A decorative brass scale of justice is positioned on a wooden surface. The scale has two pans hanging from a central beam, with ornate chains and a detailed base. The background is a blurred wooden bookshelf.

A Speech and Language Therapist using transferable skills as a Registered Intermediary (RI).

1

**Ann Birch –
SLT & Registered Intermediary**

Webinar Structure

The first bit –

- Background
- What is an RI?
- Why and how I became one.
- The Witness intermediary Scheme
- Any questions?

The second bit –

- Contact
- Assessment
- Police Report/Recommendations
- Achieving Best Evidence (Video recorded interview)
- Any questions and screen break

The third bit –

- Pre-trial
- Court Report
- Amending questions
- Ground Rules Hearing
- Any questions?

The last bit -

- Trial
- Support for RIs
- Juggling
- Final thoughts
- Any questions?

Qualified as SLT from De Montfort University in 1993.
North Glamorgan N.H.S. Trust (1993 – 2002)

Clinical Lead for Deafness/ Specialist Speech and Language Therapist
Principal Speech and Language Therapist – Managerial
(2002- 2017)

Cochlear Implant Programme (2017 - Present day 1-2 days)
Cardiff & Vale University Health Board

Independent Speech and Language Therapist
2002 – July 2017 (1 day per week)

July 2017 – April 2019 (3-4 days per week)

April 2019 – Present day (1 day per week)

M.Ed. Language, Literacies and Dyslexia (2013 - 2016). University of Birmingham.

Associate Tutor Cardiff Metropolitan University (2014 – Present day – sessional – Spring Semester)

Autumn 2018 - I saw an e mail...



4

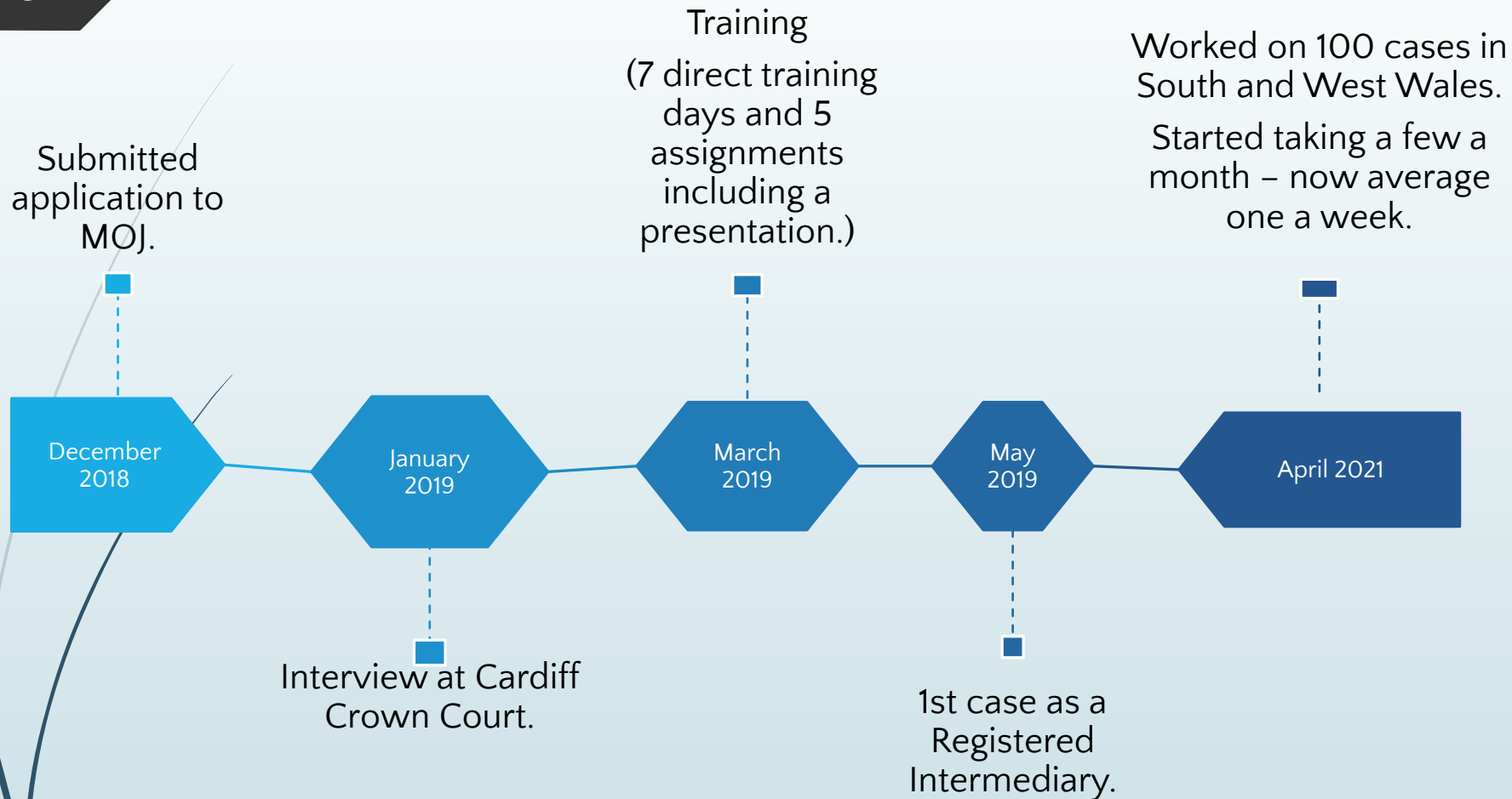
The Ministry of Justice is looking to recruit RIs to their Registered Intermediary Scheme to provide support **in Wales**.

Registered Intermediaries (RIs) are used in criminal proceedings to **assist vulnerable witnesses communicate their evidence** to the police and in court.

A witness might need the help of an RI because of their **age**, or a **learning, mental or physical disability or disorder**. The work can be challenging but immensely rewarding, and an RI can often be the difference between a witness being able to give their best evidence or not.

After successful completion of training and assessment, you will be **self-employed** and your details added to a database.

Cases will be offered to you from the police and Crown Prosecution Service based on the communication requirements of the witness and you will be required to **commit to a minimum of 24 days a year** to the role.



Background

6

- The **intermediary 'Special Measure'** was created through legislation in the **Youth Justice and Criminal Evidence Act 1999 (YJCEA)** to **enable vulnerable and intimidated victims and witnesses** to give their **best evidence**.
- **The Witness Intermediary Scheme (WIS)** was first piloted in England and Wales in 2004 to implement the intermediary special measure in the Youth Justice and Criminal Evidence Act 1999.
- The WIS was **rolled out nationally in 2008, establishing a register of intermediaries recruited and trained by the Ministry of Justice (MoJ)**. These intermediaries became known as Registered Intermediaries (RIs).

Registered Intermediaries are part of the Witness Intermediary Scheme

There has (controversially) never been a similar **scheme for defendants** or suspects in England, Scotland or Wales.

There will be by the end of this year **(Court Appointed Intermediary Scheme - CAIS)**

Current services for defendants are provided by:

- Communicourt
- Triangle
- Intermediaries for Justice / independent intermediaries.

The International Journal of Evidence & Proof

[13657127211002291 \(1\).pdf](#)

The Witness Intermediary Scheme

8

- The WIS is available in **all police forces and CPS areas** in England and Wales.
- There are currently **approximately 200** Registered Intermediaries (RIs) **on the national database**.
- The **National Crime Agency's (NCA)** Specialist Operations Centre **operates and manages** the WIS's matching service **on behalf of the Ministry of Justice (MoJ)**.
- **Requests for an RI via the WIS have increased by 483% between 2010 and 2020**, and a year-on-year increase of 10% was recorded between 2018/19 and 2019/20.
- **Future recruitment** campaigns aim to address **gaps in skill-sets** and **geographic coverage**.

Who are registered intermediaries?

- They come from a **wide background of professional roles and occupations** including speech and language therapy, occupational therapy, psychology, social work, police, teaching and nursing. **They bring skills and experience gained in these roles** to their work as RIs.
- The Intermediary Register is the **national database** used for the **Witness Intermediary Scheme**. Only those individuals who have passed the **RI accreditation training course** are registered.
- All RIs on the database have **security clearance, insurance to practise** and are **registered Data Controllers** with the Information Commissioner's Office.

