

Justice Intermediary Starter Kit

MODULE 5

LIFE STORIES

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Introduction

The following pages provide some anonymised real-life examples of individuals helped by a JI. The names and some details have been changed to ensure anonymity.

The brief life stories are examples only, and it would not be possible to cover every possible situation as of course every individual is unique. However challenging they may seem, all of these individuals have a right to be heard and to participate effectively in the justice system. This selection aims to assist each local jurisdiction to recognise the range of people with disabilities who may benefit from the assistance of a JI.

These life stories are developed in **Module 7 Accommodations**.

“Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.”

The UN Convention on the Rights of Persons with Disabilities (CRPD, 2006) Article 13



Meet Abe



Abe had lived in care since his mother died when he was aged 8 years. He had struggled at school and been diagnosed in his teens with Attention Deficit Hyperactivity Disorder and intellectual disability.

As a young adult Abe disclosed to the police that he had been sexually abused by his foster carers. His college teacher reported the following: Abe is functionally illiterate, struggles to sit still in class for more than 30 minutes, can be aggressive when he doesn't understand, and is limited in his understanding of time and place.

Abe cannot function independently, needing assistance with managing money and household tasks. He has been assessed by a psychologist to be highly suggestible.

Meet Ben



Ben has a long-standing diagnosis of Schizophrenia. He is a university graduate in Physics. He lives alone and struggles to form relationships. He has not worked for many years.

He is accused of harassment of a bank clerk. There is a history of drug misuse. When he is assessed, it becomes clear that he will not be able to retain new information and when he tries to narrate his experiences, he struggles to stay on topic.

Meet Cim



Cim attended mainstream education and worked in a local IT company after leaving school. Two years ago, he was involved in a car accident and suffered traumatic brain injury. The residual impairment was mostly cognitive; he is mobile and physically independent. He has not worked since his accident.

He has been charged with domestic violence against his girlfriend. He experienced some epileptic seizures after the accident, but there haven't been any recent episodes. He does not take any medication. When assessed by a psychiatrist, he was considered fit to plead as long as an intermediary is available to assist him throughout the trial. A psychology assessment diagnosed Dysphasia (an acquired language disorder affecting understanding and expression).

He cannot understand what his solicitor is saying to him, or adequately explain his perception of events around the case.

Meet David



David is 50 years old and has been arrested for trespassing. He is generally a passive person who is very eager to please and quick to agree with others, especially those in authority.

People who know him well say that he would readily confess to anything he is accused of and that he doesn't understand that there could be serious consequences from doing this.

He does not have any formal diagnoses.

Meet Evan



Evan is 15 years old and has intellectual disabilities. After five hours of interrogation by the police without a lawyer, he told a story about how he and three others attacked and killed a girl.

Afterwards he said, "I had never been under this much pressure, with a person hollering at me and threatening me. I just made up a story and gave it to them so they would let me go home."

He signed a statement that was written in longhand by investigators and when he asked to go home, was told he would be going to prison.

He cried as he did not understand 'remand' and thought he had already been convicted.

Meet Fatima

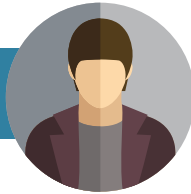


Fatima has intellectual and developmental disabilities. She was dependent on twice daily medication, which her family administered. When the police were called to a fight in a bar, Fatima attempted to run away. The police read her the Miranda rights(*) without explanation, and she did not understand what she was agreeing to.

She was held in jail for 24 hours without access to her medication. Her relatives called and spoke to the supervisor of the Adult Detention Center to inform them of Fatima's needs. They were told Fatima should have told the nurse herself as she is an adult.

*Used in the US, the Miranda rights state: "You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have a right to an attorney. If you cannot afford an attorney, one will be appointed for you."

Meet Georgio



Georgio has spent all his life moving around with his family. Without a permanent home, Georgio has had very little schooling. He cannot read or write. For as long as he can remember, Georgio has helped his father in the fields and with the animals.

He went to a fair last year and met a girl. The girl says he sexually assaulted her. He says she consented. He does not understand how the court process works and is very frightened by the wigs and gowns of the lawyers. He looks more grown up than his actual age of 15 years.

Although he has not been formally diagnosed, he struggles to problem-solve, to narrate an experience, and understand complex questions.

Meet Henri



Henri has been diagnosed with Autistic Spectrum Disorder. He has attended special needs schools and is aged 14 years. He does not make eye contact with others, does not initiate a conversation, and fails to understand figurative language or humour.

He does not make friends easily and struggles with changes to his routine. He can read, but often misunderstands the implied meanings in complex documents.

He has been accused of sexually touching another boy in his class.

