

Deaf Juror Notes:

Notes arising from interpreting for a deaf juror at Croydon Crown Court during July 2022.
Written by Gloria Ogborn (RSLI)

1. ADVANCE PREPARATION FOR A DEAF JUROR:

- 1.1 Croydon is a model of excellent practice. They had 2 notices in the common jury area and in each of the Jury deliberation rooms, i.e:
- a. Poster of how to work with a BSL Interpreter (produced by NUBSLI)
 - b. HMCTS Notice - Working with Deaf jurors

Both these notices were excellent and are contained in the appendices A and B to this document.

*** Recommendation that these notices should be put in every Jury Assembly Room and every Jury Deliberation Room nationwide.** This would serve to raise awareness and to normalise Deaf Jurors.

- 1.2 The Juror's Induction video:
It would be helpful to add a window with a BSL signer. Several Deaf-led companies undertake this task, although cost's permitting it would be even better would be to create a new video with the BSL signer embedded into the source. This again would normalise Deaf Jurors.

*** Recommendation to consider adding BSL to the Juror Induction video.** This would serve to raise awareness and to normalise Deaf Jurors.

- 1.3 The Courts could also consider making a short Deaf Awareness video for fellow jurors and/or court personnel so that they are aware of basic communication tactics, working with interpreters, basic dos and don'ts, etc.

*** Recommendation to commission a short video for fellow jurors .**

- 1.4 The deaf juror noted that it had been very helpful to receive the Induction documents and Induction video in advance although she noted it would have been helpful to receive a transcription of the video.

2. COURT GUIDANCE:

- 2.1 Court personal to refer to HMCTS document entitled Staff: How to prepare Jury Service for a BSL Interpreter (Appendix C).
- 2.2 It is useful to place multiple posters of Appendices A & B) around the common jury area and in each of the deliberation rooms. This raises the awareness and understanding of all staff and jurors. If a deaf juror is empanelled it is worth specifically going through the information with their fellow jurors.
- 2.3 Square or rectangular tables make it more difficult for the Deaf person to see who is talking. Ideally, a deliberation room with a round or oval table should be reserved.

Alternatively, a circle/horseshoe of chairs works well. Talk to the interpreters and the Deaf juror to work out the most effective seating arrangement both in the courtroom and also in the jury deliberation room.

- 2.4 Verbally reinforce/inform jurors that the interpreters are not part of the jury and that we are there simply to enable communication.

3. JUDGE/BARRISTER GUIDANCE:

- 3.1 Interpreters function more efficiently if they are properly prepared. If a Deaf juror has been empanelled it is helpful to have a short break to furnish the interpreters with the Indictment(s), the names of the defendant(s), the significant witnesses and any photos of injuries, maps etc. This is because sign language relies on visual references and enables accuracy.
- 3.2 When referring to documents/maps, it is impossible for the Deaf person to look at the document and to watch the interpreter. Refer to the document, pause to allow the Deaf person to absorb the information and then start speaking.
- 3.3 Likewise, a deaf juror is not able to watch a video, e.g. bodycam, and watch the interpreter. Ideally transcripts should be given to both the interpreters and the deaf juror before the video is played. It would also be helpful to allow the video to be played twice, to allow the deaf person to first concentrate on the video, and then to have the dialogue signed to them (or vice versa).
- 3.4 BSL grammar is different to that of English and sentences always need to be restructured. Therefore it is important that people talk in whole sentences and at their normal pace. It is helpful to the interpreters if judges intervene where this does not happen.
- 3.5 An exception to the above is when reading text. Text is naturally more condensed than spoken English and therefore requires more processing effort. People also tend to talk more quickly when they are reading and so should be reminded to slow down slightly and perhaps pause at the end of each paragraph. Keeping an eye on the interpreter at the end of each paragraph will assist.

4. INTERPRETER GUIDANCE:


- 4.1 Agree and arrange seating in the deliberation room.
- 4.2 Agree juror's seating arrangements in the courtroom (chair nearest the Judge is the unallocated foreman so deaf person should be aware of this).
- 4.3 Agree interpreters' seating arrangements in the courtroom.
- 4.4 Discuss with Deaf juror how they wish to take their Oath/Affirmation
- 4.5 Inform Ushers that terps need the same documents as the Jurors.
- 4.6 Maintain professional distance in the deliberation room to allow jury to bond
- 4.7 Normal professional court clothing still applies, e.g. dark suit.
- 4.8 If any videos are played, the interpreter should ensure they stand beside the screen to enable the deaf juror to see the video and watch the interpreting at the same time.