What does a Registered Intermediary do?

An RI is a self-employed communication specialist who helps witnesses and complainants with communication difficulties to give evidence to the police and to the court in criminal trials.

Their assistance is often the difference between a witness being able to give evidence or not.

- **Help victims and witnesses** to give their **best evidence** in criminal investigation and at trial by **ensuring that they can understand questions** put to them and **can communicate their answers** effectively.
- To do this an RI...

Carries out an assessment of the witnesses communication -

- Evaluate **abilities and needs**.
- Evaluate whether they have the **particular skills to help** for that witness.
- **Establish rapport** so they can help the witness to give their best evidence.

Give advice to help the police & CPS.

Aim is to **achieve best evidence** during the **investigation** and **trial** stages of a case respectively, i.e.

- How a witness **communicates**.
- The witness's level of **understanding**.
- How to **phrase questions** to the witness.
- Help with **pre-trial preparation** e.g. court familiarisation visit.

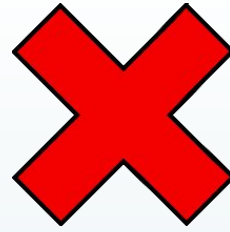
- “An **intermediary** may be defined as a person who **facilitates two-way communication** between the **witness** and any other **participants in the criminal justice process** to ensure that communication with the witness is as **complete, coherent and accurate** as possible.
- This includes communication **at meetings between the witness and the police** and/or the **Crown Prosecution Service**, in the **ABE interview**, during any identification procedures and during the **trial** process.”



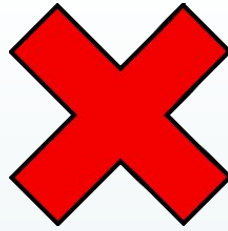


- ✓ Impartial
- ✓ Flexible/time efficient
- ✓ Rapport/approachable
- ✓ Assertive
- ✓ Proactive
- ✓ Emotionally resilient
- ✓ Professional & credible

- ✓ Assess communication
- ✓ Report/recommend based on strengths/weaknesses
- ✓ Enable & facilitate
- ✓ Advise/guide
- ✓ Justify/rationale
- ✓ Ambassador for service



- ❖ Friend/comforter
- ❖ Advocate/supporter
- ❖ Therapist
- ❖ Investigator
- ❖ Expert witness
- ❖ Interpreter



- ❖ Examine or cross-examine the witness.
- ❖ Protect the witness from distressing questions.
- ❖ Change the substance of the evidence.
- ❖ Act for the prosecution or defence - they are an officer of the court and as such are responsible to the court.
- ❖ Exaggerate knowledge/skills.

Case matching

18

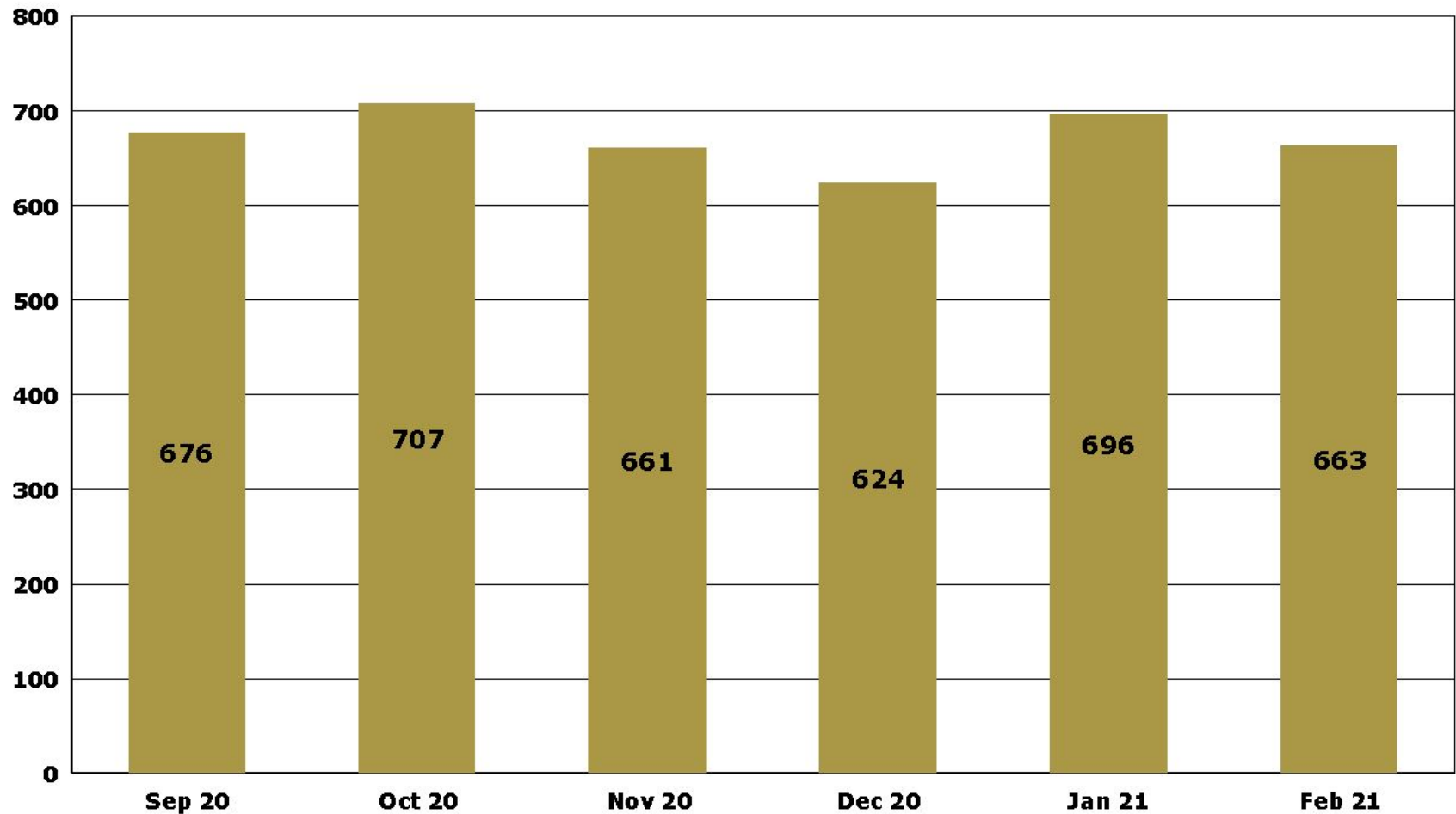
- ❑ RIs are **matched** to a case using the WIS **national database** and matching service.
- ❑ Using the information provided by the EndUser, the best match is made **based on RI availability, suitability** and preparedness to work in a specific **geographic** area.
- ❑ The NCA aims to make a match of an RI to a case **within 10 working days**, however, **urgent cases** can often be matched in a shorter timeframe.
- ❑ RIs are classed as **self-employed individuals and are under no compulsion to accept work** offered to them by the NCA.

Sometimes what's on the form is not what presents...

- *'Learning difficulties'*
- *No communication problems, she's just a typical 6 year old.*
- *Very poor attention and listening.*
- *Won't sit still.*
- *Good vocabulary.*
- *Speech sound issues not mentioned.*

In total, the **WIS received 6,907 requests for RI assistance in 2019/20**, the highest number of requests in any 12-month period since the WIS was rolled out nationally in 2008.

Monthly comparison of requests for Matching Service received



End of the first bit

Questions?

21



Contact

22



Text



E.g.

Hi Ann,

I have a case to offer you for assessment and ABE at SARC Cardiff Royal Infirmary for a 7 year old girl, age related. The OIC would ideally like to go ahead with assessment between 2-5th Feb and ABE between 18th-26th Feb but if I can't match to that timescale I'm looking for earliest availability.

Would you be interested in this case?

As you are first on the list, will hold this case for four hours.

Many thanks.

N

This message will self
destruct in 5...4...3...

25

DC Brook contacted the
National Crime Agency

Matched to me as
within my 'home force
area' and skill set



I made contact with DC
Brook by phone,
We discussed - nature of
the case, assessment -
what, where, when...

