc.] *online …but* [for people with learning disability] *there are barriers… money for a computer… money for broad band…* [skills needed to] *use the internet"*.

- Those organisations that already interact with people with learning disability and that have a remit to raise awareness about rights and entitlements etc. could play a part on promoting awareness of the police complaints process. As well as many of the organisations that were interviewed, Compass[77] was suggested as being an organisation that could be involved in this. This was specifically because, since 2010, Compass has, *"The first elected assembly for adults with learning disabilities in Northern Ireland* [This] 'Shadow Council' gives adults with learning disability the opportunity to air their views and represent their electorate on a range of issues including: health, social care, employment, housing, policing and public safety".[78]

- It was also suggested that, although it was inappropriate, by failing to act consciously and overtly against it, there was, sadly, a tacit *'acceptance'* by parts of society regarding the poor treatment of people with learning disability e.g. name calling, which can have major effects for person but is often minimised or unnoticed by wider society. This suggested that more needed to be done to change public attitudes to positively support people

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[77] Compass is a user led advocacy project for adults with learning disabilities. Based in Ballymoney, the project promotes speaking up by sharing experiences, advice, information and training to improve the quality of life of the members. http://www.compasspeople.org/

[78] http://www.compasspeople.org/Shadow%20Council.html#Images/Shadow Council Launch 118 - small.JPG

with learning disability when they need to interact with policing organisations.

- Finally, on this topic, it was suggested that the skills of those acting as advocates of the person with learning disability need to be confirmed. The question was asked, *"How well trained* [in learning disability] *are the people in Victim Support?"*

PART 8 – PROCESSES / RESOURCES THAT YOU USE

What resources /processes, if any, does your organisation use when interacting with people with learning disability that police and policing organisations might benefit from deploying?
RESOURCES

When answering this question, most interviewees were focused on identifying resources for learning disability training. Some provided learning disability awareness training themselves. See Table below.

Provider	Summary of Possible Resources
Mencap	**Learning Disability Awareness Training ('Mencap Consultancy Service')** People with learning disability and people without learning disability work alongside one another in the design and delivery of this training for other organisations. See Appendix I for further details of Mencap's Consultancy Service.
Triangle Housing	**Training on learning disability to prospective employers**
Stepping Stones	**Provides training** to its trainees (people with learning disability) on **anti-bullying**-what to do; where to go for help etc.
Destined	**Citizenship Programme (for people with learning disability)** – Contains information about the roles and functions of the police. **Autism Association of Western Australia** http://www.autism.org.au/ The Association provides professional learning for a variety of audiences including teachers and other professionals working in the field, parents and their families, employers, students and for those interested in Autism.

We were also told that the PSNI had been very helpful when giving talks at various organisations. The *'packs'* that were given out (which included the name of a police officer, a map of how to find the local police station and the telephone number to contact the police service) were thought to be very useful.

In addition, even though they had not used these resources themselves, some of those consulted mentioned[79] various training providers whom they knew provided learning disability awareness to different audiences. It was suggested that some of these resources would provide inspiration for the development of a bespoke course on *'learning disability and policing'*. To the best of our ability, SMR has further researched these *'mentions'*. The table below is a summary of the specific resources we have identified.

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[79] Mentioned – Either *'directly'* in the interview or SMR found the references to potential training materials *'indirectly'* within the literature provided to us.

Provider and Web Link	Summary of Possible Resources
Pavilion http://www.pavpub.com/p-333-common-induction-standards-2010-toolkit-learning-disability-version.aspx	**"Common Induction Standards Toolkit 2010"-** A toolkit of materials for the refreshed Skills for Care Common Induction Standards, contextualised for learning disability services. **"Autism"** -7 Hour CD-Rom covering: Session 1: Introduction to autism Session 2: Communication impairments Session 3: Impairment of social interaction Session 4: Impairment of imaginative skills and limited interests Session 5: Additional Difficulties for people with Autism Session 6: Communication and Intervention strategies Session 7: Designing support **"Challenging Behaviour"-** A training pack to develop good practice in working with people with learning disability whose behaviour is described as challenging.
Centrex	**"Disability and the Police" - National Learning Package** Part of this package already available through National Centre for Applied Learning (NCALT) website www.ncalt.com [80]
PSNI	**Equality and Diversity Training Programme** *"The 2010/11 Equality and Diversity Training Programme offers the following programmes in relation to mental health.... Mental health and learning difficulties (e-learning package currently being considered for introduction to PSNI)"[81]*

PROCESSES

A few of those consulted referred to specific processes that they adopt in an effort to better support their clients with learning disability. It was thought that these processes could be a further source of inspiration for policing organisations.

- **Have appropriately trained staff –** All of the organisations consulted had staff training in learning disability awareness and in some case, this had been supplemented with further related skills e.g. Makaton.

- **Listen regularly and closely to the voice of people with learning disability –** All of the organisations consulted had mechanisms in place to listen to the views of their clients on a regular basis via surveys, conferences, working groups etc. It was suggested that policing organisations consider what structures and processes they could create (and link into) to specifically gather feedback from people with learning disability on a regular basis. Suggestions such as *"have someone with a learning disability on your [policing organisation] Board... or employ someone with a learning disability to advise".* The Home Office Publication, *'Hate Crime, delivering a Quality Service'* supported this concept stating that, *"The formation of disability independent advisory groups at force level or... at borough level must be*

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[80] Source: Hate Crime, Delivering a Quality Service, Home Office, March 2005
[81] Source: PSNI response to Freedom of Information Request (Request Number F-2010-02559)

considered". Whilst SMR is aware that PSNI has put in place a series of Independent Advisory Groups (IAG), we are not aware of a specific IAG for people with learning disability.

- **Build relationships with Community Police** – *"When someone* [one of our clients with a learning disability] *moves into an area, we connect them* [face to face] *with Community Policing* [so that] *... they know 'who's who'... who to contact...* [and so that Community Policing] *know who's vulnerable* [and can be mindful of this if anything is reported that relates to that person]*"*. The emphasis on making face to face contact was considered important for raising awareness and building mutual understanding. The constraints, that were acknowledged in all of this were the facts that:
   o It was resource intensive; and,
   o The process had to be repeated as Community Police Officers *'moved on'*.

- **Build relationships with the local community** – Another of those interviewed explained how an important part of their support for a person with learning disability was **building relationships** between their organisation and the local community (e.g. social enterprise etc.) and raising awareness of the needs of people with learning disability. In this way, they have found the community more understanding when the behaviour of a person with learning disability has not been appropriate.

8   Conclusions and Recommendations

The aim of research aim was to:

'...provide a comprehensive research report on the views and experiences of people with learning disability towards the Ombudsman, the Board, the Police Service of Northern Ireland (PSNI), and DPPs'.

Note: It was evident at an early stage, both from consultation with key stakeholders and from pilots of focus groups and surveys, that amongst people with learning disability, the level of awareness of policing organisations, other than PSNI, was very low. Hence, it was agreed with the Project Steering Group that the major focus for this research would be on the police.

Our conclusions and recommendations are set in the context of the current legislation (Section 75, Human Rights, PSNI legislation etc.) which collectively assert the entitlement of people with learning disability to an equitable service.

Based on the available evidence, SMR makes the following conclusions **(shown in bold)** and recommendations (shown in blue):

We have divided our conclusions and recommendations into two main parts:

- **The Views of People with Learning Disability, including…**

    o   *Awareness and knowledge of the roles and functions of the various policing organisations; and,*

    o   *Their perceptions of these organisations/their feelings about them.*

- **The Experiences of People with Learning Disability including…**

    o   *What it has been like, or can be like, for them interacting or seeking to interact with these organisations; and*

    o   *How this experience could be improved.*

SMR recognises that the following recommendations require the appropriate authorities, structures, budgets and work programmes in order to take them forward. Consequently, whilst we have itemised the conclusions and recommendations below, we follow this with a matrix of all the recommendations, setting out which organisation we consider most appropriate to take the lead role in relation to implementing each specific recommendation, and those whom we consider have an important support role.

VIEWS OF PEOPLE WITH LEARNING DISABILITY

AWARENESS

There is a very high level of awareness of who the police are and what they do. However, there is little to no awareness of the Police Ombudsman, the Policing Board or the District Policing Partnerships.

Whilst there was a high level of awareness of how to contact the police – dial 999 – there was no distinction made between emergency and non-emergency uses of this number.

There was very limited understanding of how to make a complaint if people with learning disability needed to.

Consequently, SMR recommends:

- Continuation of the efforts to sustain this high level of awareness of the police and their role.

- Consideration is given to methods of supporting people with learning disability to distinguish between how to contact the police in an emergency and non-emergency.

- Consideration is given as to how to promote awareness of the other policing organisations in the most appropriate and efficient manner.

- Work is done to promote awareness of how and when to make a complaint if someone is not happy with police conduct or treatment.

PERCEPTION

The lack of awareness regarding the Police Ombudsman, the Policing Board or the District Policing Partnerships precluded any assessment of the perception of these organisations.

In general, people with learning disability hold a positive image of the police. However, it is clear this view can be influenced by the views of the community in which they reside.

However, almost one in ten (9%) people with learning disability in the survey said that they are afraid of the police, with this more likely to be the case among women.

Consequently, SMR recommends:

- That following an awareness raising programme, and at an appropriate point, that a separate assessment is made of the perception of the other policing organisations[82] amongst people with learning disability.

- Continuation of the work to sustain the overall strong positive image of the police.

- Special consideration is given to working closely with communities to improve the image of the police in areas with a history of poor or weak relationships with the police.

- Special consideration should be given to devising ways to reassure those who may be fearful of the police.

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

REPORTING

The overall levels of reporting incidents to the police and the overall levels of reporting by victims specifically are consistent with Northern Ireland average estimates from Northern Ireland policing surveys. However, the nature of the victimisation is fundamentally different with most cases relating to bullying and harassment. By comparison, the Northern Ireland crime profile shows that criminal damage and theft predominate. The feedback from stakeholders and key workers suggests that:

- The victim does not always understand that bullying and harassment are crimes;

- Within parts of society there is a level of *'acceptance'* of this type of behaviour towards people with learning disability and a reticence to get police involved.

Consequently, SMR recommends:

Further work to raise awareness of bullying and harassment of people with learning disability as a hate crime amongst people with learning disability and their families, carers and social care personnel;

Further work to make it easier for people with learning disability to come forward if they are experiencing this type of crime.

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[82] SMR notes that the District Policing Partnerships and the Community Safety Partnerships are currently being reconfigured and this would need to be factored into any plans to raise awareness.

OVERALL SATISFACTION

The perception of how the police treat victims and offenders was highly positive. Of the people with learning disability who had been victimised and who contacted the police regarding such incidents, 77% were satisfied with their contact with the police, which is slightly higher than the Northern Ireland average of 65%. The experience among those who had *'done something wrong'* was overwhelmingly positive in terms of how the police had treated them.

Whilst these findings are very encouraging, feedback from stakeholders, key workers and findings from the literature all point to key stages on the *'customer journey'* where aspects of the journey could be improved.

Consequently, SMR recommends:

▪ That the specific points raised in this report regarding the *'customer journey'* are given due consideration taking account of the barriers that people with learning disability face. These span:

     o Training in learning disability awareness for police officers (current and student officers), staff within the criminal justice system, including solicitors and *'appropriate adults'*. (To improve detection and collaborative approaches involving statutory, community and voluntary organisations and people with learning disability themselves in the design and delivery of such training would be the preferred approach.)

     o Use of a standardised check list – across all policing organisations and their partners – to aid detection of learning disability.

     o Promoting the use of a common alert card for those people with learning disability who wish to use it.

     o Closer collaboration between policing organisations, other statutory bodies and community and voluntary agencies to better support the person with learning disability.

     o Sharing of information about the needs of the person with learning disability through the criminal justice system.

     o The identification of the need for and the choice of an *'appropriate adult'*.

     o The provision of materials in easy read format.

     o Innovative approaches to the determination of an appropriate intervention for offenders – one which matches the gravity of the crime and is compatible with the capabilities of the person with learning disability.

WIDER CONSIDERATIONS

DATA ON PEOPLE WITH LEARNING DISABILITY

No data is available on the numbers and types of people with learning disability that are interacting with any of the policing organisations in Northern Ireland.

Consequently, SMR recommends that:

- Consideration is given to exploring the feasibility of updating the monitoring systems within the policing organisations and wider criminal justice system to explore capturing such information on a routine basis. A common basis for recording – across all the policing organisations and their partners – would be the preferred approach.

THE VOICE OF PEOPLE WITH LEARNING DISABILITY

There were limited structures in existence across the policing organisations for people with learning disability to give their views on a regular basis.

Consequently, SMR recommends that:

- Policing organisations and the wider criminal justice system give consideration to how best to include the voice of people with learning disability within their consultative arrangements.

MORE ON PREVENTION

The available data indicates that people with learning disability are more likely (than those without) to be a victim of crime.

Consequently, SMR recommends that:

- Consideration is given to increasing awareness amongst people with learning disability about how to:

    - o Recognise crime (especially bullying and harassment);
    - o Protect themselves against crime;
    - o Report all crime to the police.

PHASED APPROACH

SMR recommends a phased approach to the above where the critical areas (specifically work in relation to detection of learning disability) are prioritised.

FORMAL PROJECT PLAN

We further recommend that a formal work programme is developed from the recommendations made in this report and a project plan is produced with clear responsibilities, milestones, outputs and outcomes and progress review points.

BUDGETS FOR RECOMMENDATIONS

SMR recommends that all organisations involved in implementing these recommendations should dedicate an appropriate budget / resources for doing so.

<u>INDEPENDENT EVALUATION</u>

It may be helpful if the implementation of all of these recommendations was subject to a concurrent independent evaluation. The purpose of a concurrent, rather than retrospective, evaluation is to ensure that any learning from the process can be fed back in to the process at the earliest possible opportunity.

NOTE: In the matrix below, we use large *'ticks'* to denote the organisation (that at the time of writing, and based on the evidence available within this report) SMR considers to have lead responsibility; and small *'ticks'* to denote those whom we consider to have a supporting role. **We strongly recommend that the organisations concerned deliberate this proposed division of responsibilities and refine this further as required.**

VIEWS OF PEOPLE WITH LEARNING DISABILITY

AWARENESS

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
Continuation of the efforts to sustain this high level of awareness of the police and their role.	✔ (large)	✔	✔	✔	✔	✔	✔	✔
Consideration is given to methods of supporting people with learning disability to distinguish between how to contact the police in an emergency and non-emergency.	✔ (large)			✔				✔
Consideration is given as to how to promote awareness of the other policing organisations (i.e. beyond PSNI) in the most appropriate and efficient manner.		✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)	✔ (large)
Work is done to promote awareness of how and when to make a complaint if someone is not happy with police conduct or treatment.	✔	✔	✔ (large)	✔	✔	✔	✔	✔

PERCEPTION

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
That following an awareness raising programme, and at an appropriate point, that a separate assessment is made of the perception of the other policing organisations[83] amongst people with learning disability.		✔	✔	✔				
Continuation of the work to sustain the overall strong positive image of the police.	✔	✔	✔	✔				
Special consideration is given to working closely with communities to improve the image of the police in areas with a history of poor or weak relationships with the police.	✔	✔		✔				
Special consideration should be given to devising ways to reassure those who may be fearful of the police.	✔	✔	✔	✔	✔	✔	✔	✔

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[83] SMR notes that the District Policing Partnerships and the Community Safety Partnerships are currently being reconfigured and this would need to be factored into any plans to raise awareness.

