

Interpreters for clients with communication difficulties



Assessing communication needs via an interpreter

It can be challenging to establish whether a client who does not speak English as a first language also has underlying communication difficulties.

A language barrier and cultural differences (such as unfamiliarity with the British legal system) may impact your client's ability to understand proceedings and communicate effectively. For this reason, it is often helpful to request an intermediary assessment, if you have concerns about your client's understanding.

Intermediary assessments should be conducted in your client's first language with the assistance of a skilled interpreter, to allow the intermediary to determine the presence of underlying communication needs and the likely effectiveness of intermediary strategies during legal proceedings.

It is recommended that the interpreter and intermediary have a short time to discuss their working approach prior to meeting your client at an assessment. This can be done by asking the client to arrive slightly later than the interpreter.

The intermediary may introduce the interpreter to some of the assessment resources in advance and establish some ground rules for working together, such as the need for the interpreter to notify the intermediary if anything does not directly translate, and not to attempt to simplify any information.

Intermediaries and interpreters in court

Every client who has a communication need is different. As such, a flexible approach to intermediary-interpreter working is recommended. The intermediary and interpreter should discuss your client's communication strengths and difficulties and decide an approach (subject to the view of the Judge), which can be adapted as needed throughout proceedings.

Some common approaches include:

Interpreted simplifications

Asking interpreters to only translate the intermediary's simplifications may be more effective than asking them to translate the whole proceedings verbatim, particularly for clients with limited auditory working memory capacities, who may be overwhelmed by large volumes of verbal information.

Simultaneous interpretation

This approach may be more effective for clients who are better able to process volumes of verbal information. After your client has listened to verbatim interpretation in the courtroom, the intermediary can recap key points and check understanding during breaks. If verbatim translation is provided, it may also be helpful to:

- **Pause after each key point in hearings** to allow the intermediary to check understanding and provide a simple summary via the interpreter

- **Allow longer explanation breaks** to accommodate the need for comprehension checking and simplification via an interpreter
- **Provide a ‘break’ or ‘question’ card** which your client can point to, to indicate they require a break or have not understood

Tips for working with an intermediary and interpreter in court

- **Allow ample time for discussion between the intermediary and interpreter** before any hearing. This will allow the intermediary to share key information about your client’s communication needs, the intermediary role, and agree a working approach
- **Provide information in short chunks** during conferences, to allow the interpreter and intermediary to deliver the information clearly and simply
- **Speak at a slower rate** to allow the interpreter to translate and intermediary to simplify, as necessary
- **Consider seating your client, interpreter and intermediary in a separate room.** They can then attend the hearing via video-link. This approach may be more effective for court users with attention difficulties or limited auditory working memory capacity. The interpreter and intermediary can then speak without disturbing the court, but the court must be mindful of the pace of speech and to allow pauses for interpretation to take place

Further reading

From The Access Brief

- [How to create visual aids](#)
- [Intermediary assessments](#)
- [How can an intermediary assist at trial?](#)
- [How can an intermediary assist during an immigration hearing?](#)

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.