I completed part 8
(Letter of Engagement) of
the RfS & forwarded to
DC Brook (OIC) and WIT



The contractual
agreement between me
and the police

Assessment - with DC
Brook present and
involved



Assessment



Preparation

- ☐ Talk to parents/carers/school/college
(as appropriate check with officer 1st!)
- ☐ Consent/behalf consent forms.
- ☐ Assessment template (plan)
- ☐ What might I need to take from my kit?
- ☐ What do the police want to know?

Rapport building – Quickly!

Trust	Care System	Trauma	Hypervigilant
Over friendly	Detached	Frightened	Threatened
Anxious	Embarrassed	EAL	Another professional

Awareness...

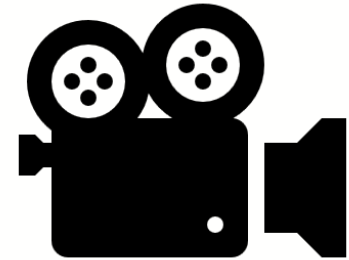
- Of individual's 'lived' experiences
- Triggers
- Physiological responses
- Over-activation
- Withdrawal
- Fight/flight
- Listening fatigue
- Breaks/medication/food/drinks/breathing/grounding/
- Fidget items/movement/drawing/colouring

- [Resources \(beaconhouse.org.uk\)](https://beaconhouse.org.uk)





Case example – E (14 years)



Engaging but not too 'fun!'



DON'T WANT TO
ELICIT A PLAY
RESPONSE.



NOTHING
IMAGINATIVE.



ASSESSMENT IS
PREPARATION FOR
INTERVIEW.

Assessment



Plan with IO – what are they going to ask about?



Every assessment is different depending on the case.



Rapport



No guessing



Practice recall



Yes/no/don't know

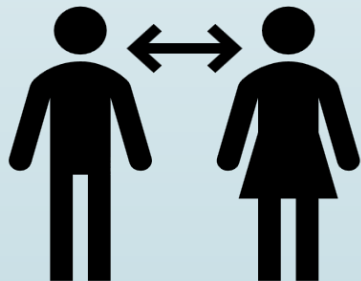
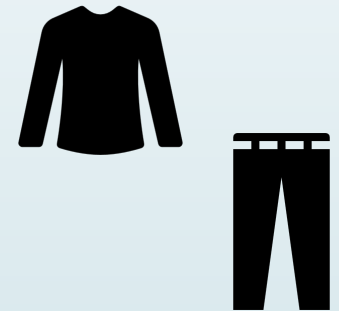
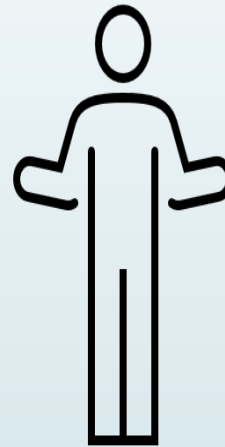
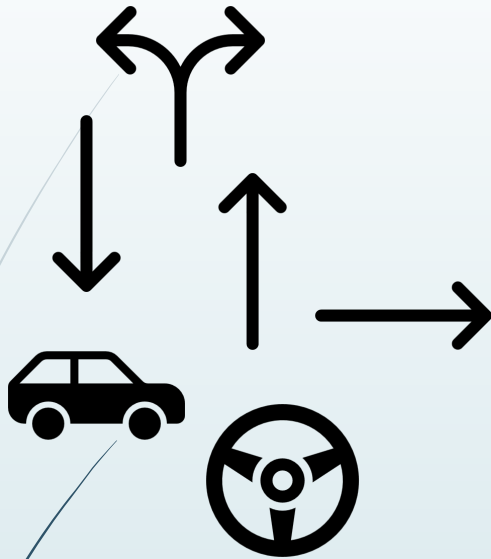


Get something wrong

- Who
- Doing
- What
- Where
- When
- How (many times/much/long/far)
- Sequencing (before/after first/next/last)
- Vocabulary
- Grammar – (pronouns, prepositions tenses)
- Feel/feel
- Suggestibility
- Drawing
- Reading
- Writing
- Theory of mind

Typical examples

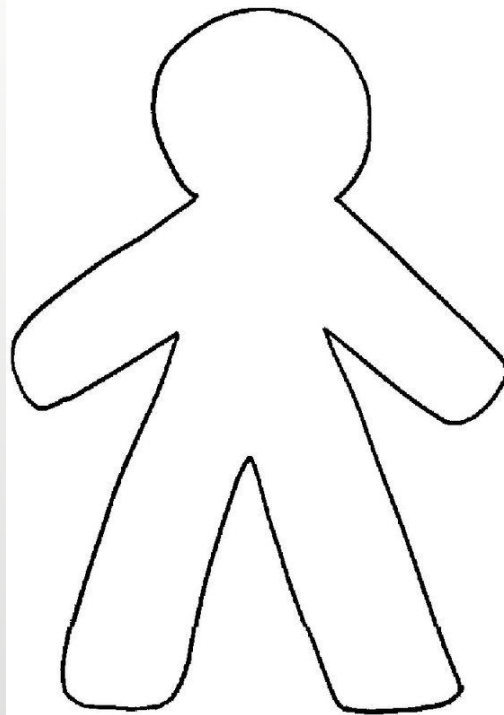
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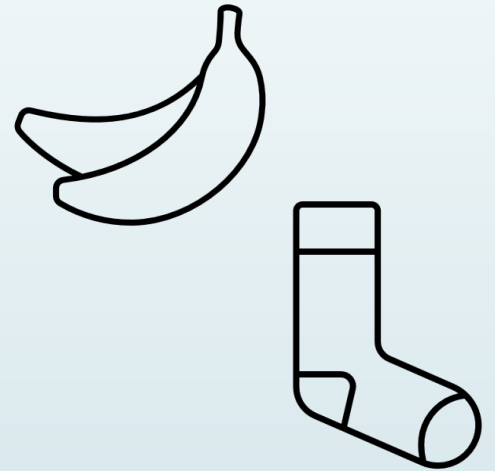
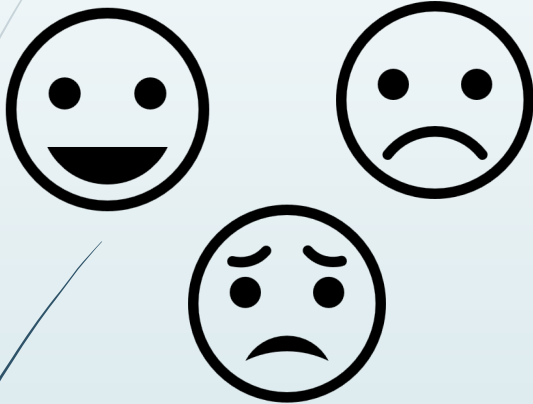
Examples of 'kit'!

- Interaction/Conversation
- Pictures – e.g. sequencing/body parts/dentist/descriptive
- Prepositions tin
- Play dough/blu tac/bean bags
- Feely bag
- Felt pens
- Body maps
- Mannequins
- Rag dolls





Feel vs feel



Attention

Comprehension

Expression

Non verbal

Emotional management

Suggestibility

Other



Write Report with recommendations for Police Interview (ABE)

Environment
Truth and Lies
Questions
Breaks
Props



2.2.1 I have been asked to assess Celyn's communication abilities and to:

- Indicate whether or not Celyn has the ability to communicate her evidence in this case and, if so, how.
- Indicate whether the use of an RI is likely to improve the quality, completeness, coherence, and accuracy of Celyn's evidence.
- Advise the police on the most effective way of communicating questions to Celyn.
- Make recommendations as to any other adjustments to enable best communication with Celyn.

