

Helping witnesses communicate

Guidance for witnesses about the intermediary scheme



CRIMINAL JUSTICE SYSTEM



Guidance for witnesses about the intermediary scheme

This leaflet gives you information about:

- what a witness does; and
- what an intermediary does.

A witness is someone who is asked to give information (evidence) that may help to decide whether a person is guilty of a crime.

Some witnesses need help. An **intermediary** is a person who helps a witness to communicate.

Help

Evidence is when you say what you know in a court. It can be a written statement or a video recording of what you said before that is read or played in a court.

Communicate – to have your say, and to get other people to understand you.

04 | Helping Witnesses Communicate



What a witness does

A witness will usually be asked questions by the police or a lawyer as part of the crime investigation.

If a trial is arranged, the witness is usually asked to go to court to answer more questions.

Help

A Lawyer is someone who asks questions in court.

They may also speak to a witness during a crime investigation.

They might also be called:

- a solicitor;
- a barrister;
- a advocate; or
- a legal representative.

Crime investigation

This is when the police try to find out what has happened. They usually talk to people who may know something important.

When would I be a witness?

You may be a witness if:

- someone has committed a crime against you;
- you know something about a crime, for example, because you saw it happen; or
- you know one of the people involved.

Why do we need witnesses?

Witnesses are important in our legal system.

We need witnesses to come forward so that justice can be done.

Help

A trial is when evidence is heard in a court.

A judge or a magistrate or a team of magistrates are in charge of a trial.

Someone has committed a crime if they have broken the law.

You should tell the police straight away if you know something about a crime.

06 | Helping Witnesses Communicate

What an intermediary does

An intermediary is someone who helps a witness to give evidence in a court or to tell the police or a lawyer what happened.

The intermediary helps a witness to:

- understand questions that they are being asked; and
- make his or her answers understood by other people.

Intermediaries can help adults and children.



When can an intermediary help me?

You could get help if:

- you might find it hard to understand questions from the police or a lawyer; or
- they might find it hard to understand your answers.

How do I get help from an intermediary?

You or your carers should tell the police or the lawyer who contacted you about the case if you think that you might need help.

You should ask for help straight away if:

- you are finding it hard to understand them; or
- you think they might be finding it hard to understand the things you are saying.

Who decides that I can be helped by an intermediary?

The police will decide to get an intermediary if they think you need help to answer their questions.

If a lawyer speaks to you they may get an intermediary to help.

A judge or a team of magistrates will decide whether you can be helped by an intermediary in court.

They have to follow rules about who can get this help.

They will look at information about you and your needs.

Will the intermediary answer questions for me?

The intermediary is there to help you to communicate. That means that they may speak the answer for you but it is still your answer.

The intermediary will not think up answers for you.

The intermediary will not stop people asking you questions that you might find upsetting.

But they can ask for a question to be asked in a different way if that question would be difficult for you to understand.



Will the intermediary be someone I know?

The intermediary may be someone you know but is more likely to be someone you don't know.

Different people may be your intermediary at different times. The person who is your intermediary at trial may not be the same person who was your intermediary when the police or a lawyer interviewed you.



How will the intermediary know what help I need?

The intermediary will meet you and make sure that he or she is the right person to help you.

To begin with the intermediary will not ask you anything about the criminal case. It is simply a time to meet each other and for both of you to make sure that you can understand each other.

What will happen to me at court?

Our booklet 'Witness in Court' explains what happens in court.

You can get a copy of the Witness in Court booklet by phoning **0870 241 4680**

How do I find out more?

If you have any further questions you could ask:

- the police; or
- the lawyer who asked you to come to court.

12 | Helping Witnesses Communicate

If you want to speak to someone who is not involved in your case, you may want to get in touch with the Witness Service or another organisation that helps witnesses.

The Witness Service is run by the independent charity, Victim Support. It helps victims and witnesses and their families and friends. Trained volunteers provide a free and confidential service including:

- general information on court proceedings;
- personal support before, during and after the trial;
- someone to go with you into the courtroom if you have to give evidence; and
- a visit to the court before you give evidence so it will not seem strange to you.



There are Witness Service volunteers in all courts in England and Wales.

- Their phone number should be in the phone book under the name of your local court.
- Or, you can call the Victim Supportline on **0845 30 30 900**.

Other organisations provide support and advice to people who are witnesses or victims of crime.

Some of these organisations have information packs. For example:

- the National Society for the Prevention of Cruelty to Children (NSPCC) has produced an information pack for young witnesses which is available from the police or by calling **020 7825 2775**; and
- Barnardo's has produced a video for children and young people called 'So, you're going to be a witness!' (phone 01642 300774).

14 | Helping Witnesses Communicate

Contact details:

You can get more copies by calling
0870 241 4680; or

sending an email to
homeoffice@Prolog.uk.com

You can also get this leaflet:

- on audio tape;
- in large print;
- in Welsh; and
- in a symbol version (from spring 2004)



Home Office
BUILDING A SAFE, JUST
AND TOLERANT SOCIETY



**Department for
Constitutional Affairs**

Criminal Justice System: working together for the public