



29501 Procedure – Policing with Deaf, Deafblind, Deafened and Hard of Hearing People – Incidents.

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1. About this Procedure

- 1.1. This procedure explains how members of Hampshire Constabulary will deal with incidents involving / relating to Deaf, deafblind, deafened and hard of hearing people as victims, witnesses, suspects or detainees.
- 1.2. For ease of reference, the term 'deaf people' will be used throughout this policy document to denote all associated groups referred to at 1.1 above.
- 1.3. This procedure also outlines the responsibility of supervisors.

2. Risk Assessments / Health and Safety Considerations

- 2.1. The generic risk assessment for operational patrol officers applies and risk assessments for specific activities should be considered.
- 2.2. Consider that a breakdown in communication can lead to increased frustration and risk. If you know that you will be dealing with an incident involving a deaf person, make arrangements for communication support in advance. This will ease difficulties for all parties and should form part of your planning and preparation.
- 2.3. Police Link Officers for Deaf people will consider their safety when lone working and must ensure that they notify control room of their location and commitment.
- 2.4. Positioning / Lighting – see 3.6. below.
- 2.5. Handcuffing – see 3.11. below.
- 2.6. CS Spray/PAVA – see 3.12. below.

3. Procedure

- 3.1. Police officers and staff will ensure that all contacts with members of the public are conducted with courtesy, consideration and respect and in line with the Code

of Ethics and the Standards of Professional Behaviour. Communication failings can lead to a breakdown in relations with an individual. This may present some difficulties when dealing with deaf people, so consider how you will achieve this. An awareness of some of the issues may ease matters.

3.2. The Statistics

- 3.2.1. Around 11 million people in the UK have varying degrees of deafness, which equates to one in six of the population or over 316,000 people in Hampshire and the Isle of Wight.

3.3. Deafness is not visible

- 3.3.1. Many deaf people do not wear, or would even benefit from wearing, a hearing aid. Disability access often focuses on the physical aspects resulting in the ramps, wider doorways, lower counters, etc. Whilst all are appropriate in providing access, with regard to deaf people, consider access to information and access to service.

3.4. Family / Friends

- 3.4.1. Do not consider involving family members or neighbours where you would generally not do so. For example, if you are dealing with an adult deaf man who wishes to make a report to you, do not breach his right to a private life (Article 8, Human Rights Act 1998) by seeking communication assistance from family and friends. The concept of a right to a private life encompasses the importance of personal dignity and autonomy and the interaction a person has with others, both in private and in public. If the deaf man were to seek such assistance that would be up to him but we will still use independent Language Service Professionals for our formal processes.

3.5. Advice / Warnings

- 3.5.1. It is commonplace in policing for people to be given 'advice' about their behaviour. If you are planning this with a deaf person, **do not use family members or neighbours**. A Link Officer may be able to assist where matters are informal and simply about explaining the situation. If the warning could be used in the decision making for more formal processes to be instigated in the future, then it is appropriate, subject to communication style, to use a Language Service Professional. Seek advice from Police Link Officers for Deaf people.

3.6. Positioning / Lighting

- 3.6.1. Police officers and staff must consider location and positioning when communicating with a deaf person face to-face. This is especially relevant at night; the officer's face should be illuminated. Bear in mind this could limit the officer's ability to safeguard themselves and it may be better to move to an illuminated location. Another point to consider is that people with cataracts or with

night-blindness, may not be helped with this illumination. Others may need time for their eyes to adjust. See 3.52 Deafblind Considerations.

3.7. Trauma Message

- 3.7.1. Think how you will deliver a trauma message. In the past, officers may have made contact with family or friends to make it easier for them to deliver such news. This is not appropriate. A notification of this nature should generally be given direct to the next of kin and not via a third party. Prior planning will ensure that you do not cause unnecessary upset. Seek advice from Police Link Officers for Deaf people who can assist in this situation.

3.8. Shouted Commands

- 3.8.1. Shouted commands or instructions given by an officer during the execution of a warrant, emergency evacuation (see 3.10. below) or other fast paced incident may be useless to a deaf person. A deaf person may not comply with instructions, especially when those instructions come either from behind them, in a darkened room / place or from outside their line of sight. A deaf person may experience more confusion in such circumstances. See also 3.52 regarding deafblind people. If someone appears to ignore an instruction – Think! Are they deaf?

3.9. Firearms

- 3.9.1. Following the 2005 London Bombings and shooting at Stockwell, many deaf people expressed concern that they may not hear a firearms officer giving verbal commands such as 'STOP'. If someone appears to ignore an instruction – Think! Are they deaf?

3.10. Evacuation

- 3.10.1. If a megaphone is used in evacuation situations, this will mask your mouth making communication more difficult for deaf people. Use hand-gestures to guide people in the required direction.