RECOMMENDATION	EXAMPLE	RATIONALE
Questions should be asked at a slow pace with plenty of thinking time allowed.	Wait at least 5 seconds before intervening.	Witness has slow processing speed. (1.1-1.4)
Focus on the points to prove first and ask additional questions if Maria remains focused.	Maria... So, you told us X,Y,Z...	Maria has a short attention span and finds concentration difficult. She presented as having a reduced memory span. Maria would forget what was said at times and need support to re-focus. (1.1-1.3)
Revise, re-cap main points to move witness forward.	Is that right?... Maria...what happened next?	
Witness is likely to need prompt/invitation questions/direct questions to expand on an open question.	Maria...what did X look like? (wait 5 seconds). If she gives a short answer, repeat back in an expectant way to see if she offers further information. Prompts such as 'uh huh', 'and then...' , 'anything else' could help her to expand.	During assessment Maria struggled to describe her friend following an open question. (5.6)
Questions involving the passing of time in a day or telling the time should be avoided.	Maria...what time was it when X...? Maria...how long was X in the room for?	Witness is only just learning to tell the time and understand the passing of time/duration. (4.3) (8.3)
Avoid idiomatic/figurative language during questioning.	Can you <u>paint me a picture</u> of what happened?	Maria can take sayings literally and will be confused by such language. (4.9)
Due to the nature of the case, the witness's own terms should be used for genitalia during questioning.	██████████ ██████████ ██████████	During assessment, this vocabulary was used by the witness to describe genitalia.(5.3)

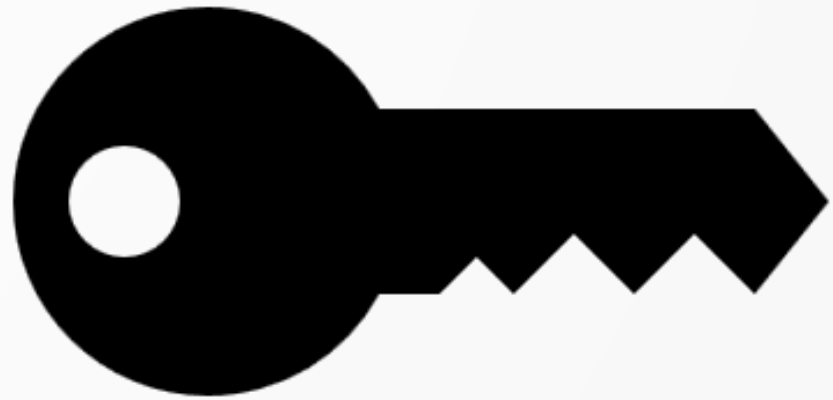
Recommendation	Example	Rationale
Witness be allowed to hold/manipulate Blu-tac during interview.	Medium sized lump of Blu-tac to roll/stretch/fiddle with. Intermediary will provide this	Manipulating Blu-tac helped the witness to focus during assessment. (1.5)
Visual ground rules reminders	Pictorial/written reminder cards for: <ul style="list-style-type: none"> ☐ Yes/no/don't know ☐ No guessing ☐ Correct my mistakes ☐ Break 	Witness has a reduced memory span and will forget what has been said at times. She is likely to need support to re-focus at times and remember the rules. (1.1 – 1.4)
Witness will need regular breaks to remain focused and give her best evidence. Approximately every 10-15 mins but this should be monitored/adjusted flexibly depending on responses. The interview should go at the pace of the witness.	Increased fidgeting, not listening, wandering off or changing topic may indicate the need for a break.	Witness loses attention quickly and benefits from time to re-focus. (1.1 – 1.5) Achieving Best Evidence in Criminal Proceedings p.62 - 2.212

*“The interviewer will need to **pitch the language and concepts** used to a level that the witness can clearly understand, while the **focus should be on** recognising and working with the **witness’s capabilities rather than limitations.**”*



Conducting the Interview –
Achieving Best Evidence in Criminal
Proceedings p.69 3.6.

Achieving Best Evidence







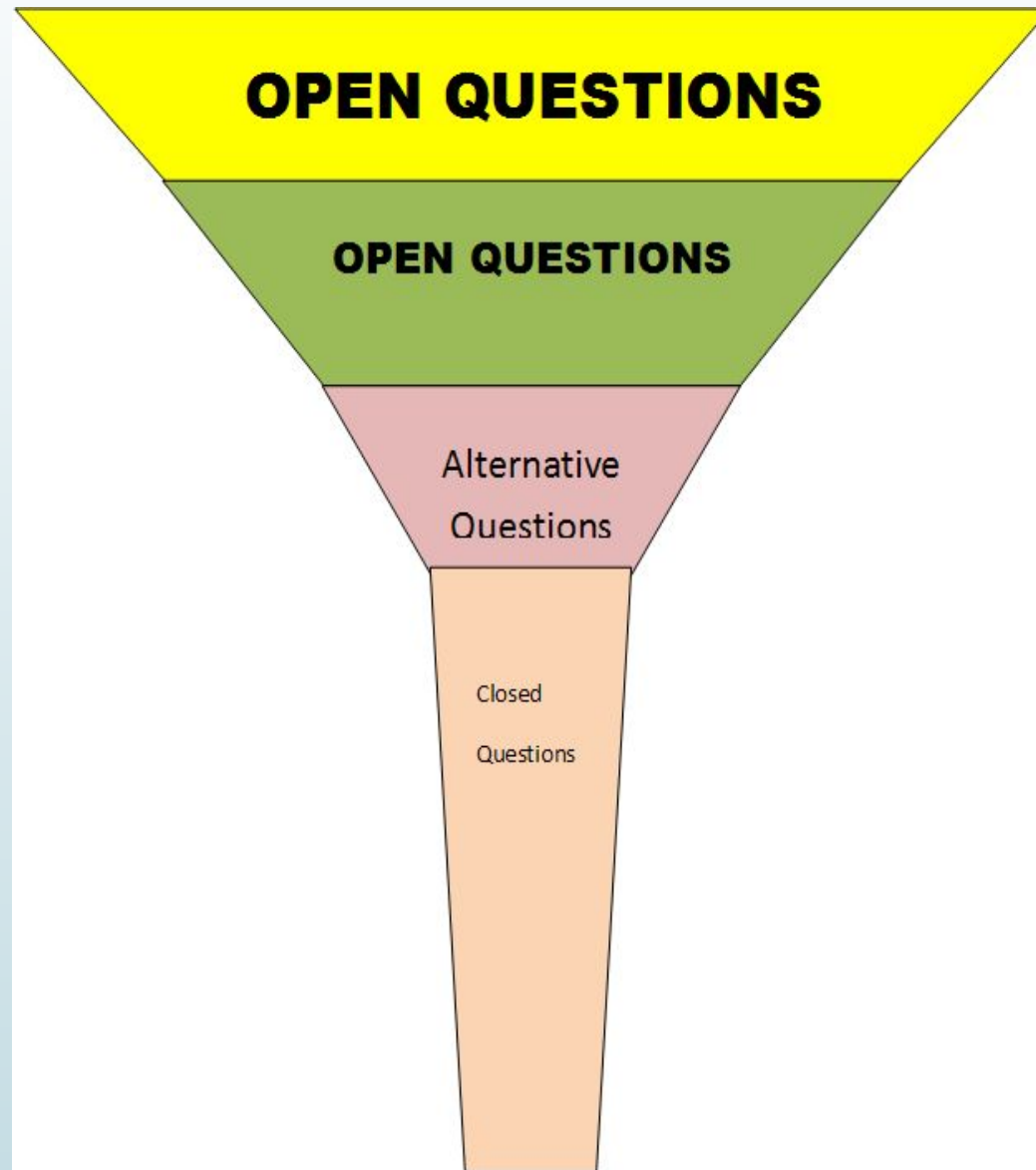
For children's evidence to be used in criminal or family proceedings, they need to demonstrate their understanding of the difference between truth and lies.

'Did he tell the truth or a lie or don't you know?'

These films resolve a number of problems, requiring minimal language processing, not requesting the child to imagine or pretend or listen to a 'story', and requiring no person present to tell a lie or be accused of lying.



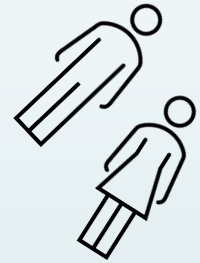




I wonder...

- IO - What position were they in?
- Witness – erm...
- RI – (To IO) - I wonder how they moved?

- IO – What was it made of?
- Witness – I don't know.
- RI – (To IO) I wonder what colour it was?
- IO – What colour was it?
- Witness – Silver...and I didn't have the key.



