



UNIVERSAL DESIGN

FOR INCLUSIVE

JUSTICE SYSTEMS:

POLICY BRIEF

This policy brief was developed by Validity Foundation – Mental Disability Advocacy Centre within the project “Changing the Accessibility of Tools for Victims” co-funded by the European Union (CHAT for Victims – 101056702 – JUST-2021-JACC). The project aims to facilitate access to information and support for victims of crime with disabilities.<sup>1</sup>

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<sup>1</sup> More information about the project is available here on Validity’s webpage: <https://validity.ngo/projects-2/changing-the-accessibility-of-tools-for-victims/>; All project materials are available on the Project Coordinator’s website: <https://pzs.hr/popis-projekata-2022/chat-for-victims/>

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## About the Project

The CHAT for Victims – Changing the Accessibility of Tools for Victims (101056702) project, started in 2022, is coordinated by Victim and Witness Support Croatia. It aims to improve access to information and support for persons with disabilities who are victims of crime.

The project primary goal is to develop a live-chat service to help overcome communication barriers faced by persons with disabilities. This innovative approach addresses the specific challenges these individuals encounter when seeking support after experiencing crime.

For more information about the project, please visit:

- [Validity Foundation](#)
- [Victim Support Croatia](#)

## Methodology

The project undertook research across Croatia, Romania, Slovenia, and Spain to develop an accessible live chat service for persons with disabilities who are victims of crime. The research included focus groups with 94 people with diverse types of disability, 38 semi-structured interviews with experts, and desk research on relevant national and international standards.

The project assessed accessibility through the lens of the human rights model of disability, which, as set out above, recognises persons with disabilities as rights holders and affirms that barriers in society must be removed to ensure their equal access to justice. The human rights model of disability is reflected in the UN Convention on the Rights of Persons with Disabilities (CRPD), which states that denial of reasonable accommodations amounts to discrimination.

### **Desk Research (National and International)**

- Literature review at the international level in English on barriers facing persons with disabilities who are victims of crime in accessing the justice system and victim support.

- Review of national legislation in 4 countries (Croatia, Romania, Slovenia, and Spain), conducted by partner organisations.

### **Focus Groups**

- 14 focus groups including 94 participants.
- Participants included persons with disabilities with diverse impairments: hearing, sight, speech, intellectual, and psychosocial.

### **Semi-structured Interviews**

- 39 semi-structure interviews.
- Representatives of NGOs.
- Institutions, victim support, and other organisations with experience using chat services.
- Academics and experts in accessible communication.

For this research, in line with the UN Convention on the Rights of Persons with Disabilities (CRPD), persons with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.<sup>2</sup>

## **Introduction**

This policy brief analyses and provides recommendations for designing and reforming justice systems to make them accessible through the development and implementation of standards and recommendations of universal design. It does so by drawing on the experience of this project on development of a live chat system for victims with disabilities as a case study. The analysis and recommendations build upon EU legislation (Victims' Rights Directive and proposed recast) and international legislation (CRPD and International Principles and Guidelines on Access to Justice). This can

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<sup>2</sup> Article 1 CRPD

serve as a template for designing other accessible digital tools within the justice context.

The brief begins by describing different models of disability and their implications for justice systems and digital tools used within them. It sets out why the medical model of disability was superseded by the CRPD's social and human rights models of disability. The CRPD requires duty-bearers to take rights-based approach to accessibility and inclusion that should guide reforms in all aspects of the justice system.

Next, the brief explains how the human rights model of disability establishes important course of action for all justice processes - including digital tools. It highlights that recurring systemic bias or discrimination against persons with disabilities in the justice system stems from inaccessible systems that fail to consider the diversity and heterogenous nature of this group. These issues are compounded by digitalisation systems. Multiple societal and environmental factors interact with a person's impairment to prevent them from exercising their rights.

The brief then outlines how the CRPD provides a policy framework for reforming justice systems through universal design, accessibility, supported decision-making, and reasonable and/or procedural accommodations. In particular, general accessibility to the physical environment, transportation, information and communication, and other facilities and services must be provided. However, the CRPD acknowledges that achieving full accessibility may take time and resources. Nonetheless, there is an immediate duty to provide reasonable accommodations to eliminate barriers at the individual level for any implementation and reform processes, including digitalisation such as live chat systems.

The brief shares experiences from the CHAT for Victims project in developing a live chat system, as well as research conducted in each participating country. It provides recommendations defining the components of a universal design system in the context of victim support, highlighting what policymakers and justice professionals should consider when adopting digital systems that respect the rights of persons with disabilities.

Finally, the brief concludes with recommendations for EU policy and guidance for member states on adopting digital systems that respect the rights of persons with disabilities in the justice system.

