

IMPLEMENTING ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES IN THE BANTUL RELIGIOUS COURT

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ABSTRACT

Access to justice for persons with disabilities in Indonesia's Religious Courts remains underexplored, even though national legislation and the Convention on the Rights of Persons with Disabilities (CRPD) require disability-inclusive proceedings. This study examines how disability-related access-to-justice norms are implemented in the Bantul Religious Court, identifies the factors that enable or hinder their implementation, and assesses the extent to which current practice conforms to the applicable legal framework. The article plays an exploratory and evaluative role by providing one of the first empirical socio-legal portraits of a religious court that has begun to institutionalize accommodation for persons with disabilities. Data were generated through qualitative empirical legal research: semi-structured interviews with judges, court staff, and 'Sentra Advokasi Perempuan, Difabel dan Anak' (SAPDA) representatives; courtroom and facility observation; and analysis of relevant regulations, Standard Operating Procedures, and case documents. Discussion combines descriptive mapping of infrastructure, procedures, and services with normative-empirical analysis against national and international standards. The findings show that Religious Court Bantul has introduced concrete accommodations, including the 'Siap Antar Jemput Kembali Disabilitas' (SIANJELITA) transport service, innovation of audio-visual communication channel between judges and disabled parties (deaf and mute) called CHITATA, disability-friendly physical facilities, and structured collaboration with SAPDA. At the same time, gaps persist in early disability screening, continuity of disability-competence training, availability and maintenance of assistive devices, provision of accessible information (such as Braille and screen-reader-compatible content), and disability-sensitive legal aid and complaint mechanisms. The article identifies Religious Court Bantul as a transitional model moving beyond formal compliance

toward transformative equality. It outlines priority reforms and research agendas needed to consolidate an inclusive access-to-justice framework within the religious court system.

INTRODUCTION

The 2030 Agenda for Sustainable Development positions peace, justice, and strong institutions as a foundation for achieving all other Sustainable Development Goals (SDGs), particularly through SDGs 10 and 16, which explicitly link sustainable development with reducing inequality and the rule of law and inclusive institutions.¹ Legal systems are thus not merely instruments for dispute resolution, but central governance mechanisms that shape social stability, economic growth, and the protection of human rights over time.² Recent scholarship demonstrates that effective, predictable, and accessible justice institutions are strongly associated with better development outcomes, x higher levels of economic growth and reduced structural inequality.³ Within this framework, access to justice operates as both a stand-alone target (SDG 16.3) and an enabling condition for the realization of other rights with reducing inequality (SDG 10.3), prompting renewed attention to people-centered justice indicators and the lived experiences of justice seekers.⁴ Contemporary legal research underscores that equal access to justice requires more than formal guarantees; it depends on inclusive procedures, reasonable accommodation, and responsive institutions capable of addressing the specific barriers faced by marginalized groups, including persons with disabilities.⁵

Access to justice remains a pressing issue of justice and a core precondition for a dignified rule of law. It demands sustained attention from policymakers, legal professionals, bar associations, and the wider public, because without meaningful access, formal rights risk becoming merely symbolic.⁶ Socio-legal scholarship shows that the concept of access to justice has evolved from a narrow concern with legal aid toward a broader agenda of reforming legal structures, procedures, and user experience so that all people can effectively use legal mechanisms to protect their rights and resolve disputes.^{7,8} Yet, in practice, discriminatory treatment often emerges precisely at the point where individuals attempt to

¹ Sansom Milton, and Mohammad Alhamawi, "Peace-Centred Sustainable Development: An Analysis of Sdg 16 in the Arab States," *World Development Perspectives* 34 (2024), <https://dx.doi.org/10.1016/j.wdp.2024.100587>.

² Adnan Mahmutovic, and Abdulaziz Alhamoudi, "Understanding the Relationship between the Rule of Law and Sustainable Development," *Access to Justice in Eastern Europe* 7, no. 1 (2023), <https://dx.doi.org/10.33327/AJEE-18-7.1-a000102>.