How an RI may intervene in an ABE interview.



Say nothing



I wonder...if X could:
Show us/draw it/write it?



I don't think x was listening then...
"Listen again to Katy"



X doesn't understand Y



Break



Police referral closed – invoice police.



Strong enough evidence during ABE interview for the case to proceed.



Received Request for Service form (Rfs) from CPS (via NCA) for trial. Completed and returned.

End of the
second bit.

Questions and screen break

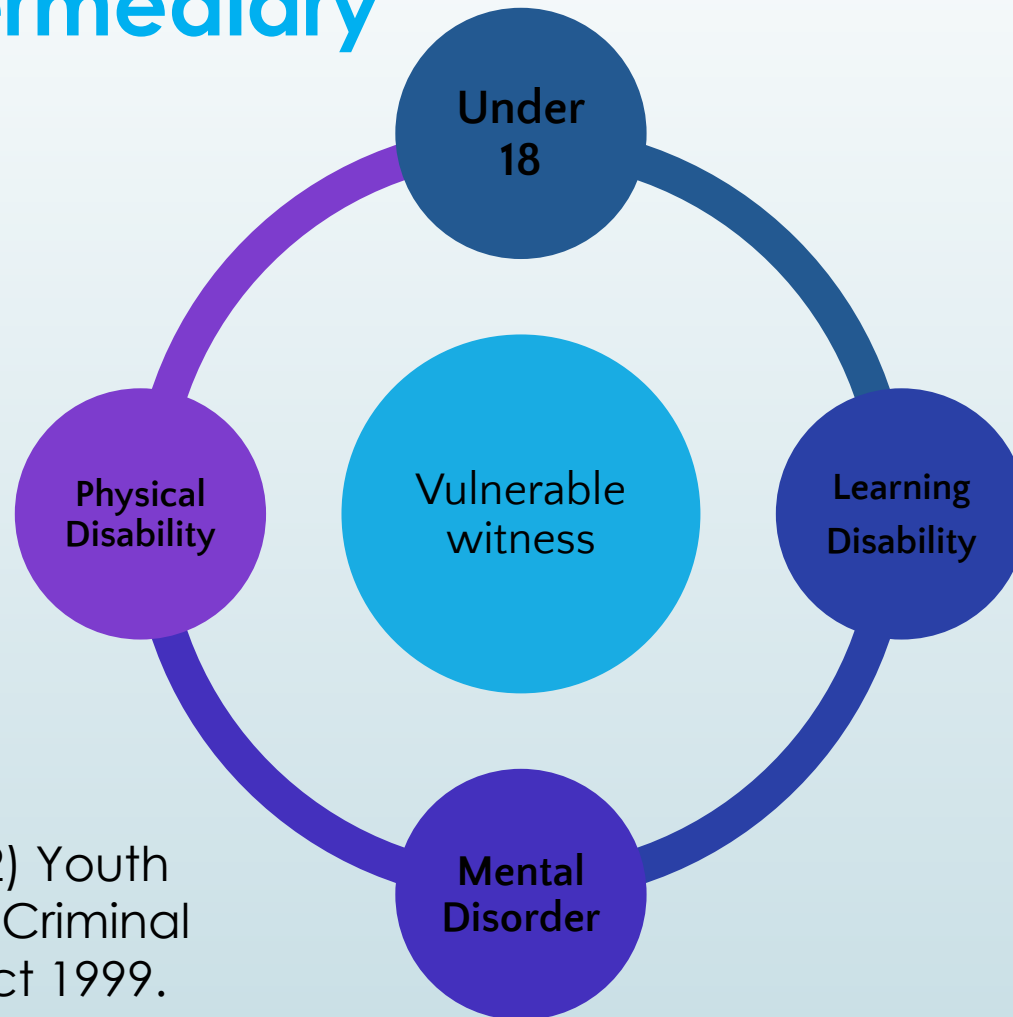
54



Pre-Trial



Special Measures - Intermediary



Section 16(2) Youth
Justice and Criminal
Evidence Act 1999.

Review communication skills, **assessing** for trial.

Focus on:

- Attention/listening/concentration
- Processing
- Sequencing skills
- Response to questions
- Ability to correct mistakes
- Saying 'Don't know' or 'I don't understand'



R. vs ???

CPS URN - ???????

Registered Intermediary Report and Recommendations on Special Measures
in respect of

Report prepared at the request of:
Crown Prosecution Service

Author: Ann Birch

Registered Intermediary Registration Number: 40012

Date of report: 2nd October 2020

Confidential Report

This report is confidential and is intended only for the parties and the court in this case.

This report is for advice only and is not evidence in the case.

It should not be disclosed outside these proceedings without the permission of the
court.

**To provide feedback about the service provided by Registered Intermediaries
in the Witness Intermediary Scheme, please contact the Quality Assurance**

Board Secretariat at wit@nca.gov.uk

25th February 2020	Referral received from the police
25th February 2020	Initial contact with end user
26th February 2020	Assessment date agreed
6th March 2020	RI assessment of witness
6th March 2020	RI report completed and sent to end user
21st July 2020	Referral received from CPS
4th August 2020	RI re-assessment of witness
6th August 2020	RI Court report completed, and e mailed to CPS and Police.
2nd October 2020	Amendments to Court report recommendations section for re-trial.

Table of contents		
Section	Section Title	Page/s
Section 1	Introduction	3
Section 2	Summary of Registered Intermediary's (RI) qualifications and experience	3
Section 3	Instructions and chronology	3-4
Section 4	Summary of findings and recommendations	5
Section 5	Witness assessment	6-14
Section 6	Conclusion	15
Section 7	Recommendations for special measures	16-26
Section 8	RI declaration and signature	27
Appendix 1	CV of the RI	28-29
Appendix 2	Description of the role of the RI	30
Appendix 3	Giving feedback about the Witness Intermediary Scheme	31

	Recommendation	Example(s)	Rationale
7.2.1	Fern must not be kept waiting to give her evidence.	If she is due to give evidence at 11am she should not be brought to Court for 9.30am to wait in Witness Care. She should arrive as close to 11am as possible.	Fern has the attention span of a typical 6 year old. Any delays could impact negatively on her giving her best evidence.
7.2.2	There should not be particularly interesting activities/toys/games/TV available in the waiting area.	A new bag of toys provided by a support worker to amuse Fern whilst waiting would be kind, but not helpful in encouraging her to provide her best evidence.	If young children have engaging activities to focus on, they are unlikely to want to leave this area to give evidence. The draw of returning to the 'fun area' could prevent a child from providing their best evidence.
7.2.3	In order for Fern to remain still and feel grounded/secure during questioning, she should have a child sized chair to sit on or be allowed to sit on the floor.	If a child sized chair is not available, RI to provide one.	Throughout her ABE on an adult sized settee, she was fidgety at times and preferred to slip onto the floor. An adult sized chair causes her feet to dangle giving no security and perhaps impacting on her ability to focus/give her best evidence. p.6 (5.1.3)

Questions related to times, dates and duration will need to be simple or avoided.	Was it bedtime? (rather than, was it afternoon or evening)?	Due to her age Fern cannot tell the time. She does not know the year, days of the week or months of the year. She has no concept of duration in terms of seconds/minutes/hours. She knows the difference between wake-up time and bedtime. She understands before/after in terms of her daily routines. She can sequence a 6-step sequence in terms of first/next/and then/last. p.11 (5.6.1 – 5.6.8)
	You said X did Y.	
	Was that before you got in bed?	
	What happened first?	
	What happened after that?	