# 01

INTERCONNECTION BETWEEN  
BIAS, BARRIERS,  
INTERSECTIONALITY AND  
INCLUSION

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## 1.1 The Interconnection between Bias, Barriers, Intersectionality, and Inclusion in digital Systems

Digital systems and technologies are not neutral tools; they reflect and often amplify existing societal biases and structural inequalities.<sup>3</sup> The relationship between digital bias, barriers to accessibility, intersectional discrimination, and inclusive design forms a complex web that must be understood as an interconnected whole rather than as separate issues

### 1.1.1 Systemic Bias in Digital Systems

Digital bias emerges when technologies reproduce or reinforce existing patterns of discrimination. This can occur at multiple levels: in the data used to train systems, in the algorithms that process data, and in the interfaces through which users interact with technology.<sup>4</sup> For persons with disabilities, this bias can arise in systems that have not taken into consideration their diverse needs. Ableism is then built in to the digital infrastructure.

### 1.1.2 Intersectional Barriers

Further, the barriers faced by persons with disabilities in digital contexts are often multi-dimensional. This is often overlooked in digital accessibility initiatives, which tend to address disability as a singular and homogeneous category. Our research across the project countries revealed that the barriers faced by persons with disabilities can vary based on factors such as:

- Type and degree of impairment
- Geographic location (urban vs. rural)
- Socioeconomic status
- Gender and age
- Institutional context (especially for those in residential care)

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<sup>3</sup> *The Artificial Intelligence Channel* (2017). The Trouble with Bias - NIPS 2017 Keynote - Kate Crawford #NIPS2017, in: *YouTube*, [https://www.youtube.com/watch?v=fMym\\_BKWQzk](https://www.youtube.com/watch?v=fMym_BKWQzk)

<sup>4</sup> Goggin, G., Ellis, K., Hawkins, W. (2019). Disability at the centre of digital inclusion: assessing a new moment in technology and rights *Communication Research and Practice*, Vol. 5(3), 290–303

- Digital literacy and access to technology

### 1.1.3 Inclusion as Transformative Practice

Genuine digital inclusion requires the acknowledgement of interconnected biases, barriers, and intersectionality. Universal design principles offer a pathway toward this inclusion by requiring the creation of systems that are flexible, intuitive, and adaptable to diverse user needs. By approaching digital design through this holistic lens, it is possible to move towards an approach that recognises that making justice systems truly accessible for persons with disabilities benefits everyone by creating human-centred digital environments.

## 1.2. Medical Model vs. Complementarity of Social and Human Rights Model of Disability under the CRPD

### 1.2.1 Medical Model of Disability

The medical model views disability as something that needs to be ‘fixed’ or ‘cured’ through medical intervention. Health professionals are considered responsible for solutions, and disability is treated as a health matter rather than a human rights issue. Under this model, the ‘problem’ is located in the person with the disability rather than in the environment or society.

This model fails to recognise the barriers in society that prevent full participation of persons with disabilities and does not acknowledge their rights as equal members of society. It has been criticised for its paternalistic approach and for disempowering persons with disabilities.

This model is not accepted by the CRPD, which views disability as an evolving social concept and as a result of interaction of societal barriers with a person’s impairment.<sup>5</sup>

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<sup>5</sup> Article 1 CRPD.

## 1.2.2 Social and Human Rights Models of Disability

In contrast, the social model of disability recognises that persons are disabled by external factors – society and environment – rather than by their impairments. The focus shifts to removing social, physical, legal, gender, and information-communication barriers that hinder the exercise of human rights.

As Lawson & Beckett point out<sup>6</sup>, the definition of disability in connection to barriers that people face has the advantage of accommodating diverse realities. It has enabled persons with disabilities with diverse impairments to unite, embrace solidarity, and share a common movement (see Gabor).<sup>7</sup> It recognises that barriers persons may be subject to may be different, multiple and intersectional forms of discrimination, as well as their needs depending on their personal circumstances.

*“The social model thus in principle requires measuring and understanding both a person’s capacities and needs (physical, cognitive, and otherwise) with respect to functioning in different activities and social roles, and the facilitators and barriers to that functioning presented by a given environment.”*

The human rights model complements the social model by explicitly framing disability issues in terms of rights and setting out guidance for policy.<sup>8</sup> Under this model:

- Persons with disabilities are rights holders and subjects of human rights law on an equal basis with others.
- A person’s disability is recognised and respected as diversity.
- Disability-specific prejudices, attitudes, and other barriers are obstacles to the enjoyment of human rights.

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<sup>6</sup> Lawson, A. & Beckett, Angharad E. (2020). The social and human rights models of disability: towards a complementarity thesis *The International Journal of Human Rights*, Vol. 25(2), 348–379, p. 368

<sup>7</sup> György Könczei, Sándor Gurbai, Borbála Bányai and Veronika Kalász (eds), *The World – Without Cage Beds: World-Shaping Narratives by Gábor Gombos* (Validity Foundation – Mental Disability Advocacy Centre & ELTE Eötvös Loránd University, Bárczi Gusztáv Faculty of Special Needs Education 2023)

<sup>8</sup> Lawson, A. & Beckett, Angharad E. (2020). The social and human rights models of disability: towards a complementarity thesis *The International Journal of Human Rights*, Vol. 25(2), 348–379, p. 360

- Society and governments are responsible for ensuring that political, legal, social, and physical environments support the human rights and full inclusion of people with disabilities.