³ Arnaud Deseau, Adam Levai, and Michèle Schmiegelow, "Access to Justice and Economic Development: Evidence from an International Panel Dataset," *European Economic Review* 172 (2025), <https://dx.doi.org/10.1016/j.eurocorev.2024.104947>.

⁴ Margaret L. Satterthwaite, and Sukti Dhital, "Measuring Access to Justice: Transformation and Technicality in Sdg 16.3," *Global Policy* 10, no. S1 (2019), <https://dx.doi.org/10.1111/1758-5899.12597>.

⁵ Mohamed Cherif Boutabouna, and Moussa Achour, "The Right of Access to Justice in Environmental Matters," *Journal of Law and Sustainable Development* 13, no. 3 (2025), <https://dx.doi.org/10.55908/sdgs.v13i3.4458>.

⁶ Trevor CW. Farrow, "What Is Access to Justice?," *Osgoode Hall Law School of York University* 51, no. 3, Spring, 2014 (2014).

⁷ Anna Lawson, "Disabled People and Access to Justice: From Disablement to Enablement?," in *Routledge Handbook of Disability Law and Human Rights*, ed. Peter Blanck and Eilionoir Flynn (London: Routledge, 2016).

⁸ Kevin M. Cremin, "What Does Access to Justice Require? — Overcoming Barriers to Invoke the United Nations Convention on the Rights of Persons with Disabilities," *Front. Law China* 11, no. 2 (2016), <https://dx.doi.org/10.3868/S050-005-016-0017-7>.

access courts, and persons with disabilities, both physical and psychosocial, are among the groups most exposed to such exclusion.^{9,10,11,12}

In the justice sector, persons with disabilities are entitled not only to formal equality but also to substantive equality across all stages of the judicial process, including physical access to court buildings, accessible procedures, and reasonable accommodation in legal services.^{13,14} In Indonesia, these guarantees are rooted in Pancasila, particularly the second and fifth principles on “just and civilized humanity” and “social justice for all Indonesians”, and further elaborated in Law No. 8 of 2016 on Persons with Disabilities and Government Regulation No. 70 of 2019 on the planning, implementation, and evaluation of respect, protection, and fulfillment of the rights of persons with disabilities. At the judicial level, the Supreme Court has issued Decree No. 026/KMA/SK/II/2012 on service standards to ensure equal treatment for all court users, including persons with disabilities. Although legal instruments regulate access to justice for persons with disabilities, the reality is that in many cases, persons with disabilities still frequently experience discriminatory treatment and a lack of accessible and disability-friendly facilities and infrastructure, resulting in the unfulfilled rights of persons with disabilities. This is due to the obstacles encountered by the courts in fulfilling the rights of persons with disabilities to access justice.¹⁵ Empirical socio-legal research indicates that in the general court environment, these norms encounter significant implementation barriers related to infrastructure and limited awareness among court staff of disability rights.¹⁶

Within the religious courts, the institutional framework has recently become more explicit. The Director General of the Religious Courts Agency (*Badilag*) issued Decree No. 206/DJA/SK/I/2021 on service standards for persons with disabilities and Decree No. 2078/DJA/HK.00/SK/8/2022 on disability-friendly services in religious courts. In addition, Supreme Court Regulation (PERMA) No. 2 of 2025 provides guidelines for adjudicating cases involving persons with disabilities before the courts. Normatively, these instruments appear to align religious courts with international and national obligations to guarantee equal access to justice. Nevertheless, their translation into practice may be hindered by physical barriers in court facilities, the availability of sign-language interpreters and other accommodations, the inclusiveness of procedures, and the level of disability awareness among judges and court staff. This raises concerns about a persistent gap between the

⁹ Patrícia Neca, Maria Leonor Borges, and Paula Campos Pinto, "Teachers with Disabilities: A Literature Review," *International Journal of Inclusive Education* 26, no. 12 (2020), <https://dx.doi.org/10.1080/13603116.2020.1776779>.

¹⁰ Hazel Bines, and Philippa Lei, "Disability and Education: The Longest Road to Inclusion," *International Journal of Educational Development* 31, no. 5 (2011), <https://dx.doi.org/10.1016/j.ijedudev.2011.04.009>.