Avoid multi-part questions e.g. Did you have a bath, or a shower before or after your tea?	Questions should only contain one point e.g. Did you have a bath? Was that after tea?	Fern is 6 years old and has a limited attention span. She is likely to find it difficult to remember, process and understand long strings of information during cross examination. p.6 (5.1.3 – 5.1.4) p.7 (5.4.2)
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Avoid questions with preamble e.g. So, you told us ABC and that XYZ happened. Tim said XYZ. Given this, can I ask you about Tom now?	Keep language to a minimum and be clear about topics (sign posting) e.g. I'm going to ask you about X now. Who is X?	Heightened anxiety can impact on a person's ability to listen and understand information. Fern is a young child interacting with new adults in unfamiliar places. Keeping language clear and simple is vital to Fern communicating her best evidence. p.6 (5.1.3 – 5.1.4) p.7 (5.4.2) p.14 (5.10)
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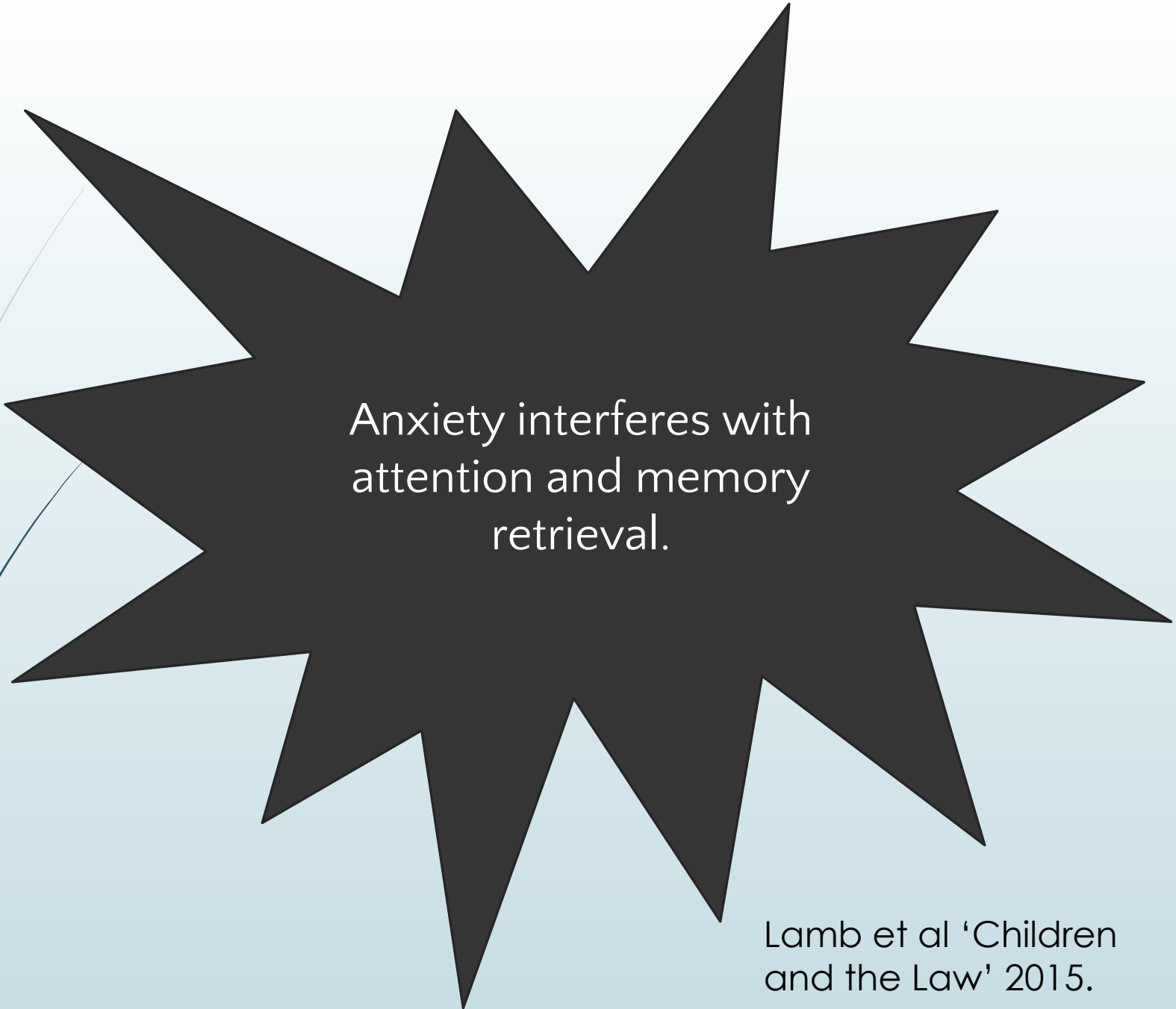
<p>Avoid 'tag questions' even in introductions.</p> <p>e.g. Your name is Fern isn't it?</p> <p>e.g. X wasn't in the bedroom, was he?</p>	<p>Ask questions with one clear idea.</p> <p>Where was X?</p> <p>Was X really in the bedroom?</p> <p>Are you sure X was in the bedroom?</p>	<p>"...tag or directive leading questions should also be avoided..."</p> <p>'Advocacy and the Vulnerable - 20 Principles of Questioning - (2018) p.20</p> <p>https://www.icca.ac.uk/wp-content/uploads/2019/05/20-Principles-of-Questioning.pdf</p>
<p>Fern will be able to understand and respond to the best of her ability if single, short sentences containing one idea, are presented one at a time.</p>	<p>Where was Mummy?</p> <p>Did X say anything to you?</p>	<p>Anxiety can impact negatively on listening, comprehension and verbal responses.</p> <p>Keeping sentences short and simple should support Fern in giving her best evidence.</p> <p>p.7 (5.4.2)</p>



Court report included additional recommendations re: cross examination & special measures emphasising...

- ☐ Maria would **not cope with lengthy waiting** times
- ☐ Potential **effect of stress** on her communication skills
- ☐ Need for **blu tac** to keep her calm/focused
- ☐ Icons as **ground rules prompts**
- ☐ Need for **regular breaks**
- ☐ Giving Maria **thinking time** after each question
- ☐ **Potential impact of court environment** on her social skills (immature). Tone of voice/attire?

Send to OIC & CPS ONLY.



Anxiety interferes with
attention and memory
retrieval.

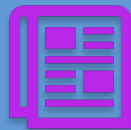
Lamb et al 'Children
and the Law' 2015.



Pre-trial familiarisation visit
organised by Witness Care.



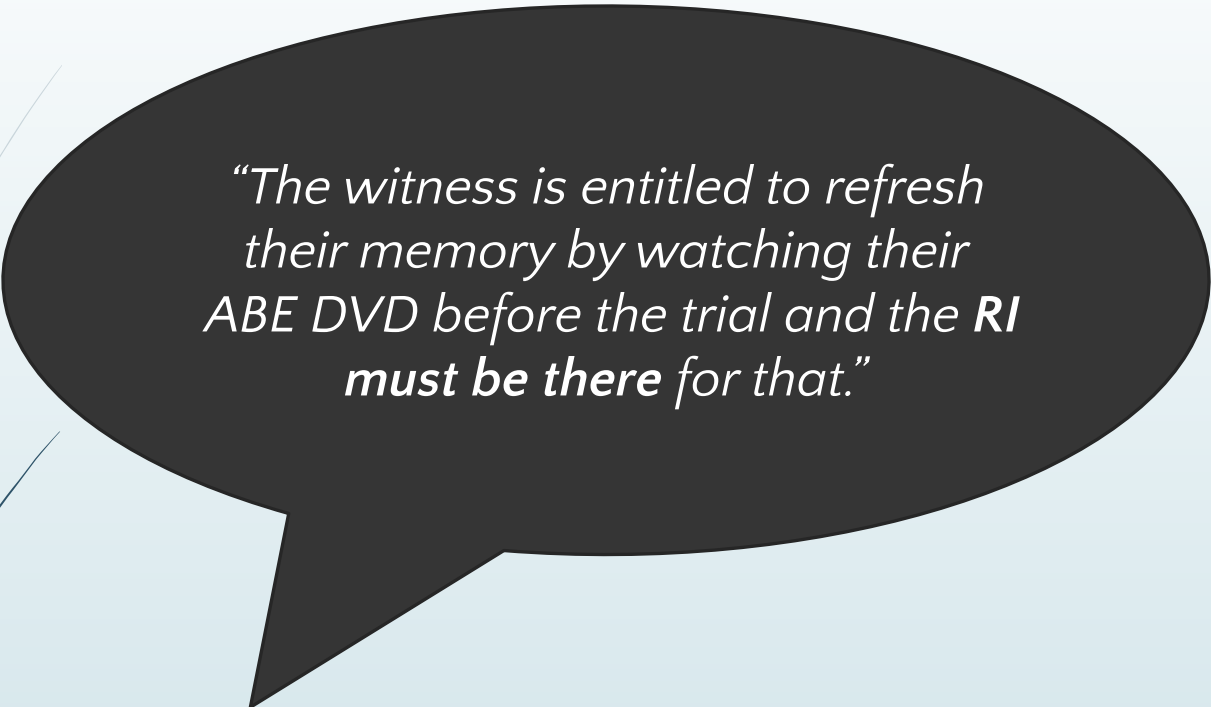
Practised asking questions through
Live Link



The Registered Intermediary Procedural
Guidance (2020) p.36 3.66–3.67



- Maria appeared to be **comfortable** in court but was **giggly and fidgety**.
- She was given the opportunity to **try on a wig** and see a wig & gown tried on by the Usher.
- She enjoyed that and her **attention was more focused** when the Usher was wearing the wig.