Together, these models establish the concept of inclusive equality<sup>9</sup>. This has four dimensions:

1. Fair distributive dimension to address socioeconomic disadvantages.
2. Recognition dimension to combat stigma, prejudice, and violence.
3. Participative dimension to ensure inclusion regardless of social group.
4. Accommodation dimension to make immediate space for differences as a matter of human dignity.

This concept and model will underpin human rights-based framework for reform of justice systems, drawing on these important values that will be used as foundation for fleshing out standards for universal design.

### 1.2.3 Implications for Justice Systems - Barriers

The human rights model establishes important goals and direction for justice systems:

- Achieving inclusive equality.
- Ensuring access to justice where digital tools can support decision-making.
- Respecting a person's autonomy and legal capacity.
- Preventing the creation of new barriers and means of exclusion.

All measures must be appropriate and sensitive to the diversity of persons with disabilities, ensuring there are no age, gender, disability, socioeconomic, or other barriers that prevent the exercise of their right to access justice.

To that effect accessibility of justice facilities, information and communication needs to be assured (Article 13), as well as support services for meaningful protection of victims with disabilities (Article 16).<sup>10</sup> “The States parties’ general obligations is to “undertake or promote research and development of universally designed goods, services,

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<sup>9</sup> Article 5 of CRPD & General Comment No. 6 of CRPD Committee

<sup>10</sup> See General Comment No. 2 (2014): Article 9: Accessibility; para 37.  
<https://docs.un.org/en/CRPD/C/GC/2>

equipment and facilities, as defined in article 2 of the Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines” (art. 4, para. 1 (f)). All new objects, infrastructure, facilities, goods, products and services have to be designed in a way that makes them fully accessible for persons with disabilities, in accordance with the principles of universal design.”

For victims with disabilities to have their right to access to justice respected, State parties must provide measures, including accommodations for persons with disabilities to adjust proceedings whenever measures under Article 5.<sup>11</sup>

Victims with disabilities encounter diverse barriers to access justice system and victim support services. These barriers vary due to a variety, multiple and sometimes intersecting external factors, which prevents them from relying on these systems. An intersectional study by Validity Foundation found that, for justice and support systems to adequately guarantee access to child victims with intellectual or psychosocial disabilities, who live in alternative care or are unaccompanied need to overcome at least 8 different barriers: 1) forms of discrimination, prejudice and stigma on the basis of age, gender, country of origin and disability that continue to exclude and marginalise children; 2. social; 3) economic; 4) communication; 5) procedural; 6) architectural; 7) systemic; 8) educational barriers.<sup>12</sup>

These barriers were present as well across the 4 EU countries analysed in this project. Any justice reform or consideration of implementation of new measures, such as digital, will need to be able to overcome how victims with disabilities are either fearful or distrust the system. In Spain for example, the national report highlighted that persons with intellectual disability tend to be seen as ““problematic, with a tendency to invent stories, they cannot control their lives, they are like children, they lack sexuality, or have an outrageous sexuality”, stereotypes anchored in THEIR memory that result in unprofessional practices, which re-victimize this group, and which, finally, lead to useless conclusions.”

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<sup>11</sup> See Article 13 CRPD

<sup>12</sup> Validity Foundation, p. 25-26. <https://validity.ngo/wp-content/uploads/2022/08/Pathways-for-Inclusive-Individual-Assessment-for-EU.pdf>

Furthermore, persons with disabilities that do not have the support necessary to live independently and access victim support services. Indeed, violence against persons with disabilities tends to be hidden, since it is committed by those that are meant to serve or support them. This was highlighted in particular the Romanian report, where victims with disabilities that live in institutions are dependent on their guardians or staff of the institutions for support, who are the same time perpetrators.

**Spain:** Persons with intellectual disabilities tend to be seen as problematic, with a tendency to invent narratives about them. This leads to stereotypes that can result in unprofessional practices, which re-victimise people with intellectual disabilities.

**Romania:** Victims with disabilities that live in institutions are dependent on their guardians or staff of the institutions for support. However, these same people can be the perpetrators of violence. In centres for persons with disabilities or psychiatric hospitals, verbal and physical abuse of children and adults, sedation, excessive use of physical restraints, lack of hygiene, inadequate living conditions, and lack of adequate medical care has been identified by civil society monitors. Persons with disabilities face a high level of discrimination - more than half of Romanian respondents to a nationwide survey believed that persons with disabilities should be placed in special institutions.

**Croatia:** There is a lack of statistical data on persons with disabilities who are victims of crime. Violence against persons with disabilities most often happens by perpetrators who are close to them and/or members of their family. Experts working with people with disabilities reported that people with disabilities often experience various forms of violence (physical, psychological, sexual, financial) and discrimination against them, with violence occurring most frequently within the family or committed by professionals who come into contact with them.

