

## Overview

This standard is about determining whether the circumstances of the case require special arrangements to be made for the individual in court. Where such circumstances are identified, it includes making the appropriate arrangements

## Performance criteria

### *You must be able to:*

1. review the circumstances of the case and the individuals' requirements for support and evaluate individuals' potential eligibility for special measures when attending court
2. identify where special measures may be justified, and explore with individuals whether such measures might be preferred
3. explain the special measure(s) that may be available, and their implications for individuals
4. explain the advantages, and any disadvantages, for individuals regarding the special measure(s) in meeting their requirements
5. explain the measures in a manner and at a pace that promotes understanding for individuals
6. discuss and agree with individuals their understanding of the special measures and provide clarification where necessary
7. explain the process and procedures for obtaining special measures
8. record all information provided in accordance with organisational policies and procedures and relevant legislation
9. provide accurate and relevant information, setting out the circumstances and supporting rationale for the provision of the identified special measure(s)
10. review the case with individuals, confirming their need for support, their preferences, and that it would be effective to provide the relevant special measure(s)
11. address relevant queries promptly and accurately
12. record accurately agreement reached and the resulting actions in line with organisational policies and procedures
13. inform all relevant parties, including individuals of the outcome in line with organisational policies and procedures
14. explain the rationale to individuals in a constructive and professional manner, when the request for special measures has been turned down

## Knowledge and understanding

### *You need to know and understand:*

1. legal and organisational and policy requirements relevant to your role, the role of others in your organisation and the activities being carried out
2. the relevant national and local guidelines, policies, and procedures available and how and when they should be accessed
3. how to deal with witnesses and relevant others in an ethical manner
4. the rights and roles of individuals and witnesses and the procedures with which they will be involved within the criminal justice system
5. the range of special measures available and their relative advantages and disadvantages for individuals and the legal process
6. factors affecting the eligibility of individuals for special measures
7. how to determine the category of individuals and how this will influence your approach
8. how to assess the physical and emotional condition of individuals to establish their needs in testifying in court
9. the action to take where you have concerns about the fitness of individuals to testify
10. the procedures for arranging special measures in courts
11. what to do when departures from normal practices are required
12. how to maintain the security and welfare of individuals
13. the correct ways of informing individuals and relevant others of their roles and the procedures with which they will be involved in the criminal justice system
14. different styles and forms of communication and how to adapt them to meet the needs of the individual
15. how to address correctly and ethically an individuals' reluctance or fear of testifying
16. the agencies and third parties available in providing support and how to initiate their involvement
17. how to update relevant others and the information that they will require
18. current documentation requirements and how to complete documents correctly
19. what information is confidential, and how to ensure that it is only available to those with authorised access
20. how to record information correctly in line with organisational policies and procedures

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Establish requirements for special measures at court

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