¹¹ Brian T. McMahon, "An Overview of Workplace Discrimination and Disability," *Journal of Vocational Rehabilitation* 36, no. 3 (2012), <https://dx.doi.org/10.3233/jvr-2012-0588>.

¹² Katharina Vornholt et al., "Disability and Employment – Overview and Highlights," *European Journal of Work and Organizational Psychology* 27, no. 1 (2017), <https://dx.doi.org/10.1080/1359432x.2017.1387536>.

¹³ Penelope Weller, "Legal Capacity and Access to Justice: The Right to Participation in the Crpd," *Laws* 5, no. 1 (2016), <https://dx.doi.org/10.3390/laws5010013>.

¹⁴ Jonas Ruškus, "Transformative Justice for Elimination of Barriers to Access to Justice for Persons with Psychosocial or Intellectual Disabilities," *Laws* 12, no. 3 (2023), <https://dx.doi.org/10.3390/laws12030051>.

¹⁵ Erna Listiawati, Egi Fauzib, Laura Mande Nata, Ahmad Jamaludin, Acces to Justice Penyandang Disabilitas Intelektual: Peradilan Pidana sebagai Implementasi Equality Before the Law, *Simbur Cahaya: Volume XXX* No.1, Juni 2023, hlm. 176

¹⁶ Suparman Marzuki, and Despan Heryansyah, "Akses Keadilan Bagi Hak Penyandang Disabilitas Berhadapan Dengan Hukum (Studi Pada Pengadilan Negeri Padang Dan Wonosari)," *Journal Equitable* 9, no. 3 (2024), <https://dx.doi.org/10.37859/jeq.v9i3.7399>.

normative promise of access to justice and the lived experience of persons with disabilities in religious court proceedings.

Previous empirical studies have examined three related but distinct issues. First, several studies focus on disability in legal processes, including how persons with disabilities are perceived by judges, how disability affects legal capacity, and whether reasonable or procedural accommodations are provided during courtroom proceedings^{17,18}. Second, another group of studies examines court services for persons with disabilities, particularly service standards, accessible infrastructure, assistive devices, and administrative support^{19,20}. Third, several studies address broader institutional challenges, such as limited guidelines, inadequate staff training, lack of disability data, insufficient early identification of disability-related needs, and weak inter-agency coordination^{19,21,22}.

The gap addressed in this study is therefore not the total absence of empirical research on disability and religious courts, but the limited number of implementation-oriented studies examining how disability-inclusive justice is operationalized within the daily service delivery and courtroom practice of a single Religious Court. While disability may cover diverse physical, sensory, intellectual, mental, and psychosocial conditions, this study gives particular attention to barriers faced by court users with hearing and speech-related disabilities, especially in relation to courtroom communication, procedural participation, and reasonable accommodation. This focus enables the study to connect disability-inclusive justice with concrete questions of communication access, procedural support, and institutional practice within a Religious Court.

Existing studies on access to justice in the religious court's context have largely focused on other vulnerable groups and service innovations. Research has examined access to justice for women and children through gender-sensitive protection and legal guarantees,²³ the effectiveness of mobile or circuit courts (*sidang keliling*) in expanding access for remote and low-income communities,^{24,25} and the role of legal aid posts (*pos bantuan hukum*) in supporting

¹⁷ A. Maftuhin, and M. Cammack, "Navigating Disability: Perspectives and Practices in Indonesian Religious Courts," *Uhumuna* 29, no. 2 (2025), <https://ulumuna.or.id/index.php/ujs/article/view/1030>.

¹⁸ Muhammad Ariffin Surdi Roslan et al., "Analisis Literatur Tentang Tatacara Perbicaraan Jenayah Syariah Bagi Orang Kurang Upaya Di Mahkamah Syariah (Literature Analysis on Syariah Criminal Trial Procedures for Person with Disabilities in Syariah Court)," *UUM Journal of Legal Studies* 12, no. 1 (2021), <https://e-journal.uum.edu.my/index.php/uumjls/article/view/uumjls2021.12.1.11>.

