



## **Covid-19 and intermediaries work survey March 2020**

### **Outline of issues and topics.**

#### **Reduction in work offered**

A significant number of intermediaries have experienced a reduction of work offered and approximately a quarter have decided not to work at the current time and half of the rest unsure of their position regarding accepting work.

#### **Financial support for intermediaries**

Majority of intermediaries indicated that they were unsure of what might be available or what they would be entitled to. The question of whether intermediaries were entitled to universal credit and or sick pay was raised, and the mortgage break was flagged.

#### **Plans to continue working**

Issues of risk involved in the nature of the work, interest in what other comparable professions have been advised. Some considered that it will not be possible, and others considered working via skype/Zoom.

#### **On-line assessments**

The topic of remote assessments was raised, and the concerns centred around validity of the assessment, the technology, what type of witness would find this too challenging, very difficult/impossible with young children. Most intermediaries were concerned about the need to be present with witness to observe for example emotional state, focus and establishing rapport.

Problems envisaged with an on -line assessment ranged from difficulties sourcing and using resources, not being able to effectively build rapport, difficulties to make accurate observations, technical issues, managing attention and privacy issues.

#### **Advise from CPS/Police with regards ABE interviews in the current situations.**

Intermediaries outlined that they had generally had little specific guidance but that it was evident numbers of ABE's were declining. Some officers had noted that if a witness was infectious an alternative appointment would be made when they recover.

#### **Hearings where all parties are taking part via a remote video link**

It was thought that courts' current technology would not be able to support this. Even if possible, considerable increase in technical 'hitches'. The issue of how witnesses would function in a multi-party online meeting environment or make use of props or other non-verbal communication strategies (e.g. writing things down for the intermediary to read verbatim) A third of intermediaries were willing to consider the option further. Two thirds had real reservations and felt it would compromise the giving of best evidence and would involve considerably more time practicing and in court.

### **Court visit taking place virtually**

Half of intermediaries responded that this maybe a possibility.

### **Are some vulnerabilities compatible with being assisted by an intermediary in a different location?**

Some intermediaries considered that with technically competent young people and adults this may be a possibility. Some intermediaries felt strongly that it was unsuitable and compromised the intermediary's ability to support communication.

Most intermediaries felt that assisting from a different location to the witness would be unsatisfactory and it could be argued it could undermine the intermediary role. Some felt it might be an acceptable way of coping with current crises others felt the only safe practice was to cancel trials/hearings. Several mentioned the need to be open to new methods and that as a result of the crisis more individuals will have become familiar with using online technology.

### **Would a third party be required to be with a witness in a different location.**

Over half thought a witness should definitely have another person with them, and the other half were mainly unsure. The suggestions included their solicitor, someone familiar to the witness, family member, another professional such as teacher or social worker OIC, an appropriate adult.

### **Risk of current changes negatively impacting our role in the future**

The majority of intermediaries were concerned that by accepting these changes to the way we work, we are at risk of undermining aspects of our role. The result could impact on the work we do in court in terms of enabling effective communication. Some felt that we should do all that we can to adapt whilst being realistic about the limitations, making it clear that this was of working should be temporary as a response to the current crisis.

Intermediaries have expressed concern as to the risks they, witnesses, all persons in the court, police officers are being exposed to, the dilemma that cancelling produces with distress to witnesses and financial hardship to intermediaries themselves. Some raised the apparent contradictions with continuing practice being in direct contradiction to government guidance. A theme throughout the responses was keeping ourselves and others safe in the current climate.