

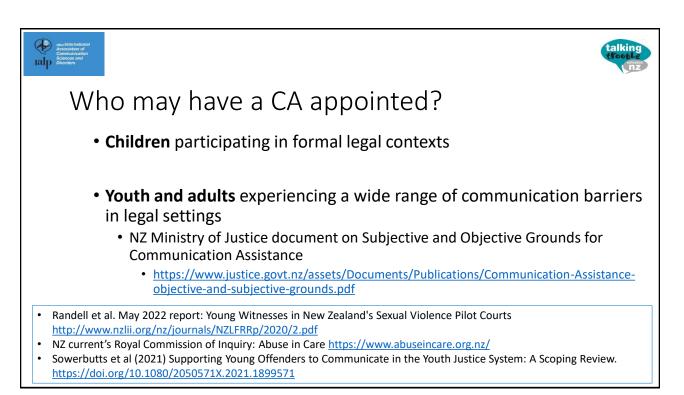
### 7

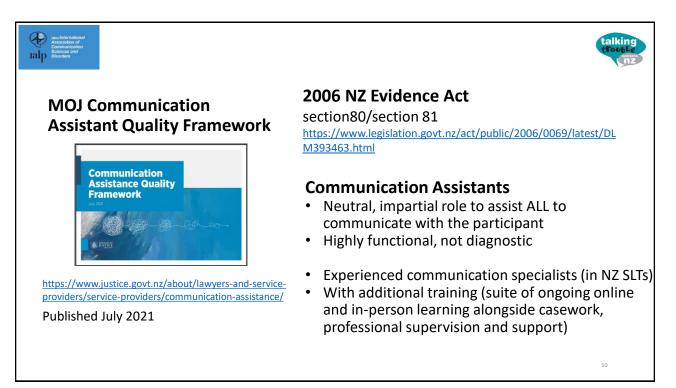


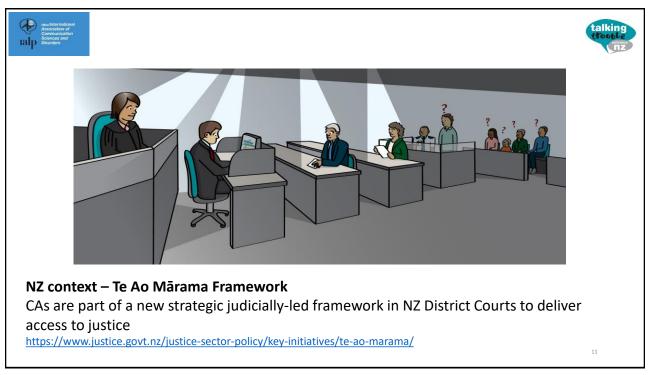
https://www.tandfonline.com/doi/full/10.1080/1 7549507.2018.1428687

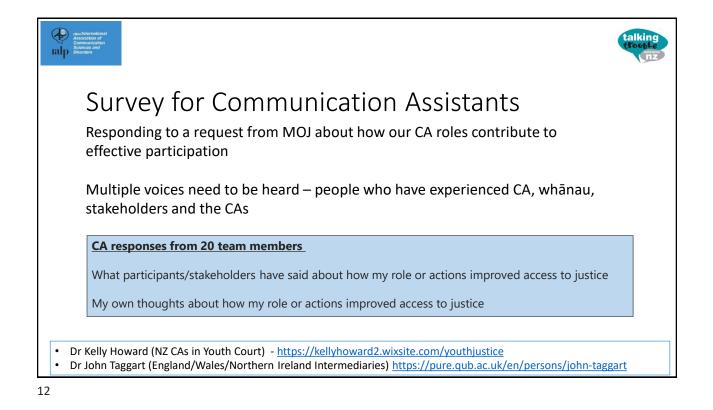
## NZ research from lawyers:

- Emily Bruce (2021). Understanding and being heard: exploring the right to participate in the New Zealand Youth Court.
- Jennifer Braithwaite (2023) reports: Access to Justice for Children and Young People in Aotearoa New Zealand

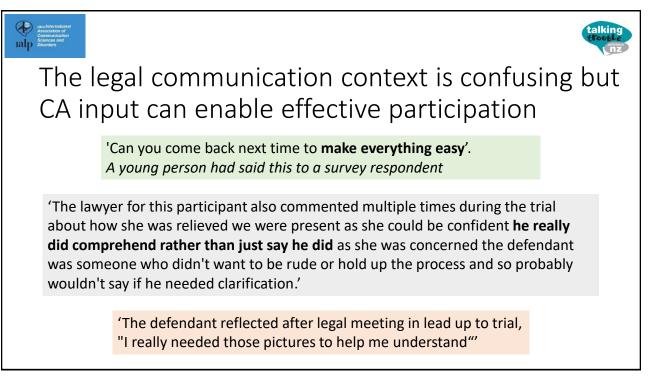








alking



# Agency and self-determination in decision making/Tino Rangatatira

'Having a CA present enabled the young man to participate fully in the justice process. Prior to CA involvement it was not clear how much of an impact his hearing loss had on him. During assessment this was clearly established and **we were able to give him control over the types of communication that worked for him in Court.** Having a CA present meant that his comprehension was monitored and words clarified sometimes over and over again until he had a full understanding of the terminology used in the charges against him. **This enabled him to make choices about future effectively rather than basing his choices on misunderstandings.'** 

'At the end of the hearing the rangitahi said to me "miss you're really good at your job, I understood that today" and then **"you should ask X (his lawyer) if you can come to** court with me next time"

