

Hearing loss



What is hearing loss?

[The Royal National Institute for Deaf People](#) (RNID) estimates that “in the UK, more than 40% of people over 50 years old have hearing loss, rising to more than 70% of people over the age of 70”.

Hearing loss is a term used when sound signals do not reach the brain. There are many different types of hearing loss and different degrees of severity:

- **Mild hearing loss** – Your client may have difficulty hearing speech clearly in a busy environment. They may struggle to hear quiet speech, especially soft sounds like “s” and “f”.
- **Moderate hearing loss** – Your client may struggle to hear speech at a normal volume and may require amplification.
- **Severe hearing loss** – Your client will not be able to hear normal speech and may only be able to hear loud sounds.
- **Profound hearing loss** – Your client will not be able to hear any speech and may only hear some loud sounds.

N.B. This guide is for legal professionals working with clients who have mild to moderate hearing loss, rather than d/Deaf clients, who may have severe or profound hearing loss and may require a BSL (British Sign Language) interpreter or a lip-speaker.

Amplification devices

Hearing aids and hearing loops are two devices which can amplify sound for your client.

Hearing loops can be used separately from, or in conjunction with, hearing aids at court. Your client can be provided with a hearing loop headphone set or can wear a device around their neck which broadcasts sound from the courtroom hearing loop to their hearing aid (when these are set to the ‘T’ function).

It’s important to bear in mind that court hearing loops can be affected by feedback and background noise, so may not ensure clear hearing at all times. Your client may not be used to using these devices and may find them uncomfortable. Amplification should not be considered a ‘silver bullet’ for difficulty hearing during proceedings, and other strategies (outlined on the next page) should also be considered.



Tips for accommodating hearing loss at court

The strategies required to support an individual with mild or moderate hearing loss will vary from person to person and may be affected by any other communication needs they have. An [intermediary assessment](#) will provide insight into the person's strengths and difficulties and make bespoke recommendations to support them at all stages of proceedings. The following general tips may be of assistance:



Learn more about your client's hearing. Is their hearing different in different environments? How has their hearing loss previously impacted them in legal proceedings? What assists their hearing? Have they used a hearing loop before? What was their experience of this?



Adapt the communication environment. Your client is likely to hear speech sounds best in a quiet setting, without background noise. A busy courtroom with loud typing and paper shuffling may be particularly challenging. Adjustments or repetition of key points may be required.



Face your client and ensure you have their full attention before speaking, so that they can see your mouth. If they are assisted by lip reading, consider adapting seating positions in the courtroom.



Ensure just one person speaks at a time. It can be much more challenging to hear clearly when multiple people are speaking.



Use writing (if your client has effective literacy), on paper, on a laptop screen or via text, to convey key messages your client is struggling to hear.

If your client is using a hearing loop during proceedings...



Avoid hybrid hearings. These can cause feedback and background noise which can impact hearing via a loop.



Use a flashcard or agreed signal to allow your client to indicate when they are unable to hear. The clarity of the hearing loop may fluctuate.



Be alert to issues with interpreters and intermediaries. When wearing a hearing loop, your client may not be able to hear their interpreter or intermediary clearly and alternative arrangements may need to be made.

Intermediaries and hearing loss

If your client has difficulty hearing proceedings clearly, but is also working with an intermediary, it may be challenging for them to hear whispered simplifications and explanations clearly. Louder simplifications are likely to disrupt proceedings and make it more challenging for legal professionals to conduct the hearing.

In these situations, there are some approaches an intermediary may suggest, based on the court user's communication profile, including:

- **Writing out simplifications and explanations** in real time by hand or on a laptop screen (dependant upon your client's literacy skills)
- **Requesting pauses during the hearing**, to allow for louder simplifications or explanations to be provided, without disrupting proceedings.
- **Joining the hearing remotely from a separate room** (in this space, the intermediary can provide louder simplifications without disrupting the hearing).

Further reading

- The Advocate's Gateway - [Toolkit 11: Planning to question someone who is Deaf](#) (although this toolkit pertains to Deaf court users, a number of the tips and strategies may also assist an individual with hearing loss, particularly in section 5).
- Communicourt blog - [Hearing Loops in Court Proceedings: The good, the bad and the squeaky](#) (an exploration of hearing loop usage at court, including the experiences of a Judge with hearing loss).
- UCSF Health - [Communicating with People with Hearing Loss](#) (quick tips for clearer communication)

From The Access Brief

- [How to create visual aids](#)
- [How to create easy read documents](#)
- [Intermediary assessments](#)
- [How can an intermediary assist at trial?](#)



Intermediary services

If you are concerned about your client's ability to communicate effectively and participate in legal proceedings, Communicourt can help.

We will assess your client to understand their communication needs and how these might affect them in court. Your client does not need to have a diagnosis. Our reports will identify any particular communication issues and make bespoke recommendations to help you and your client throughout proceedings.

If intermediary assistance is recommended, one of our highly trained intermediaries can be there throughout proceedings to facilitate those recommendations.

Intermediaries are mostly funded by HMCTS, with no charges or payments required by legal representatives.

How to book an intermediary

- 1 Refer online.** Refer your client for an assessment through [our online portal](#) (5 minutes).
- 2 Funding.** We send a quote for you to send to Legal Aid / HMCTS to approve (24 hours).
- 3 Book assessment.** Once funding is approved, please let us know. We will schedule an assessment (2-6 weeks).
- 4 Assessment will** take up to 3 hours and can be conducted in person or remotely. You will then receive a report (7 days).
- 5 Book dates** for hearings or conferences. We will send you booking forms to be signed by the court. Once signed, we will book the intermediary.