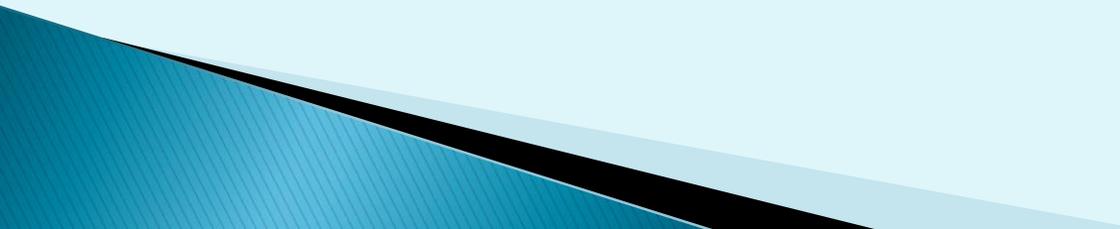


Advocacy and the Vulnerable Witness

Topics

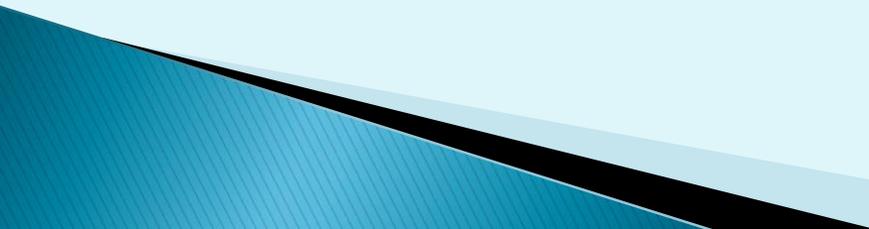
1. Purpose
 2. Definitions
 3. Jurisdictions
 4. Memory Research
 5. Techniques
 6. Teaching
 7. Future
- 

1. Purpose

2. Definitions

- ▶ The Witness
- ▶ The pre-record
- ▶ Intermediaries
- ▶ Ground rules hearing

The intermediary

- ▶ Facilitate communication between the witness and advocate.
 - ▶ Trying to ensure the witness and advocate understand each other.
 - ▶ Impartial. Not a support person.
- 

The report of the intermediary

- ▶ A summary explaining how the witness communicates.
- ▶ Identifying the needs of that individual witness.

Questioning Recommendation	Advice for Questioner	Rationale
Use simple open questions at the start	Start with less linguistically challenging open questions (who, what, when, where etc.)	X will comply well with simple open questions while familiarising himself with the situation.

Questioning Recommendation	Advice for Questioner	Rationale
<p>Use reference to life experiences in discussing places and times.</p> <p>Consider using visual references (photos, drawing materials)</p>	<p>If word finding for places or times appears to be problematic, ask for a life-event e.g. ‘was this close to your birthday?’</p>	<p>X has difficulty with names of suburbs/streets and will need these referenced to his experience. X made good use of drawing to explain some locations during interview.</p>

The GRH

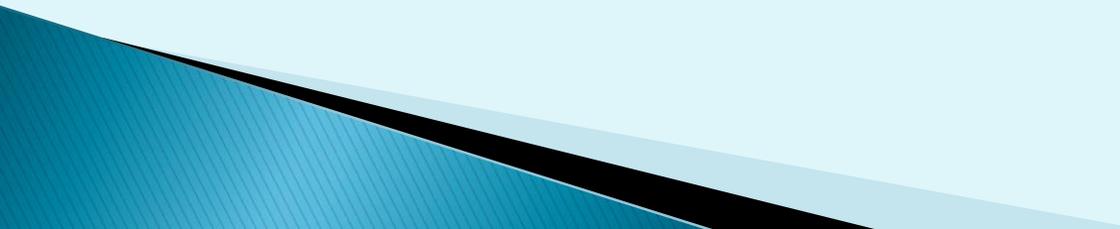
- ▶ The mention after the report and before the pre-record.
- ▶ Intermediary may give evidence.
- ▶ Rules governing examination of witness determined.

3. Jurisdictions

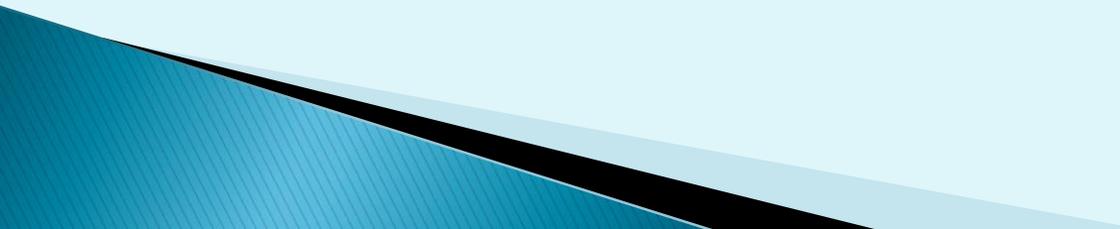
R.C. Recommendations

- ▶ Full pre-recording of the evidence of the witness
- ▶ The establishment of intermediary schemes
- ▶ The use of GRH to maximise initiatives
- ▶ Improved information for the profession and jurors
- ▶ Regular education programs for the profession

4. Memory Research

- ▶ Memory is not an exact replica of an event
 - ▶ How cognitive processes affect memory
 - ▶ Memory and recurrent events
 - ▶ Age and memory
 - ▶ Memory retrieval
- 

5. Techniques

- ▶ The Intermediary
 - ▶ The GRH
 - ▶ Our Questions
- 

Techniques – Our questions

- ▶ Clarity
- ▶ Focus
- ▶ Actual questions
- ▶ No tags
- ▶ One fact per question

- ▶ Signposting
- ▶ Time
- ▶ Using aids
- ▶ Consistent labels

6. Teaching

7. Future

Advocacy and the Vulnerable Witness