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY
WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
Further work to raise awareness of bullying and harassment of people with learning disability as a hate crime amongst people with learning disability and their families, carers and social care personnel;	✔	✔	✔	✔	✔	✔	✔	✔ Also, HSC Trusts
Further work to make it easier for people with learning disability to come forward if they are experiencing this type of crime.	✔	✔	✔	✔	✔	✔	✔	✔

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN/ CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

OVERALL SATISFACTION

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
That the specific points raised in this report regarding the 'customer journey' are given due consideration taking account of the barriers that people with learning disability face. These span:								
Training in learning disability awareness for police officers (current and student officers), staff within the criminal justice system, including solicitors and *'appropriate adults'.* (To improve detection and collaborative approaches involving statutory, community and voluntary organisations and people with learning disability themselves in the design and delivery of such training would be the preferred approach.)	✔	✔	✔	✔	✔	✔	✔	✔
Use of a standardised check list – across all policing organisations and their partners - to aid detection of learning disability.	✔	✔	✔	✔	✔	✔	✔	✔
Promoting the use of a common alert card for those people with learning disability who wish to use it.	✔	✔	✔	✔	✔	✔	✔	✔

EXPERIENCES OF PEOPLE WITH LEARNING DISABILITY

WHAT HAS IT BEEN / CAN IT BE LIKE AND HOW COULD IT BE IMPROVED

OVERALL SATISFACTION (Continued…)

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
Closer collaboration between policing organisations, other statutory bodies and community and voluntary agencies to better support the person with learning disability.	✔	✔	✔	✔	✔	✔	✔	✔
Sharing of information about the needs of the person with learning disability through the criminal justice system.	✔	✔	✔	✔	✔	✔	✔	✔
The identification of the need for and the choice of an 'appropriate adult'.	✔	✔	✔	✔	✔	✔	✔	✔
The provision of materials in easy read format.	✔	✔	✔	✔	✔	✔	✔	✔
Innovative approaches to the determination of an appropriate intervention for offenders – one which matches the gravity of the crime and is compatible with the capabilities of the person with learning disability.	✔	✔	✔	✔	✔	✔ Including the Court Service	✔	✔

WIDER CONSIDERATIONS

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
DATA ON PEOPLE WITH LEARNING DISABILITY								
Consideration is given to exploring the feasibility of updating the monitoring systems within policing organisations and the wider criminal justice system to explore capturing such information on a routine basis. A common basis for recording – across all the policing organisations and their partners - would be the preferred approach.	✔	✔	✔	✔	✔	✔	✔	✔
VOICE OF PEOPLE WITH LEARNING DISABILITY								
Policing organisations and the wider criminal justice system give consideration to how best to include the voice of people with learning disability within their consultative arrangements.	✔	✔	✔	✔	✔	✔	✔	✔
MORE ON PREVENTION								
Consideration is given to increasing awareness amongst people with learning disability about how to: ▪ Recognise crime (especially bullying and harassment); ▪ Protect themselves against crime; ▪ Report all crime to the police.	✔	✔	✔	✔	✔	✔	✔	✔

WIDER CONSIDERATIONS (Continued…)

	PSNI	Policing Board	Police Ombudsman	DPPs	Probation Board	Youth Justice Agency	Prison Service	Comm. / Vol. Sector
PHASED APPROACH								
Phased approach to the above where the critical areas (specifically work in relation to detection of learning disability) are prioritised.	✔	✔	✔	✔	✔	✔	✔	✔
FORMAL PROJECT PLAN								
Recommend that a formal work programme is developed from the recommendations made in this report and a project plan is produced with clear responsibilities, milestones, outputs and outcomes and progress review points	✔	✔	✔	✔	✔	✔	✔	✔
INDEPENDENT EVALUATION								
Recommend that the implementation of all of these recommendations is subject to a concurrent independent evaluation which would: ▪ Confirm that the recommendations are being carried out; and, ▪ Assess the impact of the actions taken.	✔	✔	✔	✔	✔	✔	✔	✔

APPENDICES

Appendix A – Pre-Consultation Workshop

APPENDIX A1 (PRE-CONSULTATION WORKSHOP)

Letter of Invitation to Attend Scoping Workshop

Dear Colleague,

The Police Ombudsman has appointed Social Market Research **www.socialmarketresearch.co.uk** to undertake research into the views and experiences of people with learning disabilities into policing arrangements in Northern Ireland.

The overall aim of this research is to *"...provide a comprehensive research report on the views and experiences of people with learning disabilities towards Police Ombudsman, the Board, the Police Service of Northern Ireland (PSNI), and DPPs"*

As part of this process, we are inviting a range of key stakeholders to a one day workshop to consider and deliberate on:

- issues to be addressed by the research; as well as.
- the practical challenges in accessing and engaging with the target group.

The workshop will take place as follows:

Date: Friday 12th November 2010   Registration / Tea Coffee 9.00am
Starts promptly 9.30am   Ends 4.30pm

Venue: Disability Action
Portside Business Park, 189 Airport Road West, Belfast, BT3 9ED

Map available at. www.disabilityaction.org

Places are limited and therefore we would ask you to please email Yvonne Somers at Social Market Research **to confirm your place** as follows:

Email: ysomers@socialmarketresearch.co.uk
no later than 3.00pm Friday 5th November 2010

If you are unable to attend, please nominate a colleague and ask them to confirm their place in the same way.

If you have any special requirements e.g. dietary, disability etc, please list these in your email response.

Further clarification…

If you would like further information about this research, please feel free to contact me directly.

Kind regards,

Siobhan Morgan
Senior Research Officer
Police Ombudsman for NI
New Cathedral Buildings, St Anne's Square
11 Church Street
Belfast
BT1 1PG

T: 02890 828670
E: siobhan.morgan@policeombudsman.org

SMR's Presentation and Facilitation at the Scoping Workshop

Views and Experiences of People with Learning Disabilities
Into Policing Arrangements in Northern Ireland

Workshop
November 2010

Welcome!

Siobhan Morgan

police
Ombudsman
FOR NORTHERN IRELAND

Terms of Reference

Ian Gallagher

Northern Ireland
PolicingBoard

What this workshop is about…

- Terms of reference

- Seeking your views on key considerations

- These will inform final decisions of Steering Group

What the research is designed to cover..

❖ Views and experiences of people with learning disabilities involving specific bodies

(PSNI, OPONI, NIPB, DPPs)

Terms of Reference – Key Themes

See Hand Out 1

❖ Views and experiences of people with learning disability in relation to policing arrangements in NI

❖ Agree relevant issues

❖ Quantitative and qualitative

❖ Publish results

Research Director

Donal McDade
Director

Social Market Research

www.socialmarketresearch.co.uk

Research Team

www.socialmarketresearch.co.uk

- Donal McDade (Managing Director);
- Eileen Beamish (Director);
- Yvonne Somers (Director);
- Jo Brizzell (Consultant).

'Moving-forward-together' ethos…

✓ **Listening to your comments, views and suggestions**

✓ **Exchanging views - possible new ways of working**

✓ **Diverse views are welcome**

Suggested guidelines…

✓ Principle

✓ Constructive and practical

✓ Concise

Format

Session 1 – Scope, Legal Obligations & Project Parameters
- What we've learned so far
- Your thoughts

Session 2 – Preparing, Conducting, Analysing
- What we have learned so far
- Your thoughts

Session 3 – Feeding back
- Our preliminary proposals
- Your thoughts

Considerations…Scope

Overall goal *to examine the views and experiences of people with learning disabilities towards policing arrangements in Northern Ireland.*

Aspects…

Awareness - policing organisations, policing arrangements / structures

Awareness - rights and experience of seeking to uphold rights

Experience - complaints procedure (accessibility)

Experience and perception of treatment - by PSNI, OPONI

Other?

Considerations…Legal

❖ **Duty of Care – Vulnerable adults**

❖ **Confidentiality and anonynmity**

❖ **Access NI**

❖ **Support needs (and resources)**

Considerations…Project Parameters

❖ Definition of 'learning disability' for this project

❖ Appropriate participants – typology

❖ Age bands

❖ How to access

❖ Voice of those who cannot take part

Session 1 – Group Discussions

Your views on the key considerations

Session 2:
Preparing, Conducting, Analysing
What we have learned so far...

Considerations…Preparing for Engagement

❖ **Research with stakeholders – interviews and survey**

❖ **Research with people with learning disability – survey and mini groups**

  o **Advance notice - Preparation of participants, staff, carers etc**
  o **Other aspects of preparation**

Considerations…Conducting

- ❖ Co-operation levels / resources?

- ❖ Explaining the process

- ❖ Achieving meaningful involvement

- ❖ Allowing time

- ❖ Checking understanding

- ❖ Similar capacity

- ❖ People with complex care needs

Considerations…Analysing

❖ **Themes emerging**

❖ **Complexities re interpretation**

Session 2 – Group Discussions

Your views on the key considerations

Open Forum

Session 3:
Feedback
What we have learned so far…

Considerations...Feedback

❖ **Feedback to participants**

❖ **Feedback to sector / key stakeholders**

❖ **Wider dissemination**

Evaluation & Close...

Evaluation of the Scoping Workshop Using SMR's Electronic Audience Response System (EARS)

Turning Graphical Results by Question

Session Name: Police Ombud-Scoping Workshop12Nov10
Created: 12/11/2010 15:54

1.) Opportunity to contribute to the research generally

	Responses	
Very Satisfied	8	53%
Satisfied	3	20%
Neutral	4	27%
Dissatisfied	0	0%
Very Dissatisfied	0	0%
Totals	15	100%
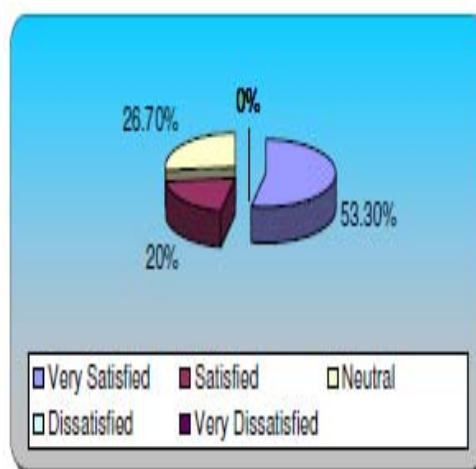
2.) Opportunity to suggest solutions to the issues identified

	Responses	
Very Satisfied	8	57%
Satisfied	4	29%
Neutral	2	14%
Dissatisfied	0	0%
Very Dissatisfied	0	0%
Totals	14	100%
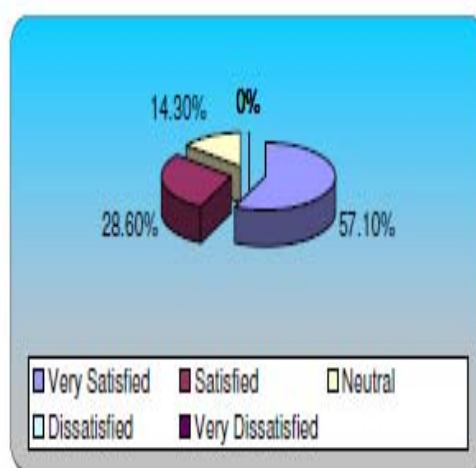
3.) Opportunity to identify further issues to be resolved

	Responses	
Very Satisfied	7	47%
Satisfied	4	27%
Neutral	4	27%
Dissatisfied	0	0%
Very Dissatisfied	0	0%
Totals	**15**	**100%**
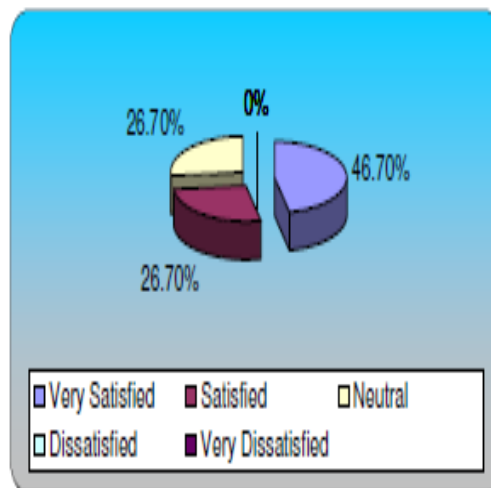
4.) Opportunity to learn from others

	Responses	
Very Satisfied	9	60%
Satisfied	5	33%
Neutral	1	7%
Dissatisfied	0	0%
Very Dissatisfied	0	0%
Totals	**15**	**100%**
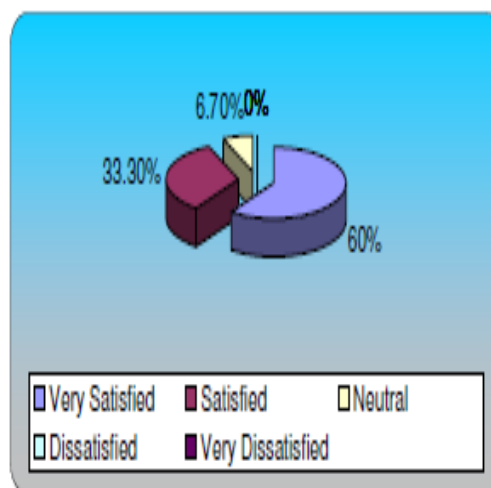
5.) Group discussions	Responses	
Very Helpful	9	60%
Helpful	4	27%
Neutral	2	13%
Unhelpful	0	0%
Very Unhelpful	0	0%
Totals	**15**	**100%**
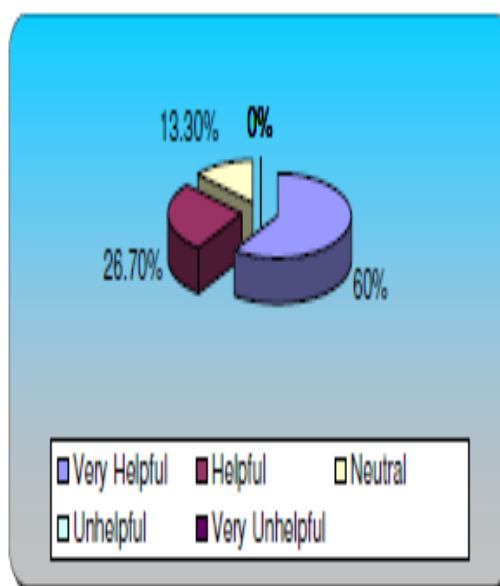
6.) Open Forum	Responses	
Very Helpful	7	47%
Helpful	7	47%
Neutral	1	7%
Unhelpful	0	0%
Very Unhelpful	0	0%
Totals	**15**	**100%**
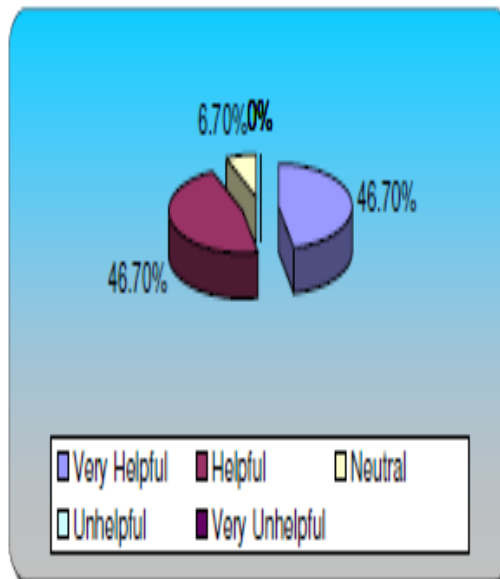
7.) EARS

