

Justice Intermediary Starter Kit

MODULE 11

RESOURCES

www.justiceintermediary.org





This is a module that will be updated as new information becomes available. The resources quoted here are samples of information available related to the issues discussed across the Justice Intermediary Starter Kit.

Many of them act as windows into extensive sets of references and resources. If you would like to share other resources, please email jisk@fairjustice.net with details.



The Starter Kit is part of the Access to Justice Knowledge Hub for Fair Participation

- **The Hub**

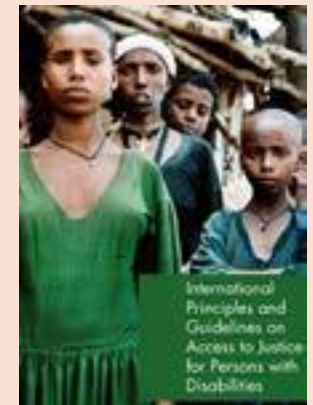
The Access to Justice Knowledge Hub for Fair Participation is about having the voices of persons with disabilities heard equally and fairly within justice system procedures. Having one's voice equally heard is achieved by ensuring effective participation. Accommodations enable this.

The Hub draws from the spirit and letter of the Convention on the Rights of Persons with Disabilities, in particular Article 13 on Access to justice. It also draws from Article 2 (Reasonable accommodations), Article 5 (Equality and non-discrimination), Article 12 (Equal recognition before the law), Article 14 (Liberty and security of the person), and Article 16 (Freedom from exploitation and abuse).

More information on The Hub.

International Principles and Guidelines on access to justice for persons with disabilities – August 2020

- <https://www.ohchr.org/EN/Issues/Disability/SRDisabilities/Pages/GoodPracticesEffectiveAccessJusticePersonsDisabilities.aspx>





Video resources

- An example of how to make a video about going to court: From Canada, What Happens When You Go To Court (from Disability Alliance BC)
https://www.youtube.com/watch?v=tW63y_eBLBI
- An example of explaining how to prepare for court:
UK – https://www.youtube.com/watch?v=u48WKYod_1Y
Australia – <https://www.youtube.com/watch?v=0WaTnsw3UWQ>

Practical tools

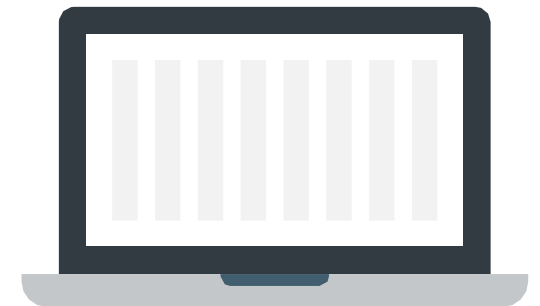
- **Legalpix**
A pictorial Journey Through British Columbia's Criminal Justice System.
- **Kindale Developmental Association**
A pictorial tool for preparing victims and witnesses for court.
www.lawcourtsed.ca and
www.kindale.net/legal.html
- Mayer-Johnson, Inc. (2003). Communicating about sexuality and abuse. [Computer Software], Solano Beach, CA: Mayer-Johnson, Inc.
www.mayer-johnson.com/
- Pictures, vocabulary, children, sexual abuse:
www.howitis.org.uk/index.html

The Advocates Gateway

- Providing research and guidance related to access to justice for people with disabilities, and practical guidance in the form of a series of Toolkits for various disabilities and stages of the justice system in the UK.
www.theadvocatesgateway.org/toolkits
- Gerry, F. & Cooper, P. (2017). **Effective Participation of Vulnerable Accused Persons: Case Management**, Court Adaptation and Rethinking Criminal Responsibility. (2017), 26 Journal of Judicial Administration. 1, 265-275.

International comparisons

- Cooper, P. & Mattison, M. (2017). **Intermediaries, vulnerable people and the quality of evidence: An international comparison of three versions of the English intermediary model**. The International Journal of Evidence and Proof. 21(4) 351–370.