3.11. Handcuffing

- 3.11.1. Always consider the necessity for using handcuffs, or for their continued use, when dealing with a deaf person. Officer safety is paramount but consideration should be given to the fact that, especially for a deaf sign language user, handcuffs can amount to a gag.

3.12. CS Spray / PAVA

- 3.12.1. Always consider whether CS spray / PAVA is an appropriate restraint. Deaf people will rely on their vision and so administering a substance that interrupts

vision will have an increased detrimental effect, with the potential for causing extreme panic. Consider also that you will be unable to provide the required verbal instructions to ensure the administration of post-CS /PAVA care.

3.13. Spit Guards

- 3.13.1. Whilst the use of a spit guard on deaf person may be entirely appropriate, consider the impact of this on the person's ability to see for the purposes of communication, as well as the clear obstruction this will cause to the person's own mouth/lip pattern and the ability to understand him/her. Ultimately the need to prevent the person from spitting may take primacy.

3.14. Foundation Knowledge

- 3.14.1. Do not assume that all people we deal with will have the same knowledge and awareness of police processes. Historically the police have not engaged well with deaf people and so what may seem to be common knowledge to you may not be to others.

3.15. Written English

- 3.15.1. Do not assume that all deaf people can gain information through written notes and text documents. For some deaf people, especially sign language users, English may be a second or even third language. Word order in English is different to British Sign Language, which may make longer texts difficult to read.
- 3.15.2. Written notes will work with some people; it is recommended that any written notes be kept straightforward and to the point; avoiding verbose language – like this!
- 3.15.3. Consider that someone may have additional needs that impact on communication and/or mobility. A visual impairment or learning difficulties may require further resources.
- 3.15.4. Deafblind and other visually impaired people may have some functional sight. Using a broad tip pen on white paper can make written notes accessible. The person may have their own broad tip pen; if they offer you their pen, use it.

3.16. Witness Account

- 3.16.1. Do not be dismissive of deaf people as witnesses because of the perceived difficulty of gaining an account. Deaf witnesses may observe more with less distraction from background sound and may prove to be valuable witnesses. Eliminating discrimination is also about ensuring that individuals can participate in society. Consider the Golden Hour Principles (see 3.20.)

3.17. Witness Statements/Interviews

- 3.17.1. Consideration must be given to the most appropriate way to evidentially record the witness account. Police Link Officers for Deaf people can conduct a Communication Preference Assessment (see 3.19).
- 3.17.2. For people who lip read, the advice may be to engage a Lipspeaker; for sign language users, this will be a Registered Sign Language Interpreter (see 4.2. Interpreters / Language Service Professionals).
- 3.17.3. Consideration must be given regarding whether or not the deaf person should be treated as a vulnerable, intimidated or significant witness in accordance with the Achieving Best Evidence (ABE) in Criminal Proceedings guidance and the Youth Justice and Criminal Evidence Act.
- 3.17.4. When a Language Service Professional is engaged, the interview will be video recorded. A Vulnerable Witness Suite can be used. With a two-camera suite, one camera will be focused on the witness and the other will give an overview of the room. An additional camera, on a tripod, will be required to record the Language Service Professional, to maintain the integrity of the evidence. This additional recording will be sealed as 'Unused Material' and retained. If obtaining an account through a Video Recorded Interview, the ABE guidance will be complied with.
- 3.17.5. Where it is determined that the most appropriate evidence capture is by way of witness statement, the statement can be taken by any appropriately trained officer but any interpretation will always be provided by an appropriate Language Service Professional. Link Officers will not be used to interpret for evidential processes. As recorded above at 3.17.4, any statement obtained with the assistance of a Language Service Professional, will be video recorded and the recording sealed as unused material. This is to safeguard the process and ensure transparency in the event that the quality of the interpreting is challenged.

3.18. Road traffic incidents / Disputes

- 3.18.1. Deaf people have commented in the past how they can feel marginalised or devalued when an incident occurs and another person's version of events is taken as fact. Whilst it may be easier to take the account from the person with whom communication can be established, it may not be the truth or may favour the individual providing the account. Generally in disputes, the views of all are taken. If there is a delay in obtaining the account from the deaf person, it is appropriate to delay any decision on action. Consider the attendance of a Police Link Officer for Deaf people.

3.19. Communication Preference Assessment

- 3.19.1. To assist the Constabulary in providing the best service possible to deaf people, Police Link Officers for Deaf people have developed a Communication Preference Assessment. The form is to be completed ONLY by a Link Officer

who completes it in order to establish preferred communication and to ensure best practice in capturing evidence.

3.20. Golden Hour Principles

- 3.20.1. Police Link Officers for Deaf people can be engaged to ensure these principles are considered and evidence is not lost through a delay in establishing a first account / early information.