	Responses	
Very Helpful	10	67%
Helpful	4	27%
Neutral	1	7%
Unhelpful	0	0%
Very Unhelpful	0	0%
Totals	**15**	**100%**
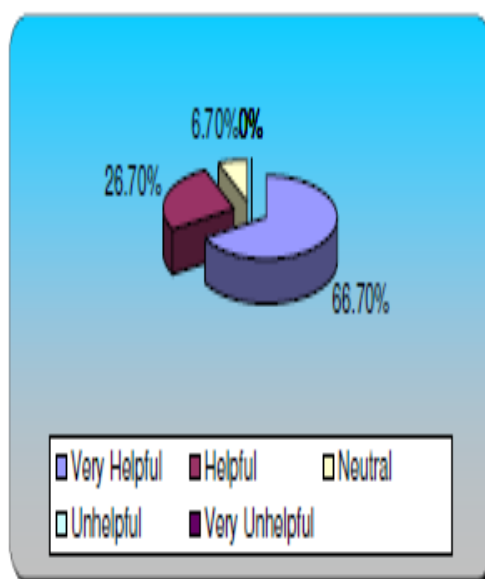
Summary of the Proceedings from the Workshop

Session	Element	Group 1 – Avril (Health), Simon (Disability Action), Mary (AFASIC), Deborah (Education)	Group 2 – Jayne (DPP Manager), Jonny (DPP Manager), Norman (Triangle Housing Association), Nicola (Compass) Group 3 - Rebecca (Mencap), Rebecca (VOYPIC), Stephen (Custody Trainer: PSNI), Elisabeth (Disability), Karen (Prisons), Aine (Trust) NB// Abbreviation - LD: Learning difficulties
1: Legal Obligations and Project Parameters		Awareness of rights and experience of seeking to uphold rights should be viewed as the most important aspect underlying the scope of the research.	The entire project, selecting and contacting the sample, methodology of the research will all depend on the definition and sampling frame used (Trust/Education etc).
		The scoping list as provided by SMR should be ranked to enable a better focus on the research.	Certain scenarios may need mapped out in picture (or other) format to enable people with learning disabilities to understand, for example, if a person is cautioned or arrested.
	Scope	Scope will inevitably be affected by reimbursement procedures for those taking part, yet understanding that financial incentives are constrained.	Literature produced by policing organisations needs to be easily accessible and understood – bear in mind when gathering information.
		A distinction is required as to the target group for the research, i.e. encompassing all people with learning disabilities, or just those who have, are or are likely to go through the criminal justice system.	Important research areas are: • Awareness of people with LD of policing organisations and criminal justice system. • Need attitudes, views and experiences (i.e. a general perception and views of victim and offender). Confidence in and attitudes of participants with LD towards policing organisations, reporting a crime, under-reporting, access to police etc.
		There should be a huge emphasis on researchers ensuring the level of understanding of participants.	
		The scope of the research may be undermined somewhat due to considerations surrounding engagement of people with learning disabilities who do not identify themselves as such.	• PSNI's understanding of LD and the arrangements they have in place to assist people with LD. What information is currently supplied by the Criminal Justice agencies and is it fit for purpose?
		Alternative methods should be used to help ensure understanding and engagement of participants, including picture boards and laymens terms questions and explanations.	• What are the requirements and needs of people with LD, ensuring their rights are upheld. • Effectiveness of the Appropriate Adult Scheme for people with LD.
	Legal	Suggested that all researchers should have Access NI clearance at a relevant level.	**Capacity of consent** Special consideration needs to be given to those who cannot give fully informed consent as these people would need extra support to ensure informed consent. It is

		All participants should have someone they know personally along with them to help deal with language/behaviour barriers.	generally these people (those with a more severe LD) who have experienced the criminal justice process.
		Confidentiality is taken as standard.	One method would be to incorporate a speech and language therapist in the design/engagement process and use in-depth interviews, to facilitate communication ensuring the research is not limited to the most articulate.
		The need for support may have serious financial and resoourcing implications for the research, especially if key workers are to be involved.	
		There needs to be a code of conduct in place for focus groups.	
	Project Parameters	The UN definition of learning disabilities should be adopted.	Use Health/Trust definition (IQ below a certain level). Disabilities and difficulties are separate areas, which would involve two separate projects. Difficulty affects one aspect of the person's life, whereas Disability effects global functioning – the whole person's life. Don't have a tightly defined definition, especially as some people don't want 'labelled'. (Group 2)
		Typology was not determined specifically by the group. Pros and cons of targeting people with mild-to-moderate, and those with severe-to-profound learning disabilities were discussed. However, throughout the discussion, the focus more regularly tended towards offenders on the mild-to-moderate scale as having the most contact with the justice system.	**Advantages of trust definition:** Sampling frame defined. Direct access to the group. Access to the whole spectrum of LD, age, gender, community background, types of LD.
		In capturing the voice of those who cannot take part, it was decided that advocates for people with learning disabilities should be used as key stakeholders within the research.	**Problems with trust definition:** Would not be accessing people outside this field, for example those in the criminal justice system (probation) and self identified groups. Offenders' very important group with LD, was fear that this group could be overlooked by using the Trust definition (although this could be partially overcome by accessing stakeholders). This definition does not necessarily tie in with the education definition. Will accessing the Trust fit into the tight timescales of the project? Definitions such as Mencap are too wide, need to keep definition focused due to tight timescales and budget of the project.

Session	Element	Group 1	Groups 2 and 3
2: Preparing, Conducting, Analysing	Preparing	Key Stakeholders: ■ Opportunity Youth ■ Youth Conferencing (for access to those at risk of offending) ■ SENCO officers in schools/Fes ■ Skills NI (in terms of getting contacts within FEs) ■ Childrens Disability Strategic Alliance (for access to relevant groups; next group meeting taking place on 16th Dec) ■ CEDAR Foundation ■ Advocate Groups, including TILLI, RPIA, Disability Action, Law centre and children's law centre – suggestion that a focus group with advocate groups takes place (experience of this in Disability Action in August 2010). ■ NI Careers Service ■ IAG ■ PBNI ■ Malone College ■ NIACRO (Paul Flemming, Billy Cassidy) ■ Prison reform trust (doing research on learning disabilities) ■ Custody Officers forums ■ PSNI training officers ■ Disablement Advisory Services ■ Neighbourhood PSNI rep. ■ Special Needs Careers Teacher (either from St. Vincents (Marie Claire) or Lockview) ■ PSHE ■ Mencap Gateway Clubs ■ Barnardos ■ Community Transport (Bridge) ■ Sixth Sense (Armagh)	Stakeholder Map: ■ Action Mental Health ■ Advocacy cases through organisations ■ Appropriate Adult Scheme ■ Association for Real Change's User Involvement Network (www.arcuk.org.uk/northern_ireland) ■ Bryson House ■ Carers Groups ■ Caring Breaks ■ Citizens Advice Bureau ■ Compass in Ballymoney (www.compasspeople.org), ■ Destined (www.destined.ie) ■ DoJ Minister ■ Edgecumbe ■ Forums through day care centres ■ Foyle Special School Adult Scheme Training Centre ■ Gateway clubs ■ Hospital Forensic Groups ■ Mencap ■ Orchardville ■ NI Union of Supported Employment (contact Edith Dunlop, tel: 028 7137 7709 www.niuse.org.uk) ■ Policing Board Disability Reference Group ■ Prisons ■ Probation ■ PSNI Independent Advisory Group on disability ■ Real Network, hands that Talk Dungiven Empowerment ■ Tell It Like It Is (TILIIS), self advocacy for people with mild LD, this is a self selecting group ■ Triangle Housing Association ■ Victims' groups ■ VOYPIC ■ Youth Justice Agency
		Depending on the level of learning disability and individual	Engage with stakeholder groups/organisations identified

		involved, a pre-interview/mini-group/survey consultation may be required to improve chances of participation and understanding of participants.	from this workshop and visit them – this may resolve potential legal issues and respondents remain in their comfort zone. (Key stakeholders are included in the list at the end of this document).
		Ensure a good geographical and urban/rural spread of participants and stakeholders.	Considering the problems in accessing the Trust (ethics groups) what issues are involved in accessing PSNI and Probation Board.
		Warned of a very common 'no show' rate amongst participants, and suggested that a 'fun' incentive be utilised, e.g. a bowling trip on completion of a mini-group.	These groups will often contain people that have not been identified with a LD through the Trust or education system. By accessing these groups you are filling the loop holes, groups that cannot be reached through the Trust or education definition.
		Important to continually give recognition to participants for agreeing to undertake interviews/surveys to ensure their feeling of inclusion.	Was a worry about how to identify and define those who self identify as having a LD.
		Utilise loop systems and signers where possible, although it was recognised that signers are very hard to recruit and are very expensive.	▪ Information in plain English and the language aimed at a suitable age. ▪ Comfortable settings which are easily accessible for participants and staff (travel and physical access). Travel arrangements are reimbursed if applicable. ▪ Maybe consider other venues other than day centres as these can be noisy and hard to control the environment. ▪ Need to have an appropriate adult available to support the participant. ▪ Time is an issue – interviews/questionnaires will take twice or triple the time.
		Survey should be conducted in parallel with the focus group.	Initial contact would need to be conducted through multiple means, as letters on their own will not work. Telephone is impersonal (lacks body language) and you cannot be sure who you are talking to. One method is contact through day centres. If using day centres or groups, then the head of the organisation could decide on the persons suitable for the project.
	Conducting	Survey should focus on views, perceptions and awareness whereas the mini-groups should focus on individual experience of those going through the system.	Focus Groups would be challenging, although not impossible.
		Warnings given surrounding the 'fantasist' nature of some people with learning disabilities and the credibility of some of what they may say.	The group may conform to the participant/s who are most outspoken. More of a threat as people with LD can be easily led. Maybe a level of embarrassment in the group in

			saying the truth, may only say what is socially acceptable or/and acceptable to the group.
		Insistence that policies and procedures are put in place amongst research team to deal with possible disclosures from participants and advised that warning of policy should be given to participants at the beginning of mini-groups.	If working with pre-existing group will be influenced by what has happened in the group that day/week. This may skew the results.
		Warning that there could be physical threat to researchers at times if participants are of a volatile nature – important for research team to create a calm and respectful atmosphere where such behaviour will not be an option.	Confidentiality and secrecy in ready made groups may be a problem.
		Important to understand that the groups who will provide the best insight will be the hardest group to engage and manage.	May be a problem listening, focusing on the topics required and confirming issues/understanding. Participants would need to be split on ability, offenders vs. victims.
	Analysing	There is some potential for surveying through already existing forums but there needs to be a distinction made on the target group.	▪ As an alternative to focus groups conduct in-depth interviews with participants with LD. ▪ Researchers need training with LD. ▪ Use alternative methods of research, do not limit to interviews and questions. Plain English and no jargon.
		Verification of any 'radical' stories told by participants should be sought through their appropriate adult, given the tendancy to fantasise at times.	Be careful about the validity of the information given by participants as this can be skewed by experience, the viewpoint of the participants may not be reality, it is their perception of what happened and may not be in context.
		When writing up final report, it is very important to identify what wasn't done within the research given the financial and time constraints as a means of recognising the importance of further research in this field.	Depends on the target group and the methodology to reach the group. The sample will lead the design which will lead to the analysis.
			Run the quantitative and qualitative aspects simultaneously, due to the tight timescales – quantitative to focus on perceptions/awareness and knowledge of the policing organisations, while the qualitative would focus on experiences in engaging with the police.

Session	Element	Open Forum
3: Feeding Back	To partipicants	**Key Stakeholders:** Summary of the research undertaken. Letter of thanks. **Participants with learning disabilities:** An explanation of the research that was done in laymens terms. Recognition for their part in the research. Important to put a particular focus on what will change for them, and how.
	Dissemination of research report	Copies of the report should be sent to the Justice Minister, Policymakers (especially OFMDFM) and relevant education authorities.
	Miscellaneous	A press release highlighting the aims and outcomes of the research should be used following publication of the report, as well as details of where to find the report/get more information. An awareness raising campaign should be undertaken which highlights the key findings of the research. This will allow for greater societal recognition of the problems faced by people with learning disabilities and will also assist in ensuring improved service provision throughout the justice system. If possible, it would be useful to bring someone on board to act as an 'advocate' for the research, i.e. Justice Minister; it was also suggested that Mr. Ford take part in a stakeholder interview. May be worthwhile looking into a potential link with QUB researchers, and Coleraine university (Community Safety). Include what difference this report is going to make to the participants, how it is going to improve their quality of life. Produce the report in different formats, a more detailed report for professional bodies, a one page A5 leaflet for participants. The report should form the basis of a 'kitemark' for good practice, through highlighting the training needs of people within the justice system in dealing with people with learning disabilities.

Appendix B – Interviews with Key Stakeholders

Discussion Schedule for Interviews with Stakeholders from the Policing Sector

police
Ombudsman
FOR NORTHERN IRELAND

social market research
SMR

**Independent Research into the
Views and Experiences
of People with Learning Disabilities
into Policing Arrangements
in Northern Ireland**

Proposed Topics for Interviews with Stakeholders from the Policing Sector

29th November 2010

Introduction to the interview:

- Thank interviewees for setting aside the time to take part

- Background to the research – Reference to Disability Action Plan

- Research Aim "To provide a comprehensive research report on the views and experiences of people with learning disabilities towards Police Ombudsman, the Board, the Police Service of Northern Ireland (PSNI), and DPPs"

- Outline of methodology showing where the stakeholder interviews fit in.

- Outline of project timescales and target date for production of report

- Contact points in the Steering Group if further clarification needed.

- Please note that focus of the research is on <u>learning disability</u>

1   Roles and responsibilities

In broad terms, what are your organisation's main responsibilities in terms of providing services to people with learning disabilities?