Models of disability

- **Models of Disability: A brief overview** by Marno Retief & Rantoo Letšosa HTS Theologiese Studies/Theological Studies ISSN: (Online) 2072-8050, (Print) 0259-9422. https://www.researchgate.net/publication/323608473_Models_of_disability_A_brief_overview

Examples of how people with disabilities are being treated by legal system

- <http://autisminjustice.org/Stories/index.html>

How witnesses with disabilities experience the justice system

- Plotnikoff, J and Woolfson, R 2004 In their own words: The experience of 50 young witnesses in criminal proceedings, London. <https://lexiconlimited.co.uk/wp-content/uploads/2018/03/intheirownwords.pdf>

Perception of JIs by legal professionals

- Providing research and guidance related to access to justice for people with disabilities, and practical guidance in the form of a series of Toolkits for various disabilities and stages of the justice system in the UK. www.theadvocatesgateway.org/toolkits
- Gerry, F. & Cooper, P. (2017). **Effective Participation of Vulnerable Accused Persons: Case Management**, Court Adaptation and Rethinking Criminal Responsibility. (2017), 26 Journal of Judicial Administration. 1, 265-275.

The New Zealand model

- <https://www.benchmark.org.nz/guidelines/communication-assistants/#Twenty-one>
- **Talking Trouble** is a New Zealand-based organisation that provides intermediaries (called 'communication assistants'), training and resources. There are plenty of visual aids and resource lists. <https://www.talkingtroublenz.org>
- A study on the use of intermediaries in youth justice: <https://www.tandfonline.com/eprint/IUCTBADMB3WIHJRTYFFF/full?target=10.1080%2F13218719.2020.1719378&>



Impact of screens, live-links and video-recorded evidence on jurors

- Ellison, L and Munro, V, 2014, A 'special' delivery? Exploring the impact of screens, live-links and video-recorded evidence on mock juror deliberation in rape trials, *Social & Legal Studies*, 23:1, 3-29, link. <https://journals.sagepub.com/doi/pdf/10.1177/0964663913496676>

How children with disabilities experience the justice system

- Talbot, J 2010 *Seen and Heard: supporting vulnerable children in the youth justice system*, Prison Reform Trust. <http://www.prisonreformtrust.org.uk/Portals/0/Documents/SeenandHeardFinal%20.pdf>

Evidence of very young children

- Marchant, R 2013a *How young is too young? The evidence of children under five in the English criminal justice system*, *Child Abuse Review*, (22)6, 432-445, DOI: 10.1002/car, 2273.

Background research on communication in legal contexts

- *Communication in Investigative and Legal Contexts* Edited by Gavin Oxburgh, et al Wiley Blackwell Press 2016.
- **No-one Knows**
Identifying and supporting prisoners with learning difficulties and learning disabilities: the views of prison staff by Jenny Talbot, Prison Reform Trust. <https://www.rcslt.org/-/media/Project/RCSLT/identifying-and-supporting-prisoners-with-learning-difficulties.pdf>

Research on trauma

- Van der Kolk, B (2014) *The Body Keeps the Score: Mind, Brain and Body in the Transformation of Trauma* (London: Penguin Group).
- MIND (2010) *Achieving Justice for Victims and Witnesses with Mental Distress* (London: MIND), page 13 deals with triggers for mental distress. https://www.mind.org.uk/media/207147/Prosecutors_toolkit.pdf
- **Complex PTSD: from surviving to thriving** by Pete Walker (2013) *An Azure Coyote Book*.



Intermediaries in England and Wales

- **Intermediaries for Justice:** An organisation that welcomes international associate members. A wide range of information, resource lists, films and updates. IfJ membership is free to international individuals.
<https://www.intermediaries-for-justice.org/>
- **Communicourt Ltd:** An agency that trains and provides full time intermediaries for criminal defendants and child custody cases.
<https://www.communicourt.co.uk>
- **Triangle:** company that provides intermediary services, as well as expert witness and advocacy services, and resources such as visual aids and videos.
<https://triangle.org.uk/service/intermediaries>
- **Intermediaries in the criminal justice system**
Improving communication for vulnerable witnesses and defendants by Joyce Plotnikoff and Richard Woolfson Published by Policy Press 2015.
- **They just don't get it**
Communication and the work of an intermediary with vulnerable people in the justice system by Paula Backen 2017 available at Amazon.

Wider training for justice system

- **The Box**, designed by Royal College of Speech and Language Therapists.
A free e-learning tool designed to give professionals in the justice system the ability to identify communication issues and the skills to work successfully with individuals who have such issues.
<https://www.rcslt.org/learning/the-box-training>