Purpose

To allow children and vulnerable people to understand, and to be understood, in the legal system

Legislation

Section 29, Youth Justice and Criminal
Evidence Act, 1999

'Their [Intermediaries'] primary function is to improve the quality of evidence and aid understanding between the court, the advocates and the witness or defendant.'

(Criminal Practice Direction, 3F.1)



Professional Background

Health professionals (Speech and language therapists, Occupational Therapists, Psychological and mental health professionals) Education professionals (Teachers, Teaching assistants)

Social Care (Social workers, Support workers)
Legal professionals (Police, Probation, Solicitors)

Status

Neutral, independent & impartial Assist police/prosecution/ defence/ judge by supporting communication between these parties and the vulnerable person

Registered Intermediaries

Witness Intermediary Scheme: Registered Intermediaries work with vulnerable witnesses (Statutory)

HMCTS Approved Intermediaries and Freelance Intermediaries

HMCTS Approved Intermediary Scheme: Court Approved Intermediaries work with vulnerable defendants and respondents (Discretionary) including family proceedings & tribunals

Freelance Intermediaries Working in Supplementary Areas

Intermediaries for vulnerable suspects sourced by police or solicitor and funded by police.

Intermediaries in formal proceedings (e.g. parole board hearings, immigration or education tribunals) sourced and funded by the organisation seeking an intermediary.

INTERMEDIARY ROLES

Assessment

Interview

Pre-trial

Trial



IS

Planning for trials including Ground

Rules Hearings

Assisting during trials or other hearings

Communication assessment and information gathering for police interview, court, or tribunal Planning and assisting at interviews
Creating and using communication aids

Build rapport
Assess attention
Understanding of
questions & ability to
respond
Emotional regulation
skills
Gain vulnerable
person/friends/family
/professional's views

Write preliminary report for video recorded interview Advise on how to ask questions Assist by intervening in interview Help communication and regulate emotions with communication aids: (visual cards, body maps, dolls. fidget objects, emotion scales) Assist with emotional grounding (visualisations, breathing practices)

Reassess communication and health Complete court report Recommend measures to gain best evidence Discuss and agree these with barristers and judge at the ground rules hearing Assist with memory refresher and precourt familiarisation with vulnerable person Review barristers'

questions in advance

Sit with witness in live link room or witness box during evidence to intervene for communication or emotional regulation
Assist with victim personal statement for witness and identification parades

OR

Sit with defendant in well of court or dock to explain/rephrase proceedings

OR

Sit with vulnerable person to explain/rephrase proceedings in other hearings (e.g. parole/immigration/tribunal)

ACCESSING AN INTERMEDIARY

Witnesses in the **Criminal Justice System**

Defendants/respondents

Suspects







Registered Intermediary sourced from the Witness Intermediary Scheme, run by NCA

Ministry of Justice Witness Intermediary Scheme -GOV.UK (www.gov.uk) Call Witness Team for advice 0345 000 5463

Officer in charge or CPS paralegal completes a Request For Service form from NCA

Sourced by solicitor who requests a Court Approved Paid for by police Intermediary via HMCTS Approved Intermediary Scheme HMCTS approved intermediaries - GOV.UK (www.gov.uk)

Appointed at discretion of judge/ magistrate

Solicitor seeks permission/funding from Legal Aid Authority (LAA) Sourced by police or solicitor

Sourced via Intermediaries for Justice website www.intermediaries-forjustice.org or via Approved Service Providers (ASPs) or via Managed and Approved Service Providers (MASPs) (e.g. The Intermediary Cooperative, Aspire, Communicourt or Triangle).