**Slovenia:** Due to their physical, social or economic dependence on other family members or relatives, people with disabilities are more often victims of various types of violence and crimes. Especially vulnerable are women with disabilities, who most often suffer from domestic violence not only because of dependence on physical and economic support, but also because of alcoholism in the family, low levels of education, awareness and information, as well as shame, helplessness, and fear of revenge.

# 02

ACCESS TO JUSTICE  
AND THE NEED FOR UNIVERSAL  
DESIGN

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## 2.1 Accessibility and Universal Design

Accessibility is one of the general principles of the CRPD<sup>13</sup> and is woven throughout the Convention to ensure the realisation of rights in areas such as employment, health, education, independent living, and legal capacity.

Article 9 of the CRPD directly addresses accessibility, stating that people with disabilities have the right to access all aspects of society on an equal basis with others, including:

- Physical environment
- Transportation
- Information and communications
- Other facilities and services provided to the public

States Parties must identify and eliminate obstacles and barriers to accessibility in buildings, roads, transportation, and indoor and outdoor facilities, as well as in information, communications, and electronic services.

Universal design is directly linked to accessibility and represents an *ex-ante* duty – designing systems from the beginning to be accessible to all, rather than retrofitting them later. ‘Universal design’ means designing products, environments, programmes, and services to be usable by all people to the greatest extent possible, without the need for adaptation or specialised design.<sup>14</sup> While universal design applies to everyone, it does not exclude assistive devices for particular groups of persons with disabilities, when needed.

### 2.1.1. Relationship Between Accessibility, Procedural and Reasonable Accommodations

- Accessibility is group-based and an *ex-ante* duty for eliminating and preventing barriers for persons with disabilities as a group.
- Improved accessibility decreases - but does not eliminate - the need for reasonable accommodation.

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<sup>13</sup> Article 3 CRPD

<sup>14</sup> Article 2 CRPD

- Reasonable accommodation addresses the elimination of barriers for the individual immediately.
- Some reasonable accommodation measures can improve accessibility for all.
- There is a strong and mutually reinforcing relationship between reasonable accommodation and accessibility.
- These are not 'extra' services for persons with disabilities; they create conditions equal to others for the exercise of rights.

'Reasonable accommodation' means necessary and appropriate modifications and adjustments not imposing a disproportionate or undue burden, when needed in a particular case, to ensure persons with disabilities can enjoy or exercise all human rights and fundamental freedoms on an equal basis with others.<sup>15</sup> When adaptation or adjustments are necessary or unavoidable, these procedural measures must be individualised, not subject to judgements of proportionality in the determination of their adoption. This is an obligation of all state actors to prevent, protect and promote these rights.

Key aspects of reasonable accommodations include:

- Refusal to provide reasonable accommodation constitutes discrimination on the basis of disability.
- They must be implemented in the interest of the person's fundamental human rights and freedoms.
- They focus on specific barriers experienced by a particular disabled person.
- They must be implemented in consultation with the disabled person.
- They must be provided from the moment the disabled person requests access or wants to exercise their rights.
- The aim is to identify the most effective ways of removing barriers together with the disabled person.
- Such measures also must be age-appropriate and gender-appropriate.<sup>16</sup>

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<sup>15</sup> Article 2, CRPD

<sup>16</sup> See Articles 6 & 7 CRPD.

These measures are temporary in nature to satisfy an immediate need or support overcoming a particular barrier. To eliminate the barrier and enable ease of use or access to justice systems, processes, services, information and communication need to be based on principles of universal design.

### 2.1.2 Implications for Digital Systems and Access to Justice

Inaccessible digital systems can increase dependence on others, creating new barriers rather than removing them. Digital tools in the justice system must be designed with universal design principles from the outset, with reasonable accommodations available when needed for individual cases.

“Lack of access to inclusive digital education and to computer technology may create a digital divide for persons with disabilities. Therefore, digital innovations should not become the only medium for persons with disabilities to receive or share information, particularly how this disproportionately affects persons with disabilities. This is especially the case for persons with disabilities in Bulgaria, Hungary and Romania under severe segregation in closed residential settings under inhuman conditions where not even basic needs are met, much less access to computer technology or inclusive digital education. If technology is used in criminal proceedings, they must be accompanied with supported decision-making measures to enable all persons with disabilities to exercise their legal capacity and access to justice.”<sup>17</sup>

“Video-links can improve the exercise of their legal capacity and the right to a fair trial. For example, in the UK, there were accounts of persons with disabilities welcoming ability to participate remotely, since this allowed them not to worry about having their needs met and a family member can sit beside them. Enabling video-link may pursue justice and, when adopted as a procedural accommodation for persons with disabilities, may contribute to the right to fair trial and equal participation in judicial proceedings, provided it aligns with their preferences.”<sup>18</sup>

**Romania:** Most people with disabilities do not use the internet to access information about institutions and services for the public, and many who do find it difficult. Most

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<sup>17</sup> <https://validity.ngo/wp-content/uploads/2024/05/Validity-Foundation-OHCHR-Input-on-Technologies-in-the-Administration-of-Justice.pdf> p. 4

<sup>18</sup> <https://validity.ngo/wp-content/uploads/2024/05/Validity-Foundation-OHCHR-Input-on-Technologies-in-the-Administration-of-Justice.pdf> p. 3

people with disabilities had not used the internet in the previous month (53% of people with some disabilities and 66% of those with severe disabilities).