3.21. Victims Code

- 3.21.1. Police Officers and staff will consider seeking the support of a Link Officer to ensure there is compliance with the Victims Code, from completing the initial Victim Contract, to providing reassurance and updates to victims and witnesses throughout the investigation.

3.22. Case Outcome

- 3.22.1. Police Officers and staff will consider seeking the support of a Link Officer to update a deaf victim / witness at the conclusion of an investigation and inform them of the final outcome.

3.23. PLOD Assistance

- 3.23.1. Requests for assistance from a Link Officer will generally be made via the PLOD RMS account or PLOD Mailbox on email. For time sensitive matters, contact should be made with an on-duty Link Officer by direct contact. See 3.25 regarding Call Out.

3.24. CARM Skills

- 3.24.1. Police Link Officer for Deaf people are shown on the CARM Skills Search under the skill "Deaf (Sign) PLOD".
- 3.24.2. To search the skills, go on to the CARM homepage via the Intranet left hand panel 'Useful Tools' and select Skills Search. Under Division, select "Any Division" and under Skill Group, select "Languages". Click the submit button and you will have a new drop-down menu for Skill. Select "Deaf (Sign) PLOD" and your results will be displayed.

3.25. Call Out

- 3.25.1. In the past a Call Out facility for Police Link Officers for Deaf people was provided. This process ceased in May 2016 due to the number of available coordinators, resulting in the process being unsustainable. There is no intention currently to reinstate a call out facility, rather to increase the number of Link Officers to provide maximum cover across days, lates and nights.

3.26. Communication Support

- 3.26.1. The Link Officer role is not established to replace the need for Language Service Professionals where needed – but there are times when Link Officers may be considered more appropriate. See 3.27. below. (See also 4.2. Interpreters / Language Service Professionals).

3.27. Arrest and Search

- 3.27.1. A 'Police Officer' Link Officer will be the preferred support when the arrest of a deaf person is planned, or for a premises search, or when a warrant is to be executed, for three primary reasons:
- a. Such an environment may be hostile for Language Service Professionals;
 - b. Police officers are equipped with personal protective equipment; and
 - c. Using a Language Service Professional (LSP) may actually make them a witness to the process and, in such circumstances, an alternative should be sought to maintain the integrity of their function.

3.28. The Caution

- 3.28.1. For hearing people, the Caution is delivered in a 'frozen' form of words, as directed by Code G, Section 3.5 of the Police and Criminal Evidence Act 1984. Any subsequent explanation then follows, as necessary. For parity, wherever possible, any arrested Deaf BSL users, will receive the Caution in BSL delivered by a Link Officer, in an agreed 'frozen' form and any necessary clarification will be provided subsequently. It is accepted that many interpreters will not use the same version of the caution as Link Officers and it is known that other forces disagree with this position, but this does not detract from the Constabulary's stance.

3.29. Terminology

- 3.29.1. For an explanation of the terms Deaf, deafblind, deafened and hard of hearing, see Section 3.56 'Terminology'.

3.30. Custody

- 3.30.1. Whenever a member of Hampshire Constabulary is required to carry out custody procedures with a deaf person, they will consider the appropriate communication support.
- 3.30.2. In the event that the person's first or preferred language is British Sign Language, they will obtain the services of a Registered Sign Language Interpreter. For people who lip-read, consideration will be given to engaging a professional Lipspeaker. See 3.34. Lipspeaker UK bookings.

3.30.3. Where a Police Link Officer for Deaf people is required to provide communication support for a Deaf person in custody, only a Link Officer whose primary role involves work in custody, can be used. For example, a PCSO Link Officer whose primary role does not involve custody, must not be used. This is to safeguard against the argument that any subsequent communication by that officer can only amount to interpreting.

3.31. Arrival in Custody – Pre-planned

3.31.1. If an arrest is pre-planned, it will be expected that Police Link Officers for Deaf people will have been contacted. In the case of a sign language user, whilst they will assist in the arrest process, they will recommend that a Registered Sign Language Interpreter is arranged to be 'ready and waiting' at the police station for the detainee's arrival.

3.32. Arrival in Custody – Unplanned

3.32.1. If an arrest is unexpected it is recommended that consideration be given to communication style and support requirements as soon as possible. Where there is any doubt over appropriate communication support, contact Police Link Officers for Deaf people to seek a Communication Preference Assessment, see 3.19.

3.33. Requesting an Interpreter / Lipspeaker

3.33.1. If you need a sign language interpreter or Lipspeaker, it is advised that the request is made before completing the booking-in process in order to minimise the time delay that is likely to be caused by travelling time. See 3.34.Lipspeaker UK bookings.