List the main formal policies and legislation that define these responsibilities (i.e. in relation to people with Learning disability)

2   Nature and scale of the client group interacting with police and policing arrangements

a)   What information (i.e. data / literature) can you point me to that tells us about the number and type of people with learning disability (i.e. type of learning disability, severity of learning disability, key demographics such as gender, age, area of residence) in Northern Ireland who (in say the last three years) have:

o   been in contact with the police (as a victim or offender or other more general aspects e.g. for information on personal or home safety) – either directly or with the support of an advocate;
o   been in contact with the Policing Board
o   been in contact with a DPP (again, either directly or with the support of an advocate);
o   brought (either directly or with the support of an advocate) a complaint about policing to the attention to the Police Ombudsman; and,
o   had a complaint outcome.

If this data in not available for NI (in full or part), do other jurisdictions have such data? If so, what can we learn about data capture?

b)   We recognise that it is possible that people with a learning disability can and do present to the police (or indeed the other policing organisations) and the fact

that they have a learning disability may not be detected. There could be a variety of reasons for this, for example:

- the person may be aware that they have a learning disability but chooses not to disclose this fact;
- the person may not be aware that they have a learning disability and / or be incapable of declaring that they have a learning disability;
- the person may have a learning disability but this has, so far, not been diagnosed.

In your opinion, how often does this type of situation arise i.e. where learning disability is / or could potentially be present and is not recognised? Can you put a figure / an estimate on it? How significant or insignificant an issue do you consider this to be for your organisation?

What more, if any, do you consider could / should be done to:

- Improve your organisation's ability to detect actual or possible learning disability in a service user?
- Appropriately support such a person in their interaction with your organisation?

3 Your organisation's interaction with people with learning disability

Based on the above information (or whatever further information you can provide) what are the most frequently recorded reasons for a person with a learning disability being in contact with your organisation? (Say the top three reasons).

Describe the key steps of the 'customer journey' that the person with learning disability goes on depending on their reason for being in contact with your organisation e.g.
o What are the key stages if they are a victim of crime?
o What are the key stages if they are an offender (or accused of being an offender)?
o Key stages if they are a complainant?
o Key stages of other customer journeys?

4 "Where are we now?" - Assessment of current provision

Reflecting now on the roles and responsibilities of your organisation in relation to service provision for people with learning disability and thinking about this alongside the various 'journeys' which people with learning disability go on when they are in contact with your organisation, itemise for me what you consider to be the main:

- Strengths (e.g. specialist officers, specialist training, facilities?)
- Weaknesses
- Opportunities
- Threats

of the current provision for clients with learning disabilities who are in contact with your organisation.

5   **"Where would we like to be?" – Key Features of the Vision for the Future**

What changes do you think would contribute most to improving the current level and quality of support to people with learning disability accessing and using the services your provide? (E.g. changes of policy, process, training, resources, facilities, closer working with partner organisations etc)

Of these, which changes do you consider are essential and which do you consider are desirable?

6   **"How might we get there?" – Key Elements of High Level Action Plan**

What do you think would need to happen (internally, externally or both) for the various changes you proposed (i.e. the essential and desirable) to actually be implemented? (e.g. policy changes? process changes? Cultural changes? Further funds? Additional resources? Collaboration between partners? etc)

To what extent, if any, does the current requirement to reduce spending on public services, impact on any of the above? E.g. Does it affect the viability of your suggestions and / or the timescale for implementation or not?

If future funding is a possible constraint, what would you suggest as a contingency plan to ensure that the essential elements of the proposed actions are implemented?

7   **Request for Support with the Consultation With People With Learning Disability**

As I explained, SMR plans to carry out a survey of people with learning disability and a series of mini-groups, again with people with learning disability. It would mean a lot to us if we could rely on your organisation's support to access the views of this important client group.

Is your organisation in a position to support us by helping us to access people with learning disability? If so, please provide us with details of the person we should work through regarding these.

8   **Any other points?**

Are there any other points you would like to raise that relate directly to the overall research aim?

THANK YOU

Discussion Schedule for Interviews with Key Stakeholders from the Learning Disability Sector.

**Independent Research into the
Views and Experiences
of People with Learning Disabilities
into Policing Arrangements
in Northern Ireland**

Proposed Topics for Interviews with Stakeholders from the Learning Disability Sector

29th November 2010

Introduction to the interview:

- Thank interviewees for setting aside the time to take part

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- Research Aim "To provide a comprehensive research report on the views and experiences of people with learning disabilities towards The Ombudsman, the Board, the Police Service of Northern Ireland (PSNI), and DPPs"

- Outline of methodology showing where the stakeholder interviews fit in.

- Outline of project timescales and target date for production of report

- Contact points in the Steering Group if further clarification needed.

- Please note that focus of the research is on learning disability

1   Your organisation's interaction with people with learning disability

In broad terms, how many people with learning disability in NI does your organisation typically interact with over a year? What is the profile of these individuals i.e. type of learning disability, severity of learning disability, key demographics such as gender, age, area of residence etc.

2   Nature and scale of the client group interacting with police and policing arrangements

What information (i.e. data / literature) can you point me to that tells us about the number and type of people with learning disability (i.e. type of learning disability, severity of learning disability, key demographics such as gender, age, area of residence) in Northern Ireland who (in say the last three years) have:

- o   been in contact with the police (as a victim or offender or other more general aspects e.g. for information on personal or home safety) – either directly or with the support of an advocate;
- o   been in contact with the Policing Board
- o   been in contact with a DPP (again, either directly or with the support of an advocate);
- o   brought (either directly or with the support of an advocate) a complaint about policing to the attention to the Ombudsman; and,
- o   had a complaint outcome.

If this data in not available for NI (in full or part), do other jurisdictions have such data? If so, what can we learn about data capture?

3   Distinctive Attributes, Needs and Implications for Policing Organisations

When a victim of crime - or an offender - happens to be someone with a learning disability, what are the most important things for the organisation dealing with this person to be aware of when providing a service to this individual? i.e. what is / should be distinctive about the way in which the organisation responds that does not apply to any other client group?

Separate out the better known aspects from what you consider to be the lesser well know aspects.

What, in your opinion, would help to ensure that the lesser well know aspects become better known?

4   Information on the experience of people with learning disability

What can your organisation tell us about – and / or what further information can you provide us with that highlights - the *quality* of the experience people with learning disability have when interacting with:

- PSNI;
- Policing Board;
- DPP; and,
- Police Ombudsman

Which aspects of the process or policies appear to work well and why?
(Depict as a 'customer journey' if possible).
What evidence can you point that supports your assertion that these aspects are effective?

Similarly, what aspects of the process and / or polices appear to warrant improvement, and why?
(Again, depict as a 'customer journey' if possible).
Again, what evidence can you point to that supports your assertion that improvement is needed?

What evidence is there, if any, that the experience of people with learning disability is different in any respect to that other people without a learning disability?

5   Awareness of roles and functions

To what extent are people with learning disability in NI aware of the respective roles and functions of the police and the various policing organisations (e.g. PSNI, Policing Board, DPPs, Police Ombudsman etc)? What information if any can you point us to on this?

Is accessibility (to information on rights / complaints process etc) dependent upon the person with learning disability having an awareness of the various roles and functions or are there other ways in which accessibility is being / could be assured?

Reflecting on this, to what extent would you say that current provisions / arrangements for raising awareness / providing information about the various roles and functions of the various entities are adequate or inadequate? Say why?

6   Awareness of rights?

To what extent are people with learning disability in NI aware of their rights in relation to treatment by the police?
What further information, if any, can you point us to on this?

What, in your opinion, are the positive aspects of the current arrangements in relation to raising awareness about rights and why? Specifically, what are the priority aspects and how well and widely are these known amongst people with learning disability?
What further information, if any, can you point us to on this?

What in your view could be improved? Why and how?
Again, what further information, if any, can you point us to on this?

7   Accessibility of complaints process?

To what extent are people with learning disability in NI aware of their right to complain about the way in which the police (or a policing structure) has (have) treated them?
Again, what further information, if any, can you point us to on this?

Finally, what, in your opinion, are the positive aspects of the current arrangements for a person with a learning disability trying to make a complaint? Say why?
What further information, if any, can you point us to on this?

What in your view could be improved? Say why and how?
Finally, what information, if any, can you point us to on this?

8   Resources /Processes that You Use

What resources /processes, if any, does your organisation use when interacting with people with learning disability that police and policing organisations might benefit from deploying?

-    Name the resource(s) /process(es);
-    Explain who it (they) was (were) specifically designed to assist and in what context and, based on this, how and where this resource(s) / process(es) could be of value to police and policing organisations?

-    Has the effectiveness of this resource / process been measured? If so, please provide further details of the assessment process and findings.

9   Request for Support with the Consultation With People With Learning Disability

As I explained, SMR plans to carry out a survey of people with learning disability and a series of mini-groups, again with people with learning disability. It would mean a lot to us if we could rely on your organisation's support to access the views of this important client group.

Is your organisation in a position to support us by helping us to access people with learning disability? If so, please provide us with details of the person we should work through regarding these.

10   Any other points?

Are there any other points you would like to raise that relate directly to the overall research aim?

THANK YOU

Appendix C – Survey of People with Learning Disability

Office Use Only			

Views on Policing Arrangements in N Ireland

February 2011

Interviewer Name	
Date of Interview	
Time	
Location	

Rapport / Greeting

Hello, my name is <Interviewer>. Can you please tell me your name? <Respondent>

<Respondent>, thank you very much for giving up your time to help me with this today. I really appreciate it.

Why are we doing this Survey and how will we do it?

We are trying to make things better between people and the police.

We have invited you to take part because we think, we hope, your answers will help us improve things between people and the police.

That's why I am very interested in your thoughts, feelings and views on the police.

This is not a test or an exam. There are no right or wrong answers. It is simply whatever you think or feel.

We are asking 400 people all over Northern Ireland these questions. Everyone is being asked the same questions.

While we are having this meeting with you, if you would like a break for any reason, please just say, that's ok.

How do I complete this Survey?

I am going to ask you a few questions and perhaps you would tell me what you think or feel about each one as we go along.

Confidentiality

Your answers are private and confidential, and no-one else sees them except us (key worker and interviewer) and the person who puts them on the computer.

Disclosures

If, during our meeting today, you tell me about something serious that has happened to you or something serious that you have done to someone else, your key worker will need to talk to you about that.

Will I be able see the results from the Survey?

After we have finished asking everyone, we will tell <your key worker> what came out of it all. That will probably be June this year.

SECTION A:

A1. **INTERVIEWER TO RECORD GENDER**

Male	1
Female	2

A2. What age are you? **INTERVIEWER RECORD AGE**

A3. And where do you live?
INTERVIWER RECORD AREA (NAME OF CITY, TOWN, VILLAGE)

A4. INTERVIEWER RECORD POSTCODE IF AVAILABLE

B	**T**			■			

A5. INTERVIEWER RECORD IF RESPONDENT LIVES IN AN URBAN OR RURAL AREA.
SINGLE CODE ONLY

City	Large Town	Suburbs	Small Town	Village	Country
1	2	3	4	5	6

SECTION B: AWARENESS OF POLICE

B1. First of all can you please tell me, do you know who the police are or what they do?
SINGLE CODE ONLY

Yes	1	Go to-→B2
No	2	Close Interview and Thank Respondent
Not sure	3	Close Interview and Thank Respondent

B2. <Respondent's name>, do you feel you can describe any of the things the police do?

B3.   I would be very interested if perhaps you could please tell me, when you think about the police, does this make you feel **happy** or **sad**?   **SHOWCARD 1**

Happy	Neither happy nor sad	Sad
1	2	3

B4.   <Respondent's name>, when you think about the police, how come this makes you feel **happy**?

B5.   <Respondent's name>, when you think about the police, how come this makes you feel **sad**?

SECTION C: CONTACT WITH THE POLICE

C1.   <Respondent's Name>, I would be very interested if you could perhaps tell me, have you ever talked to anyone from the police?

Yes	1	➔	Go to C2
No	2	➔	Go to C6
Don't Know / Can't remember	3	➔	Go to C6

C2.   Do you feel you could tell me what you talked to the police about?

C3. You were telling me there <Respondent's Name> that you talked to the police. Could you perhaps tell me, when you talked to the police, did this make you feel **happy** or **sad**? **SHOWCARD 1**

Happy	Neither happy nor sad	Sad
1	2	3
➔ Go to C4	➔ Go to C6	➔ Go to C5

C4. It would be very helpful if you could tell me what made you feel **happy** about talking to the police?

C5. It would be very helpful if you could tell me what made you feel **sad** about talking to the police?

C6. <Respondent's name>, do you feel you could share with me, if anyone has ever done anything bad on you, or said anything to you, that made you feel like contacting the police?

Yes	1	➔ Go to C7
No	2	➔ Go to C14
Don't Know	3	➔ Go to C14

C7. Have you ever had the chance to talk to anyone about it?

Yes	1
No	2

C8. <Respondent's name>, do you feel you can you tell me about what happened that made you feel like contacting the police?

C9. When that happened to you, did you contact the police or did somebody else contact them for you?

Yes, I contacted the police	1	➔ Go to C11
Yes, someone else did	2	➔ Go to C11
No, Didn't contact the police	3	➔ Go to C10
Don't Know / Can't remember	4	➔ Go to C14

C10. <Respondent's name>, I wonder if perhaps you could tell me why the police weren't contacted? (Tick as many as apply) **DO NOT PROMPT RESPONDENT**

Didn't know how to contact the police	1
Wouldn't contact the police for anything	1
Afraid or scared of the police	1
Felt police couldn't help	1
Felt police wouldn't help	1
Somebody advised me not to contact the police	1
I was afraid of things getting worse for me if I went to the police	1
I was afraid it would 'back fire' or go against me if I went to the police	1
Other Reason (specify)	1
Other Reason (specify)	1
Other Reason (specify)	1
GO TO C14	

C11. Do you feel you could tell me about how the police treated you, <Respondent's name>? Did the way the police treated you make you feel **happy** or **sad**? **SHOWCARD 1**

Happy	Neither happy nor sad	Sad
1	2	3
➔ Go to C12	➔ Go to C14	➔ Go to C13

C12. Can you please tell me why they made you feel **happy**?

C13. Can you please tell me why they made you feel **sad**?

C14. Sometimes people do bad things and get into trouble with the police. Has that ever happened to you?

Yes	1	➔ Go to C15
No	2	➔ Go to C21
Don't Know	3	➔ Go to C21

C15. When you got into trouble with the police how did the police treat you?

C16. <Respondent's name>, have you ever had the chance to talk to anyone about it?

Yes	1
No	2
Don't Know / Can't remember	3

C17. <Respondent's name>, do you feel you can you tell me about what happened?

C18. Do you feel you could tell me about how the police treated you, <Respondent's name>,? What way did they make you feel? **SHOWCARD 1**

Happy	Neither happy nor sad	Sad
1	2	3
➔ Go to C19	➔ Go to C21	➔ Go to C20

C19. Can you please tell me why they made you feel **happy**?

C20. Can you please tell me why they made you feel **sad**?

C21. <Respondent's name>, would you know how to contact the police if you needed to?

Yes	1	➔ Go to C22
No	2	➔ Go to C24

C22. Can you please tell me how you would contact the police?

