



Fact Sheet for Lawyers

CJSN Support People at Court

A project of the Intellectual Disability Rights Service

The Criminal Justice Support Network (CJSN) is a service for people with an intellectual disability who are involved in criminal matters as a witness, victim, suspect, accused or offender.

CJSN provides:

Trained support people to assist a person with an intellectual disability at a police station and/or at court in the

- Sydney Metropolitan area,
- Illawarra and Shoalhaven
- Newcastle and Hunter regions
- CJSN may be able to assist to find court support in other regional areas

A state-wide 24 hour telephone information and support line **1300 665 908** providing information and support for people with intellectual disability and those assisting them in the criminal justice system. After hours support, information and access to legal advice particularly for people with intellectual disability in their dealings with the police.

A new updated website www.idrs.org.au

Why does a person with an intellectual disability need support at court?

Having an intellectual disability, even a mild disability, has significant effects on their ability to understand, to communicate and to adjust to new situations. These difficulties mean that going to court, communicating with lawyers and understanding what is happening is especially difficult.

Many people with an intellectual disability won't acknowledge that they are having difficulty. They may just try to cope and hope things turn out OK. Getting clear instructions and representing a person with an intellectual disability in the limited time available can be very difficult for a lawyer. Having a support person who can spend time to assist the client to understand, will reduce the disadvantage they have in a fast moving and complex system.

At court, a support person will work in co-operation with a solicitor to support the client through the day, to cope with the waiting, to behave acceptably, to understand what's happening, to raise important issues with the solicitor. The involvement of a support person can assist the lawyer to get clear instructions.

How do I use CJSN for court support?

Check whether the client would like to have a support person to help them at court. Phone **1300 665 908** or contact the Regional Coordinator as listed. We will then arrange a support person and negotiate for them to meet the client.

What can a support person do to help?

Before the court date the support person can

Help to prepare the client for going to court. Assist the person to:

- understand the basic nature of their matter and what happens at court
- understand the importance of attending court,
- remember the court date and make arrangements to get there
- visit the court to familiarise him/herself with the court environment if necessary
- access legal advice before the day and secure representation
- apply for legal aid where appropriate and assist with filling out forms
- to bring relevant papers with them to court.
- understand expected behaviour/attire etc

The support person can attend legal appointments with the person to assist with communication and provide continuity. CJSN may also be able to assist lawyers to access assessment or services in relation to the client's disability, particularly when a Section 32 application is being considered.

At court the support person can

- assist the client to find the relevant court room
- help them to find and speak to the duty solicitor, if necessary
- assist the person to ask questions and get information
- sit with the person and help them to stay calm while they wait for their matter
- advise the court/solicitor of any special needs the client may have
- assist the person to communicate with their solicitor and reinforce advice given
- ensure the client has a real and practical understanding of the outcome
- explain documents, ensure the person understands the outcome and implications and any action they need to take after court.

How to get a court support person.

Ring the 24 hour statewide support line 1300 665 908 or

Call the relevant Regional Co-ordinator:

In Sydney Janene Cootes or Jane Thomson 9318 0144

In Illawarra/Shoalhaven Karen Morrow 446 42733

In Newcastle/Hunter Sally Chopping 4921 8826

Please give as much notice as possible of court dates!