

Dementia



WHAT IS DEMENTIA?

Dementia is an umbrella term for a range of progressive conditions that affect the brain. Each type of dementia stops a person's brain cells (neurones) working properly in specific areas, affecting their ability to remember, think and speak. There are over 200 different types of dementia. Alzheimer's disease is the most common, followed by vascular dementia.

Different types of dementia cause damage to different parts of the brain, and therefore have different symptoms. Each person is unique and will experience dementia in their own way. People often associate dementia with memory loss, but while this is the case for some, there are many other symptoms including:

- Problems with concentration.
- Difficulty following a 'train of thought'.
- Difficulty following conversations.
- Problems with word finding.
- Difficulties making decisions and judgements.
- Difficulties with eating, drinking, and swallowing.
- Changes in personality or behaviour; becoming withdrawn.
- Difficulties with visual perception and spatial awareness.
- Literacy and numeracy difficulties.
- Problems with perception, orientation and movement.

The speed at which dementia progresses will depend on the individual person and what type of dementia they have.

1 million people in the UK are expected to have dementia by 2025 (Wittenberg et al, 2019)*

38% of people with dementia facing criminal proceedings were unfit to stand trial (in a limited study) (Doron et al, 2017)*

THE POSSIBLE IMPACT OF DEMENTIA ON COURT PROCEEDINGS

As memory loss is a common symptom of dementia, an issue that can arise in terms of court is that an individual may not remember facts about an event and this could impact on their ability to plead or [give evidence](#). Other difficulties could include:

- Difficulty understanding court proceedings and processes.
- Difficulty retaining information presented in court hearings.
- Difficulty following legal argument and the thrust of evidence.
- Increased irritability.
- Difficulties concentrating in court.
- Increased anxiety.
- Difficulty reading court documents due to impaired literacy.
- Communication difficulties.
- Lack of mental capacity.

COMMUNICATION TIPS

- **Speak clearly and slowly**, using short sentences.
- **Allow regular rest breaks**, particularly if your client appears to be fatigued or experiencing emotional dysregulation.
- **Use lists and visual resources** to show different steps in proceedings or conference topics, to remind your client of the current court stage or subject at hand.
- **Check their understanding** frequently.
- **Allow extra time to respond**, ensuring they do not feel pressurised.
- **Arrange a familiarisation visit** to the courtroom.
- **Seat your client close to family** or friends, if possible.
- **Regularly recap information**. Do not expect your client to retain key points, even when these are repeated.
- **Provide simple written summaries** of key points, if your client has good literacy. [Learn more about easy read here](#).

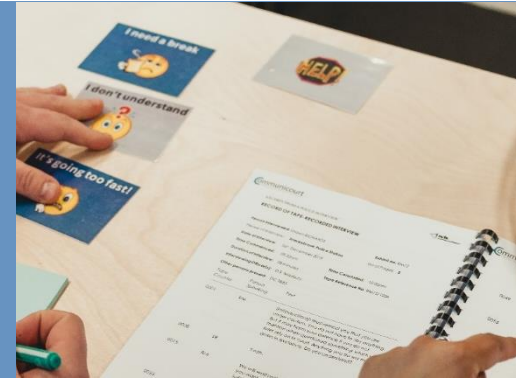
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Intermediaries are impartial and our duty is to the court. We are not witnesses or advocates. This information is intended as a guide only to help you decide if your client needs our support.

How we can help



SUPPORT FROM DEMENTIA UK

If you, your client or their family members would like support with any aspect of dementia, please call the free **Dementia UK Helpline** to speak to a dementia specialist Admiral Nurse. Call 0800 888 6678 (Monday-Friday 9am-9pm, Saturday-Sunday 9am-5pm) or email helpline@dementiauk.org.

“People with dementia often struggle in unusual, unfamiliar or stressful situations. Court procedures can often be complicated and hard to follow. In addition, people with dementia and their carers can feel lost or excluded from communications. It is essential that conditions are as relaxed and stress-free as possible in a court setting. People with dementia should be afforded extra time in communication to process information. Oral or written communications need to be delivered at a pace that the person can cope with. It may well need to be offered in bite-sized chunks that are easier to comprehend.”

Paul Edwards, Director of Clinical Services - **Dementia UK**

Dementia UK also offers virtual clinics via phone or video call. To find out more and book a free 45-minute appointment with an Admiral Nurse, please visit dementiauk.org/closer-to-you.

REQUESTING AN INTERMEDIARY ASSESSMENT

An [intermediary assessment](#) can provide professionals and the court with more insight into your client’s communication strengths and difficulties, and how these may impact them during proceedings. We produce comprehensive communication reports which identify issues and make detailed recommendations to help you and your client, even in cases where an intermediary is not recommended.

If an intermediary is recommended, one of our highly trained intermediaries will attend 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.

- Further reading: [Dementia, capacity & court](#)

HOW TO GET SUPPORT



BOOK ONLINE

Refer your client for an assessment through our online booking system 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

Statistics references:*Wittenberg, R., Hu., B, Barraza-Araiza, L., Rehill, A., (2019) Projections of older people with dementia and costs of dementia care in the United Kingdom, Care Policy and Evaluation Centre, London School of Economics and Political Science. *Doron, I., Werner, P., Spanier, B., Lazar, O. (2017) The legal appearances of dementia in court rulings: mapping the terrain. Cambridge University Press. Accessed [online] September 2022.