### Association of Communication Italip

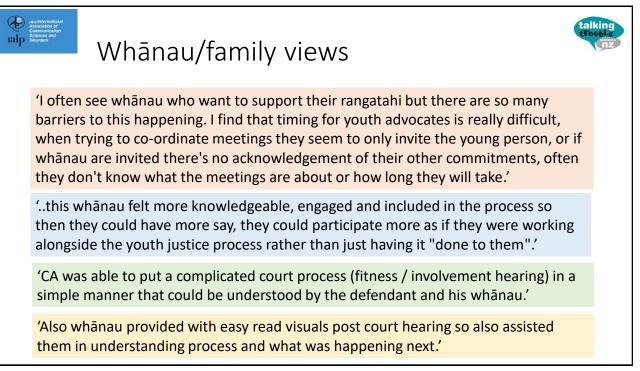


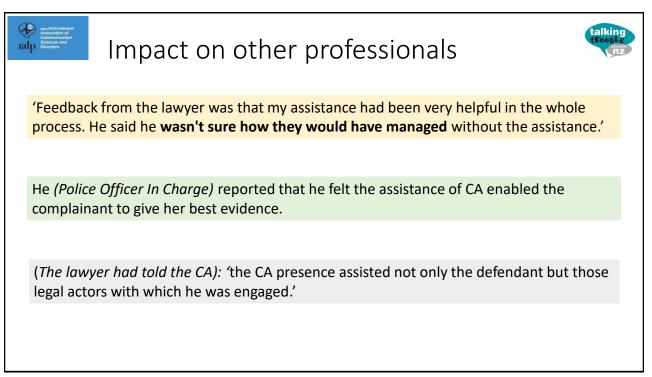
## Participants centrally involved, not a 'mere bystander' (Nonu v R)

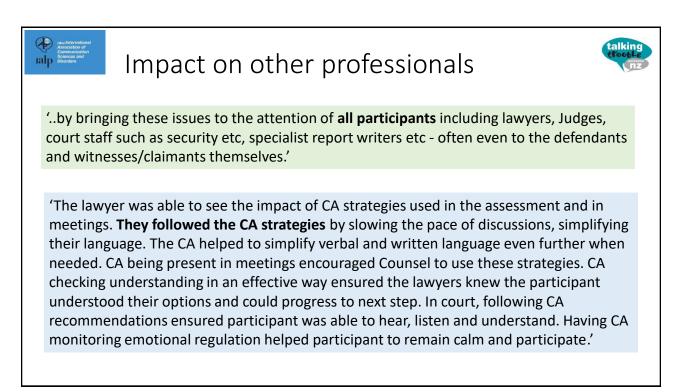
'I think being able to understand in real time impacted on this person's sense of rangatiratanga so this isn't something being done to them or going on around them but **they're centered in the process** and can **have a voice** and **a way of checking** they've understood or seeking clarification and knowing they can **pause proceedings** and make **a space to speak up** if they want to. It helps deescalate any potential confusion and stress before it becomes an outburst, and on the other side stops zoning out and not participating at all too.'

'The participant was able to take part in his court matters **rather than being an observer** of something that was happening to him, giving him more **awareness of** and **control** over the outcomes.'

15

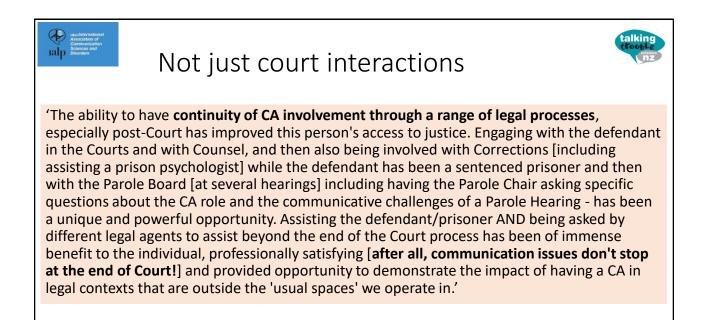


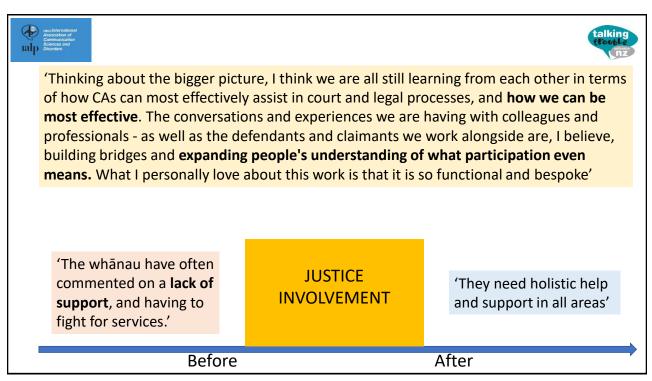




Judges	s' views	talking (four-le 172		
	"He'd be lost with you". A judge had said this to a survey respondent			
'Judge reported the defendant has fair access to justice through the use of CA and was sure the trial <b>would not have been able to proceed</b> if the communication recommendations had not been provided to the Court for consideration and subsequent actioning. '				
	tion assistance needed to be used very creative responsive to all recommendations.'	ely. The Judge and		







Automation of Communication of Communica	onsive, particularly in our col utions	lonised country		
Ongoing learning about speech, language and communication needs + functional assessment + interventions relevant in justice communication contexts (constraints) Trauma (individual and intergenerational trauma) Racism and white fragility Mental health and wellbeing Abuse, neglect, family violence, addictions, poverty, housing Voice and power – co-production with rights-holders Capacity and fitness to plead/stand trial				
Early supports Safety, belonging, identity Education, health, social work, police	JUSTICE INVOLVEMENT	Support families Prisons, probation, NGOs, addiction services, mental health services		
Before		After		

