

Judgements & communication difficulties



Receiving a judgement can be a difficult experience for any individual. Anxieties can be very high and unwelcome judgements can be very difficult to hear. For those with communication difficulties, the experience can be all the more challenging.

Every client with a communication difficulty is different, with a unique profile of communication strengths and needs. However, some common difficulties during delivery of a judgement (whether written or oral) include:

- **Poor understanding of court terminology** used at this stage of proceedings such as “*the Law*”, “*plausibility*”, “*concession*” and “*good enough parenting*”.
- **Difficulty managing emotions.** Judgements revisit key issues in the case, which can be painful and confusing. At times it may sound like the judge is in agreement with your client. At other times, it may sound like they take an opposing view. This may prevent your client from engaging with important information and adversely impact their understanding the outcome of the judgement
- **Difficulty maintaining attention.** Traditional judgements can be very long, in some cases requiring hours to deliver orally. This can be very challenging for clients with communication needs to attend to
- **Difficulty processing verbal information.** Judgements often demand listeners to process very large volumes of (often complex)

verbal information at a rapid rate. This is often challenging for clients with communication difficulties

Each of these possible difficulties may result in issues such as increased emotional dysregulation during hearings and conferences, poor understanding of the judgement and poor understanding of the steps which are to follow.

Communication tips

The strategies you implement to support a client with communication needs during a judgement will vary considerably depending on their communication profile.

An [intermediary assessment](#) will provide insight into your client’s strengths and difficulties and make bespoke recommendations to support them at all stages of proceedings.

The following general communication strategies may help:

- **Request a ‘simple judgement’.** In some cases the judge will agree to deliver an abbreviated judgement which briefly outlines the decision and the reasons for it in simple terms. This can assist clients with limited attention, difficulties with emotional management and difficulty processing long stretches of complex verbal information
- **Request a written judgement.** This can assist clients who have comparatively strong literacy skills, or can be used in conference

where counsel can provide key information from the judgement in a simple manner, tailored to your client.

- **Explain the structure of a judgement** in advance. Visual aids like those suggested below can be helpful. This will help ensure your client understands what information they will hear and when, aiding emotional regulation and understanding.
- **Incorporate visual aids.** For example, a picture list of key witnesses which your client can tick off or label as the judge explains their view of each piece of evidence. Learn more about [using visual aids here](#).
- **Provide simple written information** your client can review following the hearing (if they are able to read). This will assist them to retain key points. Our [guide to preparing easy read documents](#) may assist when preparing this resource.

Intermediaries at judgements

Throughout an oral judgement, an intermediary can provide real-time, simplified explanations to support your client's ability to understand and engage. They may also use visual aids (like a simplified 'Scott schedule tick list') to support understanding.

During judgement, the intermediary will take a simple note of the hearing contents in order to recap key points with your client in conference. These notes can also be used to formulate an easy read summary of the judgement, which your client can keep. The intermediary will also note any questions or concerns your client raises, which then can be raised with their legal team.

After an oral judgement, the intermediary can support the advocate to ensure their client has a full understanding of the key information and the next steps. If appropriate, the intermediary will create a document detailing key points from the judgement, formatted in a way that is accessible

for your client, which they can keep for their personal record.

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.