¹⁹ Arif Maftuhin, "How Inclusive Is an Inclusive Court? The Practice of an Islamic Court in Malang, Indonesia," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 19, no. 1 (2026), <https://dx.doi.org/10.14421/ahwal.2025.19101>.

²⁰ Syahrini Febrianti, "Ketersediaan Standar Pelayanan Terhadap Penyandang Disabilitas Di Pengadilan Agama Kabupaten Sinjai Perspektif Siyasah Syar'iyah," *Siyasatuna: Jurnal Mahasiswa Siyasah Syar'iyah* 5, no. 2 (2024), <https://journal.uin-alauddin.ac.id/index.php/siyasatuna/article/view/38525>.

²¹ Aishah Mohd Nor et al., "Empowering the Rights of Persons with Disabilities in Accessing Justice in the Syariah Courts of Malaysia," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 9, no. 2 (2025), <https://dx.doi.org/10.22373/w00cs481>.

²² Lazuardi Maulana Gani, "Implementasi Access Justice Atas Pemenuhan Hak Aksesibilitas Bagi Penyandang Disabilitas Di Pengadilan Agama Wilayah Kalimantan Selatan" (Skripsi, UIN Antasari Banjarmasin, 2023), <https://idr.uin-antasari.ac.id/25519/>.

²³ Akhmad Haries, and Lilik Andar Yuni, "Protection of Women's Rights after Divorce in Religious Courts: What Makes This Mission Difficult to Achieve?," *Mazhabib* 23, no. 2 (2024), <https://dx.doi.org/10.21093/mj.v23i2.7958>.

²⁴ Hazar Kusmayanti, and Nurul Hidayat Ab Rahman, "Enhancing Access to Justice: Comparative Insights into Mobile Courts in Indonesia and Malaysia," *Lex Scientia Law Review* 9, no. 2 (2025), <https://journal.unnes.ac.id/journals/lslr/article/view/21106>.

²⁵ Hasyim Sofyan Lahilote, "The Effectiveness of Mobile Court Implementation in Manado Religious Court," *Al-Istinbath : Jurnal Hukum Islam* 7, no. 1 (2022), <https://dx.doi.org/10.29240/jhi.v7i1.3809>.

justice seekers who cannot afford counsel.²⁶ These contributions highlight important institutional efforts to realize access to justice, but do not specifically address the situation of persons with disabilities in religious courts. To date, there has been no empirical study focusing on how the normative framework on disability-inclusive justice is implemented in religious courts, even though such courts routinely handle family and personal status cases that directly affect the rights and welfare of persons with disabilities.

This gap is particularly salient in Bantul, where official statistics from BPS DIY indicate that the regency has the highest number of persons with disabilities in the Special Region of Yogyakarta. In this context, the Bantul Religious Court is highly likely to encounter parties with disabilities in its proceedings, making it a strategic site for evaluating whether national and institutional standards for disability-inclusive access to justice are being met. The key problem this article addresses is the extent to which the Bantul Religious Court has implemented the principle of access to justice for persons with disabilities in line with Law No. 8 of 2016, *Badilag* Decree No. 206/DJA/SK/I/2021, *Badilag* Decree No. 2078/DJA/HK.00/SK/8/2022, and PERMA No. 2 of 2025, as well as what obstacles and good practices can be observed from the perspectives of religious court official and person with disabilities as users.

RESEARCH METHOD

Methodologically, this study adopts an empirical legal research design with a qualitative socio-legal approach. The research is situated in the Bantul Religious Court and is structured around three objectives: (1) to map the implementation of disability-related access-to-justice norms in court infrastructure, procedures, and services; (2) to identify the main barriers and enabling factors in the provision of disability-inclusive court services; and (3) to evaluate the extent to which current practice conforms to national and international legal frameworks on disability rights and access to justice. Within this design, doctrinal analysis of legislation, institutional regulations, and disability rights principles was combined with empirical fieldwork to examine how these norms are implemented in the daily operation of the court.

