

Easy read issues paper

# Access to Justice

**A fair go for people with disabilities  
with the law**



Australian Human Rights Commission



**Australian  
Human Rights  
Commission**

*everyone, everywhere, everyday*

## What is this paper about?

Everyone has human rights.

Human rights should mean all people are treated fairly.

But not everyone is treated fairly.

**The Australian Human Rights Commission looks for ways people can get a fair go.**



**Australian  
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*everyone, everywhere, everyday*



## People with disabilities are not getting a fair go with the law

This means by police, in courts and in prison.

We are worried about people who need support to

- get their message across
- know what other people are saying to them
- know what is happening.

## Australia promised to make sure people with disabilities get a fair go.

Australia must do what it promised.

We must make sure your rights are *real*.

### Your story

We want to hear your stories about the police, courts or prison.

Then we can speak out about ways to make your rights real.



**Tell us by Friday, 9<sup>th</sup> August, 2013.**



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Any questions?

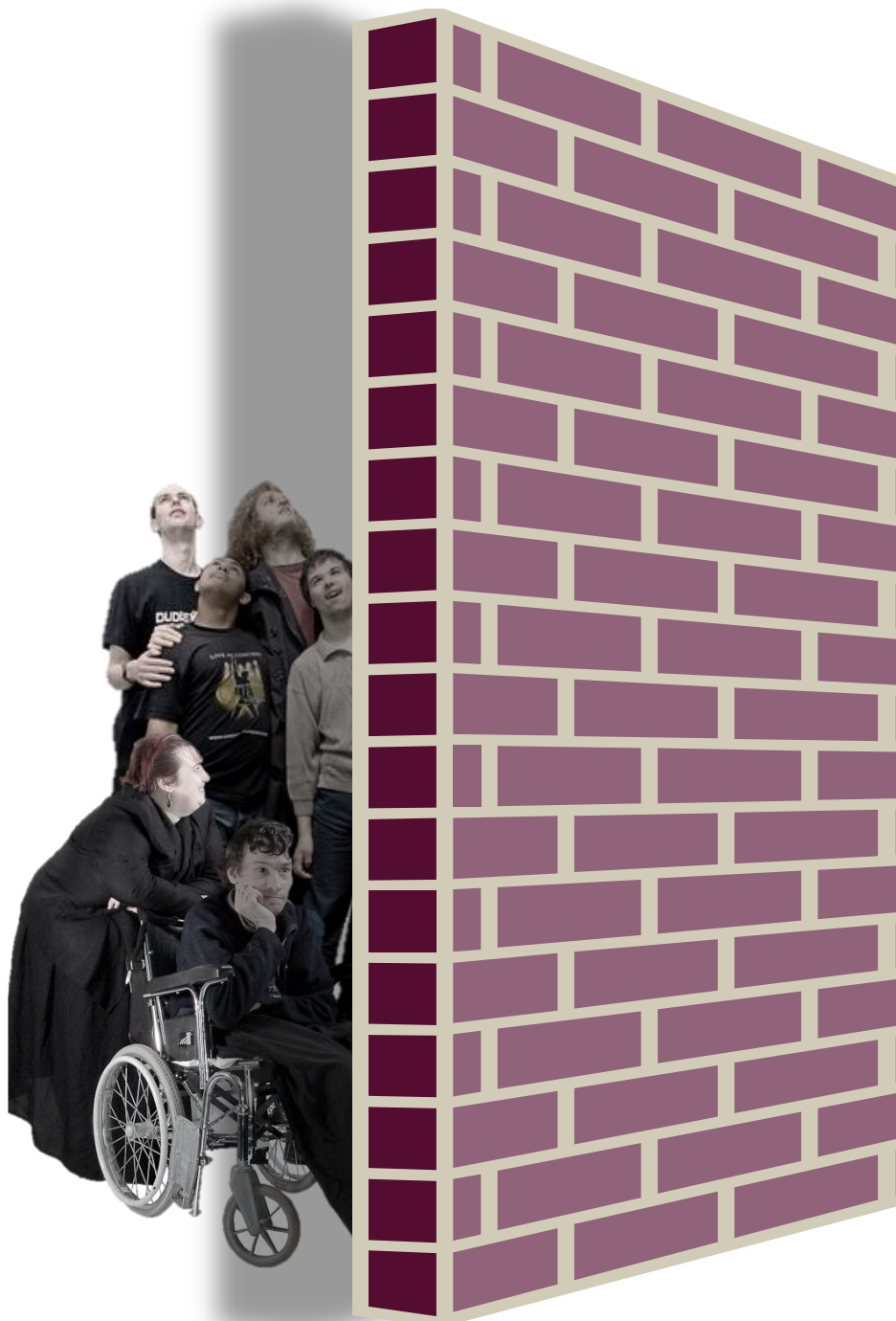
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# 5 things that get in the way of a fair go

- These things happen to a lot of people.
- Your story might be different. Or the same.



