



Access to Justice for People with Intellectual Disabilities



This booklet has information about a project that looked at laws and policies in five countries – Bulgaria, Finland, France, Hungary and Ireland.

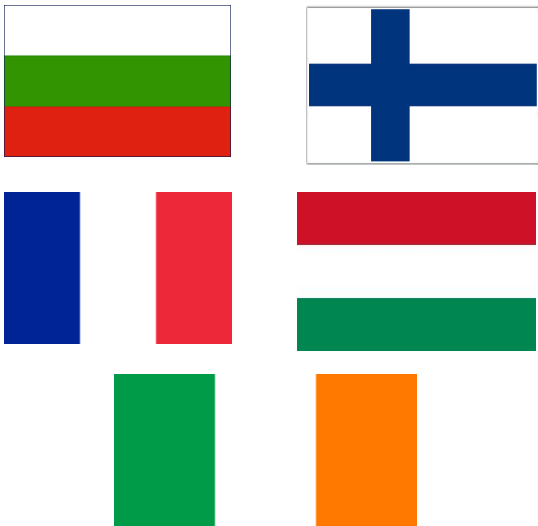
Introduction



AJuPID stands for 'Access to Justice for People with Intellectual Disabilities.'



This report talks about research that is part of the AJuPID project. Research helps us to find out things. The European Union (EU) paid for this research.



There are 8 groups of people working on this project.

They come from 5 different countries:

Bulgaria
Finland
France
Hungary
Ireland



This research wants to find out how people with disabilities are being treated by the law.

It wants to find out if people with disabilities are supported to control their own lives and make their own decisions.



The UN Convention on the rights of people with disabilities is an agreement between different countries.

The Convention says what countries must do to make sure that people with disabilities have the same rights as everyone else.



The Convention says that people with disabilities should be respected by the law.



The Convention says that people with disabilities have the right to make decisions about things that are important to them.

This is called supported decision making.



The Convention says that people with disabilities should be supported to have access to justice.



This means that they have the right to:

- go to court
- report crimes and take other people to court
- take part in things happening in a court



They should get the support they need to do this.



In some countries, people with disabilities are not in control of their decisions.



The court or a legal guardian makes decisions for them. A legal guardian is a person who has responsibility for another person. A legal guardian could be a family member, friend or a professional person.



They may make decisions for a person, manage their money or say where they should live. This is called substituted decision making.



The UN convention says that there should be no more substituted decision making.

It says that countries should support people with disabilities to be in control of their own lives. Countries should use supported decision making.



NUI Galway

CENTRE *for* DISABILITY
LAW & POLICY

This project wanted to find out how the law in different countries respects people with disabilities.

KU LEUVEN

People from the University of Galway in Ireland and from a University called KU Leuven in Belgium did the research.

The Research



The researchers collected information on the law. They found out about different policies on people with disabilities making their own decisions. Policies say how services should do things. They help staff to know how to do their jobs well. The researchers looked at the law and policies about people with disabilities in 5 countries.

The researchers looked at the laws in each country.
The things they looked at were:



The laws about property.
These are laws about owning a house
or having money.



The laws about family.
These are laws about getting married
or having children.



How people with disabilities can
make complaints about their legal
guardians.

How people with disabilities make
complaints about decisions made
for them.



The researchers looked at the laws
and checked if they were doing
what the convention says.

The researchers looked at:



People with disabilities right to get help from the law if they need it.

This means that they should be able to get information in a way they can understand or have a solicitor if they need one.



People with disabilities right to take another person to court.



Policies that mean that judges meet with people with disabilities as part of their work.



Policies that support people with disabilities to give evidence in a court . These are things like using easy words, pictures or signs to support a person to understand and communicate.



The things that can support people in a court like using video to give evidence.

What we found out



This section is about what the researchers found out.



All of the countries have different laws. They support people with disabilities in different ways.



We found out that there are lots of people with disabilities in Europe that do not have control over their lives. They have decisions made for them by the courts or by legal guardians.



The researchers think the governments in the 5 countries should work harder to make sure people with disabilities are treated fairly by the law.



Governments should change the laws to make sure that people with disabilities can exercise their rights and make their own decisions.



Governments should make information that is easy to understand for people with disabilities. This would support them to complain or change guardians if they need to.



Governments should support people with disabilities to have access to justice.

Some of these things might help:



Make sure that staff working in the law like police, solicitors, judges, advocates and barristers have training on how to support people with disabilities.



Find out more about what stops people with disabilities having the same rights to justice as everyone else.

This might be things like the wrong kind of information or no support in court.



A full report is available on the website

www.ajupid.eu



communicating together

This easy read summary was prepared by
ACE Communication Ireland.



AJuPID

The project website is
www.ajupid.eu