3.34. Lipspeaker UK Bookings

3.34.1. Hampshire Constabulary has an official agreement with Lipspeaker UK to provide Registered Sign Language Interpreters and Registered Lipspeakers. Full details, with the number to call 24 hours a day and the police-only email address, are published on the intranet. Search 'How to book a BSL Interpreter or Lipspeaker'. Do not delay contacting Lipspeaker UK. Language Service Professionals can book up a long time in advance. Wherever possible, plan ahead.

3.35. Interpreter Delay

3.35.1. If there is likely to be a delay in the attendance of an interpreter, custody staff should consider contacting Police Link Officers for Deaf people who may be able to attend in order to explain the custody process to the deaf person and the reason for delay.

3.35.2. If communication does not occur, the deaf person will not be informed of the

reason for their arrest, informed of their rights or be subject to the required risk assessment. Any process explained by a Link Officer WILL BE REPEATED when the interpreter arrives.

- 3.35.3. Should Lipspeaker UK be unable to provide a required Language Service Professional within the desired timescales, tactical advice can be sought from a Police link Officer for Deaf people.

3.36. Written Notes

- 3.36.1. Notes may be used to facilitate communication but bear in mind the points made previously: See 3.15. Written English. Any written notes must be easily readable, in plain English and to the point. These notes must be retained or scanned to the system. Written notes are not a substitute for an interpreter.

3.37. Language Compatibility

- 3.37.1. When the Interpreter or Lipspeaker arrives, he/she should be given an opportunity to meet the deaf person to confirm understanding of each other.

3.38. Word for Word

- 3.38.1. Whilst a Lipspeaker will relay information word for word, do not expect a Sign Language Interpreter to do that.
- 3.38.2. The Interpreter is responsible for conveying meaning and that will not be achieved by matching one sign to one word.

3.39. General Advice

- 3.39.1. The term 'Language Service Professional' (LSP) refers to sign language interpreters and Lipspeakers. See 6. For further information. Please note the following important points:
- a. As a matter of safety, never leave the LSP alone with the detained person;
 - b. The LSP must not be asked, or expected, to chaperone detainees or witnesses at the police station. Nor should they be expected to provide transport or money for fares when leaving the police station;
 - c. When using the LSP to facilitate communication with a deaf person, maintain a normal rhythm of speech. The LSP will tell you if you are talking too quickly. Speaking slowly will actually frustrate the process;
 - d. Where possible, allow the LSP to leave the police station before the detainee and via a different exit.

3.40. Room Set-up

- 3.40.1. Further information on room set-up is available in the Manual of Guidance on Police Use of Interpreters but it is perfectly appropriate that you ask the LSP where they and the deaf person will best be placed in the room. Your choices may be limited by the view of fixed cameras.

3.41. PACE

- 3.41.1. The Police and Criminal Evidence Act 1984 makes specific reference to the use of Interpreters at Code C 13 and Code H 13. There is also reference at Code E 3.8 regarding the taking of contemporaneous notes in addition to an audio recording. In the case of an interview with a sign language user, because of the visual nature of the language, we will ensure that interviews are video recorded. See 3.42 Breach of PACE.

3.42. Breach of PACE

- 3.42.1. There is a technical breach of PACE when a suspect interview is video recorded, in that Code E3.8 requires contemporaneous notes. Nothing in Code F seems to neither remove that requirement, nor make video recordings of deaf people mandatory.
- 3.42.2. Hampshire Constabulary acknowledges that in directing the use of video recorded interviews of deaf sign language users, they may breach the Code E requirements but it submits that a video recorded interview provides greater integrity and a reviewable record of the interview.
- 3.42.3. With a two-camera interview room, one camera will be focused on the detainee and the other will give an overview of the room. An additional camera on a tripod will be required to record the Language Service Professional to maintain the integrity of the evidence. This additional recording will be sealed as 'Unused Material' and retained.
- 3.42.4. National Police Chiefs Council Guidance supports this process and the Law Society advises their members to insist on video recording of the suspect and the interpreter.

3.43. Time Limits & Bail

- 3.43.1. If there is no Interpreter available, or the delay in their attendance will frustrate the investigation by impacting on the custody time limits, consider releasing the person under investigation or bailing the person to a date and time when a qualified Interpreter is available, if there is justification to do so. Make the arrangements with an Interpreter first so as to establish availability.
- 3.43.2. Communication support will be required to release / bail a deaf sign language user. Police Link Officers for Deaf people may be able to assist with this but only when all efforts to obtain the services of an interpreter have failed. See 3.48. Bail.

3.44. Appropriate Adults

- 3.44.1. Do not assume that a deaf person will require an Appropriate Adult. In the majority of cases, if communication preferences are catered for, there will be no need.
- 3.44.2. In the case of a hearing juvenile with a deaf parent, the parent remains the 'Appropriate Adult' unless excluded for bona fide reasons, and the onus is on the police to obtain an independent qualified interpreter to allow them to perform the role. PACE Code C states that this will happen. It is not appropriate to get a different Appropriate Adult just to speed up the process of interviewing or dealing with the case.