# 1. No support in the community

- to be safe in the community
- to stay on the right side of the law
- and to live well.



## Some reasons you might need support

- You are being hurt by someone.
- You don't know you can get help.
- You don't know where to get help.
- You are scared to speak up and get help.
- You don't want people to know your private stuff.
- The people hurting you won't let help come in.
- Services and police think they can't help you.
- Or they won't help you.

## Or

- You break the law over and over.  
You need help to change what you do.
- You can't get help to stay out of trouble and out of prison  
(like healthcare and rehab).
- You do not know you have a disability.
- You do not say you have a disability.  
This means you can't get any support at all.

## 2. No support to help you with police and court.



## Some reasons you might need support

- You don't know what is happening is a crime.
- You don't know what steps to take to get justice.
- Police don't treat what happened to you as a crime.
- It is hard to make people sit up and listen.

- Legal words and papers are too hard.

You don't know what you have to do.

- You don't know how to tell your story in court.
- There is not enough support to go round.

It is not fair on people who need support.

- They ask questions in court. They ask them over and over.

You get scared or muddled up.



### 3. People think it's too hard to give you fair go, because of your disability.



## Some reasons why people think it's too hard

- They don't believe you.
- They don't think you can make decisions.
- They don't think you can do anything because of your intellectual disability.
- They don't know what would help you to take part.
  
- Some people think they know what's best for you.  
They choose for you.
- Services don't want to be blamed if things go wrong.  
They take charge and make decisions for you.
- Justice staff don't look for independent support for you.  
Family is not always the best support.
  
- Court rules might say you can't get help to tell your story.  
Even if you always need help to get your message across.

**4.** If they say you can't go through court, they can still lock you up.



**No freedom**



**No place**



**No support**

## Some reasons why people are locked up

### You were not convicted, but

- They can't find the right place for you outside prison.
- They can't find the right support for you outside prison.
- Some areas outside prison don't have any proper support at all.

- Sometimes the place is near prison.

You are locked up and kept by yourself.

It is like prison.

You can't make choices or have any control.

- Some staff do not try to be flexible when making decisions about you.

## 5. No support in prison

- to look after yourself
- to take part
- and stay healthy and safe



## Some reasons why people need support

- You get confused about prison.
- You get upset and might lash out.
  
- They give you heavy medicine to keep you calm.
- They strap you down so you can't move.
- They keep you by yourself, away from everyone.
- Or unfair treatment for no reason.
  
- These things harm you.
- This is not fair.
- It does not solve the problem.

## Leaving prison

- They let you out of prison without proper health plans and pills.
- There is no help that fits with your culture.

# Tell your story

We want to hear from people like:

## Witness

Someone who sees the law being broken

## Offender

Someone who breaks the law



## Victim

Someone who has

- been hurt
- had their things stolen



Children and young people

## Arrested

The police took you the station



Older people



# Tell your story

Places it might have happened:



At your house or another house



At the police station



Out and about



In court



In a car



In prison



## Some Questions

Here are questions to help you tell your story.

But you can tell your story any way you want.

You don't have to give your name if you don't want to.

### 1. What do you think gets in the way of a fair go

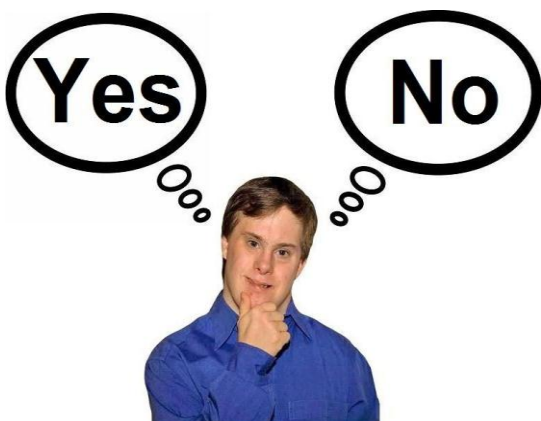


**Real rights!**



## 2. Have you had a problem with these things?

Please tell us more about it



### 3. Did you get help to speak up and have your say?



## 4. How should we get rid of the problems?

What would help people with disabilities?



**Real rights!**



## 5. Do you have any more ideas about getting a fair go?

What could make it better?



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This easy read paper was made for the  
Australian Human Rights Commission  
by the

**NSW Council for Intellectual Disability**



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