

## What is an intermediary?

Intermediaries are professionals with qualifications in speech pathology, psychology, occupational therapy, or social work who help vulnerable witnesses to understand and be understood.

Through their experience as professionals and with training provided by the QIS program team, they will facilitate communication between witnesses and police and witnesses and courts. Intermediaries can:

- assess vulnerable witnesses and advise on their specific communication needs; and
- provide practical strategies to police, lawyers and judges on how to best communicate with and question vulnerable witnesses to obtain the best evidence.

Intermediaries are impartial – they are not a support person for the witness and cannot take anyone's 'side'. These professionals form part of the Intermediaries Panel and are assigned work by a staff member of the QIS based on the individual needs of a witness.

## Why do we need the QIS?

Vulnerable witnesses may be unable to give clear and accurate evidence due to their communication needs.

Intermediaries are experienced in assessing and advising on these needs, including (but not limited to):

- very young age
- cognitive issues
- trauma
- learning disabilities
- ADHD & autism

The QIS hopes to overcome communication barriers and improve access to justice. The use of intermediaries aims to reduce trauma to vulnerable witnesses and increase the quality of evidence.

## What does an intermediary do?

When engaged during a **police investigation** an intermediary:

1. conducts a witness assessment;
2. provides recommendations to the police officer on how best to communicate with the witness during the police interview; and
3. attends the police interview to ensure the witness understands and their evidence is understood.

When engaged at the **court stage** an intermediary:

1. conducts a witness assessment;
2. writes a court report with recommendations about how to best communicate with the witness;
3. participates in a 'directions hearing' where the intermediary's recommendations are discussed; and
4. attends court when the witness gives evidence to ensure the witness understands and their evidence is understood.



## Legislative framework

The insertion of a new Division 4C into the [Evidence Act 1977 \(Qld\)](#) will provide the framework in which the scheme operates. These legislative amendments to the *Evidence Act* will commence on a date set by proclamation. Currently, they can be viewed in the [Criminal Code \(Child Sexual Offences Reform\) and Other Legislation Amendment Act 2020](#).

## What is the QIS Pilot Program?

The Queensland Intermediary Scheme (QIS) is an initiative arising out of recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse. The scheme will commence in Brisbane and Cairns in July 2021 and will operate as a two-year pilot program. Through the use of intermediaries, the scheme will assist witnesses with communication needs give their best evidence.

In the pilot phase, the scheme is limited to prosecution witnesses in child sexual offence matters who:

- are under 16; **or**
- have an impairment of the mind; **or**
- have difficulty communicating.