**Croatia:** In December 2021, the first Report of Croatia on the compliance of websites and mobile applications with accessibility requirements was published by the Central State Office for the Development of the Digital Society and the Commissioner for Information. The highest average accessibility was found in healthcare (86%) and social protection (82%), while the lowest was in upbringing, education, science and sports (69%).

**Spain:** In Spain, approximately 30% of the population is culturally analogical, facing access gaps, usage gaps, and quality of use gaps. These gaps include: 1) the access gap, affecting possibilities to access technological resources and the Internet, 2) the use gap, referring to lack of digital skills preventing technological management, and 3) the quality of use gap, limiting access to quality information.<sup>19</sup>

**Slovenia:** Blind people face challenges including difficulty identifying website status and trajectory, evaluating received information, confusion from simultaneous use of several programs, and difficulty understanding information.<sup>20</sup>

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<sup>19</sup> Bustamante Rúa, M y Marín Tapiero, J. (2021). Justicia digital, acceso a internet y protección de datos personales Universidad Privada Norbert Wiener.

<sup>20</sup> Jožica Šmidovnik, Primerjava in vrednotenje spletnih strani za slepe in slabovidne, Master's thesis (2018), available at: <https://repozitorij.uni-lj.si/Dokument.php?id=118540&lang=slv>

# 03

LIVE CHAT SYSTEMS IN VICTIM  
SUPPORT – CASE STUDY FOR  
JUSTICE REFORM

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## 3.1 Findings from the four countries

The research across all four countries demonstrates consistent patterns in terms of the barriers faced by persons with disabilities in accessing justice and victim support services. These findings will be structured according to the seven principles of universal design. Recommendations for the creation of guidelines for the development of accessible live chat services based on these findings will then be set out.

Understanding the concept of disability involves recognising diverse heterogeneous experiences, which may vary widely depending on type of impairment as well as own experiences due to gender, age, socio-economic status and other factors. This signals, in particular, the importance of participation of persons with disabilities, since a person's reality will largely differ because of their impairment, to what extent external factors or barriers exist that disable them and prevent full participation in society. As Dr Stephen Shore pointed out – “if you've met one person with autism, you've met one person with autism”.<sup>21</sup>

### 3.1.1 Equitable use

The research identified a digital divide which negatively impacts on persons with disabilities. For example, in Spain approximately 30% of the population is culturally analogical. They face access gaps, usage gaps, and quality of use gaps.<sup>22</sup> Further, in Romania, isolation in rural areas gives rise to compounding barriers where access to electrical equipment or internet connections are also limited. Our findings from Croatia indicated that there is a lack of statistical data on persons with disabilities who are victims of crime. According to the data of the Ministry of Interior on domestic violence in 2021, out of 9,588 victims of domestic violence, 108 are victims with disabilities. In relation to the crime of domestic violence, out of 1,661 people who were harmed, 36 were persons with disabilities (2.2%).

#### Key findings

- Many persons with disabilities require support to access digital services.

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<sup>21</sup> For more on Dr. Shore's work, see Stephen M Shore, *Beyond the Wall: Personal Experiences with Autism and Asperger Syndrome* (2nd edn, Future Horizons 2003)

<sup>22</sup> Bustamante Rúa, M y Marín Tapiero, J. (2021). Justicia digital, acceso a internet y protección de datos personales Universidad Privada Norbert Wiener.

- Persons living in institutions face additional barriers to access.
- Digital literacy levels vary widely among the disability community.
- Rural isolation compounds access issues.

## Recommendations

1. Include accessible tutorials (in Easy Read, videos with accessible language, subtitles and/or sign language).
2. Put in place clear protocols for operators, along with initial screening systems.
3. Transition from substitute decision-making to strengthening autonomy with chosen support.
4. Service providers should be given comprehensive training on effective communication.
5. Ensure that assessment systems do not apply a medicalised model of disability.

### 3.1.2 Flexible in use

The research revealed that different users have different communication preferences. While some prefer phone calls, others would prefer messaging or video conferencing. True accessibility requires accommodating this diversity of preferences.

Our research in Slovenia revealed that deaf and hard of hearing people may struggle with communication, especially when legal terminology is used. For some, sign language is their primary means of communication, and written text may not be fully accessible.