3.45. Custody Review

- 3.45.1. When the Custody Inspector conducts the review of those detained, consider communication processes with a deaf detainee. If there is no interpreter in attendance, a Police Link Officer for Deaf people may be able to assist in explaining the process. The deaf person will also then have an opportunity to make any representations or explain if they wish to exercise one or more of their rights. As stated under 3.35 Interpreter Delay - Any process explained by a Link Officer WILL BE REPEATED when the interpreter arrives.
- 3.45.2. A Link Officer should also be considered to explain the process to a detained person where a sleeping review has taken place.

3.46. Charge

- 3.46.1. In the event that you are in a position to Charge a deaf person but do not have communication support available, you may decide to engage a Police Link Officer for Deaf people to Charge them. This will only occur when all efforts to obtain the services of an interpreter have failed.

3.47. Out of Court Disposals

- 3.47.1. The issuing of an Out of Court Disposal should take place with the assistance of a Registered Language Service Professional. If one is not readily available, consideration should initially be given to delaying the process until one is available. Should this not be appropriate, a Police Link Officer for Deaf people may be able to be used but consideration should be given to the consequence of that OOCDisposal in the event of any re-offending and therefore the impact on any future disposal considerations relating to that detained person.

3.48. Releasing Under investigation / Bail

- 3.48.1. Where it is not possible to obtain the services of an interpreter, consider at an early opportunity the possibility of releasing the deaf person under investigation or, if the relevant justification exists, on bail. There are key benefits to this including reducing the impact on the custody time limits and avoiding the extended detention of a deaf person. The Equality Act refers to it being unlawful

to treat a person less favourably on the grounds of disability. If it can be shown that we have contributed to that less favourable treatment (for example, a failure to pre-plan on known facts), our actions could be unlawful.

- 3.48.2. Police Link Officers for Deaf people can assist in releasing/bailing the individual back to the police station at a given date and time. There are some key points to that:
- a. Make arrangements for the attendance of the interpreter before setting the bail date and time. Failure to do so may waste everyone's time and result in a further re-bail.
 - b. Where it is not possible, due to the lateness of the hour, to book an interpreter, give an extended bail date and strict instructions for the interpreter to be arranged the following morning.
 - c. Where a Link Officer bails a person, ensure that it is conducted in a location covered by custody CCTV. This will be required in the event that the person fails to return on bail.
 - d. If the return bail date is outside the retention period of the CCTV, ensure that a copy of the bail process is burned to disc or saved to ensure its availability.

3.49. Cell Placement

- 3.49.1. Think about where the deaf person will be detained in custody. A hearing detainee, placed in a cell, can still hear activity outside the cell. A first experience of a cell will be isolating to an extreme extent for someone who cannot hear. Whilst there may be no choice but to place someone in a cell, consider his or her welfare in this regard.
- 3.49.2. Some Custody Centres have a cell with a reinforced glass door. This may give more reassurance. If not available, it may be appropriate to implement a higher frequency of visits / checks. If someone feels extremely isolated, checking on them more often may provide some reassurance.
- 3.49.3. Lighting can be an issue, especially for deafblind people. Cell lights on high may be too bright and cause pain whilst, for others, light too low may cause them danger in an unfamiliar environment.

3.50. Hospital Treatment during Detention

- 3.50.1. Should a Deaf detained person require hospital treatment, Police Link Officers for Deaf people will not attend in order to provide communication support for the purposes of medical treatment. Contact should be made with the hospital prior to travel, to make staff aware of the need to provide interpretation.

3.51. Hearing Dogs & Custody

- 3.51.1. The Detention and Custody, Authorised Profession Practice from the College of Policing, advises that, wherever possible, the dog should remain with the owner. This includes when the owner is placed in a cell. Staff should remove the harness and lead when the detainee is in a cell.
- 3.51.2. Staff should provide the dog with a suitable blanket and water bowl and make arrangements for the dog to relieve itself.
- 3.51.3. The dog should only be given food provided by the owner or the local district team of Hearing Dogs for Deaf people. Each Hearing Dog owner will have a Single Point of Contact known as the 'Partnership Instructor' or 'PI'. The PI should be the first person to contact. If unsuccessful, contact Hearing Dogs for Deaf people – www.hearingdogs.org.uk
- 3.51.4. In exceptional circumstances, where the dog cannot be kept with the owner, staff should keep it in an office and inform the owner of the arrangements.
- 3.51.5. Under no circumstances should staff place dogs in kennels or with other dogs.

