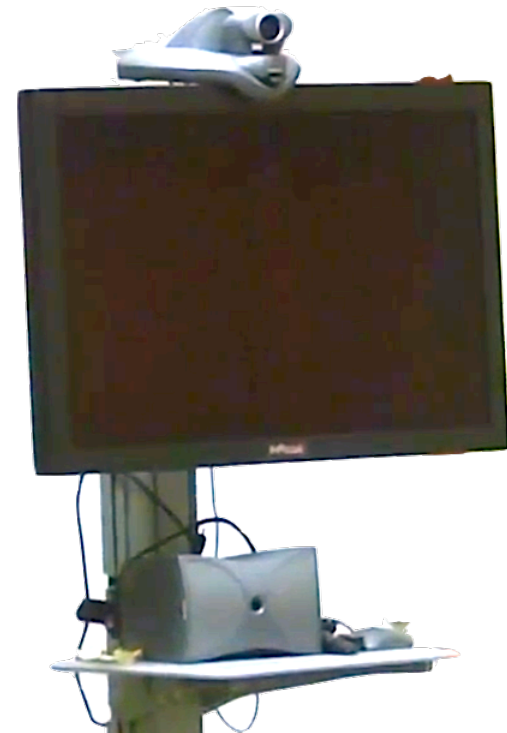


# Special Measures: A Guide

SPECIAL  
MEASURES  
assist a witness  
to give their best  
possible  
evidence



Publication Funded By:



Dominica

Special measures include:

**Screens:** A screen is placed around the witness box so that the witness cannot see the defendant.

**Video-link:** The witness sits in a room away from the courtroom where the case is being tried and gives evidence through a video-link. The witness can see the judge, magistrate and lawyers, and people in the courtroom can see the witness.

**Evidence in private:** The public gallery is cleared except for one member of the press.

**Video-recorded evidence-in-chief:** Before the trial, the witness is recorded on video answering questions asked by a police officer. The video is played at trial as the witness's evidence-in-chief (main spoken evidence before cross-examination).

**Aids to communication:** Witnesses who are vulnerable because of their age, physical, mental or learning disability or disorder are allowed to use a communication aid (for example, an alphabet board) to help give their evidence in court.

**Intermediary:** An approved independent intermediary can help witnesses who are vulnerable because of their age, physical, mental or learning disability or disorder, to communicate with legal representatives and the court.



Some people can find the process of giving evidence in court particularly difficult or daunting and may need extra help.

There may be a number of reasons for this, such as their age, they might feel frightened or confused about the court process, or they may have seen something that really shocked or frightened them.

Special measures are available to help these people (described as 'vulnerable or intimidated witnesses') give their evidence in the best way possible.

The court will decide if you qualify for special measures. They will get advice from the police, the National Prosecution Service or the defence attorney, and take account of the views of the witness on whether they want special measures.

# The High Court

## Judge

It is the judge's job to make sure that all witnesses, including young witnesses, are able to tell the court what happened.

## Clerk

The clerk sits at the front of the court and takes care of all the papers that are needed during the trial.