Data collection used multiple qualitative techniques. The empirical data were collected through semi-structured interviews, non-participant observation, and document study. A total of four semi-structured interviews were conducted with institutional and relevant external stakeholders. The interviewees consisted of one court leader, one judge, one registrar or clerk, and one representative from SAPDA, a civil society organization concerned with the rights of persons with disabilities. The interviewees were selected purposively because of their direct knowledge of court policy, case-handling practice, administrative services, infrastructure accessibility, and disability advocacy. This study did not distribute questionnaires to persons with disabilities or their companions. The empirical findings were based on interviews with institutional actors and SAPDA, direct observation by the researcher, and analysis of relevant legal (including Law No. 8/2016 and implementing regulations) and institutional documents.

The semi-structured interview guide was organized according to the role of each informant. For judges, the questions focused on courtroom practice and the participation of persons with disabilities in proceedings. Sample questions included: "What has been your experience in handling cases involving persons with disabilities?"; "How do you ensure that persons with disabilities can participate fully and equally in court proceedings?"; and "What challenges arise when interacting with persons with disabilities in the courtroom?" For

²⁶ Ramdani Wahyu Sururie, and Yoghi Arief Susanto, "Legal Aid Post Services at the Indonesian Religious Courts During the Covid-19 Pandemic," *AHKAM : Jurnal Ilmu Syariah* 20, no. 2 (2020), <https://dx.doi.org/10.15408/ajis.v20i2.17469>.

registrars or clerks, the questions focused on administrative procedures and service delivery. Sample questions included: “What standard operating procedures apply to case registration and administrative services for persons with disabilities?”; “Are there specially trained officers or disability agents who assist persons with disabilities at the court?”; and “What complaint mechanism is available for persons with disabilities who wish to report problems with court services or facilities?”

Non-participant observation was conducted directly by the researcher to document the physical accessibility and services of the Bantul Religious Court. The researcher observed user service facilities from arrival to completion of service, including access from the parking area to the building entrance, ramps or other mobility access, waiting areas, service counters, restrooms, courtrooms, information boards, disability signs, and other relevant facilities. Observations also included service spaces, availability of assistance, clarity of information, and ease of movement. The researcher did not intervene in the service process and did not participate in court activities. Observation results were recorded through field notes and accessibility checklists based on key indicators such as physical accessibility, information accessibility, and procedural accommodations.

The data were analyzed using descriptive and normative-analytical techniques, which were selected to provide a comprehensive exploration of both the practical implementation and legal conformity of disability-related access-to-justice norms. Interview transcripts, observation notes, and documentary materials were first organized and coded thematically according to the three research objectives (implementation, barriers/enablers, and conformity with the legal framework). The use of thematic coding was chosen to systematically identify patterns and relationships within the data that directly correspond to the study’s aims. The coded themes were then compared with national and institutional standards on access to justice and disability rights, as well as with the principles of the CRPD, so as to critically assess the extent to which these access-to-justice norms are realized in practice. Triangulation between interview, observation, and document data was employed to enhance the credibility of the findings, while careful documentation of the sampling strategy, data-collection procedures, and coding steps was undertaken to ensure the research design is transparent and replicable for future studies in other Religious Courts or judicial settings. This methodological approach was adopted to strengthen the rigor and validity of the findings and to provide a reliable empirical foundation for identifying both progress and persistent gaps.

DISCUSSION

Implementation of disability-related access to justice norms in court infrastructure, procedures, and services

The Bantul Religious Court has already institutionalized several concrete measures to operationalize disability-related access-to-justice norms. Physically, the court provides guiding blocks, a disability-friendly toilet, dedicated seating in the waiting area, wheelchair and walker facilities, a special service room for persons with disabilities, and reserved parking spaces. The court’s website includes audio features to support users with visual impairments.

“Bantul Religious Court has provided several facilities to support accessibility for persons with disabilities, such as guiding blocks, accessible toilets, wheelchairs, walkers, canes, and hearing aids. These facilities are provided so that court users with disabilities can gain easier access when entering the court premises, using administrative services, and participating in court proceedings.”
(Judge of Bantul Religious Court, interview, October 24, 2025).

