

How to support expressive difficulties



Expression is all about how we communicate our thoughts, experiences and views to others. There are many different components to expression.

For example, in order to verbally express ourselves effectively:

- **Our speech** must be intelligible to our conversation partners.
- We must **use words** which convey our meaning to others.
- We must **structure what we say** clearly, using a sequence listeners can follow.
- We must **stay on topic**, without digressing from the point we want to make.
- We must **give enough information** in our utterance for our full meaning to be understood.
- We must use an appropriate communication style and **follow the 'rules of conversation'** for a given setting, to ensure we are not misinterpreted.

If your client struggles with one or more of these expressive communication skills, they may have difficulty providing clear instructions, giving detailed evidence and explaining their side of a situation.

There are many different reasons why your client may have difficulty in this area, which are not necessarily linked to a diagnosed condition or form of neurodiversity. Common difficulties include:

- **Reduced speech intelligibility** – your client may present with slurred or unclear speech. They may mispronounce words or have difficulty articulating words clearly. This difficulty may affect clients with [dementia](#), Parkinson's, a [brain injury](#), [stroke survivors](#) and others.
- **Stammering** – a stammer can have a wide range of impacts upon your client's expression, beyond dysfluent speech. Read our [guide to working with a client who stammers](#) (created with [STAMMA](#)) to learn more.
- **Reduced expressive vocabulary** – your client may use a small selection of 'everyday' words. This can mean they have difficulty expressing themselves with precision and clarity when required to discuss more complex or abstract topics. This difficulty may affect individuals with aphasia following a [stroke](#), a [learning disability](#) or [Developmental Language Disorder](#) (DLD).
- **No speech or limited speech** – The reasons why an individual may not speak (or may speak very little, e.g., using "yes/no" answers and gesture) are extremely varied. Selective mutism, [autism](#), [stroke](#), [anxiety](#) or [learning disability](#) may be factors in this type of presentation.
- **Unclear narratives and 'jumbled' syntax** – Unusual grammar or word order can make it challenging to understand your client's expressive language. This difficulty may affect individuals with [DLD](#), [learning disability](#), [schizophrenia](#), [brain injury](#), [stroke survivors](#) and others.

- **Digression and verbosity** – Speaking at considerable length and/or struggling to stay ‘on topic’ can make it challenging for clients to share their views and narratives effectively. This difficulty may affect [autistic people](#) and clients with Cognitive Communication Disorder (often following a [brain injury](#)).

How you can help

The strategies required to support an individual who has expressive difficulties will vary from person to person. An [intermediary assessment](#) will provide insight into your client’s expressive skills (alongside other areas of their communication profile) and make bespoke recommendations to support them at all stages of proceedings.

The following general tips may assist in some cases, or you may find it helpful to [explore our other guides](#) to working with clients with specific diagnoses.



Use closed questions which require a “yes/no” answer to assist clients with limited expressive language. For example, “*Did you go to the pub?*”, “*Was Kate there?*”.



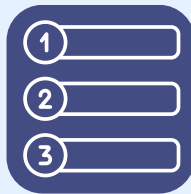
When using closed questions, take care to ensure your client also feels able to provide a “*Don’t know*”, “*Not sure*” or “*Don’t understand*” response. This can be achieved through rapport building and direct encouragement. You could also...



Use communication cards, gesture or other non-verbal approaches (like sorting threshold items on post-its into “*Agree*”, “*Disagree*” and “*Not sure*” columns) to allow clients with limited expression to communicate their thoughts. A “*Yes*”, “*No*”, “*Don’t know*” and “*Don’t understand*” card to point to can also prove helpful.



Use open questions, to encourage your client to add more detail to their narrative. For example, “*What do you think about Y?*”, “*What happened next?*”.



Use a topic list or topic cards to support clients who digress from the task or subject at hand. Introduce the list at the start of meetings and politely direct them to the item under discussion to help them refocus.



Explore written communication. Some clients (e.g., those with selective mutism) may feel more comfortable communicating in writing, via text message or typing on a computer.



Explore gesture. Some clients, particularly those with difficulties affecting their speech, may be able to communicate simple ideas (e.g., “*Yes*”, “*No*”, “*Don’t know*”, “*Don’t understand*”) very well through gesture and body language. Take care to establish agreed signals and check that your client is using these clearly and consistently (you can test this by asking a number of simple ‘test questions’ e.g., “*Is your name [incorrect name]?*”, “*Are you [correct age]?*”).



Check your understanding. If your client’s expression is unclear, repeat back what you have understood and ask, “*Have I understood that properly?*”.



Further reading

- **The Advocate's Gateway Toolkits:**

[Toolkit 4: Planning to question someone with a learning disability](#)

[Toolkit 5: Planning to question someone with 'hidden' disabilities: specific language impairment, dyslexia, dyspraxia, dyscalculia and AD\(H\)D](#)

[Toolkit 15: Witnesses & Defendants with Autism](#)

- **Communicourt Blog** exploring [receptive and expressive difficulties in legal proceedings](#) (including tips and strategies to support participation).

From The Access Brief

- [Brain injury in legal proceedings](#)
- [Stroke in legal proceedings](#)
- [DLD in legal proceedings](#)
- [Learning disability in legal proceedings](#)
- [Stammering in legal proceedings](#)
- [Autism in legal proceedings](#)
- [Intermediary assessments](#)
- [How can an intermediary assist at trial?](#)



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.