- 4.9 Where possible the interpreter should stand close to any witnesses giving evidence so that the Deaf Juror can watch the interpreter and also observe the body language and conduct of the witness.

Useful contacts:

5. Maria Loizou Griggs (Croydon Crown Court) 0208 410 4700 / 07591992042 / croydoncrowncourt@justice.gov.uk
6. charlotte.singleton@hmcts.gov.uk

When working with an interpreter... DO





DO: Send any handouts or preparation to the deaf person and interpreter ahead of the session. Answer any questions asked in advance.

DO: Allow extra time for the interpreter and deaf person to meet prior to the start of the session. This is so they can familiarise themselves with their language styles.

DO: Look at and speak directly to the deaf person.

DO: Be flexible and make sure the deaf person is able to see the interpreter and speakers clearly, usually sitting opposite the interpreter.

DO: Include the deaf person in all conversations.

DO: Ask the deaf person if you have any questions about interpreting or how the session will work.

DO: Allow for 'eye breaks'. It takes a lot more concentration for the deaf person to actively 'listen' with their eyes than a hearing person.

DO: Speak as you normally would (pace, content etc).

DO: Give the deaf person extra time to look at overheads or handouts - remember they can't listen when they aren't watching the interpreter!

DO: Ask the deaf person to explain something if you do not understand it.

When working with an interpreter... DON'T

DON'T: Be concerned that information will be leaked/shared. Interpreters work to a strict code of conduct that includes confidentiality.

DON'T: Place either the deaf person or interpreter in front of a window, or too far away, as they won't be able to see clearly.

DON'T: Ask the interpreter to explain what the deaf person means.

DON'T: Ask interpreters for their personal opinions, ask them not to interpret something you said.

DON'T: Ask the interpreter to "tell him/her..."

DON'T: Speak slowly, over pronounce or try to think of simple sentences.

DON'T: Distract the interpreter and/or deaf person by moving around too much.

DON'T: Ask the interpreter about their job whilst they are working.



HM Courts &
Tribunals Service

Jurors: How to work with a British Sign Language (BSL) interpreter during jury service

BSL interpreters enable communication between Deaf sign language users and hearing people.

If you're working with a BSL interpreter to communicate with a juror who is deaf:

- make sure you can see both the interpreter and the Deaf person, who will usually want to be opposite each other
- speak clearly and at a normal pace (you do not need to add pauses or speak slowly)
- look at and speak directly to the Deaf person
- avoid speaking to the interpreter about the Deaf person or asking them what the Deaf person means
- do not worry if the Deaf person looks at the interpreter while you're talking, but try to look at the Deaf person even while the interpreter is talking
- do not speak over someone else who is speaking or signing
- give the Deaf person time to read through and understand any handouts or documents as they cannot listen to the interpreter and read written information at the same time
- remember the interpreter and Deaf person may need regular breaks as interpreting is hard work for both people
- do not worry about the interpreter's confidentiality – they work to strict codes of conduct
- do not ask the interpreter:
 - for their personal opinions
 - not to interpret something
 - about their job while working



Justice matters



HM Courts &
Tribunals Service

Staff: How to prepare jury service for a British Sign Language (BSL) interpreter

BSL interpreters enable communication between Deaf sign language users and hearing people.

If you're preparing to facilitate a BSL interpreter during jury service:

- brief the interpreter beforehand so they can fully understand what's going to happen
- where possible, make sure you provide any handouts to the interpreter and the Deaf person in advance so they can read through and prepare themselves
- make sure any videos that might be shown have subtitles
- allow extra time for the interpreter and Deaf person to meet at the start
- ask the interpreter and the Deaf person to advise you on the best seating or standing arrangements in the room (usually the Deaf person will need to be opposite the interpreter, with a view of the speaker)
- remember the interpreter and Deaf person may need regular breaks as interpreting is hard work for both people
- give the Deaf person time to read through and understand any handouts or documents as they cannot listen to the interpreter and read written information at the same time
- do not worry about the interpreter's confidentiality – they work to strict codes of conduct



Justice matters