C23. And how did you find out about how to contact the police?

C24. If you had a difficulty or you found yourself in a situation where the police might be able to help, would you go to them?

Yes	1	➔ Go to C25
No	2	➔ Go to C26
Don't Know	3	➔ Go to D1

C25.   Can you please tell me why you **would** go to the police?

C26.   Can you please tell me why you **would not** go to the police?

Section D: Views on the Police

D1.   I am now going to ask you about a few different things that you might think or feel about the police. If I was to ask you…<question> what would you say?

	Yes	No	Don't know
Do the police tell the truth?	1	2	3
Are the police there to help you stay safe?	1	2	3
Do the police treat you the same as everybody else?	1	2	3
Do you think the police will help you if something bad happened to you?	1	2	3
Are the police caring towards you?	1	2	3
Are the police doing a good job?	1	2	3

D2.   <Respondent's name>, can you please tell me, are you afraid of the police in anyway?

Yes	1	➔ Go to D3
No	2	➔ Go to D4
Don't Know	3	➔ Go to D4

D3.   Do you feel you can tell me why you feel frightened of the police?

D4. If you weren't happy with the police for any reason, <Respondent's name>, can you please tell me what you would do?

D5. How would you go about making a complaint against the police?

Don't Know	77

D6. Overall, how do you feel about the police? **SHOWCARD 1**

Happy	Neither happy nor sad	Sad
1	2	3

D7. What would make the police **better** for you?

D8. Is there anything else you would like to share with me about the police?

Yes	1	➔ Go to D9
No	2	➔ Thank Respondent and End Interview

D9. I am very interested in why you say that (yes), can you please tell me what you'd like to share?

D10.   INTERVIEWER NOTE: RECORD TYPE AND LEVEL OF DISABILITY.

Thank respondent
<Respondent's name>, we have finished all the questions now. I want to thank you very much for your help. Your comments have been very helpful.
END INTERVIEW

List of organisations participating in the survey.

ARC;
Destined;
Gateway;
MENCAP;
Orchardville Charity;
Stepping Stones; and
Triangle Housing Association.

Appendix D - Focus Groups with People with Learning Disability

Things for all of us to remember…

APPENDIX D1 (VOTING SLIDE SHOW)

"I would like to listen to your views"

Are you…

1.Male

2.Female

0%   0%

1   2

Social Research Centre
Independence Integrity Excellence

Where do you live?

1.Armagh
2.Keady
3.Portadown

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
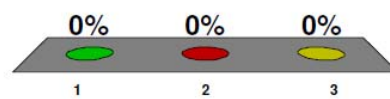
Do you know who the police are?

1.Yes
2.No
3.Not sure

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
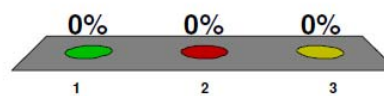
Can you please tell me some of the things the police do?

Let's do…
"Pick and Stick" (1 or 2)

When you think about the police, how does that make you feel?

If you needed help, would you go to the police?

1.Yes

2.No

3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
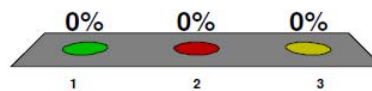
How would you contact the police, if you needed to?

How do you find out how to contact the police?

Please tell me what you think...
Shhh....

The police tell the truth…

1.Yes
2.No
3.Don't know

Social Research Centre
Independence Integrity Excellence
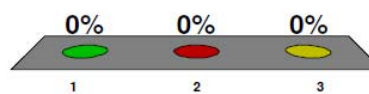
The police help you to stay safe..

1.Yes
2.No
3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
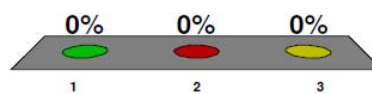
The police treat you the same as everyone else

1.Yes
2.No
3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
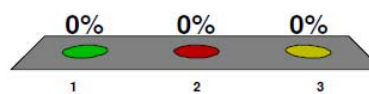
The police help you if something bad happens to you

1.Yes

2.No

3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
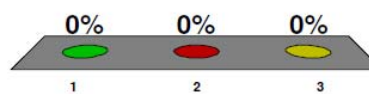
The police are caring towards you

1.Yes
2.No
3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence

I am afraid of the police

1.Yes
2.No
3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
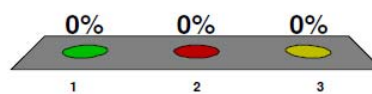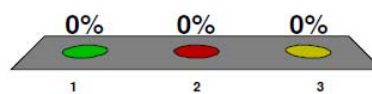
The police are doing a good job

1.Yes
2.No
3.Don't know

0%	0%	0%
1	2	3

Social Research Centre
Independence Integrity Excellence
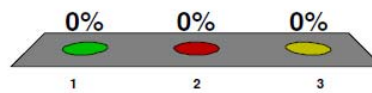
If you were
not happy
with the police
who would you go to?

If you needed to…

How would you go about making a complaint about the police?

Thank you!

What happens next…

APPENDIX D2 (PICK AND STICK USED WITHIN FOCUS GROUPS)

Happy

They helped me

They are fun

They make me feel safe

Don't know

Sad

Scared

Angry

Nervous / Worried

Confused

NIPB Meeting Information

If you would like to go to the NIPB meeting to talk about your experiences with the police and give your views please follow the details below:

NIPB Meeting Information		
	Date(s):	14th February 2011
	Time(s):	09.30am - Start
	Venue:	Mencap Segal House 4 Annadale Avenue Belfast BT7 3JH Tel: 028 9069 1351

- Northern Ireland Policing Board (NIPB) would like to hear from people with a learning disability about their views and life experiences with the police.

- They have asked a company called Social Market Research to help them get the information.

- They will do this by going to a meeting and talking about things that have happened to you.

- This information will be used to help other people understand some of the problems that people with a learning disability have and how they can help them.

- We would really like your help and hope that you will be able to take part.

- If you would like more information about it please phone Frances on 028 9049 4901 or 028 9049 2666.

Appendix E – Focus Groups with Key Workers

Discussion Schedule for Focus Groups with Key Workers

Views on Policing Arrangements in N Ireland

Focus Group with Key Workers / Carers

3 March 2011

FOCUS GROUP AGENDA – KEY WORKERS

Standard Pre-amble

(10 mins)

- Introductions;
- Background to the research
- Purpose for the focus group;
- Explain how people have been selected and why (outline of process and criteria and used)
- Explain what we will cover during the focus group and the structure of the session overall;
- **Standard focus group guidelines;**
- Explain that it is their <u>own personal views / experiences</u> we are looking for – not what they think people in general would say
- Confidentiality and anonymity – <u>report feedback on non-attributable basis also;</u> <u>what is said in the room stays in the room.</u>
- Permission to voice record the session.
- Explain when report is likely to be available.

PROFILE OF PARTICPANTS

(5 mins)

Profile of Participants (Obtain summary stats on who is participating in the focus group)

- Gender: Male / female
- Geographical area - resident
- Age Bands: 18 – 35; 36 – 50; 50+
- Main types and severity of learning disability that participants have experience of.
- Type of care that they provide e.g. residential, day care, family etc

PART 1 – PERCEPTIONS OF AWARENESS

(10 mins)

How aware / unaware would you say people with learning disability are in relation to:

- Police
- Policing Board
- Police Ombudsman
- District Policing Partnership

In your opinion, how likely or unlikely are they to know who these are; what they do?

-

Flip chart responses into themes
Try to ascertain segments where levels of awareness are high and others where it may be low.

For those policing organisation that people with learning disability have an awareness of:

- How, in general, does the person with learning disability become aware of these organisations and their services? *(Note key influencers and approaches used)*

- Are there any especially helpful / highly effective approaches that you know of that promote awareness of these organisations and what they do to people with learning disability? If so, why do you consider them especially helpful? (*Note examples of good practice)*

- Any approaches that you are aware of that you consider are unhelpful / ineffective in terms of raising awareness, and again, why so? *(Note opportunities for learning)*

PART 2 – EXPEREINCE OF POLICING ARRANGEMENTS

Positive experiences

(15 mins)

Looking over say the last 3 years, are you aware of any positive experiences that people with learning disability have had in relation to police or policing arrangements?

What were these and what happened that was helpful to the person with learning disability? (e.g. Probe for process, style of service delivery, manner of a officer etc)

Negative experiences

(15 mins)

Again, looking over say the last 3 years, are you aware of any negative experiences that people with learning disability have had in relation to police or policing arrangements?

What were these and what happened that was unhelpful to the person with learning disability? (e.g. Probe for process, style of service delivery, manner of a officer etc)

In terms of responding appropriately to the needs of the person with learning disability, would you have preferred to have happened, and why?
Flip chart responses into themes

PART 3 – CONTACTING THE POLICE

(10 mins)

Some people with learning disability feel confident contacting the police themselves, many do not.
What do you consider to be the main barriers in terms of someone with a learning disability contacting the police directly?

Regarding those who currently do <u>not</u> feel confident contacting the police:

- (a)   What do you consider are the main barriers?; and,
- (b)   What more do you think could / should be done to enable these people to make contact with the police directly if they wished to do so?

PART 4 – CHALLENGES FOR KEY WORKERS

(10 mins)

What would you say are the main challenges for key workers, carers and family members seeking to / trying to support a person with learning disability if / when they need to interact with one of the policing organisations?

(If not mentioned, probe for feedback on practical, emotional, knowledge challenges)

PART 5 – OVERALL ASSESSMENT & SUGGESTIONS FOR IMPROVEMENT

(10 mins)

Overall, how would you rate the quality and scale of support that is currently available for people with learning disability interacting with any of the police-related organisations?

What specific changes would you propose that would make policing arrangements better for people with learning disability / or for you seeking to support people with learning disability? Describe what you would propose and explain why you consider it would be beneficial.

PART 6 – CONCLUSION

(5 mins)

o   Summarise the key points raised and the suggestions made.

o   Remind participants of how their feedback will be used, when report will be completed and what will happen next.

o   Thank participants and close.

Process & QA

Key points will be noted in writing. To ensure a complete and accurate record of the proceedings and subject to the consent of the participants, a digital voice recording (confidential to SMR) will also be made of each focus group.

Appendix F – Stages of the Customer Journey

APPENDIX F1
(CUSTOMER JOURNEY – OFFENDER JOURNEY – EXTRACTED FROM BRADLEY REPORT)

Simplified diagram of the offender pathway
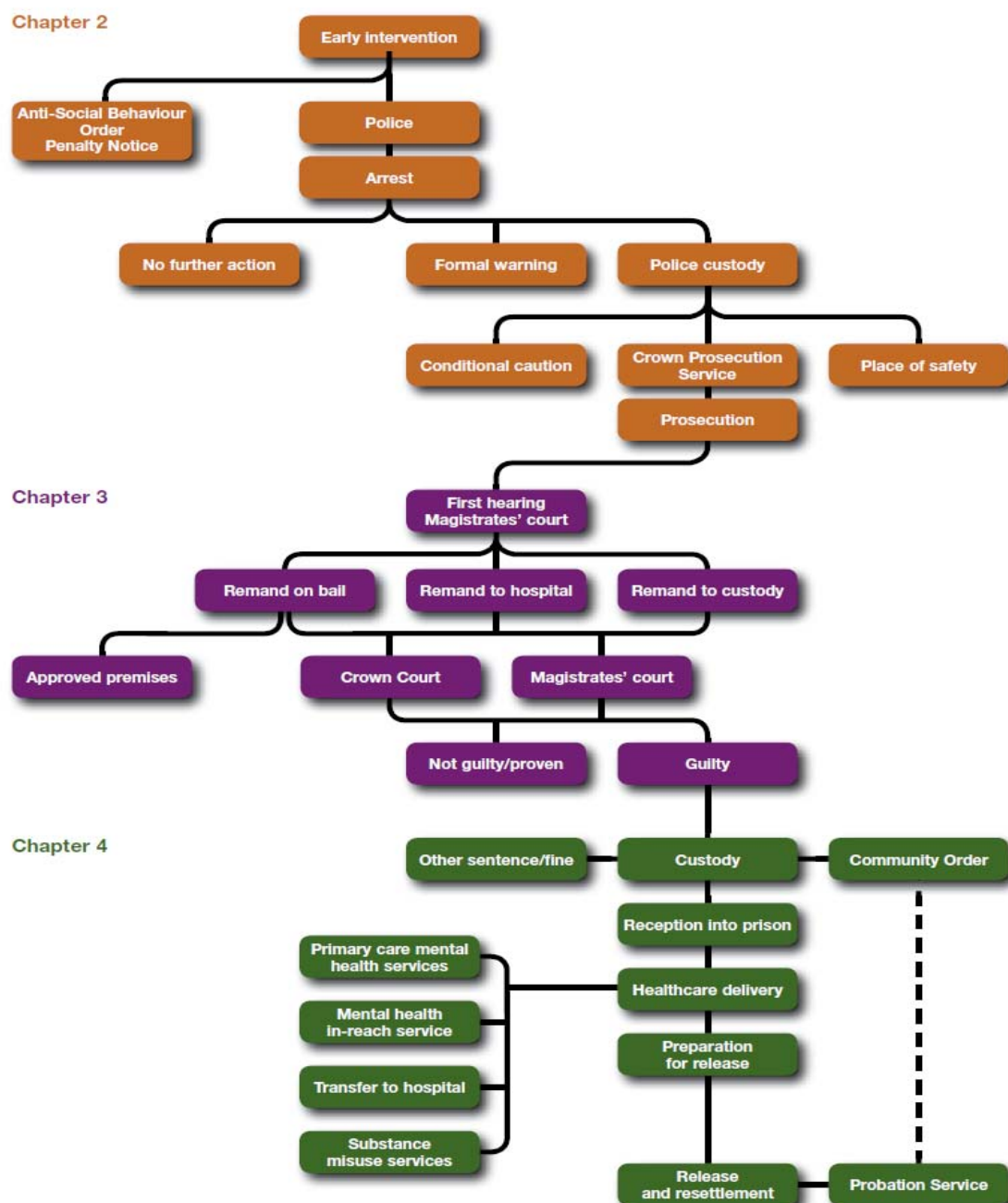
Police Ombudsman for Northern Ireland and Northern Ireland Policing Board
Views and Experiences of People with Learning Disability in relation to Policing Arrangements in NI
APPENDIX F2
(SUMMARY OF RECOMMENDATIONS FROM WORKING PARTY ON SPEAKING UP FOR JUSTICE)