*“The witness is entitled to refresh their memory by watching their ABE DVD before the trial and the **RI must be there** for that.”*

The Registered Intermediary Procedural Guidance Manual (2015) p.36 - 3.68.

- ❑ I watched the ABE with Maria and DC Brook the day before her trial (recorded).
- ❑ She needed regular breaks as her concentration lapsed.



*“It is now **common practice** for advocates to supply their **proposed questions in writing** to the intermediary... **The intermediary will consider the questions** and recommend changes where necessary.”*

Intermediaries: step by step. Toolkit 16 (2017) p.8 - 2.5
Good Practice Example. The Council of the Inns of Court

Cross Examination Questions

*“The use of an intermediary **does not** reduce the responsibility of the judge...**to ensure that the questions put to a witness are** proper and appropriate **to the level of understanding of the witness.**”*

Advocacy And The Vulnerable. 20 Principles of Questioning - A Guide to the Cross Examination of Vulnerable Witnesses (2018) p.4. The Council of the Inns of Court.



I received and commented on cross examination questions proposed. (2 days before trial)



Must allow fair challenge (not protecting) but ensuring Maria understands what is asked.



20 Principles of Questioning (ICCA Advocacy and the Vulnerable)

Proposed question	Possible amendments	Rationale
Your mum went on holiday to Jamaica in April?	Signpost instead. e.g. Kira - I'm going to ask you about when your Mum went on holiday to Jamaica.	Avoid statements put as questions (20 Principles of Questioning – 12 p.14.) Witness might not understand she needs to respond. Signposting (20 Principles of Questioning – 10 p.11)
Did she take you?	e.g. Did your Mum take you to Jamaica?	Avoid pronouns (20 Principles of Questioning – 13 p.15)
She took your sisters, didn't she?	e.g. Did your Mum take your sisters on holiday to Jamaica?	Avoid pronouns (20 Principles of Questioning – 13 p.15) No tag questions (20 Principles of Questioning – 17 p.20)
Kira, you say that <u>he</u> touched your private parts on 4 different days.	Signpost in the next question to cover both e.g. Kira, now I am going to ask you about the first time you said Ken touched you. Merge into signpost - see above.	Avoid statements put as questions (20 Principles of Questioning – 12 p.14) Avoid pronouns (20 Principles of Questioning – 13 p.15) Would she understand private parts - use her own vocabulary? (RI report p.8 - 4.3.3)

What can go wrong?

Barrister – So you went post haste to the police station?

RI – Could that question be rephrased your Honour?

Barrister – I am right in saying that you approached the police station with gusto?

Witness – Who's Gusto?

Example from RI supporting a 15 year old.

Amending Questions



“Did X tell you, before you told your Mum, that Y had hit Z?”

Possible amendments....

- Did you see Y hit Z?
- Did X tell you Y hit Z?
- Did you tell your Mum?

Amending Questions

Was your hair pulled by X?

77

What was your location at the time of the phone conversation?

Teenage sisters case

- | | |
|-----------------------------|-----------------------|
| □ LD | □ LD |
| □ 15 | □ 17 |
| □ Initially dismissive | □ Friendly and polite |
| □ Loud/volatile | □ Quiet |
| □ Behaviourally challenging | □ /sk/ - /st/ |
| □ Calmer without Mum | □ Calmer with Mum |

Ground Rules Hearing

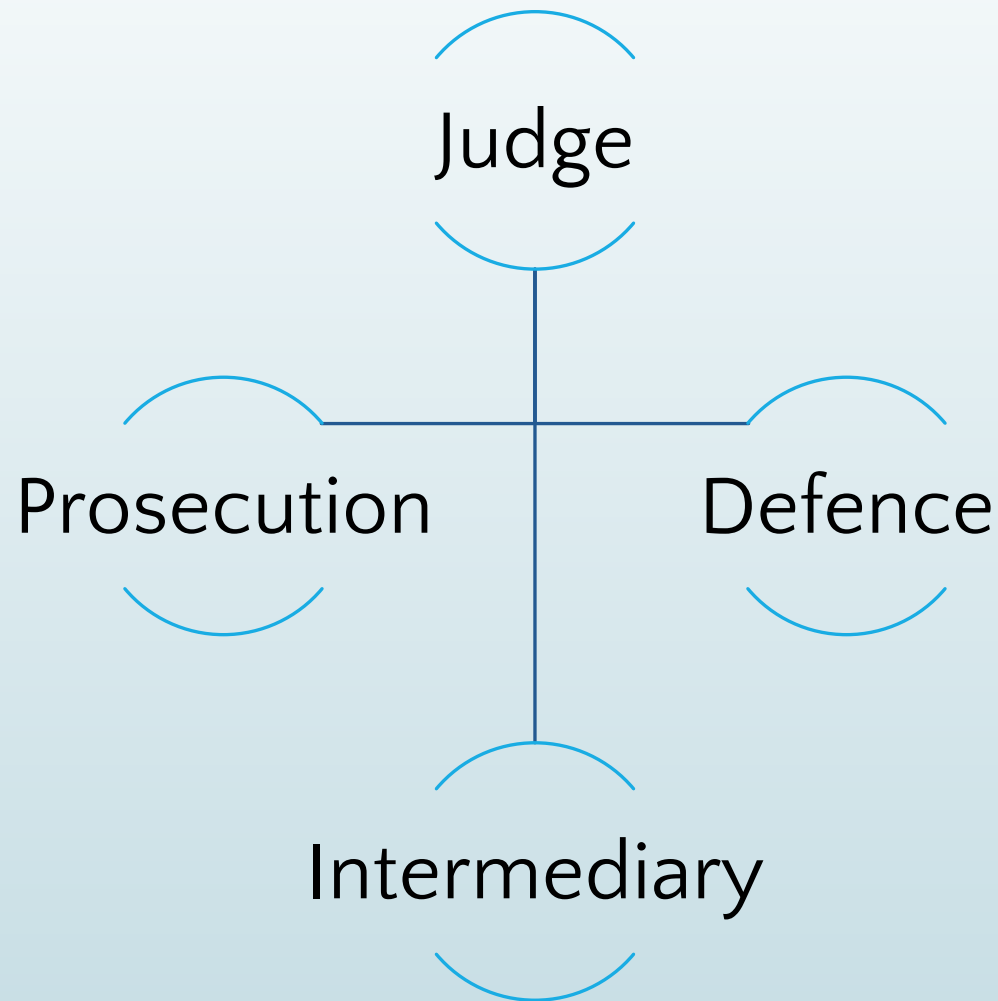




“A Ground Rules Hearing is required in all intermediary trials and is good practice in any case where a witness or defendant has communication needs.”

