

Testifying in Court as a Victim of Crime for Persons with Little or No Functional Speech: Vocabulary Implications

Authors : Robyn White, Juan Bornman, Ensa Johnson

Abstract : People with disabilities are at a high risk of becoming victims of crime. Individuals with little or no functional speech (LNFS) face an even higher risk. One way of reducing the risk of remaining a victim of crime is to face the alleged perpetrator in court as a witness – therefore it is important for a person with LNFS who has been a victim of crime to have the required vocabulary to testify in court. The aim of this study was to identify and describe the core and fringe legal vocabulary required by illiterate victims of crime, who have little or no functional speech, to testify in court as witnesses. A mixed-method, the exploratory sequential design consisting of two distinct phases was used to address the aim of the research. The first phase was of a qualitative nature and included two different data sources, namely in-depth semi-structured interviews and focus group discussions. The overall aim of this phase was to identify and describe core and fringe legal vocabulary and to develop a measurement instrument based on these results. Results from Phase 1 were used in Phase 2, the quantitative phase, during which the measurement instrument (a custom-designed questionnaire) was socially validated. The results produced six distinct vocabulary categories that represent the legal core vocabulary and 99 words that represent the legal fringe vocabulary. The findings suggested that communication boards should be individualised to the individual and the specific crime. It is believed that the vocabulary lists developed in this study act as a valid and reliable springboard from which communication boards can be developed. Recommendations were therefore made to develop an Alternative and Augmentative Communication Resource Tool Kit to assist the legal justice system.

Keywords : augmentative and alternative communication, person with little or no functional speech, sexual crimes, testifying in court, victim of crime, witness competency

Conference Title : ICLS 2016 : International Conference on Law and Society

Conference Location : Boston, United States

Conference Dates : April 25-26, 2016