3.52. Effective Communication

- 3.52.1. To ensure an equality of service delivery in all our functions, officers need to be aware and take into consideration the following points:
 - a. Do not make assumptions about a person's communication style. The best person to ask is the individual;
 - b. A Communication Preference Assessment will assist you in providing an excellent service – request an assessment;
 - c. Attract attention first to get eye contact – this may be by waving or gently tapping the person's arm / shoulder;
 - d. Cut down on background noise where possible;
 - e. Not all deaf people use sign language;
 - f. Not all deaf people can lip read;
 - g. Lipreading is difficult with only 30% to 40% of what we say being visible on the lips. Some words and phrases may look like others and can be ambiguous;
 - h. Do not assume that someone who has a hearing aid(s) can hear. A hearing aid may be worn to give environmental information, filter out some sounds, amplify others or to help the deaf person's own speech;

- i. Do not raise your voice or shout. You will look angry and can cause pain;
- j. Do not exaggerate words as this distorts lip pattern;
- k. Maintain a normal rhythm of speech;
- l. Don't simply repeat the same sentence over and over again. If you are not being understood – RE-PHRASE;
- m. Don't turn away, look down at paperwork or cover your mouth whilst talking;
- n. Don't chew gum or eat sweets – this will distort lip pattern;
- o. Beards and moustaches can mask lip pattern. If this applies to you, be patient or seek someone else to deal. It is your responsibility to ensure communication is effective;
- p. Strong / unfamiliar accents can make communication difficult. If this applies to you, don't be offended, ask a colleague to take over;
- q. Gestures can aid communication; and most importantly;
- r. DON'T GIVE UP.

3.52.2. This list is not exhaustive. Patience and a positive attitude go a long way to providing access.

3.52.3. See over for additional considerations in respect of deafblind people.

3.53. Deafblind Considerations

3.53.1. The term 'deafblind' relates to a dual sensory impairment and can have an impact on communication, access to information, and mobility. It does not always mean that a person is completely blind and profoundly deaf, though they may be. The majority may be blind with a hearing impairment or deaf with a visual impairment. How, and when, they became deafblind will influence their communication style.

3.53.2. Some conditions, such as Ushers Syndrome, may also cause balance problems where the person may be perceived as being drunk.

3.53.3. Some people will wear an identification wristband detailing the condition affecting them. Some deafblind people will use a white cane with red band(s). Think: "Red and white; no sound, no sight!"

3.53.4. Lighting and environment are factors that can have an impact on communication. In addition to the points at 3.52.1 above, consider the following points:

- a. Lighting. Too bright can cause glare, discomfort and pain.
- b. Lighting. Too dark can be difficult to see lip patterns and/or sign language. A dark wall as a background with good lighting can help.
- c. A person may see something reasonably well during daylight, but the same situation in the dark may be impossible. Therefore, illuminating an officer's face to aid communication as mentioned at 3.6, may not always be helpful.
- d. Both glare and areas being too dark can present a risk of falling.
- e. Lack of contrast can cause a problem. For example, brown tables and chairs on a brown or dark carpet can present a hazard.
- f. If the person is moved from one area to another with different lighting levels, they might need time for their eyes to adjust before communication can commence.
- g. Do not assume everyone with sight loss uses a cane.
- h. Sighted guide may be needed to move from one area to another. In the absence of a professional, this will involve allowing the person to hold your arm for you to guide them. Be aware as you move forward pausing at doorways. Pause at steps. Consider placing their hand on door frames or banisters to allow reference. Be aware of changing lighting levels.
- i. Objects of reference can be used for identification such as allowing the person to touch the police badge.
- j. When writing notes, a thick black pen on a white background may help. Write in capital letters. Do not use cursive text.
- k. Communication styles can include deafblind manual, deafblind block, hands-on sign language, written notes and even Braille and Moon tactile codes, and symbols.

3.54. Complaints

- 3.54.1. It is important that there is sufficient access for deaf people to be able to make a complaint, if needed and a number of contact options are available on the Hampshire Constabulary internet page.
- 3.54.2. If a deaf person wishes to meet a Link Officer for an informal discussion about a complaint or an issue of dissatisfaction, this may be appropriate.
- 3.54.3. A PLOD Coordinator can be deployed to meet a deaf person if they wish to have an informal discussion about the actions, behaviour or competence of one of the Link Officers.

- 3.54.4. If a deaf person wishes to make a formal complaint to a Link Officer, that officer can record the details and will ensure that the information is passed on as per current complaint recording processes.
- 3.54.5. For the reporting and resolution of formal complaints, a qualified Language Service Professional should be used. Link Officers can be used to provide advice to the person resolving the complaint and can be deployed with him/her if all parties consider it beneficial.

3.55. Further Advice

- 3.55.1. For further advice in respect of deaf people and providing an accessible service, contact Police Link Officers for Deaf people.