These arrangements are broadly consistent with the emphasis on accessible infrastructure and communication contained in CRPD Article 13 and subsequent UN guidance on access to justice for persons with disabilities, which highlights physical accessibility, accessible information, and procedural accommodation as core components of effective access to justice.²⁷

Furthermore, Article 13 of the CRPD requires that, to help ensure effective access to justice for persons with disabilities, States must implement appropriate training for those working in the administration of justice. States must provide and encourage relevant specialized training, not just general training. Such training should include: an understanding of the types of disabilities; inclusive communication methods (e.g., sign language, alternative communication); the principles of non-discrimination and equality before the law; and the provision of reasonable accommodations in the judicial process. Special training is aimed at those working in the administration of justice, such as judges, court clerks, and other court officials and staff.

Implementing access to justice for persons with disabilities is quite challenging for States Parties to the CRPD, particularly Indonesia. The legal obligations stipulated in the CRPD and the scope of access to justice are quite complex and require increased government attention to implement. Indonesia has made legislative efforts to fulfill the right to access justice, for example by issuing Law Number 8 of 2016 concerning Persons with Disabilities and Government Regulation Number 39 of 2020 concerning Reasonable Accommodation for Persons with Disabilities in the Judicial Process, and Decree of the Director General of the General Courts Number 1692/DJU/SK/PS.00/12/2020 concerning Guidelines for the Implementation of Services for Persons with Disabilities in High Courts and District Courts. However, in practice, at least four main problems hinder the fulfillment of the right to access justice. These problems are limited access to information regarding the right to access justice; physical barriers; and a lack of support and accommodation. Possible solutions to address these problems include providing regular training for law enforcement on the treatment of persons with disabilities, adapting infrastructure to be easily accessible to persons with disabilities, utilizing technology to facilitate communication in all accessible formats, and providing services and reasonable accommodations based on individual assessments for persons with disabilities facing legal cases. In addition, the most important part is supervision from the central government, good collaboration between service provider institutions, and the involvement of DPOs (Disability Protection Organizations) across the disability sector.²⁸

Beyond basic infrastructure, the Bantul Religious Court has implemented an e-court program and mobile courts, like other religious courts, which can help parties, including people with disabilities. In addition, the Bantul Religious Court has also developed two innovations specifically aimed at persons with disabilities. The first is SIANJELITA (*Siap Antar Jemput Kembali Layanan Disabilitas*), a door-to-door transport service established in 2023 that provides free pick-up and drop-off for parties with disabilities on hearing days. SIANJELITA is implemented at the Bantul Religious Court solely in order to provide the best service for people with disabilities while implementing the Decree of the Director General of the Religious Courts Number 206/DJA/SK/I/2021 concerning Service Standards for People with Disabilities in the Religious Courts and the Decree of the Director

²⁷ United Nations Human Rights, *International Principles and Guidelines on Access to Justice for Persons with Disabilities* (Geneva: United Nations Human Rights, 2020), <https://social.desa.un.org/sites/default/files/migrated/15/2020/10/Access-to-Justice-EN.pdf>.

²⁸ Mutiah Wenda Juniar, Arini Nur Annisa, Nanda Yuniza, Andi Dahsyat, *The Issues Of Implementing The Right Access To Justice For People With Disabilities*, *Awang Long Law Review*, Vol. 5, No. 1, November 2022: 215-224, hlm. 223

General of the Religious Courts No. 2078/DJA/HK.00/SK/8/2022 concerning Guidelines for the Implementation of Disability-Friendly Services in Courts within the Religious Courts. The second is CHITATA (*Chat Majelis Hakim dengan Pihak Disabilitas*), launched in May 2025, an audio-visual IT-based channel that facilitates communication between the panel of judges and parties who are Deaf or hard of hearing (Figure 1). The innovations arose from the desire to make the Bantul Religious Court an inclusive, humane, and responsive space for justice that meets the needs of all citizens, without exception. The presence of these two innovations—CHITATA and SIANJELITA—emphasizes that the Bantul Religious Court not only carries out its judicial duties but also actively upholds the principles of equality and respect for diversity. These innovations resonate strongly with the notion of “reasonable accommodation” and “procedural accommodation” in disability scholarship, where adjustments to communication and logistics are considered essential to enable effective participation in legal proceedings.^{29,30}