The international principles and guidelines on access to justice already set out differing forms of communication that must be accommodated including: (i) Assistive listening systems and devices; (ii) Open, closed and real-time captioning, and closed caption decoders and devices; (iii) Voice, text and video-based telecommunications products; (iv) Videotext displays; (v) Computer-assisted real-time transcription; (vi) Screen reader software, magnification software and optical readers; (vii) Video description and secondary auditory programming devices that pick up audio feeds for television programmes; (f) Supporting communication, in addition to intermediaries or facilitators, through the use of third parties, including: (i) Note-takers; (ii) Qualified sign language and oral interpreters; (iii) Relay services; (iv) Tactile interpreters;

## Key findings

- Communication needs and preferences vary - even within impairment groups.
- Some Deaf people or those with hearing impairments primarily use sign language. They may therefore not find written communication accessible.
- Some people with speech and/or hearing impairments may require sign language interpreters for video calls.
- Seeing the person providing support increases trust for some users.

## Recommendations

1. Provide for different ways of communication (interchangeable/multimodal): written messages, voice recording, pictures, photographs.
2. Ensure mobile-responsive design with clear and easy access being possible from mobile devices.
3. Support the use of sign language interpreters and video calls.
4. Incorporate augmentative and alternative communication systems.
5. Allow users to bring a chosen, trusted person to assist with communication if they wish.
6. Implement adaptive technology, including assistive listening systems, text and video-based communications, screen reader software etc.

### 3.1.3 Simple and Intuitive to Use

Many online information systems, web pages, and remote services have communication inadequacies, lack of usability, and ineffective user experience. Legal and/or technical jargon creates additional barriers.

Research in Romania revealed that many government websites and online services are not accessible. In 2020, out of 1,442 entities covering 8 types of institutions, only 4 had made their information accessible and only 101 provided accessible methods of communication. Only about 13% of the institutions audited had authorised sign language interpreters.

## Key findings

- Complex navigation systems create obstacles for many users.
- The use of legal terminology and jargon prevents understanding by some persons with disabilities.
- Users need clear indications of entry and exit points of a system.
- Pictograms and visual aids improve accessibility for some users.

## Recommendations

1. Interfaces should be designed in a user-friendly and intuitive manner – there should be a logical order and sequence.
2. Easy-to-find buttons should be included to allow quick access and exit.
3. Separate systems for persons with disabilities should not be created. Instead, adaptations should be made to general services.
4. Simple language and clear structure should be used.
5. Employ professionals who can adapt their communication style to each user's individual needs.
6. Engage in regular 'check-ins' with the user to confirm that information is accurately received.

### 3.1.4 Perceptible information

The project research identified critical information perception challenges for different impairment groups. These included incompatible screen readers, inaccessible multimedia, and overwhelming layouts.

#### Key findings for different impairment groups

Research from Spain revealed the following barriers for different disability groups:

- *Blind users*  
Web content/layouts incompatible with screen readers; poorly tagged graphics, links, and forms; visual content in multimedia not perceivable.

- *Users with intellectual disabilities*  
Flickering/flushing content is problematic; overwhelming layouts; hard-to-navigate websites; fatigue.
- *Deaf/hard of hearing users*  
Lack of knowledge of written language for some who use sign language as their primary means of communication.
- *Users with physical disabilities*  
Standard tools can be difficult to use; fatigue can impact on sustained interaction.

## Recommendations

1. Avoid the use of legal terminology and jargon where possible.
2. Provide real-time communication with disability-informed professionals.
3. Ensure compatibility with screen readers and proper tagging of all elements.
4. Provide context for blind/visually impaired users about the digital environment they are navigating.
5. Offer transcripts for all audio content.
6. Allow adequate space around interactive elements for users with physical impairments.
7. Adjust font size, spacing, and alignment for users with concentration support needs.
8. Support visual content (images, videos) and easy read alternatives with pictograms.
9. Provide video clips with sign language interpretation to explain systems and procedures.

### 3.1.5 Tolerance for Error

Services must accommodate different user needs and potential errors during interaction. Research from Croatia highlighted the importance of allowing persons with disabilities to be accompanied by a person of trust during proceedings. In addition to an official interpreter, a victim with disabilities may benefit from the support of a trusted

person who has a close connection with the victim and understands their needs and disability.

### Key findings

- Users may need to revisit information multiple times.
- It can be more challenging to establish trust with the user when communication takes place online.
- Confidentiality concerns may prevent reporting. This may particularly be the case when abusers have access to victims' devices.

### Recommendations

1. A clear differentiation must be made between emergency help as opposed to consultations or information requests so as to ensure prioritisation.
2. Ensure confidentiality, security, and anonymity while collecting minimal necessary information.
3. Avoid standard forms for testimony collection to allow free and individualised reporting, therefore preventing later invalidation.
4. Consider using AI for basic functions while maintaining human support for complex needs.
5. Enable recording options to allow users to review information.
6. Prioritise privacy protection - this is particularly important where victims are still living with potential abusers.

### 3.1.6 Low Physical Effort

Many users experience fatigue or physical limitations that make sustained digital interaction challenging. Research in Slovenia identified the risk of users not being able to connect with the same information provider each time they use the service, which hampers trust-building. This is particularly important for persons with disabilities who may find it tiring to repeatedly explain their situation to different operators.

### Key findings

- Immediacy is important for users with limited stamina.

