
Overview

This standard is about facilitating communication for vulnerable individuals to give evidence in court.

You are appointed to facilitate better communication and understanding between individuals with communication difficulties and those asking questions of them in court

You will help to make the justice process accessible to some of the most vulnerable individuals in society and in some cases this will make the difference for individuals to be able to participate effectively in a fair trial.

Target Group

This standard is intended for Registered Intermediaries who facilitate communication for vulnerable individuals to give evidence in courts.

**Performance
criteria**

You must be able to:

- P1 attend court with vulnerable individuals for pre trial court familiarisation visit, where required, to facilitate communication in line with other agencies' arrangements
- P2 convey any particular needs of individuals to relevant others in line with procedural guidelines
- P3 attend ground rules hearing to discuss and agree recommendations contained within your court report
- P4 attend contest special measure applications, as required, in line with procedural guidelines
- P5 facilitate communication in court, in line with ground rules hearing, including:
 - P5.1 communicate answers from individuals exactly as you hear them, without changing wording or context
 - P5.2 repeat or rephrase questions to individuals as directed by the court without changing the meaning or context
 - P5.3 intervene, if necessary, to seek clarification from the court on a question asked
 - P5.4 intervene, if necessary, to draw attention to difficulties individuals may have in understanding what is being asked in line
 - P5.5 request breaks for individuals if necessary
- P6 fulfil the duties of your role whilst in court, in line with procedural guidelines, including:
 - P6.1 bringing to the attention of the court anything said or done in the live link room which may not have been seen or heard in court
 - P6.2 ask for a matter to be dealt with in the absence of the jury, where appropriate
 - P6.3 take steps to make sure that you do not unnecessarily impede or obstruct the pace and flow of court proceedings
 - P6.4 follow the directions of the court as instructed by the judge
 - P6.5 respond to directions and requests when required to do so

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- P6.6 make use of appropriate pauses and breaks in court process to
 raise any matters of concern affecting the quality of evidence
- P7 bring to the attention of the court any matters of concern at the time they
 occur

Knowledge and understanding

You need to know and understand:

- K1 legal and organisational requirements which relate to supporting vulnerable individuals during judicial and legal processes, and:
 - K1.1 their impact for your area of operations
- K2 legislation, policies and procedures relating to your area of jurisdiction, regarding:
 - K2.1 data protection
 - K2.2 health and safety
 - K2.3 diversity
 - K2.4 legal professional privilege
- K3 the limits of your authority and responsibilities, including:
 - K3.1 actions to take if these are exceeded
- K4 how to deal with individuals in an ethical manner
- K5 up to date knowledge of court procedures
- K6 relevant up to date case law
- K7 confidentiality of information, including:
 - K7.1 non disclosure
- K8 your role and responsibilities to vulnerable individuals and the courts, and:
 - K8.1 the roles and responsibilities of vulnerable individuals and personnel in courts
- K9 boundaries of relationships with vulnerable individuals, including:
 - K9.1 reasons why you must always have a suitable third party with you when meeting with vulnerable individuals
- K10 required conduct of yourself and vulnerable individuals in court
- K11 what has been agreed in ground rules hearings, including:
 - K11.1 when it is acceptable to intervene during questioning
 - K11.2 when other people are allowed to communicate with vulnerable individuals during trials
 - K11.3 special measures agreed
 - K11.4 best place for individuals to give evidence that meets their needs
 - K11.5 any special requirements needed by individuals

- K12 different styles of language to be used when communicating with vulnerable individuals in court
- K13 how to communicate questions to vulnerable individuals by the court, and:
 - K13.1 how to communicate responses from vulnerable individuals to the court
- K14 how to be flexible in your approach using various communication techniques appropriate to behaviour and attitude of vulnerable individuals
- K15 signs of vulnerable individuals becoming distressed, including:
 - K15.1 how each individuals' need for support may differ
- K16 where to report any concerns that vulnerable individuals have, which cannot be addressed by you
- K17 different ways vulnerable individuals may feel and behave before, during and after giving evidence
- K18 treat as confidential any information that may come to you in the course of your work

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