**Documents of relevance**

1. UN Convention of the Rights of Persons with a Disability
2. Disability Discrimination Act
3. Disability Inclusion Act 2018 (SA)
4. Disability Access & Inclusion Plan

**Demographics**

<https://profile.id.com.au/australia/assistance?WebID=130>

100,651 people or 6.0% of the population in South Australia in 2016, reported needing help in their day-to-day lives due to disability.

South Australia's disability statistics relate directly to need for assistance due to a severe or profound disability. The information may be used in the planning of local facilities, services such as day-care and occasional care and in the provision of information and support to carers. South Australia's disability statistics help in understanding the prevalence of people who need support in the community, and along with information on Unpaid Care to a person with a disability, how that support is provided.

**Jury Duty in SA**

**Who can be on a jury?**

Each person residing in South Australia who is enrolled to vote at the election of members of the House of Assembly can be summoned for [*jury*](https://lawhandbook.sa.gov.au/go01.php#idm139997114466976) service [s 11 [Juries Act 1927](http://www.legislation.sa.gov.au/LZ/C/A/JURIES%20ACT%201927.aspx) (SA)]. The Juries Act has some exceptions to this (see below) and a person who is 70 years old or over can apply to be excused from attendance [see s17(1)-(2)].

For further information on jury service, see also the [Courts website](http://www.courts.sa.gov.au/sheriff/jury_duty/index.html).

**A person is ineligible for jury service if he or she is:**

* mentally or physically unfit to carry out the duties of a [*juror*](https://lawhandbook.sa.gov.au/go01.php#idm139997114468880); or
* has insufficient command of the English language to enable him or her properly to carry out the duties of a juror; or
* is declared by Schedule 3 of the [Juries Act 1927](http://www.legislation.sa.gov.au/LZ/C/A/JURIES%20ACT%201927.aspx) (SA) to be ineligible for jury service. Declared persons are:
  + the Governor, the Lieutenant-Governor and their spouses or domestic partners
  + Members of Parliament
  + members of the judiciary and their spouses or domestic partners
  + Justices of the Peace who perform court duties and their spouses or domestic partners
  + legal practitioners actually practising as such
  + members of the Police Force and their spouses or domestic partners
  + persons employed in a department of the Government whose duties of office are connected with the investigation of offences, the administration of justice or the punishment of offenders
  + persons employed in the administration of courts or in the recording or transcription of evidence taken before the courts.

**A person is disqualified from jury service if he or she:**

* has been convicted of an offence for which death or life imprisonment is the [*mandatory*](https://lawhandbook.sa.gov.au/go01.php#idm139997114426608) or [*maximum penalty*](https://lawhandbook.sa.gov.au/go01.php#idm139997114421088); or
* has been sentenced to imprisonment for a term exceeding 2 years; or
* within the last 10 years, has served any part of a term of imprisonment or a term of detention as a youth, or has been on [*probation*](https://lawhandbook.sa.gov.au/go01.php#idm139997114302864) or [*parole*](https://lawhandbook.sa.gov.au/go01.php#idm139997114354832); or
* within the last 5 years has been convicted of an offence punishable by imprisonment, or has been disqualified by order of a court from holding or obtaining a driver's licence for a period exceeding 6 months; or
* is subject to a [*bond*](https://lawhandbook.sa.gov.au/go01.php#idm139997114757504) to be of good behaviour; or
* has been charged with an offence punishable by imprisonment and the charge has not yet been determined.

There appear no documentation guidelines pertaining to levels of disability. With an aging population there will be an increase in disability load especially – vision, hearing & mobility.

**Outcomes anticipated**

1. Generic Issue as each State government entity moves towards creating
   1. Under the **Disability Inclusion** Act 2018 (**SA**), State authorities are required to develop their own **Disability Access and Inclusion Plans** (DAIPs). ... The Department of Human Services is currently developing a toolkit to assist State authorities develop and report on their DAIP, which will be available in early 2020.
2. UNCRPD
   1. Article 9 Accessibility “take appropriate measures to ensure to persons with disabilities, on an equal basis with others, to the physical environment.......”
      1. 1b – information, communications & other services......
      2. 2a - monitor the implementation of minimum Standards & guidelines for the accessibility of facilities......
      3. 2c – To provide training for stakeholders on accessibility issues
      4. 2e – to provide forms of live assistance & intermediaries, including guides....to facilitate accessibility to buildings.....
      5. 2f – To promote other appropriate forms of assistance & support to person with disabilities to ensure their access to information
   2. Article 19 Living independently & being included in the community
      1. C – Community services & facilities for the general population are available on an equal basis to persons with disabilities & are responsive to their needs.
   3. Article 19 Freedom of expression & opinion & access to information
      1. “...receive & impart information & ideas on an equal basis with others & through all forms of communication of their choice”
      2. A – accessible formats & appropriate technologies

**Questions, Comments & recommendations**

1. What is the court system doing in regard to the development of DAIP’s & is it interacting with the disability sector
2. Persons with a vision loss associated assistance dog are permitted access (unless a stimulated area – national parks with wildlife, Zoo’s, burns units, theatre, ICU). As such a guide dog will need orientation & has special needs. Also they cannot be used when over 32 degrees & if raining the dog may shake & create a floor slip risk or have social consequences. Guide dogs may need orientation by the persons trainer to a new environment.
3. Wheelchairs & gophers are common place & not all locations are accessible
4. Standards often are lagging behind assisting & mobility technologies needed & often don’t consult with disability groups.
5. Tactile Ground Surface indicators are needed (Directional or risk) to assist a vision impaired or blind person.
6. Lifts often are problematic & fewer persons read braille. Usually need to be taught when young.
7. Toilets often have user unfriendly doors & lack of standardization of facilities & lack utility contrast to assist with navigation.
8. Care support is increasingly needed & if that care support person is not in attendance then the institution needs to assist be it sighted guide, facilities, orientation.....
9. Transport consideration is needed as not all suburbs have effective & efficient public transport & taxi use is expensive. Not all have NDIS plans or Plans with a transport moiety & MAC is still being developed. Care attendants costs may be considerable when needed – in the order of $90-100 per hour.

**Principle recommendation** is that the judicial system related to all those who may need to access are in need of clarification, DAIP’s, staff orientation, regular review & accessible to be read in a persons preferred format. Note the work being undertaken re the SA Online Accessibility Kit re Web design, navigation, information & documents. <https://www.accessibility.sa.gov.au/>

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* Blind Citizens Australia (Adelaide Branch) President
* BCA National Policy development Committee
* DeafBlind Australia National Board member
* SAAS Consumer Advisory Committee
* SAAS Clinical Governance Committee
* Adelaide City Council Access & Social Inclusion Committee
* Electoral Disability Advisory Committee
* Marion Council environment & footpath risk assessment (Hallett Cove region)
* Disaster Resilience Committee