- Trust is difficult to establish when users cannot speak with the same person consistently.

### Recommendations

1. Provide immediate responses to users through live chat.
2. Enable video conferencing options for sign language users.
3. Offer continuation of service with the same service provider when possible so as to build trust.
4. Design systems to minimise physical strain during use.

### 3.1.7 Size and Space for Approach and Use

Services must be available when and where users need them and must accommodate different life circumstances.

Research in Romania found that many persons with disabilities prefer processing new information in their own rhythm and in a safe environment. Since information about victimisation could trigger negative emotions, it is best delivered privately in an email or via messaging app, or to follow up after an initial contact based on the preferences of the person.

### Key findings

- Users need to be able to process information at their own pace and in safe environments.
- Geographic and temporal barriers affect access to services.
- Users may find spatial-temporal references challenging during reporting.

### Recommendations

1. Offer 24/7 service availability to facilitate access by the greatest amount of people possible.
2. Design services to be usable by people regardless of their location - including those living abroad.
3. Allow users to process information at their own pace.
4. Ensure geographic coverage, e.g. through partnerships with local organisations.

5. Provide anonymity and free-of-charge services to maximise accessibility of services.
6. Connect chat services with local support organisations so as to provide comprehensive assistance.

### 3.2 How can live chat systems make victim support more accessible?

Live chat systems can improve accessibility for persons with disabilities who are victims of crime by:

1. **Providing privacy and safety:** Allowing victims to seek help discreetly. This is very important when the perpetrator may be a caregiver or someone else they depend on.
2. **Offering multiple communication modes:** Supports text, voice, video, and sign language to accommodate a range of accessibility needs.
3. **Reducing time pressure:** Giving users time to process information and formulate responses.
4. **Creating psychological safety:** Reducing the intimidation factor which can arise in formal reporting by using a more familiar and approachable medium.
5. **Enabling connection to local resources:** Functioning as a first point of contact that can then signpost and connect the user to appropriate in-person support.
6. **Supporting documentation:** Creating records of interactions that can subsequently be used in justice processes if necessary.
7. **Removing geographic barriers:** Making support accessible to those in rural or isolated areas.

The research undertaken in the project showed that persons with disabilities frequently normalise abuse. They also often avoid contact with the judicial system to prevent discrimination and mistreatment related to their disability.

A live chat system that follows universal design principles can help overcome these barriers and increase reporting of crimes against persons with disabilities.

# 04

Lessons for EU Policy

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## 4.1 Lessons for EU policy

The findings from the CHAT for Victims project highlight a number of key areas for EU policy development to improve access to justice for persons with disabilities through digital tools. These recommendations are intended to build upon and strengthen existing frameworks including the Web Accessibility Directive 2016/2102, the Victims' Rights Directive, the CRPD, and the International Principles and Guidelines on Access to Justice.

### The need for participation of persons with disabilities

EU policy should require the direct involvement of persons with disabilities in the design, testing, and implementation of digital systems within the justice sector. The research across the four countries has demonstrated that persons with disabilities are an extremely heterogeneous group with diverse needs that cannot be addressed through one-size-fits-all solutions.

### Policy recommendations

1. Require testing and validation of digital justice tools by diverse groups of persons with disabilities.
2. Establish standards for participatory design processes. This should include meaningful engagement with disability organisations.
3. Support the involvement of persons with disabilities in the ongoing monitoring and evaluation of implemented systems.
4. Strengthen Article 4(3) of the CRPD within EU digital policy by requiring proof of meaningful consultation with disabled person's organisations.

### Implementation timeline

- Short-term (1-2 years): Establish consultation requirements for all new digital justice tools.

- Medium-term (2-5 years): Create EU-wide network of accessibility testers with disabilities.
- Long-term (5+ years): Develop comprehensive co-design methodologies for the development of justice systems.

### Addressing discrimination in digitalisation

The research showed that discrimination against persons with disabilities is often embedded in digital systems that fail to account for their needs. This creates a form of exclusion that compounds the challenges faced by victims of crime.

### Policy recommendations

1. Require comprehensive training for IT professionals, web designers, graphic designers, and content creators on universal design principles.
2. Establish clear standards for digital accessibility. These should go beyond just minimal compliance with existing Directives.
3. Provide funding for retrofitting existing systems to improve accessibility.
4. Set binding requirements for accessible procurement in public services.

### Cost-benefit considerations

While implementation of non-discrimination measures requires initial investment in training and system modification, the resulting inclusion of persons with disabilities provides substantial economic benefits through increased participation and reduced need for specialised services. Accessible design benefits all users - not just those with disabilities. This, in turn, improves overall system efficiency.

## Taking an intersectional approach

The research highlighted how multiple factors affect a person's ability to access justice. These include impairment type, gender, age, socioeconomic status, and geographic location. EU policy should seek to address these intersecting factors.

