

## How can an intermediary support someone to give evidence?



### INTERMEDIARY ASSISTANCE DURING EVIDENCE

Giving evidence is often one of the most crucial stages in your client's case. At this point, their understanding of questions and their ability to provide clear answers is of paramount importance. Unclear responses or misinterpreted questions can result in their evidence appearing contradictory, evasive or unreliable to a magistrate, judge or jury.

The assistance of an intermediary during a respondent, intervenor or defendant's evidence can help ensure that questions and answers are communicated clearly, miscommunication is minimised and your client is supported to give their best evidence.

### PREPARING FOR EVIDENCE

**A Ground Rules Hearing** is essential to ensuring your client is supported to give their best evidence. During the Ground Rules Hearing, the intermediary can provide recommendations that will assist your client during their evidence. They will present a rationale for these recommendations with reference to the intermediary report and any observations they have made of your client when working with them.

Recommendations made at this stage may include:

- Special measures (e.g. the use of screens or video-link).
- Advice regarding question style.
- Provision of questions in advance by all advocates. Frequency of breaks during your client's evidence.
- Measures to assist when documents are referred to.
- Use of resources such as anxiety rating scales, break cards, visual timelines etc.

**A familiarisation visit** to the location from where your client will give evidence will help them to gain a better understanding of the courtroom and evidence-giving process and help them feel more at ease.

The intermediary can introduce your client to the setting and the evidence-giving process. They can practice giving the oath or affirmation and review the 'rules' of giving evidence (e.g. say if you don't know the answer, say if you don't understand the question). Your client can practice standing in the witness box (or other evidence-giving location) and answering neutral questions from their counsel, with the assistance of the intermediary.

### DURING EVIDENCE

**Breaks** can help ensure your client is best able to attend to, process, understand and respond to questions, without losing focus or becoming overloaded. During your client's evidence, the intermediary will monitor their presentation and notify the court when a break is required. There may be occasions when an urgent unscheduled break is required, for example, if the service user is having difficulty regulating their emotions.

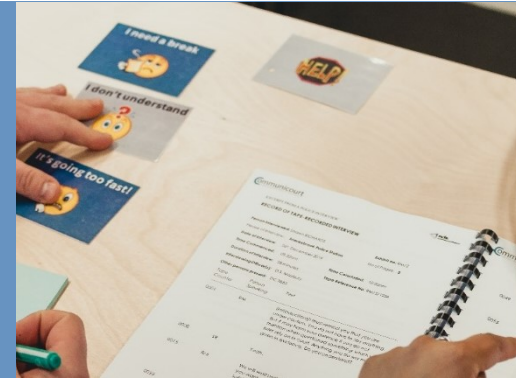
**Monitoring questions** as these are put to your client is an essential aspect of the intermediary role during evidence. The intermediary will listen carefully to the questions and intervene when a question is linguistically too complex for your client to reliably understand.

**Written documents, maps and other materials** can pose difficulties during your client's evidence. The intermediary can assist them to navigate the bundle and advise the court regarding strategies to ensure your client has understood the evidence which they are being questioned about.

**Communicourt** is the largest Managed and Approved Service Provider of intermediaries for defendants and respondents, in criminal and family courts. We passionately believe that everyone has a right to a fair trial.

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communication matters in the courts

## How we can help you



### FURTHER STRATEGIES DURING EVIDENCE

**Visual aids** such as simplified timelines and calendars can assist your client if they have difficulty discussing times and dates. These resources can assist your client to understand temporal or numerical information and provide clearer responses during their evidence. The intermediary can develop resources to be approved by all parties and the judge in advance of their use during evidence.

**Fidget objects** can assist some individuals with emotional management and attention during their evidence. The intermediary can provide fidget objects and ensure that they are not disruptive in the courtroom.

**Special measures** may assist your client to give their best evidence. The intermediary may raise these at the Ground Rules Hearing or during your client's evidence, should further difficulties arise. These measures could include giving evidence behind a screen, remotely or using an alternative medium (e.g. typed responses).

### HOW BOOKING AN ASSESSMENT WILL HELP YOU AND YOUR CLIENT

We will assess your client to understand their communication difficulties and how they might affect them in court. Your client does not need to have a diagnosis.

We produce a comprehensive report. This will identify any particular communication issues and make recommendations to help you and your client.

One of our highly trained intermediaries can be there throughout proceedings to facilitate those recommendations, meaning you can focus on your job.

Our experience means we can recommend solutions that make a tangible difference and support the justice system in getting a fair result

## HOW TO GET SUPPORT

#### BOOK ONLINE

Refer your client for an assessment through our online booking system [communicourt.co.uk](http://communicourt.co.uk)

5 minutes

#### FUNDING

We will send you a quote that you need to send to HMCTS and Legal Aid for them to approve funding

24 Hours

#### BOOK THE ASSESSMENT

Once you have funding in place, please let us know. We will then arrange an assessment

4-6 weeks

#### ASSESSMENT

The 3 hour assessment can be carried out in person or remotely. You will then receive a report

7 days

#### BOOK COURT DATES

We will send booking forms which must be signed by the court. Once received we will then book your intermediary

Throughout the trial