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Media release

No surprises, just shock at the extent of the inequality before the law of people with a disability

The Intellectual Disability Rights Service (IDRS), a specialist disability advocacy organisation and community legal centre based in Redfern applauds the release of the Human Rights Commission's report, *Equal before the Law*, yesterday. The content of the report holds no surprises for IDRS. We see injustice occur on a daily basis for our clients, who have intellectual disability. The NSW criminal justice system, from the police through to the highest courts, make efforts to be inclusive and make adjustments to assist defendants and witnesses cope with their involvement with the system, but these often do not go far enough in ensuring that every citizen can access justice equally.

Equal before the Law highlights the barriers for people with disabilities to full participation in the criminal justice system and some of the serious consequences for those who become involved with it. IDRS's program, the Criminal Justice Support Network (CJSN) supports hundreds of defendants with intellectual disability each year who struggle to understand legal concepts and legal advice and as a consequence, may find themselves in jail for offences related to behaviours they have little or no control over. CJSN also supports victims of crime with intellectual disability and only rarely sees them achieve a just outcome at court. Many of these are victims of sexual assault.

IDRS endorses this report and shares the Human Rights Commission's wish for all States to ensure true equality and fairness for everyone, regardless of their disability, through a Disability Justice Strategy in each State and Territory. This must be developed in close consultation with people living with a disability and foster a true understanding of the issues facing people with disabilities and the provision of adequately funded services to assist them when problems arise or at an early stage.

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