Table 2: Possible measures to assist witnesses with disabilities and illnesses					
Measures	**Stage of Criminal Justice System**				
	Reporting	Investigation	Decision to Prosecute	Trial	Beyond
Improved education to increase reporting (of both witnesses and serviceprofessionals)	✓				
Creating/reviewing policies for care institutions to encourage identification of incidents as criminal, encourage reporting and set our referral process	✓				
Raising awareness of increased vulnerability and tackling myths	✓				
Creating a legal requirement on service professionals to report allegations of crime	✓				
National guidelines for professional carers and care agencies on reporting	✓				
Consideration of accessibility and comfort in deciding location of interviews	✓	✓			
Structural changes to police stations	✓	✓			
Taping or video-recording interviews	✓	✓			
Provision of communication aids - both technical such as induction loops and human such as interpreters	✓	✓	✓	✓	
Improved training to identify communication problems	✓	✓	✓	✓	
Guidelines to assist identification of people with disabilities/illnesses	✓	✓	✓	✓	
Presence of support person	✓	✓	✓	✓	
Use of specialist skills for interviewing/cross-examination, supplied by experts or through training, perhaps involving specialist officers	✓	✓	✓	✓	
Requirement for prosecutors to meet witness before deciding on theircompetence			✓		
Guidelines or information to assist prosecutors			✓		
Pre-trial preparation				✓	
Pre-trial hearings or written depositions to avoid/reduce time in court				✓	
CCTV and Screens				✓	
Removal of wigs and gowns				✓	
Clearing the public gallery				✓	
Structural changes to courts				✓	

Table 2: Possible measures to assist witnesses with disabilities and illnesses *(continued)*					
Measures	Stage of Criminal Justice System				
	Reporting	Investigation	Decision to Prosecute	Trial	Beyond
Use of expert evidence				✓	
Prohibition on issuing corroboration warnings simply on basis that witness has a learning disability				✓	
Reviewing policies on therapy before trial, further investigation of the contamination issue etc.	✓	✓	✓	✓	✓

Table 5: Summary of potential measures			
Measures	**Category of Vulnerable Witness**		
	Intimidated witnesses	**Witnesses with disabilities /illnesses**	**Victims of special offences**
Minimising information given over radio identifying witnesses	✓		
House-to-house calls on neighbours	✓		
Inviting witness by phone to attend station to make statement	✓		
Surveillance operations	✓		
Employing professional witnesses	✓		
Raising awareness of witness intimidation	✓		
Protective custody	✓		
Reviewing admissibility of evidence of frightened witnesses	✓		
Reviewing penalties for witness intimidation	✓		
Reviewing penalties for frightened witnesses	✓		
Providing transport to and from work, shops etc.	✓		
24 hour police protection	✓		
Long-term relocation and possibly changing of identity	✓		
Improved education to increase reporting (of both witnesses and service professionals		✓	
Creating/reviewing formal policies for professional care institutions to encourage identification of incidents as criminal, encourage reporting and set out referral process		✓	
Raising awareness of increased vulnerability and tackling myths		✓	
Creating a legal requirement on service professionals to report allegations of crime		✓	
National guidelines for professional carers and care agencies on reporting		✓	
Structural changes to police stations		✓	
Provision of communication aids - both technical such as induction loops and human such as interpreters		✓	
Improved training to identify communication problems		✓	
Guidelines to assist identification of people with disabilities/illnesses		✓	
Guidelines or information to assist prosecutors		✓	
Removal of wigs and gowns		✓	
Prohibition on issuing corroboration warnings simply on basis that witness has a learning disability		✓	
Prohibition on issuing corroboration warnings based on the doctrine of recent complaint	✓ (sex)		
Reviewing law on rape			✓ (sex)
Reviewing policies on compensation			✓ (sex)
Improving availability of female police surgeons			✓ (sex)
Training police surgeons eg. on Rape Trauma Syndrome			✓ (sex)
Provision of washing facilities			✓ (sex)
Removal of some unnecessary procedures eg. routine plucking of pubic hair			✓ (sex)
Routine medical follow-ups			✓ (sex)
Prohibition on use of corroboration warnings based on doctrine of recent complaint			✓ (sex)

Table 5: Summary of potential measures *(continued)*			
Measures	**Category of Vulnerable Witness**		
	Intimidated witnesses	**Witnesses with disabilities /illnesses**	**Victims of special offences**
Improving speed of police response to domestic violence calls			√ (dom violence)
Training of operational officers on domestic violence, eg. pro-arrest guidance, support available from other sources such as refuges			√ (dom violence)
Issue police officers with aide memoirs about their powers and victims' rights			√ (dom violence)
Establishing specialist units/officers			√ (dom violence)
Improving staffing of existing specialist units, improving status/understanding by short-term attachments of uniformed officers to units			√ (dom violence)
Improving enforcement of civil measures			√ (dom violence)
Interpreters/translating advice etc. into minority languages			√ (eth minorities)
Increased recruitment of ethnic minorities			√ (eth minorities)
Training to counter discrimination, for eg. covering cultural differences			√ (eth minorities)
Improving public consultation			√ (sex & eth minorities)
Creating formal anti-discrimination policies			√ (sex minorities)
Reforming laws relating to sexual minorities			√ (sex minorities)
Situational crime prevention			√ (repeat esp)
Use of expert evidence		√	√
Use of specialist skills for interviewing/cross-examination, supplied by experts or through training, perhaps involving specialist officers etc.		√	√
Requirement for prosecutors to meet witness before deciding on their competence		√	√
Reviewing policies on therapy before trial, further investigation of the contamination issue etc.			√
Training on interview/cross-examination technique, Rape Trauma Syndrome etc. for all cjs personnel or some specialist personnel at all stages		√	√
Creating a right of appeal against CPS decisions		√	√
Meetings between victims and prosecution before trial		√	√
Loan of a personal alarm	√		√
Increasing police patrols in witness's area	√		√ (repeat vics)
Requiring officers to ask witnesses if they have been intimidated/are vulnerable for some reason	√	√	√
Consideration of accessibility and comfort in deciding location of interview	√	√	√
Taping/videoing interviews	√	√	√
Screens/mirrors/video for identification parade	√	√	√
Guidance on spotting signs of intimidation/vulnerability	√	√	√
Pre-trial preparation	√	√	√
Pre-trial hearings or written depositions to avoid/reduce time in court	√	√	√
Keeping witness on standby for appearance	√	√	√
Screens, CCTV and voice distorters	√	√	√
Press reporting restrictions	√	√	√

Table 5: Summary of potential measures *(continued)*			
Measures	**Category of Vulnerable Witness**		
	Intimidated witnesses	**Witnesses with disabilities /illnesses**	**Victims of special offences**
Not identifying the witness in court	✓	✓	✓
Clearing the public gallery/issuing warnings to public in gallery	✓	✓	✓
Friend in court schemes	✓	✓	✓
Structural changes to court design, eg. separate waiting facilities	✓	✓	✓
Reforming defendant's right to cross-examine	✓	✓	✓
Emergency relocation	✓	✓	✓
Improving information given to witnesses	✓	✓	✓
Provision of witness packs giving details of support available etc.	✓	✓	✓

Police Ombudsman for Northern Ireland and Northern Ireland Policing Board
Views and Experiences of People with Learning Disability in relation to Policing Arrangements in NI

Annex B: **Summary of representations made to the working party**

6. PEOPLE WITH LEARNING DISABILITIES

STAGE	COMMENTS	ORGANISATION
ALL STAGES	There should be training for police, CPS, solicitors, barristers and judges on issues relating to witnesses with learning disabilities etc.	National Association for the Protection from Sexual Abuse of Adults and Children with learning Difficulties (NAPSAC) ;VOICE UK
	People with learning disabilities should be treated according to their individual needs rather than as a homogeneous group.	VOICE UK
	Service providers need to be prepared to provide high levels of support or sanctuary in cases where the witness with learning disabilities is giving evidence against close family or carers.	MENCAP
	Working Group should be aware of Signalong - a sign supporting system for those with learning disabilities and communications difficulties.	The Signalong Group
	An independent advocate should be appointed for witnesses with learning disabilities (similar to the role of the guardian ad litem in civil proceedings).	NAPSAC
	Ensure that they give evidence in the least threatening atmosphere possible at all stages.	VOICE UK

	Witness should receive consistent support from a lay advocate or appropriate adult throughout the case.	Williams *Invisible Victims*
INVESTIGATION/ PRE-TRIAL	Both care services and the police should encourage reporting of crimes and respond positively to all allegations of abuse. It should be mandatory that incidents which occur in care are reported to the police.	Williams *Invisible Victims*
	All social services and relevant ages should develop policies which ensure police investigations are not impeded.	VOICE UK
	Staff caring for those with learning disabilities need to know who to contact at the police station: there should be a named liaison officer.	Williams *Invisible Victims*
	Training for the police should cover sources of expert help and advice to which they can look.	Law Society
	Early identification of people with learning difficulties is important so that properly trained people can deal with them.	MENCAP
	Interviews should always be carried out by police officers trained in relevant interviewing techniques and in recognising the effects of learning disability.	Law Society
	Clear guidance to the police on dealing with victims with learning disabilities.	VOICE UK
	Appropriate adults should attend interviews.	Law Society, MACA
	Early involvement of those who have the skills to assist with communication e.g. advocates, family members and professionals.	MENCAP
	Greater use of professionals who are used to working with vulnerable witnesses to provide psychotherapeutic support and a credible report on the level of trauma suffered.	RESPOND
	Guidance is needed on standards of pre-trial counselling.	VOICE UK

	There needs to be a formal process to assess the impact which any learning disability may have on the ability of the witness to give evidence. This should be done by a professional, possibly through a series of interviews.	RESPOND
	Interviews with those with learning disabilities should be video-recorded and the CPS should be involved at an early stage to advise on evidential requirements.	Law Society
	There should be less emphasis placed on the oral testimony of the witness and more (inc. resources) on traditional policing methods (e.g. forensic science).	Wescott and Davies
	A decision not to pursue an inquiry on the grounds that a witness has learning disabilities should not be taken by individual 'front line' officers.	Williams
	Police should pursue a case even when the victim cannot make a formal complaint.	Williams.
	There should be an early assessment of the degree of difficulty the witness may experience in giving evidence (with appropriate adult present) covering speech, hearing, sight, other physical difficulties as well as understanding.	NAPSAC
	Assessments of IQ should not, alone, be used to determine competence.	Williams
	There should be detailed guidance on assessing competence e.g. the Law Society and the BMA have produced joint guidance for doctors and lawyers setting out the legal test of capacity and how these relate to medical assessment and diagnosis: The Assessment of Mental Capacity.	Law Society.
	There should be an assessment of the ability of the witness to deal with questions before any decision is taken to subject them to cross-examination.	RESPOND
	We would counsel a degree of caution when considering whether an individual with learning difficulties should face a court room: some of our clients have been further traumatised by their experiences at court.	RESPOND

Annex B: **Summary of representations made to the working party**

	Judges should have the benefit of specialist guidance to enable witnesses to give best evidence.	VOICE UK
	Should be a pre-court visit and clear explanation of procedures, with an opportunity to meet prosecution barrister beforehand.	RADAR; VOICE UK
	CPS should seek expert advice on ways of overcoming the effects of learning disabilities.	Law Society
	Greater use of 'Books beyond Words'.	VOICE UK
	CPS to ensure, if the competence of a witness is in doubt, expert evidence is available for consideration by the judge.	Law Society
	Barristers instructed by the CPS should meet the witness beforehand to explain their role.	Law Society
	Strict application of the CPS Code for Crown Prosecutors often results in cases being dropped, further guidance is required on the way the code is applied to avoid discrimination against people with learning disabilities.	Law Society
	Delays in bringing a case to court may prevent some witnesses with learning disabilities from giving best evidence; reduce waiting times.	Williams; VOICE UK
	Judge should call, at the plea and directions hearing, for a written report from relevant experts to advise on any special difficulties the witness may face in giving evidence and how this may be addressed.	JUSTICE
	Refresh witness' memory with statement or tapes.	VOICE UK
AT COURT	Witnesses with learning disabilities should have support from people experienced with learning difficulties throughout trial process.	NAPSAC
	Improved waiting/separate facilities at courts.	Wescott and Davies; VOICE UK.
	There is a role for the appropriate adult in supporting the witness in the witness box.	VOICE UK

Annex B: **Summary of representations made to the working party**

	People with learning disabilities should be presumed to be able to give evidence unless it is shown they cannot. This may involve changing the way in which evidence can be given e.g. by allowing leading questions.	Law Society and MENCAP seminar report. RESPOND also supported greater scope for leading questions.
	There should be a presumption that witnesses with learning difficulties are competent (both in law and practice) and the burden of proof for determining otherwise should rest with the party challenging competence.	Williams
	The oath is an archaic, illogical aspect of court practice which works against the interests of people with learning difficulties. Recent Appeal Court rulings suggest that such witnesses could make a personal affirmation written in simple language which they can understand. This point should be clarified and appended to JSB guidelines.	Williams
	Admit unsworn evidence.	VOICE UK
	Evidence on the benefits of removing wigs is mixed. Some people with learning difficulties, having seen court room dramas, expect wigs and are thrown by their absence.	MENCAP
	Removal of wigs and gowns, if viewed as helpful by the witness.	VOICE UK
	Judges should give directions to barristers on cross examination which aims to confuse rather than to clarify.	NAPSAC, MENCAP, VOICE UK
	Adults should be able to give a statement by video, with TV links in the court for cross-examination.	NAPSAC, MENCAP, VOICE UK
	In some cases, video evidence , or a report written by a professional will be the only way in which evidence can be given without re-traumatising the witness.	RESPOND
	Greater use of evidence in camera.	VOICE UK
	Greater use of screens.	VOICE UK

Annex B: **Summary of representations made to the working party**

	Reducing levels of intimidation experienced in court is preferable to the widespread use of video links.	Williams
	Re-consider Pigot: rules for judges on unfair cross examination, also neutral examiner.	VOICE UK
	Implement full Pigot.	Justice Family Law Panel
	Psychological assessments of the reliability of a witnesses evidence can be problematic, not least because the decision about whom to assess is arbitrary, and can itself cast doubt about the reliability of an individual in the mind of the jury. Careful summing up of the evidence by the judge is preferable. [N.B. Case law provides that expert evidence on the ability of the proposed witness to tell the truth must be taken in the absence of the jury (Deakin [1994] 4 All ER 769)].	Williams
AFTER TRIAL	The practice of deducting CICA or court compensation from benefits should be reviewed.	Williams

Police Ombudsman for Northern Ireland and Northern Ireland Policing Board
Views and Experiences of People with Learning Disability in relation to Policing Arrangements in NI

APPENDIX F3 (CUSTOMER JOURNEY – HATE CRIME RECOMMENDATIONS)

Summary of Recommendations

from

Hate Crime against

People with Disabilities

A baseline study of experiences in Northern Ireland

Fred Vincent, Katy Radford, Neil Jarman

Agnieszka Martynowicz & Mary-Katherine Rallings

Institute for Conflict Research
North City Business Centre
2 Duncairn Gardens
Belfast   BT15 2GG
www.conflictresearch.org.uk

April 2009

Recommendations

As a result of the research, a number of recommendations were made for the key organisations with responsibility for disability hate crime issues.

OFMDFM

1. The OFMDFM should be responsible for monitoring progress in responding to issues raised in this report and should convene a working group of partner agencies on a bi-annual basis to this end.

2. Recognition should be given to the issues raised in this report to ensure that people with a disability are better informed of the issue of disability hate crime and are appropriately encouraged and enabled to report hate crimes to the PSNI (Chapters 5(a) and 6(a)).

