

## Stammering



### What is stammering?

Stammering, also known as stuttering, is a neurologically-based speech difference that most commonly emerges between two and four years of age, although it can also emerge during adulthood.

Within adult populations, stammering is more common in men than women, although ratios are closer to 1:1 among very small children.

There are two types of stammering, developmental and acquired:

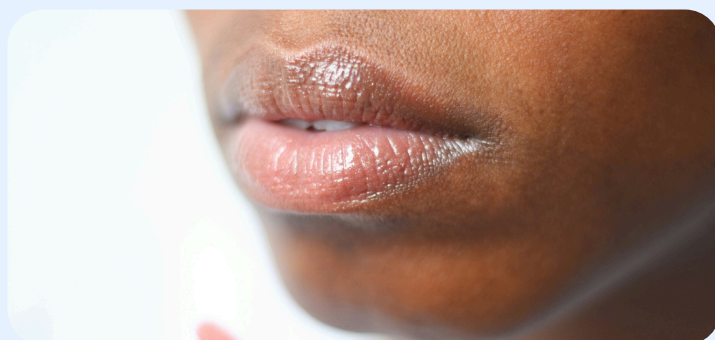
**Developmental stammering** starts during childhood, often has a genetic component and is associated with subtle differences in brain structure and function.

**Acquired stammering** can have a range of causes including head injury, stroke, non-structural changes in the way the brain is functioning, stress, trauma and the side-effects of medication.

Some adults who stammer experience anxiety in situations where they feel they will be judged by how fluently they can speak. People who stammer may:

- **Repeat words** e.g., *'but, but, but I went...'*
- **Repeat a single sound or syllable** e.g., *'m-m-m-manage'*.
- **Prolong or stretch sounds** e.g., *'ssssometimes'*.

- Look as though they are **tensing up**.
- **Try to physically push the word out** by making other movements (e.g., tapping finger, hunching shoulders etc.).
- **Try to find different words** that they may not stammer on.
- **Say less** to avoid stammering.



### Impact in legal proceedings

A stammer can cause significant difficulties for an individual when they are providing instructions to counsel during conferences, or when they are giving evidence.

The courtroom environment can cause anxiety which, in turn, may increase how much stammering the person experiences. Someone who stammers may be misperceived as uncertain, unreliable or deceptive by judges or juries. They may even choose not to give evidence at all due to being worried about their ability to express themselves in that environment.

# How to help your client

These tips may assist in both conferences and hearings. It is important to keep in mind that no two people who stammer are the same. If they are comfortable discussing stammering, ask your client about their preferences, triggers and strategies, to ensure any adjustments are implemented in a person-centered way.



**Ask your client what they do to work through moments of stammering** and how they would like you to respond. Some people will prefer being given the required amount of time to express themselves without interruption. Others may prefer to use strategies like writing words down.



**Give your client lots of time to speak and answer questions.** Try to ensure they feel comfortable and able to take extra time, without worrying about time pressures.



**Welcome stammering**, as this is your client's natural way of speaking. This outlook can help make interactions more comfortable for your client.



**Do not react** if your client gets stuck on a word. Maintain a neutral expression and give them extra time to express themselves.



**Do not rush your client** when they are responding to a question. This can increase anxiety and moments of stammering.



**Implement measures to create space for stammering.** Your client may benefit from extra time to speak. It may also assist to request screens or video links while they are giving evidence to reduce the impact of speaking before an audience.



**Offer a notebook or typing/texting device** for your client to write words out if they wish to do so.



**Arrange a familiarisation visit** to the court and later to the location from which they will give evidence. This can help reduce anxiety and provide an opportunity to introduce the process of giving evidence (as well as any adaptations which have been agreed to support your client's participation).



**Request regular breaks** while your client is giving evidence. People who stammer can find speaking much more draining than fluent speakers do. Be conscious of the possible impacts of fatigue, which can adversely affect attention, emotional regulation and cognitive skills.



## Further reading

- Communicourt Blog: [The stigma of a stammer](#) - Intermediary, Miriam, shares her experience of developing a psychogenic stammer while working in the courts.
- The Accessing Justice Podcast: [Stammering and Legal Proceedings with Dr David Ward](#) - Miriam discusses her experience of stammering and the barriers faced by people who stammer in legal proceedings, with her former speech & language therapist and lecturer, David Ward.
- Guide: [How can an intermediary assist at trial?](#)
- Guide: [Expressive communication difficulties](#)

## STAMMA

For more information about stammering, STAMMA can help.

[Start a webchat](#) or call their helpline free on 0808 802 0002, both open weekdays 10am-12noon and 6pm-8pm or email [help@stamma.org](mailto:help@stamma.org).

There are [lots of leaflets and informative videos](#) available on their website, alongside resources specifically relating to legal proceedings including:

- [Guidance for judges on stammering](#)
- [Stammering and the criminal justice system](#) [Article].

You can make a donation to [support STAMMA's important work here](#).

**“Stammering is the way some people talk, yet it’s often misperceived as a sign of being nervous, unsure or lying. It’s essential that people who stammer can access justice to the same extent as fluent speakers”.** - STAMMA

## 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.