1. *What are the biggest barriers for you or other people with disability in the criminal justice system?*

Barriers for me, a person with a mental health condition in relation to accessing legal services are:

* Inaccessibility of legal services due to financial circumstances ie. inability to gain legal representation due to lack of financial resources.
* Inability to gain representation as requested or instructed ie. misinterpretation of instructions by legal representatives.
* Inability to gain sufficient legal advice / action to protect myself as an individual in general living.
* Effects of stigma; the feeling by the community that as a person with a mental health condition my rights to legal representation are ‘irrelevant’.

1. *What could be done to remove these barriers and help people with disability in the criminal justice system?*

* Providing legal advice and representation by qualified solicitors for all people with a disability in their legal processes (whether they are criminal proceedings or not) through a government / law community funded scheme.
* That provision of legal services to people with disabilities be a fundamental requirement in any case in law as is provision of legal services for any disadvantaged group such as for Aboriginal and Torres Strait Islander people.
* Legal services liaison officers who consumers can gain advocacy or supervision from during the progress of their court case to ensure they are being represented as they would like to be and to ensure they understand all processes.
* Rights awareness legal information services and telephone lines for people with disabilities to explain what different forms of rights abuse are and how they can stand up for themselves to press charges for harassment, assault, theft, sabotage, slander, discrimination etc.

1. *Can you provide information about support that has helped you or other people with disability to participate in the criminal justice system?*

I have a family law matter which is current and does not involve the criminal justice system, but I can say that the community law groups in my local area have been the most helpful with queries about the case and advice in preparing court documents. This includes the women’s legal service of QLD which provides legal advice via telephone and a local community legal service which provided advice sessions with solicitors.

1. *Please tell us about any time that you or another person with disability experienced barriers to justice.*

When refused access to legal services. I was refused a legal advice session by a community legal service at a critical time in my court case and it has greatly impacted on the progress of the case and will have effected the final outcomes.

By being subject to severe bias by solicitors during court hearings.

Not being given sufficient time to present information to the court during hearings.

Being too upset / unwell but still having to attend court hearings.

When decisions are made by the court which I cannot address as I have no legal representative.

1. *Do you have any other thoughts, ideas or comments you would like to make about people with disability and the criminal justice system?*

I believe that people with disabilities can have a very difficult time gaining representation and being heard in any court. I believe that regardless of the court, persons with disabilities should be offered legal representation as a way of course and that this practice should be adopted in fundamental legal policy in Australia. Without this policy operating and in place today, Australia’s courts already greatly discriminate against the disabled.

There are many disabilities which effect a person’s ability to understand and participate in court processes. Important decisions and changes can be made during a court hearing and having this kind of disability could disadvantage them further and prevent true and just outcomes.

In a policy to provide legal representation to people with disabilities, an assessment of the need for legal services could be included and is one I feel is a responsibility of the courts. Without ensuring that all participants in a court case have equal access to legal representation it can not be considered a fair and just process.

I also believe that where a person with a disability is involved in a court case, regardless of the court, there should be a transparent process in place to review the case to ensure there has been a true and just outcome free of bias and discrimination.

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