3. There should be a 'joined up' strategy for raising awareness of disability hate crime led by a disability 'champion'. This should have a remit for working (a) with the criminal justice system, (b) among disability support organisations and (c) with the general public. It should ensure that all concerned with disability hate crime are kept informed of any developments in policy and legislation, and statistics on incidents, responses and prosecutions. This process will need to be resourced and kept under review (Chapters 6 and 7).

4. All disability support organisations should be informed about the significance of disability hate crime and should be encouraged to work with the PSNI to improve reporting and recording of incidents against the person and / or property. Disability support organisations should be encouraged to report instances of criminal damage to the PSNI as hate crimes where they feel the incident may have been connected to, or directed at the disabled persons using their facilities (Chapters 6 (b) and 7 (b)).

5. Clear statements of definitions and terminology with respect to disability hate crime needs to be prepared and disseminated as widely as possible to individuals, disability support organisations and within the criminal justice sector (Chapter 6).

6. Consideration should be given to developing general awareness of disability hate crime, through advertising campaigns. Any such campaigns must involve effective consultation with individual members of the disabled population (Chapter 10(a)).

PSNI

7. The PSNI should work with disability support organisations to establish protocols and procedures for third party reporting of disability hate crimes (Chapter 7).

8. The operational systems and processes used by PSNI for recording and reviewing disability hate crimes should be reviewed against the standards of best practice (Chapter 7(c)).

9. HIMLO's play a key function in supporting those most affected by disability hate crimes. The PSNI should review the awareness of disability hate crime among HIMLOs and develop appropriate training as necessary (Chapter 8 (c)).

Criminal Justice Sector

10. The research has identified a range of issues that impact on the effective engagement between people with a disability and the criminal justice sector. There is a need to more generally 'disability proof' the criminal justice system to take into consideration the specific and particular needs of people with different forms of disability (Chapter 8 (c)).

11. The agencies within the criminal justice sector should review their communication channels with disability organisations to ensure that their information and awareness raising resources are disseminated to all who would benefit from them (Chapter 8 (b) and 8 (c)).

12. Hate crime, including disability hate crime, should be a standing item on the business agenda of every formal DPP, CSP and GR partnership meeting (Chapters 6 (c) and 8 (c)).

Disability Support Organisations

13. Disability support organisations should review their institutional and staff awareness of disability hate crime and produce appropriate information resources to inform their staff and

members of hate crime legislation; what to do if they are victims of hate crimes; and, who to contact, etc (Chapters 5 (b) and 6 (c)).

14. Disability support organisations should review their understanding and practice of advocacy and / or third-party reporting of hate crimes, highlighting any capacity and / or resource deficits in their ability to provide such services (Chapter 68 (b)).

15. The training and education needs for individuals, organisations and criminal justice agencies might best be facilitated by an 'accrediting' body holding named responsibility for ensuring quality as well as a database register of programme resources for the general public, individuals with a disability, support organisations and the criminal justice sector.

16. It is important that people's stories relating to experiences of hate incidents are gathered, collated and disseminated as widely as possible. Disability support organisations should be encouraged to highlight the issue through their own publications, annual reports and websites (Chapter 5 (a)).

17. Consideration should be given to collating and publishing statistics, including on the implementation of Joint Protocols, incidents at supported living accommodation and other locations identifiable as places where those with a disability live, work and socialise (Chapter 5 (a)).

APPENDIX F4 (CUSTOMER JOURNEY – VULNERABLE WITNESSES)

FLOW CHART A

FLOW CHART B

SUPPORT MECHANISMS

[Is an appropriate adult required? Police and Criminal Evidence Act 1984] *Issue currently under review*

Yes — Contact social services, or Appropriate Adult Network, arrange attendance

No

Consult the witness – would the witness prefer to have a supporter present — Yes

Yes — Consult the witness – would the witness prefer to have a supporter present

Consult witness as to who they would prefer

Consult carer

Facilitate presence of supporter

Carer or Advocate or Representative of appropriate voluntary organisation

No → Continue with investigation ← No

FLOW CHART C

SPECIAL MEASURES

Consult the witness & carer

Pass information to CPS (MG6 form)

Early Special Measures meeting with CPS

due to → **Is the witness eligible?** → no

Age or incapacity

or

Fear or distress about testifying

Yes ↓

Application made by CPS to court for special measures direction

Party to the proceedings applies to court — by either — **Court raises the issue**

Court issues special measures direction

↓

Court decides whether measures would improve quality of evidence from witness

yes ← | → no

Court determines which measures would maximise the quality of evidence and directs for measures to apply to that witness

Evidence in chief given without measures in place

↓

– Screening the witness from the accused
– Evidence by means of a live link
– Evidence given in private
– Removal of wigs and gowns
– Video recording of an interview to be admitted as evidence in chief
– Video recorded cross-examination or re-examination
– Examination of the witness through an intermediary
– Aids to communication

Appendix G – Elements of Possible Screening Tool

APPENDIX G1 (SCREENING TOOL – BRINSFORD YOC)

Example of Possible Preliminary (Alert) Screening

Preliminary Screening by Induction Staff Brinsford YOC

Processes for induction screening by the induction unit staff.

The following three questions, developed through consultation with the induction staff (see April 2004 report), have been incorporated into the First Night Risk Assessment Form.

1. Does he have a speech problem?　　　　　　yes ☐　no ☐
   (e.g. stammer or difficult to understand)

2. Does he have difficulty understanding what you say? yes ☐　no ☐

3. Are his responses minimal or limited?　　　　yes ☐　no ☐

If the response to any of the questions is 'yes', a SLT referral form is completed by induction staff and forwarded to SLT via an allocated pigeon hole in the main administration building. The SLT frequently visits the induction unit to review with induction staff how the screening process is developing, and to discuss any individuals they have recently referred to the SLT service.

It is important to note the following:

- questions are not used directly with clients- the induction officer asks himself the questions- we were trying to capture their 'gut' feeling that something about communication was not right
- induction officers are very skilled at rapidly assessing young people already
- they were trained by the SLT
- Back-up support was provided by SLT dropping in to the unit, acknowledging referrals, reminding them to refer and briefly seeing anyone they were not sure about referring
- It was successful in generating referrals of severe cases right at the beginning of their sentence which was positive
- A lot more training would have been needed to pick up cases with less obvious problems.

Professor Karen Bryan, Bsc (hons), PhD, RSLT

Head of the Division of Health and Social Care

Faculty of Health and Medical Sciences

University of Surrey

April 2009

Police Ombudsman for Northern Ireland and Northern Ireland Policing Board
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APPENDIX G2 (SCREENING TOOL MENCAP)

MENCAP developed the following to help advisors at DEL Jobs n' Benefit offices working in front line interviews.

Draft

Initial Indicators to Help Identify Possible Learning Disability

It must be noted that the presence of any one or combination of the following indicators is not enough to diagnose the possibility of an individual having a learning disability.
The following should only be used to alert us that there may well be a learning difficulty or disability. We should with diplomacy seek further information from the individual or those who may know them well and or seek further assistance or advice from a professional.
It should be remembered that very often a person with a learning disability, particularly a mild or moderate learning disability when asked will deny they have one

Initial indicators may include:

- **The individual may be in receipt of Disability Living Allowance**

- **A parent or carer may be or request to be present at meetings or interviews**

- **The individual may show signs of lack of confidence or self esteem**

- **The individual may have poor communication skills and or poor interpersonal skills**

- **The individual may have poor or limited comprehension of your questions. They may look blankly at you when asked for a response or not answer at all.**

- **No or limited low level qualifications on their Record of Achievement**

- **Careers Service will have record of their statutory Statement of Special Educational Needs.**

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APPENDIX G3 (SCREENING TOOL – TRIANGLE HOUSING)

TRIANGLE

Supported Employment Vocational Profiling Procedure

Procedure Ref:	PE1-52		
Author:	Director of Support Services		
Consultation Process:	SMT	Distribution:	Progression to Employment Manual
Last Review:	February 2010	Next Review:	February 2013

Change Record				
Version No:	Nature of change:	Issue Date:	Date Ratified:	Ratified By:
1	First Issue	1.10.08	22.09.08	Chief Executive
2	Narrative change	20.01.08	22.01.09	Chief Executive
3	Narrative change	May 2010	7.5.10	Chief Executive

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Version	3	Issue Date: May 2010
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TRIANGLE

Scope

This procedure applies to all staff who undertake duties within the Supported Employment Service aspect of the Progression to Employment Service Continuum

Responsibility

This procedure is operated by designated Supported Employment Officers under direction and guidance of Service Coordinators, managed by the Supported Employment & Community Services Manager and reviewed by the Director of Support Services.

Procedure

The activities in this stage will provide an insight into aspects of the individual's skills, abilities, strengths and weaknesses and will produce a detailed portfolio of employment related issues that will influence the remainder of the process. Supported employment gives job seekers the opportunity of actively selecting a job compatible with their interests, aspirations, needs, conditions and background experience. This planning process is based on an empowerment approach, in which participants are encouraged to make their own career choices and participate in the design of their own work project, in accordance with their interests and vocational aspirations. A person Centred approach should be fully adopted at this sage.

- The NHSCT DOC, Coordinator (or another Supported Employment Officer, if Co-ordinator cannot attend) and Supported Employment Officer will meet at the service user's home to complete the Job Profile Assessment with service user.
- At the meeting accept a cup of tea/coffee if offered by family- this empowers the family and helps re-address any perceived imbalance of power;
- Look out for photos on walls etc- comment positively on these- helps put everyone at ease;
- Observe interactions-roles within family systems- communication systems- leaders etc;
- Listen out for little cues e.g. reference to likes/dislikes, phobias, grandparents, friends, bereavement/loss etc
- Ask about role-models- big brother/sister/mum/dad/cousins/friend- what are their jobs etc;
- NB: Your basic aim is to try to find a strength- a passion- that you can translate into a job.
- Keep going back to the focus of 'what job'- how are they going top get there- are there particular vulnerabilities - any triggers
- Useful to contact the named people to consult with ASAP after the Job Profile and begin to job carve immediately when the client is fresh 'in your head'.
- NB: You can complete the Job Profile pro-forma immediately after the meeting. There is nothing worse than a lot writing when endeavouring to assess and communicate.

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- NB: Remember to always return to focus on individual's strengths:
  - 'What do you do all day?' Why?
  - 'What do you like to do each day?' Why?
  - 'What do you like to do at weekends?' Why?
  - 'What do you like to do in the evenings?' Why?
  - 'What do you watch on TV?' Why?

- NB: The answers will come from the family- you are the facilitator- they must be on board and ask them to come up with possible jobs. Look for connections with the identified job match sector- get "leads".

- Suggested questions to ask as follows. These are provided as a guideline with staff to adapt accordingly as appropriate.

  - Community Living Skills
    - Do you understand why we are here today?
    - Do you live with anyone?
    - What do you like to do in your spare time?
    - Do you handle your money or does someone else help you with it?
    - If you wanted to go somewhere, how would you get there? Would you use public transport or would you usually get a lift?
    - Are you aware of road safety?
    - How would you prefer to get to and from your work?
    - Are you able to tell the time and the passage of time?
    - Can you look after your personal care?
    - Have you any fears, anxieties or phobias? (crowds, lifts, escalators)
    - Do you like to do things independently like small messages for yourself? (going to the shops)

  - Physical Health/Medical
    - Medication
    - How is your overall general health?
    - Have you any physical restrictions that would prevent you from performing certain tasks?
    - Do you have epilepsy or have a history of seizures?
    - Do you have any difficulty sleeping?
    - Would you say that you are more alert in the mornings or the afternoon?
    - How is your eyesight and hearing?
    - Have you any special dietary needs or allergies?
    - Are you aware of what is meant by personal space and the importance of not invading it?

  - Cognitive Ability
    - How is your attention and concentration?
    - Do you make your own choices as in which clothes you would like to wear and in your daily routine?
    - What way would you find it easier to learn, by copying someone or by instruction?

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- Would you prefer repeated tasks or varied tasks?
- Are you able to read or write?
- How are your maths skills?
- Are you able to identify different colours?

o Interpersonal skills/Behavioural issues/Vulnerability
- Do you like meeting people and talking?
- Do you have close friends?
- Would you be shy around people or maybe don't like talking?
- Are you aware of how someone is feeling by their facial expression? (Happy, sad, cross)
- What do you think would happen if you didn't behave properly in work?
- How would you react if your boss corrected you on a task you hadn't completed properly?
- Have you ever been verbally or physically aggressive?
- What way would you greet a work colleague or someone you didn't know?
- Are there any particular areas of vulnerability we should know about? (opposite sex etc)
- Any risks around SE staff lone working?

o Vocational Choices
- What job would you like to do?
- Do you know anyone we could approach about a job for you?
- What would be important to you if you got a job? i.e. Hours, keeping benefits, wages, location or meeting people etc.

o General Information
- Benefit information?
- Social Worker?
- GP?
- Consultant?
- Key-worker?
- Is there anyone else we could contact to gather more information for consultation records?

- Forward fro-forma letter to service user/ carer confirmation of job meeting (PE1-52-1)
- Job Profile Form (PE1-52-2) to be completed and leave an ESF Enrolment Form & SAE with family to complete
- At the Job Match meeting ask permission to gather further information from relevant others and record same in Individual Consultation Record complete (PE1-52-3). Supported Employment Officer or Co-ordinator can complete these. Day opportunities Coordinator will offer names to SEO to consult for consideration at this meeting for completion of Job Profile.
- Supported Employment Officer to arrange a social activity (i.e. going out for tea/coffee) for as soon as possible to enable you to get to know the person and assess social skills ("situational assessment").

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- Ask client and their family to compile a list of prospective job matches and have these ready for the planned social activity with the Supported Employment Officer.
- Capacity Building with Supported Employment Officer to commence immediately using diverse selection of resources.
- Co-ordinator and Supported Employment Officer to ascertain if service user requires extended assessment.
- Complete "Plan for the Future (PE1-52-4) with the service user
- SEO to give a copy of the Flow Diagram (PE1-52-5) at this meeting to the family to give an indication regarding timeframe.
- If Supported Employment model can meet the needs of the service user then the Supported Employment Officer will compile a list of prospective job matches and CV-Template (PE1-52-6) in liaison with service user/family and give to coordinator.
- After this initial Job Profile meeting, the DOC will initiate and record telephone contact with the SEO every 4 weeks for updates on assessment process.
- On the rare occasion where our assessment considers that we cannot meet the service users needs the DOC should be made aware of this subsequent to the 4 weekly telephone calls between DOC and SEO. This communication to referrer (DOC) is important to enable DOC to consider alternative opportunities for their client.
- The DOC and SEO will meet together on completion of assessment to discuss this conclusion and be clear on where the identified weaknesses are in an attempt to create opportunities to address these.
- The SEO will give a copy of the new record to the DOC for records management of the assessment outcome.
- The DOC and SEO will jointly meet with client/family to discuss assessment outcome and DOC will endeavour to coordinate an alternative opportunity for client to meet assessed weaknesses and agree the way forward for a future potential re-referral.
- Ultimately should it be agreed that the service cannot meet the needs of the service use, a referral feedback form (PE1-52-7) will be completed by the SEO in liaison with the service coordinator, signed off by the service coordinator and posted back to the referrer.