### Policy recommendations

1. Develop guidelines that have at their core a recognition of the diversity of the disability community.
2. Ensure that policies address rural-urban divides in digital access.
3. Consider how gender-based violence uniquely affects women with disabilities and incorporate this into the creation of systems.
4. Address barriers that disproportionately affect persons with disabilities in residential institutions.

### Cross-border considerations

- Minimum standards should be applicable across all member states while also accommodating cultural differences.
- Put in place multilingual access solutions that work across different EU languages.
- Create networks for sharing best practices between member states.
- Address jurisdictional challenges when victims access support across borders.

## Sustainability and awareness

For digital tools to be effective, they must be sustainable, well-known and trusted by the communities they serve.

## Policy recommendations

5. Provide long-term funding for accessible digital justice tools as opposed to short-term project-based support.
6. Support awareness campaigns about available services, targeted specifically at persons with disabilities.
7. Fund educational initiatives to improve digital literacy among persons with disabilities.
8. Support partnerships between justice systems and disability organisations to build trust and raise awareness.

## Accountability mechanisms

- Establish regular reporting requirements on digital accessibility for justice services.
- Create independent assessment processes involving persons with disabilities.
- Develop rapid remediation timelines when accessibility standards are not met.
- Implement notification/complaints mechanisms specifically designed for reporting accessibility barriers.

## Technical standards and guidelines

The EU should establish clear technical standards for accessible digital communication in justice processes. These should build upon the Web Accessibility Directive.

## Policy recommendations

1. Develop detailed guidelines for live chat and other digital communication systems in justice settings.
2. Set minimum requirements for multimodal communication (text, audio, video, sign language).
3. Establish standards for easy-to-read content and plain language in legal contexts.

4. Create certification processes for accessibility compliance that involve testing by persons with disabilities.

### Implementation framework:

- Phase 1 (Year 1): Develop standards with expert and user input.
- Phase 2 (Years 2-3): Pilot implementation in selected member states.
- Phase 3 (Years 3-5): Full implementation with technical support.
- Phase 4 (Years 5+): Regular review and updating of standards.

### Training for justice professionals

The research consistently emphasised the importance of trained professionals who understand disability-specific needs. This aligns with the requirements in the Victims' Rights Directive for specialised training.

### Policy recommendations

1. Mandate training on disability rights and communication needs for all justice professionals.
2. Develop specialised training for professionals operating digital support systems.
3. Include persons with disabilities as trainers and consultants.
4. Require ongoing professional development in disability-inclusive practices.

### Connection to existing frameworks

These recommendations would strengthen the implementation of Article 25 of the Victims' Rights Directive, which requires training for officials likely to come into contact with victims. That training should be expanded to specifically address digital communication with victims with disabilities.

## Breaking down institutional barriers

For persons with disabilities in institutions, access to justice faces particular challenges that require targeted policy interventions that align with the deinstitutionalisation goals of the CRPD.

### Policy recommendations

1. Establish independent monitoring mechanisms for institutions housing persons with disabilities.
2. Create special provisions for confidential and accessible digital reporting of abuse within institutions.
3. Ensure internet access and privacy for digital communications in institutional settings.
4. Develop protocols for addressing conflicts of interest when caregivers or guardians are potential perpetrators.

### Cost-benefit analysis

The implementation of accessible digital reporting systems in institutional settings is a relatively low-cost intervention with significant potential for reducing abuse and improving human rights protection. As such, the costs of implementation are far outweighed by the benefits of prevention and early intervention in cases of abuse

## 4.2. Conclusion

This policy brief has examined the application of universal design principles to improve access to justice for persons with disabilities, with particular focus on digital tools such as the live chat system developed through the CHAT for Victims project. By way of extensive research across Croatia, Romania, Slovenia and Spain, the project has identified consistent barriers faced by persons with disabilities when attempting to access victim support and justice services.

The research findings demonstrate that adopting a human rights model of disability, as set out in the CRPD, is essential for creating truly accessible digital justice systems. This approach recognises persons with disabilities as rights holders and acknowledges that accessibility is not a matter of charity but a fundamental right.

The seven principles of universal design provide a framework for developing accessible digital tools within justice contexts. As shown through the live chat case study, these principles can be effectively applied to create systems that accommodate the diverse needs of persons with disabilities while also increasing overall usability for all users.

Key recommendations for EU policy include:

- Ensuring meaningful participation of persons with disabilities in all stages of digital system development.
- Addressing embedded discrimination in digitalisation through comprehensive training and clear standards.
- Taking an intersectional approach that recognises the diversity within the disability community.
- Establishing sustainable funding models and awareness-raising initiatives.
- Developing detailed technical standards and guidelines for accessible digital communication.
- Mandating specialised training for justice professionals.
- Breaking down institutional barriers that prevent persons with disabilities from reporting abuse.

Implementing these recommendations would substantially strengthen existing EU frameworks, including the Web Accessibility Directive and the Victims' Rights Directive, whilst also supporting compliance with the CRPD. The transition towards fully accessible digital justice systems requires investment, but the benefits—in terms of human rights protection, increased participation and improved system efficiency—far outweigh the costs.