

# People with disabilities and criminal justice

How hard is it  
to understand  
what's happening to you  
when you're a suspect\* or a defendant\*?



\*suspect:

Someone says you did something  
wrong.  
The authorities need to investigate.

\*defendant:

There is evidence that you did something  
wrong.  
The authorities are still investigating.



# What is ENABLE?



ENABLE is a project through which we want to help people with disabilities when they go to court.



Justice means all the stages you've gone through from when you first meet the police until you get in front of the judge, who will make a ruling (of conviction or not).

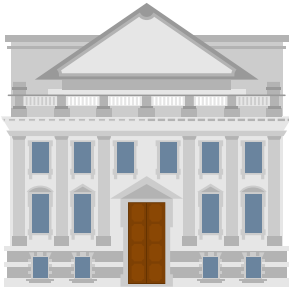


We want people with disabilities to understand why they ended up at the police station, the court or prison.



We want people with disabilities to be heard and to have it explained to them at all times what happens to them.

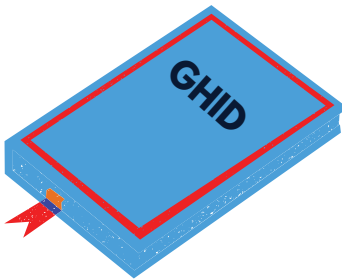
# What do we want to do?



To know how people with disabilities are treated when they go to court.



Finding out if people with disabilities are helped when they are arrested and/or convicted.



To write a guide for judges, Meaning, a book with some rules about how to help a person with a disability when they come to court.



Organising meetings with people and talk about these things.



To ask politicians to change things and make sure that the rights of people with disabilities are respected in justice.

# What have we done?



We read what the law says, how people with disabilities should be treated in justice. We read the law in Romania, but also in the European Union.

There is an act in which all the rights of people with disabilities are written. It is called the CONVENTION.



Romania in 2010, has said that what is written in the CONVENTION will also be respected in our country.



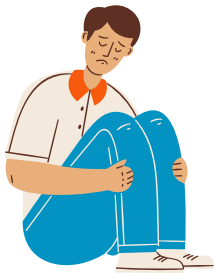
We found out that this is not the case. People with disabilities can't ask for procedural accommodations (to explain to them what is happening, to have someone with them, to communicate in easy to understand language, to have more time and so on). They are not allowed to participate equally in the justice process.

# What have we done?



We did interviews with people with disabilities, employees in the justice system, people from NGOs.

An interview means we asked questions and received answers from the people we spoke to.



People with disabilities talked to us about how they feel when they are suspects or defendants.



Justice employees told us what's missing and why people with disabilities don't have equal access to justice.



People in NGOs told us what they are going through when helping people with disabilities and what we could do for people with disabilities to be treated equally in court, at the police.

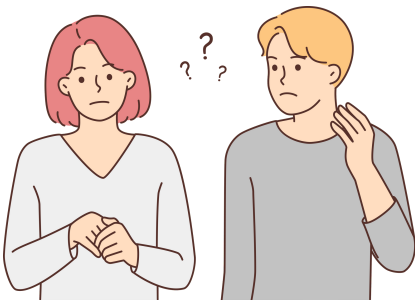
# What did we learn in the interviews?



We heard from people with disabilities that they didn't know what they could ask for: to have what is happening to them explained in their own words, to come with someone they trusted, to be listened to in another room than the courtroom, to have more time to answer questions and so on.



Many people said that most of the time feel ignored.



Another problem is that they don't have a lawyer or don't know how to ask for one. Some lawyers don't explain what is going on.

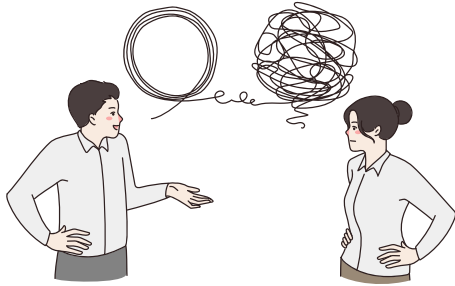


All people with disabilities we have spoken to want to be heard and understood, to be explained to, to be someone present to tell them what's going on.

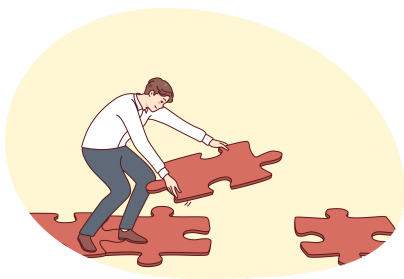
# What did we learn in the interviews?



We have learned from the authorities that many of those in charge in the justice system (police, judges, prosecutors, lawyers) don't know at all how to behave and what to do when a person with a disability comes in.



Many have told us that they don't communicate in easy to understand language and that people have no way of knowing what is happening to them and what their rights are.



One solution would be to have a person to explain to people with disabilities what the authorities say and to explain to the authorities the needs that people with disabilities say they have.



All people in NGOs said the same thing: the authorities should know how to communicate with people with disabilities.

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Full description of the project: <https://www.crj.ro/en/enable-enabling-inclusion-and-access-to-justice-for-defendants-with-intellectual-and-psychosocial-disabilities/>

