

International legislation

- Convention on the Rights of Persons with Disabilities
Article 13 - Access to justice

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States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

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In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.


- international and EU standards can be accessed [here](#), or on our site.



ENABLE
Inclusion
and access to justice
for defendants
with intellectual
and psychosocial
disabilities.

Contact us.

 www.validity.ngo

 validity@validity.ngo

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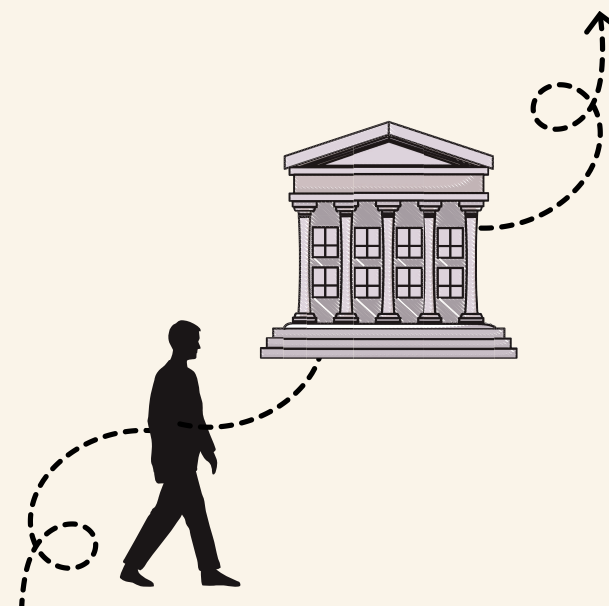
MENTAL
HEALTH
PERSPECTIVES

Enabling inclusion and access to justice for defendants with intellectual and psychosocial disabilities (101056701 – ENABLE – JUST-2021-JACC).



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What should I know?

People with intellectual and psychosocial disabilities, who are suspects or defendants in criminal proceedings, face multiple barriers to participation in the criminal justice process. These barriers are usually linked to the inaccessible physical environment, lack of information in accessible formats and appropriate communication technologies, but also to the absence of qualified legal aid and representation.

Content



- How to communicate
- Legislation
- Procedural accommodations



Communication with persons with disabilities

- Speak slowly, without raising your voice
- Do not infantilize them
- Say his/her name(s) frequently
- Say or repeat who you are and explain or re-explain what you intend to do
- Ask one question at a time, use alternative answers if you can't make yourself understood
- Treat any inappropriate behaviour with kindness rather than reproach
- Show your satisfaction with any answer given

Procedural accommodations - CRPD Committee (examples)

- Independent mediators and facilitators specially trained to assist with communication
- Adaptations and procedural changes to the hearing (adaptation of the place, changes to the interrogation method etc.)
- Support in communication (assistive listening systems and devices etc.)
- Facilitating communication with the support of court clerks, skilled sign language and oral interpreters, text-to-speech and speech-to-text translation services and tactile interpreters
- Ensuring that all interpreters are able to interpret effectively, accurately and impartially.