## Jury

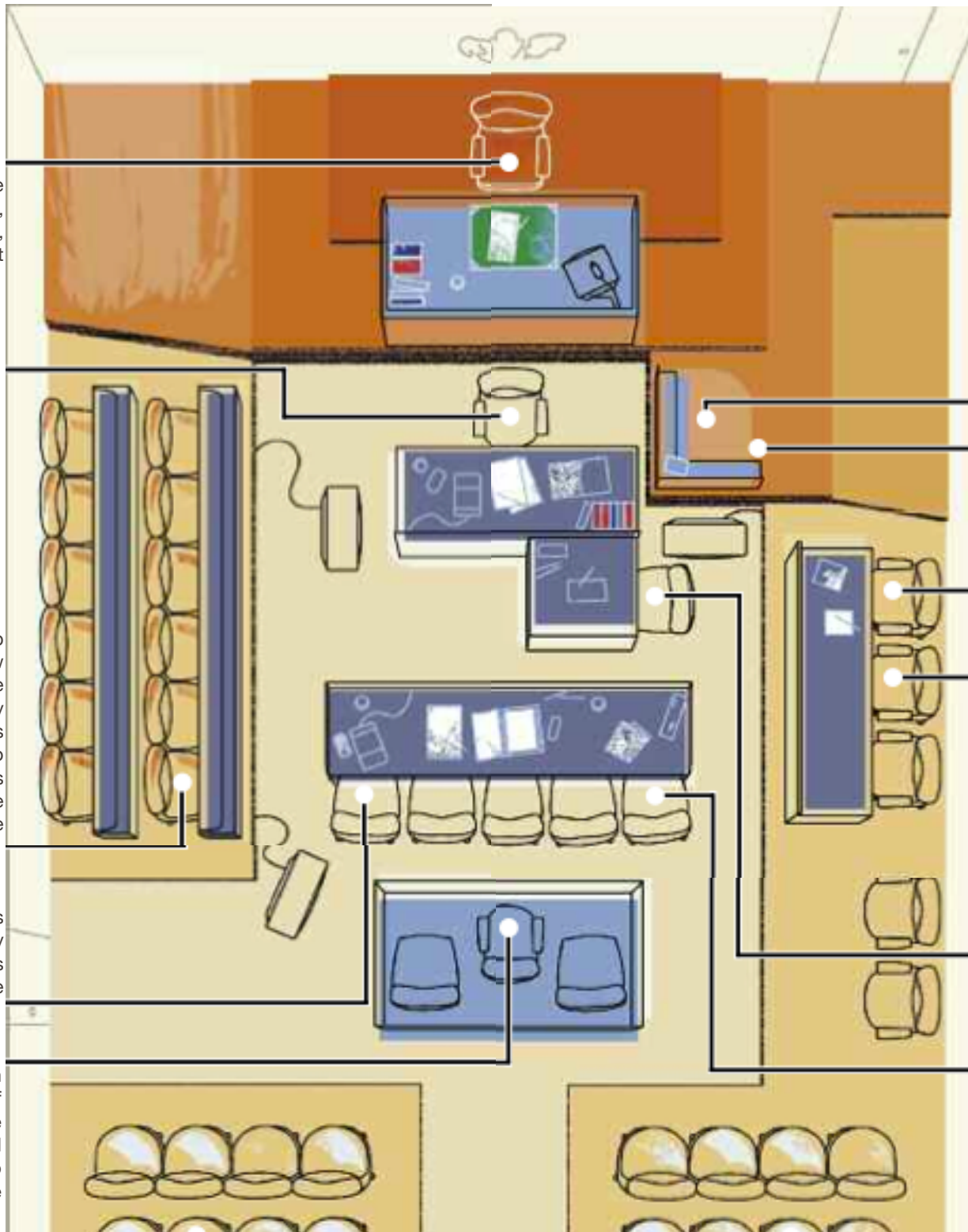
The jury is made up of people who know nothing about the trial before they come to court. It is their job to listen to all the witnesses and then to decide whether or not the defendant is guilty.

## Defence Attorney

The defence attorney helps the defendant. This attorney also asks the witnesses questions and presents the defendant's point of view.

## Defendant

The defendant is the person who has been accused of breaking the law. The defendant sits in the dock and is not allowed to speak to you, unless they are representing themselves.



## Witness

The witness answers questions from a place in the courtroom called the witness box. A witness can give evidence using a video-link from a confidential and secure location

## Screen and Intermediary

If special measures are granted the witness may give evidence from behind a screen. This will also be where the intermediary stands

## Court Reporter

A journalist can attend court to report the proceedings in the media. There may be occasions when the press cannot report the proceedings for example the name and contact details of a victim of a sexual offence

## Usher

The usher usually wears a black robe. The usher tells a witness when it is their turn to give evidence

## Note Taker

There may be someone who types out what everyone says.

## State Counsel

Counsel is a lawyer who tries to show the defendant has broken the law. Counsel does this by presenting evidence and asking questions about what a witness saw or heard.

## Public Gallery

The public may sit at the back of the court. If sensitive matters are mentioned in court they can be removed

# The Magistrates' Court

## Magistrate

The Magistrate is in charge of the courtroom. The Magistrate decides if the defendant broke the law.

## Defendant

The defendant is the person who has been accused of breaking the law. The defendant sits in the dock and is not allowed to speak to a witness, unless they are representing themselves. Police officers will sit next to them.

## Defence Attorney

The defence attorney helps the defendant. This attorney also asks the witnesses questions and presents the defendant's point of view.

## Witness

The witness answers questions from a place in the courtroom called the witness box. If granted special measures a witness can give evidence from a confidential and secure location using a video-link.