3.56. Terminology

- 3.56.1. We refer to Deaf, deafblind, deafened and hard of hearing people and we will explain briefly what we mean. This is not about labelling people; it is about helping us to consider different communication styles and in an effort to be fully inclusive. Collectively we refer to 'deaf people'.
- 3.56.2. Communication preferences vary because deafness and hearing loss affect people in different ways.
- 3.56.3. Deaf – 'Deaf' with a capital 'D' refers to those people who generally:
- a. Have severe to profound deafness;
 - b. Use British Sign Language (BSL) to communicate; and
 - c. Identify as part of the Deaf Community with a strong cultural affinity with other Deaf people whose first or preferred language is BSL.
- 3.56.4. Deafblind - 'deafblind' refers to those people who have a severe visual and auditory impairment that can have an impact on both communication and mobility. Communication methods vary depending on the degree of impairment. Whilst some deafblind people will be able to gain information through large print or Braille, others may rely on the Deafblind Manual Alphabet or Deafblind Block where words are spelled out on the person's palm letter by letter, Close Visual Framing or 'Hands On' Communication.
- 3.56.5. See 3.52 – Deafblind Considerations for further information.
- 3.56.6. Deafened - 'deafened' refers generally to those people who become deaf later in life often after acquiring written and oral English. It can happen as a result of injury or illness. This is sometimes referred to as 'late deafened' or 'acquired hearing loss'. Deafened people are likely to rely on written notes and may achieve some lip-reading skills.

- 3.56.7. It is worth considering that late or sudden deafness can cause immense isolation and frustration can result from a lack of communication.
- 3.56.8. Hard of Hearing – ‘deaf’ with a lower case ‘d’ refers to those people who medically have some degree of deafness – from slight (hard of hearing) to profound. The majority of this group do not use sign language but may lip—read and be assisted by either human or technical aids to communication such as:
- a. Lip-speakers;
 - b. Speech-to-Text Reporters;
 - c. Notetakers;
 - d. Hearing Aids; and
 - e. Hearing Loops.
- 3.56.9. WE DO NOT USE: We recognise the following terms are offensive to some and so we will not use them:
- a. Deaf mute;
 - b. Deaf and dumb;
 - c. Deaf without speech
- 3.56.10. WE WILL SAY “deaf people” and not “the deaf”.
- 3.56.11. See 3.32 for further General Advice regarding Language Service Professionals at the police station.

4. Roles and Responsibilities

4.1. Police Link Officers for Deaf people

- 4.1.1. Police Link Officers for Deaf people (PLOD) have been established in Hampshire and the Isle of Wight since 1999 and are able to support the Constabulary in its dealings with Deaf, deafblind, deafened and hard of hearing people. Other UK police forces have also created Link Officers based on the Hampshire model.
- 4.1.2. Hampshire Constabulary has a number of Police Link Officers for Deaf people who have sign language skills and deaf awareness. They do not provide an interpreting service and are generally not trained to that level. Even if they were, they are not independent of the police and will not, therefore, be used for evidential processes.

- 4.1.3. Police Link Officers for Deaf people are not generally responsible for investigating incidents or crime complaints that involve deaf people. This will remain the responsibility of the local investigating officer. They will, however, provide support and advice for such officers. If a Link Officer is in an investigative role, it may be entirely appropriate and beneficial for an incident involving a deaf person to be allocated to him/her.
- 4.1.4. Hampshire Constabulary recognises that there is a fine line between providing communication support and interpreting and that the relaying of information may be construed as an act of interpreting.
- 4.1.5. Link Officers will not generally be deployed to assist external agencies or departments with incidents involving / relating to deaf people. The only exceptions to this are following a large scale or major incident where immediate communication support is needed or where there is a 'life and death' situation, which justifies Link Officers acting in this capacity.
- 4.1.6. The Constabulary acknowledges that this may, from time to time, occur with the Link Officers. Importantly, Link Officers are provided to compliment, not supplement, interpreter provision and to bridge the communication gap.
- 4.1.7. For evidential processes, such as obtaining a witness account or interviewing a suspect, Hampshire Constabulary will engage the services of an independent Language Service Professional where appropriate – see 3.19. Communication Preference Assessment – see also 4.2. Interpreters.
- 4.1.8. Police Link Officers for Deaf people provide their services as a voluntary add-on to their primary role. Hampshire Constabulary currently has both Police Officers and Police Community Support Officers as Link Officers.
- 4.1.9. Police Link Officers for Deaf people perform this role in line with their primary role. That is to say that a PCSO will not undertake police officer duties when dealing with deaf people. If a warranted officer is required for a function (such as making an arrest), the Link Officer must be a police officer.
- 4.1.10. Police Link Officers for Deaf people can provide communication support and assistance when members of the constabulary are dealing with deaf people. The Link Officer will advise on the limit of their role.
- 4.1.11. A Role Profile for Police Link Officers for Deaf people and for the Coordinator function has been prepared and is held on the Policing Professional Framework.
- 4.1.12. The Police Link Officers for Deaf people scheme is overseen by the Deaf Access Lead who will ensure its use is monitored and the scheme is developed in line with service delivery requirements. The Deaf Access Lead is held accountable for the delivery of services by the Chair of the Equality and Inclusion (Disability) Group.

