

## **PUBLIC LECTURE ON ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES:**

The Lesotho National Federation of Organisations of the Disabled (LNFOD) will be hosting a public lecture on the 25 January 2016 on access to justice for persons with disabilities. The public lecture will be conducted by the law Professor Mechelo Hasungule from the University of Pretoria. He has extensive knowledge and experience on the disability rights law.

LNFOD has therefore invited all the stakeholders dealing with access to justice which includes; Ministry of Justice and Correctional Services, Ministry of Law, Human rights and Constitutional Affairs, police and the magistrates so as to promote the respect and protection of the rights of people with disabilities in the justice sector of Lesotho. The public lecture is expected to deepen the understanding of the rights of persons with disabilities among all the stakeholders so that they may devise means through which persons with disabilities may access justice on an equal basis with others. The lecture will also expose the challenges and solutions which may be employed by the stakeholders in order to address the barriers facing people with disabilities in terms of access to justice because access to court is the fundamental right to everyone. LNFOD is therefore calling upon the Ministry of Justice and Correctional Services to protect people with disabilities by amending section 219 of the Criminal Procedure and Evidence act which is limiting the rights to access the court by people with mental disabilities.

In 2015, LNFOD conducted the study on access to justice for persons with disabilities which documents that, persons with disabilities experience serious inequalities in terms of access to justice because of the institutionalised discrimination against persons with disabilities. For example, Section 219 of the Criminal Procedure and Evidence act of 1981 prohibits persons with mental disabilities from testifying in the courts on the basis of their mental disability. This law does not distinguish between people with mental illness and people with mental disabilities. In addition, it does not take into account the degree of mental capacity of the witness with disability, thereby, violating their human right pertaining to access to court and equal protection before and under the law. Attitudes towards persons with disabilities by the officials from the investigatory stages up to the prosecutorial and adjudication stages due to lack of equipment and knowledge to handle cases of people with disabilities present a barrier to the meaningful inclusion of people with disabilities.

LNFOD therefore calls upon the government of Lesotho to pass the Disability rights Legislation which will ensure proper interpretation, protection and enforcement of the rights of persons with disabilities in 2016.

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