## Screen and Intermediary

If special measures are granted the witness may give evidence from behind a screen. This will also be where the intermediary stands.

## Prosecutor

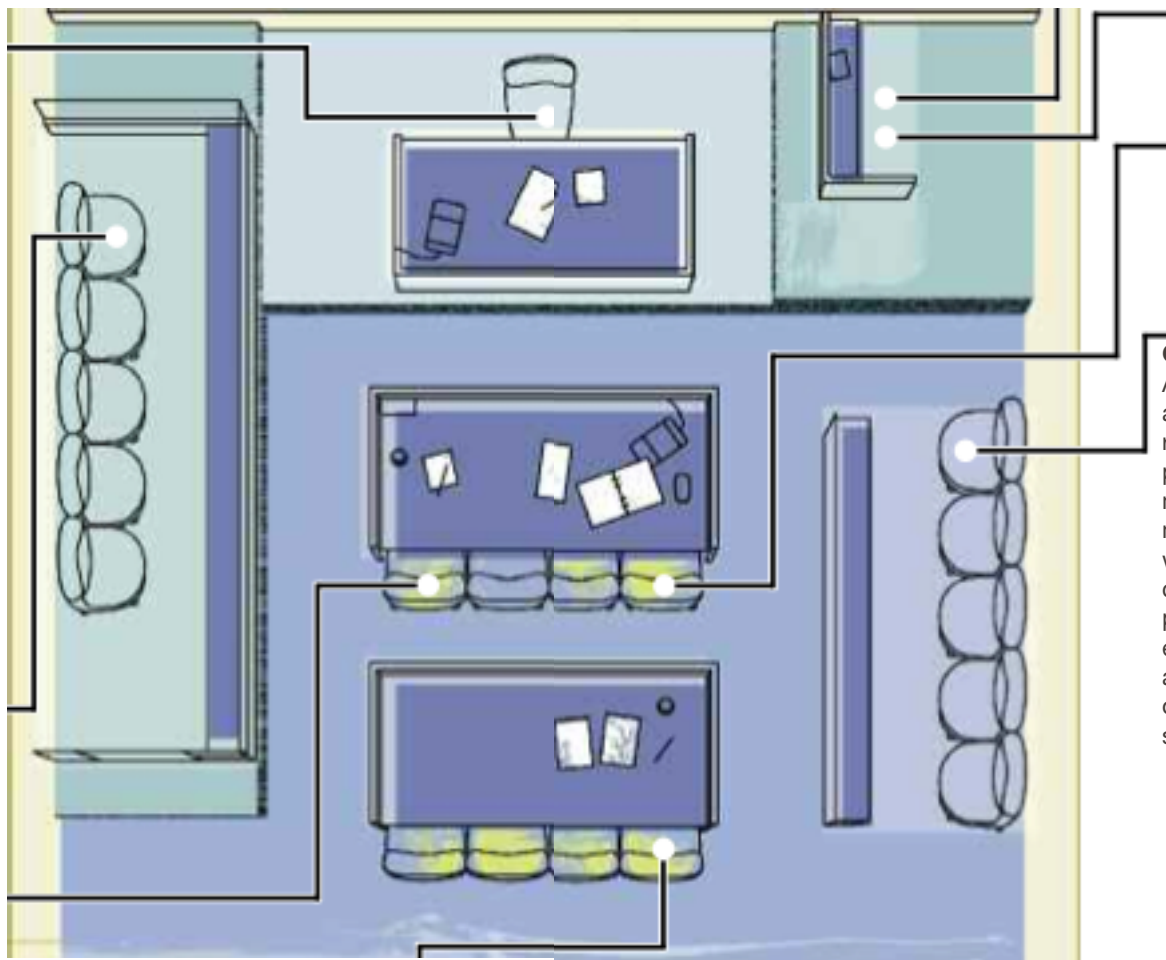
The Prosecutor is usually a police officer who tries to show the defendant has broken the law. The prosecutor does this by presenting evidence and asking questions about what a witness saw or heard.

## Court Reporter

A journalist can attend court to report the proceedings in the media. There may be occasions when the press cannot report the proceedings for example the name and contact details of a victim of a sexual offence

## Public Gallery

The public may sit at the back of the court. If sensitive matters are mentioned in court they can be removed



## Usher

The usher usually wears a black robe. The usher tells a witness when it is their turn to give evidence