

## Summary

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# Implementing Article 13 of the UNCRPD: Enhancing Deaf people's access to justice in Northern Ireland

## About the DRILL Programme

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DRILL (Disability Research on Independent Living and Learning) was an innovative 5 year, UK wide programme led by disabled people, for disabled people and funded by the National Lottery Community Fund.

Launched in 2015, the programme was managed by a partnership of Disability Action Northern Ireland, Disability Rights UK, Disability Wales and Inclusion Scotland.

The aim of the programme was to build better evidence about approaches which enable disabled people to achieve independent living. The findings from the projects it funded can be used to inform future provision across a wide range of policy areas, and give a greater voice to disabled people in decisions which affect them.

This is one of a series of summaries of the project supported by DRILL. Final reports, toolkits and summaries of all the projects are available from the DRILL website at [www.drilluk.org.uk](http://www.drilluk.org.uk).

### Overview of the project

This project investigated the barriers to Deaf people accessing the justice system in Northern Ireland and solutions to this.

## Approach

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The project began by carrying out a scoping review of all the relevant literature, law and policy to identify existing knowledge and best practice on the issues.

Focus groups and semi-structured interviews with 35 legal professionals were carried out, as previous studies had already done so with Deaf people.

## Findings

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Both a police officer and the Deaf person need a sign language interpreter to be able to communicate effectively with each other.

Both police officers and judges said they had rarely come across a Deaf person in their roles. The lack of interaction between the police and the Deaf community most likely had something to do with crime being under-reported by them.

For many police officers, there is a fear of engaging with Deaf people because of the use of sign language.

The physical dynamic of giving testimony in court does not always ensure effective communication. A Deaf witness needs to see and be seen by the judge, whilst also being accessible to the interpreter and counsel.

Many issues about accessing interpreters were raised. For example, the time it took to secure one, their costs and knowledge of how to book an interpreter in the first place.

There is a low number of suitably qualified interpreters across Northern Ireland. This contributed to delays in accessing appropriate communication support.

Legal professionals acknowledged that not having access to a suitably qualified interpreter in court proceedings impacted on an individual's right to a fair hearing.

There is often an assumption that if information is readily available in written form, or a service is advertised through social media, it is open and accessible to everyone without discrimination.

## Findings (continued)

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Physical inaccessibility, such as the use of intercoms at entrances, are also common.

There were concerns that people were put off from disclosing their communication needs in case it negatively impacted the court or tribunal outcome.

Deaf people who require an interpreter are effectively excluded from jury service. The issue surrounds having an interpreter, or third party, present during jury deliberations.

## Recommendations

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The project outlined many recommendations, some of which are listed here. All recommendations are included in the full report, which is linked below.

- All legal professionals should receive British Sign Language (BSL)/ Irish Sign Language (ISL) Equality Training, delivered by Deaf people and offered as part of continuous professional development
- There should be clear guidance on how to book a fully qualified sign language interpreter
- There should be a Deaf Accessibility Audit of all police stations and facilities in Northern Ireland
- Information videos should be captioned and signed
- Barristers should inform the courts and tribunals service of their clients' communication needs as early as possible
- There should be a common policy across all tribunals on providing support to Deaf applicants, including responsibility for paying interpreters
- Judges should consult directly with the Deaf person to confirm communication arrangements as soon as they are made aware that there is a Deaf party in the proceedings
- Deaf people's needs should be mainstreamed into existing policy initiatives across the justice system
- Action should be taken to increase presence of Deaf people on public bodies within the remit of the Department of Justice.

## Final report

### Implementing Article 13 of the UNCRPD: Enhancing Deaf people's access to justice in Northern Ireland

Please click on report name to read the full report.

## Project partners

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**British Deaf Association**



**Queen's University  
Belfast**



**Rowan University**



**Syracuse University**