4.2. Interpreters / Language Service Professionals

4.2.1. Language Service Professionals (LSPs) include British Sign Language Interpreters and Lipspeakers. Both are drawn from the National Registers of Communication Professionals Working with Deaf and Deafblind people. To explain those terms:

- a. A British Sign Language (BSL) Interpreter is a hearing person trained to convert English spoken language to sign language and sign language to English spoken language. They convey the meaning and intent rather than a 'word for word' conversion.

Other countries have their own sign languages and so a BSL Interpreter cannot be expected to communicate with a deaf person from another country. BSL is not international.

- b. A Lip speaker is a hearing person who acts as a human aid to communication between hearing people and deaf people. The Lip speaker will silently repeat a speaker's message as it is being spoken, with clear lip pattern, and the deaf person lip-reads them.

Lip speakers reproduce clearly the shapes of the words and the natural rhythm and stress used by the speaker. They use facial expression, gesture and, if requested, finger spelling to aid the lip reader's understanding.

4.2.2. Hampshire Constabulary engages LSPs through Lipspeaker UK. Further information is available on the Force Intranet and the Hampshire Constabulary Manual of Guidance on Police Use of Interpreters.

4.2.3. LSPs are language professionals who provide a crucial role in the justice process. They are independent and are not employed by the police – their services are engaged to facilitate communication.

4.2.4. Registered Interpreters and Lipspeakers are required to have an up to date Enhanced DBS (formerly CRB) Certificate and they are subject to a strict Code of Conduct.

4.2.5. LSPs are subject to legal privilege and so they can interpret for the Solicitor / detainee consultation. The Solicitor may wish to engage another Language Service Professional at the expense of the Defence.

4.2.6. See 3.32 for further General Advice regarding Language Service Professionals at the police station.

4.2.7. There will be occasions where LSPs are required for non-evidential processes, such as partnership meetings. In these cases, professionals will still be booked through Lipspeaker UK. For further information, contact the Deaf Access Lead.

5. Administration

- 5.1. Within procedure above.

6. Monitoring and Evaluation

- 6.1. The provision of accessible deaf services is overseen by the Deaf Access Lead, DCI Gabe Snuggs, under the direction of the Force Equality and Inclusion (Disability) Group.
- 6.2. The Deaf Access Lead will ensure completion of an Equality Impact Assessment on this policy and supporting procedures.
- 6.3. A summary of PLOD activity and accessible deaf service provision under the Deaf Access Strategy will be reported through the Force Equality and Inclusion (Disability) Group.
- 6.4. As part of the Deaf Access Strategy, we engage with deaf people. This includes accessible meetings to review and feedback on this Policy and the associated Procedure.

7. Review

- 7.1. The review of this procedure will be conducted annually by the Deaf Access Lead. When the next review takes place the constabulary will consider any changes to legislation, legal challenges, developments resulting from the Deaf Access Strategy and any discrepancies raised with regard to the policy and procedures.

8. Other Related Procedures, Policies and Information Sources

8.1. Related Policies

In reality all police policies and procedures have a relationship to this in that they should all have regard to deaf people. Specific policies are:

- 8.1.1. 29500 Policy – Policing with Deaf, deafblind, deafened and hard of hearing people.
- 8.1.2. 14800 Policy – Victims & Witnesses;
- 8.1.3. 32100 Policy – Custody

8.2. Related Procedures

- 8.2.1. Not applicable

8.3. Information Sources

Nationally, the sources of information specific to policing are limited and Hampshire Constabulary has lead the way in delivering accessible service. A few other police forces are now developing their delivery and there is an opportunity to join with them to share best practice and seek a uniform delivery plan. Legislation provides some information but this has tended to provide the 'what' is required without necessarily assisting the 'how' it should be provided. Sources of information, therefore, include:

- 8.3.1. [Guidance: Subtitling Guidance Document.](#)
- 8.3.2. [The Human Rights Act 1998;](#)
- 8.3.3. [The Equality Act 2010;](#)
- 8.3.4. [The Public Section Equality Duty, S.149 Equality Act 2010;](#)
- 8.3.5. [The Police & Criminal Evidence Act 1984 \(PACE\);](#)
- 8.3.6. [CPS Guidance for the Police Use of Interpreters;](#)
- 8.3.7. [Guidance on Police Use of Interpreters;](#)
- 8.3.8. [Achieving Best Evidence in Criminal Proceedings](#)
- 8.3.9. [The Victims Code](#)
- 8.3.10. [AD203 Equality Impact Assessment](#)

Origin: Local Policing Support