

# Registered Intermediaries

**A VOICE FOR VULNERABLE PEOPLE WITHIN THE  
CRIMINAL JUSTICE SYSTEM**

**September 2010**

## Background to the Witness Intermediary Scheme

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- **The intermediary Special Measure was one of a number created through legislation in the Youth Justice and Criminal Evidence Act 1999 to enable vulnerable and intimidated victims and witnesses to give their best evidence.**
- **The Witness Intermediary Scheme was launched in 6 ‘Pathfinder’ areas (Thames Valley, Norfolk, Merseyside, West Midlands, Devon & Cornwall and South Wales) in 2004. Two further pathfinder areas (Derbyshire and Leicestershire) went live in April 2007.**
- **Independent evaluation published June 2007 – overwhelmingly positive. As a result national roll-out was announced June 2007 using a phased delivery approach.**
- **National roll-out was completed in September 2008.**

## Status of the Witness Intermediary Scheme

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- **The Scheme is available in all 43 police force and CPS areas in England and Wales.**
- **There are 118 active Registered Intermediaries (RIs) registered on the Intermediary Register (national database).**
- **Future recruitment campaigns will address gaps in skill-sets and geographic coverage.**
- **Over 4000 Requests-for-Service made since 2004 and referrals average over 100 a month. There have been 1,124 requests for a RI in the last year.**

## Who can get help from a Registered Intermediary?

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- **Vulnerable witnesses under s16 of the 1999 Act i.e. anyone:**
  - Under 17 years of age (to be extended to under 18 years of age in the near future); or
  - Whose quality of evidence may be affected by: mental disorder or impairment of intelligence and social functioning or physical disability/disorder.
- **Available for both prosecution and defence witnesses.**
- **The Court must decide that help with communication and / or understanding will improve the witness's quality of evidence – if so an application for Special Measures is made.**
- **The Special Measures application can be made by prosecution or defence or of the court's own volition.**
- **Common law provides for the accused (i.e. not under 1999 Act).**

## Who are Registered Intermediaries?

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- **They come from a wide background of professional roles and occupations including speech and language therapy, occupational therapy, psychology, social work, teaching and nursing, and bring the skills and experience gained in these roles to their work as Registered Intermediaries.**

## What is the Intermediary Register?

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- **The Intermediary Register is the national database used for the Witness Intermediary Scheme (WIS) and on which only those individuals who have passed the Registered Intermediary (RI) accreditation training course are registered.**
- **All RIs on the database have security and CRB clearance, insurance to practice and are registered Data Controllers with the Information Commissioner's Office.**

# Primary Employment of RIs

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81 or 68.6% = Speech & Language Therapist  
10 or 8.4% = Psychologist  
5 or 4.3% = Un-known (*4 have not stated their primary employment and 1 has stated his primary employment is as an RI*)  
5 or 4.3% = Teacher  
4 or 3.5% = Retired  
3 or 2.5% = Therapist  
2 or 1.7% = Advocate  
2 or 1.7% = Educational Consultant  
2 or 1.7% = Nurse  
2 or 1.7% = Social Worker  
1 or 0.8% = Children's Guardian  
1 or 0.8% = Health Visitor  
118 or 100%

## What does a Registered Intermediary do?

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- **Registered Intermediaries (RIs) help victims and witnesses with communication needs to give their best evidence in criminal investigations and at trial (defendants only eligible for RIs at trial stage) by ensuring that they can understand questions put to them and can communicate their answers effectively.**
- **To do this they;**
  1. **Carry out an initial assessment of the witness's communication needs to:**
    - **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.**

## What does a Registered Intermediary do (continued)?

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**2. Give advice to help the police and CPS achieve best evidence during the investigation and trial stages of a case respectively, i.e.**

- how a witness communicates;
- the witness's levels of understanding;
- how to phrase questions to the witness in order to achieve best evidence.

**3. Help with pre-trial preparation e.g. court familiarisation visit.**

• **In summary, the Registered Intermediary;**

- helps the witness understand questions during an interview or trial;
- helps the witness communicate their response to questions during interview or trial.

## What a Registered Intermediary does not do

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- **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 responsible to the court and are an officer of the court.**

## What a Registered Intermediary is not

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- **An expert witness (*in this context*).**
- **An interpreter (foreign language, etc).**
- **An investigator or advocate.**
- **An Appropriate Adult or a witness supporter.**

### NPIA Witness Intermediary Service Monthly comparison of requests matched by witness vulnerability