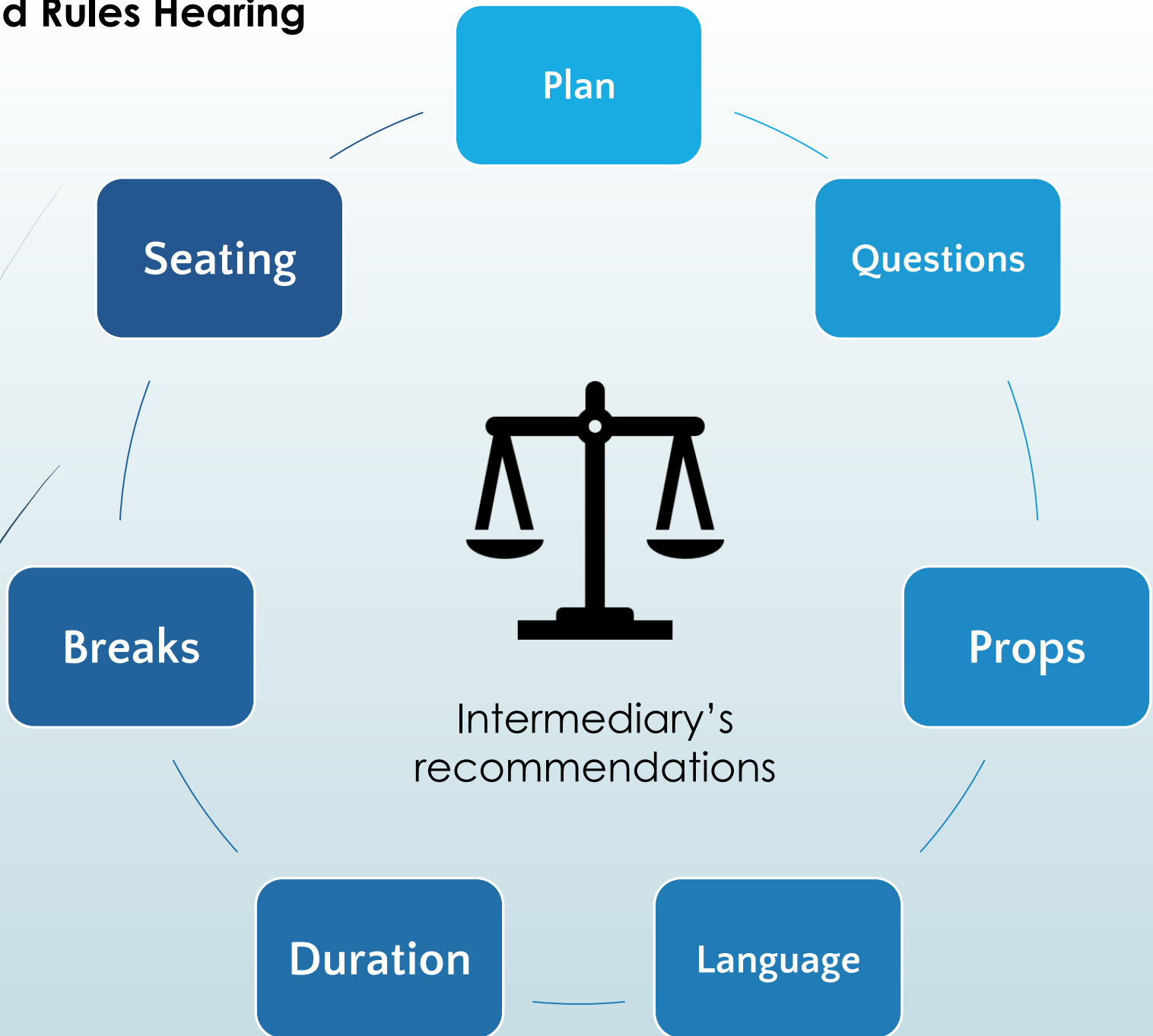
Intermediaries: step by step. Toolkit 16 (2017)
p.6-1.2 The Council of the Inns of Court.

Ground Rules Hearing



82

82



Ground Rules Hearing

83

- “Discussion of ground rules is **required in all intermediary trials**, where they **must be discussed** between the **judge or magistrates, advocates** and **intermediary** before the witness give evidence.”
- “Matters to be discussed **include the way in which the RI will intervene** during the evidence.”

(Criminal Practice Rules Part 3 paragraph 3.9(7) and Criminal Practice Directions 3D.7)

End of the third
bit.

Questions?

84



Trial

85





Facilitating Communication



Arrived early and made myself known to the court usher, witness service, officer in charge of case and trial advocates.



Spare copies of court report and the Registered Intermediary Guidance Manual 2015



The judge explained my role to the jury and I made the declaration in court.

RI's main role during Trial



- **Assist** during the giving of evidence.
- **Monitor** child's needs in the live link room.
- **Intervene** if a communication issue arises.

Issues in cross examination

Tone of voice – I had to intervene initially as Maria felt defence council was angry with her and I noticed that she looked teary.

“Your Honour, I believe that the witness would answer more openly if council used a lighter tone.”

Pace – I had to intervene as a reminder to slow the questions down and wait for 5 seconds for Maria to respond (as agreed in GRH based on my recommendations)

“Your Honour – Maria needs a few more seconds to think.”

Lengthy/complex questions – At one point, Maria was asked...

*So, do you remember, **while** your mother was away **and when** your Aunt was out, how many times did you go in the bedroom with **him**.*

“Your Honour – Question is too long and complex.”

What helped Maria in court?

Live Link



Clear questioning at her level of comprehension

Blu-tac



Visual reminders of the rules for talking



Breaks



Ministry of Justice



91

- ❑ Witness Intermediary Scheme.
- ❑ Submit annual CPD log – rated.
- ❑ Collect feedback forms from each case – rated.
- ❑ Peer review of reports
- ❑ Annual RI Conference.
- ❑ RIO.
- ❑ RIRT.

highly developed listening and
observation skills

many years experience re: SLC

rapport/approachable

detailed report writer

autonomous

needs led informal assessment

reflective/thoughtful/imaginative

solution focused

task/finish mentality

organised but flexible

emotionally resilient

not 'precious' but also highly professional
depending on circumstances! – read the
room!

Support

- Registered Intermediaries Online (RIO)
- Active Whatsapp groups
- Intermediaries for Justice (IFJ)
- People I trained with
- Wales RI Regional Group
- Long suffering husband
- Pilates
- Dog, horses and chickens!

Recent training/CPD

94



Trauma informed practice



Working with defendants



Reflective practise re cases



Law and policing



Research



Every case is a learning experience!

I listen and feel it...but don't show it.

- I can't help if I am:
 - Upset
 - Shocked
 - Angry
 - Judgemental
- Listen and deal and cope - (or not – this role is not for everyone).
- Need to be impartial.

Weekly Juggle - essentials

- Paper diary/pencil/rubber
- Imaginative time management
- Forward planning
- Admin prep (for all roles e.g. CPD logs invoices/lecture plans/termly aims)
- Bags for jobs!



A 'typical' week (maybe!?)

- MONDAY - NHS
 - TUESDAY – RI case? (OR - lectures/marking - Spring)
 - WEDNESDAY – Independent SLT work
 - THURSDAY – RI case?
 - FRIDAY – RI case / RI reports (OR NHS swap day)
 - SATURDAY -
 - SUNDAY – Bags prep!
-
- Or a trial maybe Monday – Weds (NHS Friday)

If you think you might want to be an RI - Ask yourself...

Can you stay within your skill set?

Can you say no? (don't take on too much too soon)

Do you enjoy being a lone worker/self motivated

Are you a reflective thinker?

Are you highly organised?

Can you build rapport quickly but emotionally distance?

Are you imaginative in ways to assess?

Are you a highly skilled report writer with an eye for detail?

Can you 'read the room' and adapt your behaviour/communication?

Final thoughts...

99

I find the RI role -

- Rewarding. High level job satisfaction.
- Challenging
- Interesting

It has made me more -

- Reflective
- Assertive
- Confident

It allows me to -

- Use skills I have developed over the last 27 years as a SLT in a whole new way.
- Work with a totally new set of professionals in new environments.
- Maintain other roles alongside – all have fascinating cross-overs!
- See how resilient and brave young people can be – I feel privileged to help them communicate their best evidence.

Three bits of advice for any SLT...

100

- ❑ **Always be aware of your surroundings** and how the environment can impact on a client's communication e.g. background noise/too visually busy/too many people in the room.
- ❑ Informal assessments and observations are **not** inferior to standardised assessments. They may take longer to gather and write about though!
Detail is evidence and evidence = a strong rationale.
- ❑ **Don't be in a rush to specialise.** I learned more as a community clinician than in any other role. Invaluable breadth of experience over a long period of time.

Final Questions?



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\(intermediaries-for-justice.org\)](http://intermediaries-for-justice.org)