Records

The Supported Employment Officers are responsible for ensuring that all records are kept up to date and that confidentially is maintained with regard to their content. Completed records that are paper based will be stored securely within office premises. Records in relation to service users are retained for a minimum of 8 years unless otherwise advised by individual funders. Electronic records where used will be stored within the central datafile server

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Process Map
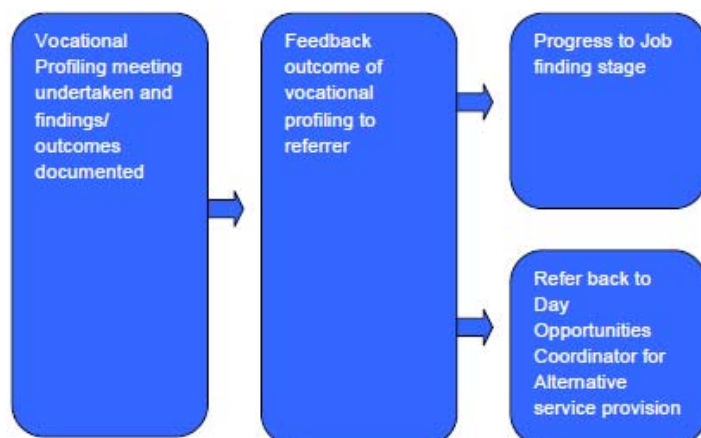
Related Form Index

This procedure has the following associated forms:

Form	Index
Pro-forma letter re confirmation of job meeting	PE1-52-1
Job Profile Form	PE1-52-2
Individual Consultation Record	PE1-52-3
Plan for the Future	PE1-52-4
Flow Diagram	PE1-52-5
CV -Template	PE1-52-6
Referral feedback form	PE1-52-7

Reference Documents

(These refer to related documents which are external in origin and/or outside ISO.)

ESF Enrolment Form

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Appendix H – Example of Easy Read Complaints Procedure

C6-1-10
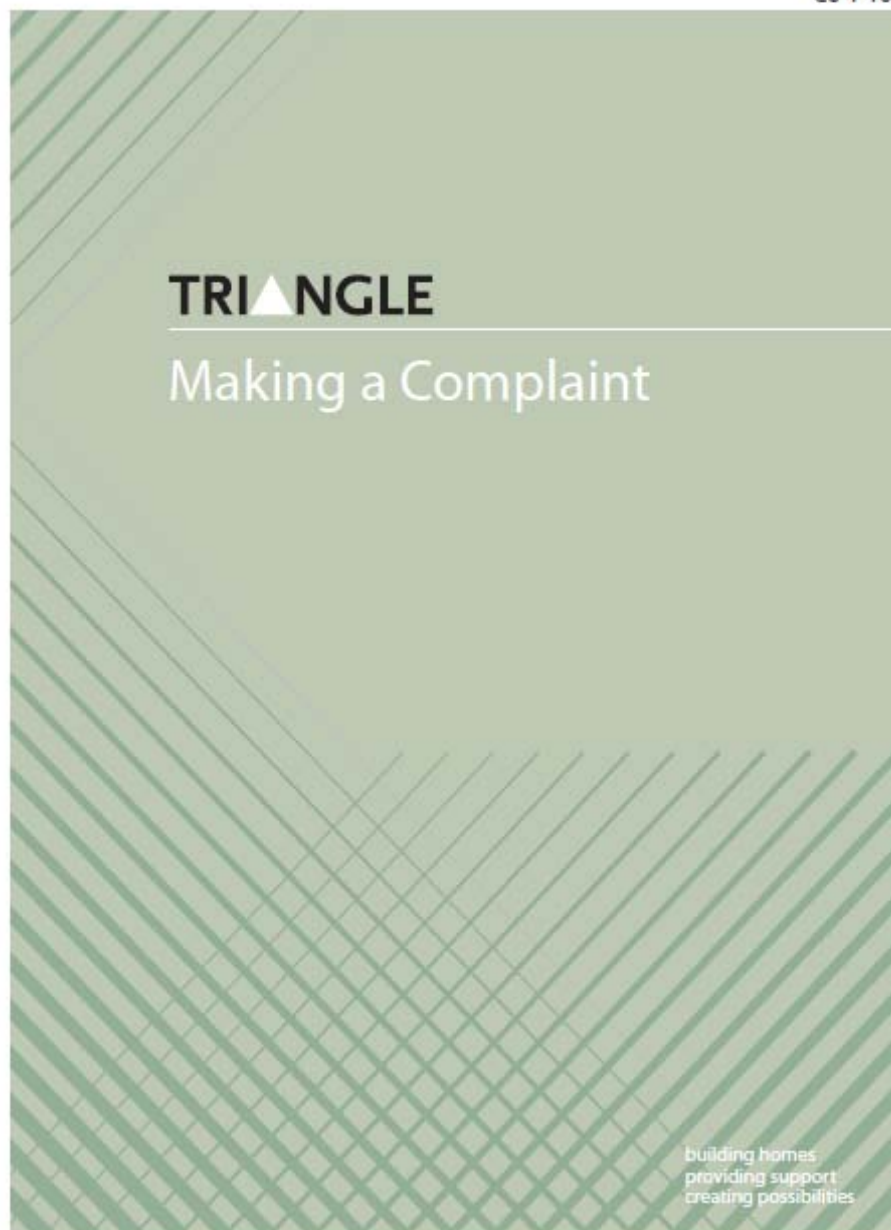
The most important people to Triangle are the people who use our support services. It is important to tell us if you are not happy about something as this helps make our services better.

If you are not happy about something try to talk it through with your key worker.

If they cannot help you sort it out, then they will support you to lodge a formal Complaint if you want them to.

The complaint will go to the Management Officer who will forward it to the Area Manager within 5 days and Director of Support Services.

The Management Officer will tell you what they are going to do and when they will do this by. They will hopefully resolve your complaint within 15 days. They will write and tell you personally if it may take longer.

Staff will hopefully help you resolve your complaint at this point known as Stage 1.

TRIANGLE 02

However if you are not happy with they way your complaint has been responded to, you can forward your complaint to the Chief Executive of Triangle. This is called stage 2 of a complaint.

The complaints policy will tell you how to do this in more detail. You can ask someone who supports you to go through this with you if you want to.

What would happen if you were not happy with the complaints process or outcome at Stage 1 or Stage 2?

You also have the right to complain to any of the following organisations who inspect our services:

Northern Ireland Ombudsman
Freepost BEL 1478
BELFAST BT1 6BR
Tel: 028 9023 4912

The Regulation and Quality Improvement Authority
9th Floor Riverside Tower
5 Lanyon Place
BELFAST BT1 3BT
Tel: 028 9051 7500

RQIA should only be contacted if you are concerned about support or care standards. They will look at your concerns and may take action if required.

Either of the above will look at your complaint if they feel we have not helped you in a proper way.

03

WHAT IS YOUR COMPLAINT?

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....
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....

Please give your complaint to your key worker or Management Officer or send to;

The Complaints Officer
Triangle Housing Association
60 Eastermeade Gardens
Ballymoney
BT53 6BD

Tel: 028 2766 6880
Email: info@trianglehousing.org.uk
Web: www.trianglehousing.org.uk

If English is not your first language, your support worker can arrange for you to have an interpreter to explain things to you.

This information can be made available on request on audio tape.

Appendix I – Mencap's Consultancy Service

Police Ombudsman for Northern Ireland and Northern Ireland Policing Board
Views and Experiences of People with Learning Disability in relation to Policing Arrangements in NI
APPENDIX I1 (MENCAP CONSULTANCY SERVICES LEAFLET)

Mencap consultancy service

Learning disability training and consultancy to meet your needs

mencap
The voice of learning disability

Mencap consultancy service

Business benefits

Employing someone with a learning disability gives you keen, reliable and flexible workers.

It's also well documented that organisations with greater community involvement have an enhanced corporate image.

You could also reduce staff turnover and absenteeism, as well as recruitment costs.

Meeting employers' needs

We understand that recruiting and employing people with a learning disability can be daunting. Our packages are tailor made to offer exactly the support you need.

The service can help with redefining job requirements and role definitions, as well as organising work trials and practical assessment techniques.

Our support covers specific issues, such as compliance with equality legislation, including the Disability Discrimination Act (DDA) or more general advice, wherever you need it.

Training packages

While all of our training packages are devised to meet your individual needs, they will typically include the following modules:

- What is a learning disability?

- What are the facts and myths about learning disability?

- How do I communicate clearly with someone who has a learning disability?

- Why should I employ someone with a learning disability?

- How do I train and support staff with a learning disability?

How is training delivered?

The content of our training programmes is agreed with you in advance. Sessions are delivered by experienced trainers who have a learning disability. Training can take place at your location to minimise any possible business disruption and usually lasts around three hours.

Consultancy

You might just have a question or one key issue you need to discuss, when that's the case our consultancy service is here to help.

Through giving advice on recruitment, retention and development, we can help you achieve best practice in employing people with a learning disability.

Making information accessible

We can also help you understand the information and communication needs of people with a learning disability.

The consultancy service also advises on how to produce accessible information and promotional material.

Employment, learning disability and you

In Northern Ireland, over 33,000 people have a learning disability. It is estimated that up to 90% of people with a learning disability known to social services are out of work. That's an enormous pool of untapped talent.

With the right level of support, people with a learning disability can become valued, long-term members of staff and have a highly positive impact on your organisation.

This leaflet introduces the range of services Mencap can offer voluntary, private and public sector organisations, to help them benefit from employing people with a learning disability.

We offer support on various issues including:

- practical concerns about communication
- managing information
- meeting legal commitments
- individual concerns about employment.

Whether it's on-site training, single-issue consultancy or bespoke programmes, we have the resources you need to make the most of this ready and willing workforce.
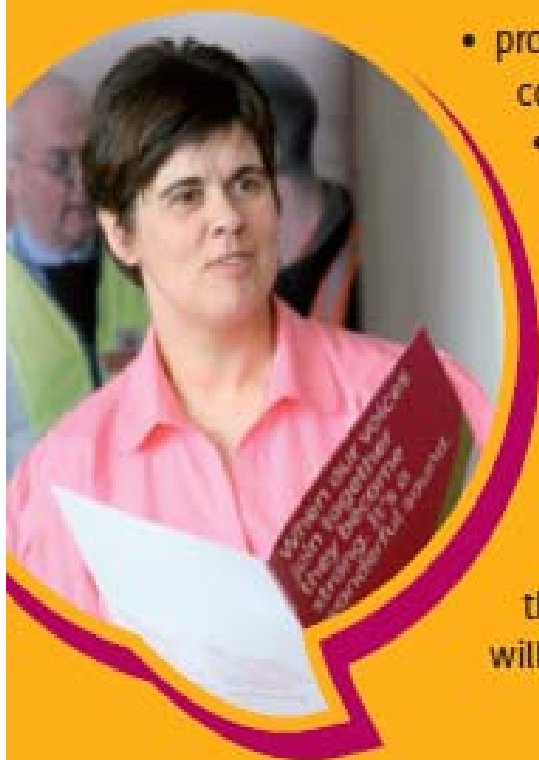
Previous clients say

"The training format was informative, fun and as a company we would definitely promote this to other companies. It has certainly knocked down walls and barriers that we all think exist and that perhaps don't exist for some of us."

Jacquie Clarke, HR officer,
Radisson Blu Roe Park Resort, Limavady, Co. Londonderry

"We all learned a lot and found the session enjoyable and informative. We adopted all of your suggestions and feedback from patients has been very positive."

Lorraine Hughes, practice manager,
Hunter Family Practice, Brownlow Health Centre

"...a fresh approach to training that always has participants going away feeling that they have learned something new and something useful."

Hilary Sidwell, head of equality and human rights,
Western Health and Social Care Trust

Talk to us today about how we can help your organisation better understand learning disability, and reap the benefits.
028 9049 2666
consultancy.service@mencap.org.uk

Consultancy manager
Mencap eastern area office
416 Ormeau Road
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Charity number 222377 (England, Northern Ireland and Wales); SC041079 (Scotland)   2010.049–06/10

APPENDIX I2 (MENCAP CONSULTANCY SERVICES DETAIL – ROBERT CAIRNS)

Summary of Mencap's Consultancy Service

The Consultancy Service provides training, advice and solutions around learning disability.

Training – can be to employers and organisations on equality awareness where we help clients understand how people live with a learning disability, face the difficulties in everyday activities such as communicating, understanding both the written and spoken word, and how relatively straightforward things for most people can impact on someone with a learning disability.

Advice – can be on such things as making verbal and particularly written information more accessible and easily understood, through easy read format and pictures. We can also offer advice to employers Human Resources teams around making reasonable adjustments in recruitment practices by encouraging work trials leading to ring-fenced paid work through ongoing assessment, rather than a daunting interview process.

Solutions – may take the form of job carving job descriptions of existing employer staff to accommodate someone with a learning disability, hence freeing up the employer staff member to increase their amount of skilled duties. We can also provide suggestions on existing work practices to enable someone with a learning disability to implement their intended duties such as, utilising the last three digits of a product bar code to help in the stacking of supermarket shelves.

Recent clients from the public sector have included Trusts, Health Centres, Councils, Universities, Equality Commission and Prosecution Service. We also work across the private sector and within corporate employers.

Our team is very fortunate to have as employees our two Equality Officers who have a learning disability. They are at the forefront of our Consultancy activities and fully involved in the delivery of all our training.

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Appendix J – Community Care-Police Force Survey

A survey by Community Care of the 43 forces across England and Wales. It generated 27 responses

Police Force	Total Staff	Number Trained	Percentage Trained
Bedfordshire	1,200	Unknown	NA
Gloucestershire	1,296	None	NA
Dyfed Powys	1,174	Unknown	NA
Durham	1,744	200	11.47%
Northumbria	4000	400	10.00%
Derbyshire	2,080	200	9.62%
Nothamptonshire	1,355	120	8.86%
Staffordshire	2,300	203	8.83%
South Yorkshire	3,500	300	8.57%
West Mercia	2,422	196	8.09%
Leicestershire	2,500	200	8.00%
Norfolk	1566	113	7.22%
Warwickshire	1,028	60	5.84%
Kent	4,000	200	5.00%
West Midlands	8,000	400	5.00%
City of London	850	40	4.71%
West Yorkshire	5,700	200	3.51%
Gwent	1,400	41	2.93%
Suffolk	1,400	41	2.93%
Cambridgeshire	1400	27	1.93%
Greater Manchester	8,000	150	1.88%
Dorset	1,400	20	1.43%
Cumbria	1,270	12	0.94%
Lincolnshire	1,231	10	0.81%
Essex	3,500	18	0.51%
Devon and Cornwall	3,500	12	0.34%
Nottinghamshire	3,500	12	0.34%

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