Meet Isobella

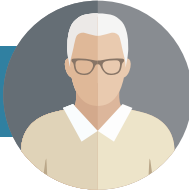


Isobella was in the room when her mother killed her father. She has no history of disability and prior to the event was working as a teaching assistant. However since the event, she is exhibiting signs of Post Traumatic Stress Disorder, experiencing panic attacks and withdrawing from social interactions.

She has reported ideas of self-harming. Medication has reduced the intrusive flashbacks, but the requirement for her to attend court as a prosecution witness against her mother is increasing her anxiety levels.

There is concern that cross-examination will be detrimental to her mental health.

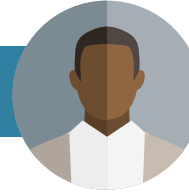
Meet Jose



Jose is now aged 75 years and has early signs of dementia. He has limited mobility and his hearing is poor. He has been accused of a sexual offence over 40 years ago, when he lived with his wife and step-daughters.

He will struggle to sit in the courtroom on hard chairs, or for long periods. He will not hear the proceedings and will not retain the information.

Meet Khalid

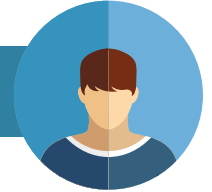


Khalid was diagnosed with Motor Neurone Disease (Amyotrophic lateral sclerosis) five years ago. He is now using a wheelchair and his speech is mostly unintelligible to the unfamiliar listener.

He does not have an augmentative communication aid, but he can use an alphabet chart and pictorial aid to help him communicate. He gets tired easily.

He has told the police that a care assistant physically abused him when he was supposed to be helping Khalid to have a bath. Khalid needs to explain to the police what exactly happened.

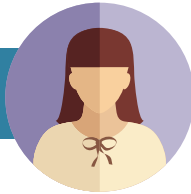
Meet Leo



Leo is 5 years old. He told his teacher that he did not like what his uncle did every time he stayed overnight. The details are not clear.

Leo is a normally developing child, with age-appropriate language skills. He needs to tell the police officer about his experiences, and he may need to go to court to be cross-examined.

Meet Maria



Maria has lived in a care home most of her life. As well as significant physical disabilities, she has very limited verbal communication.

There have been several allegations from other residents in her care home that a staff member is verbally abusive. The police would like to find out if Maria has any evidence to add to the case.

Maria is not willing to meet with police officer. She is frightened and does not understand. She will need time to develop rapport before she can give any evidence, and it will need to be done soon, as she does not have a concept of time passing.

Meet Noah



Noah has many anxieties; he has social phobias which impact on his ability to talk to strangers and he has panic attacks. He has been prescribed medication but does not always comply.

He has a history of self-harming and new traumas will exacerbate these tendencies. He has been accused of harassing another resident in his care home.

He needs to be interviewed by the police.

Meet Olive



Olive has a long history of substance abuse. She has been homeless for many years.

Her last medical report stated that she has periods of delusion and lacks a sense of reality.

She becomes verbally aggressive when she feels threatened. She has been asked to attend court as a witness to a murder on the street.

Meet Pinchas



Pinchas is not fluent in the language of the country he moved to last year. He works in unskilled temporary jobs in the construction industry.

He is charged with harassing a work colleague for money, and threatening violence on one occasion. He needs an interpreter for any assessment, and he does not have a close friend or family member to interpret.

He did not attend school in his country of birth, and when he immigrated, it was unclear if he has intellectual disability or simply lack of exposure to education. He is illiterate.

Meet Rikard



Rikard has spend most of his life thinking he was different from others but did not know why. As a father in his forties, he was diagnosed with high functioning Autistic Spectrum Disorder (no intellectual disability) and this made him realise there were reasons for his relationship difficulties.

He has recently split up with his wife and is applying for custody of their child. He is concerned about how he will cope with the process – the unpredictability, the changes in his life and the specific communication demands of a court environment.

On first meeting, his lawyer does not recognise that Rikard has a disability. Rikard tells his lawyer about his recent diagnosis during their second meeting.

Meet Sofia



Sofia is 17 years old and has three younger siblings. Just last year, the local authorities removed all the children from the family home as there was concern about child neglect and sexual abuse.

Sofia is unlikely to return home whatever the outcome of the family court case, as she is planning to go to college in another town. She does well academically but is very shy and withdrawn socially.

The court would like her to give testimony about her parents, to help them make decisions about whether her siblings can return to the family home.

She says she is too frightened to speak in court, but wants to make sure the other children are safe.

Reflection Tool: Module 5

This is an opportunity for the user to reflect on the content of the module and also assist us with continued improvements and updates.

Please [Click here](#) to contribute your reflections.

Have you had any personal experience of disability? Write a little about it here.

Write about a person with disability you have encountered who may have experienced the justice system. How were they disadvantaged by the system? Were any accommodations made for them?