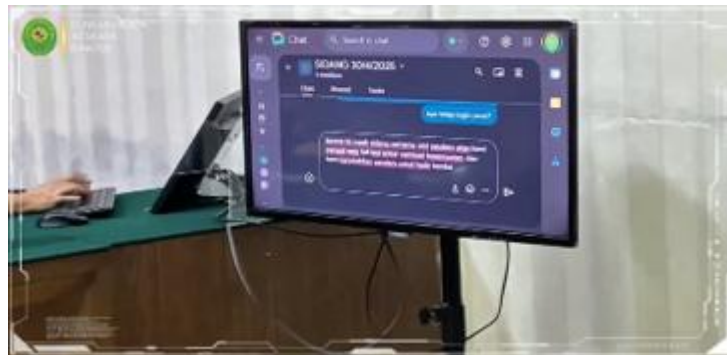


Figure 1. Visualization CHITATA program (conversation of the panel of judges and a person with disability)
(Source: Documentation of Bantul Religious Court)

In addition, these innovations demonstrate the Bantul Religious Court's concrete commitment to providing high-quality services for persons with disabilities, both through accessible physical facilities and through adjustments made during the hearing process. By introducing disability-responsive infrastructure and tailored procedural support, the court is beginning to move from purely formal equality toward more substantive and transformative forms of equality in line with the standards articulated under the CRPD.

“For us, services for persons with disabilities cannot be limited to the provision of physical facilities. Bantul Religious Court seeks to strengthen these services so that they have a direct impact on service quality and the fulfilment of the rights of court users with disabilities, particularly during court proceedings. Therefore, our concern is not only access to the court building or service counters, but also how persons with disabilities can understand the proceedings, communicate with the panel of judges and court officers, and receive equal treatment throughout the litigation process.” (Registrar of Bantul Religious Court, interview, October 28, 2025).

This direction is consistent with empirical and normative scholarship, which emphasizes that courts must offer reasonable accommodations, accessible environments, and disability-

²⁹ Siska Naomi Panggabean, "Reasonable Accommodations for Persons with Disabilities in Electronics Justice System (E-Court)," *Jurnal Hukum dan Peradilan* 10, no. 1 (2021), <https://dx.doi.org/10.25216/jhp.10.1.2021.1-30>.

³⁰ Eliona Gjeczaj et al., "‘We Got Lucky with the Judge’: Access to Justice for Disabled Women in Iceland," *Laws* 12, no. 2 (2023), <https://dx.doi.org/10.3390/laws12020021>.

competent services at every stage of proceedings to ensure effective access to justice.^{31,32} In this sense, the Bantul Religious Court can be understood as an emerging model of disability-inclusive judicial practice within the Indonesian Religious Court system.

Implementation also extends to collaborative practices. When the court handles parties who are deaf, it involves SAPDA (*Sentra Advokasi Perempuan, Difabel dan Anak*) providing sign-language interpretation and support during hearings at no cost to the parties. The Center for Advocacy of Women, People with Disabilities, and Children (SAPDA) is a non-governmental organization focused on research and program development to support people with disabilities. SAPDA is a non-governmental organization that conducts scientific studies and research in the development of disability programs. SAPDA was established to defend the rights of women, people with disabilities, and children. SAPDA's activities include empowering women, people with disabilities, and children, as well as education and advocacy on women's, people with disabilities, and children's issues within the wider community.³³

SAPDA has conducted basic sign language training for some court staff and regularly participates in monitoring and providing feedback on disability-inclusive services, including checking the new guiding blocks in 2023. This pattern of cooperation is in line with empirical findings that civil-society organizations and Disabled Persons' Organizations (DPOs) often play a central role in realizing access to justice by supplying expertise, monitoring, and advocacy that courts themselves lack.

Comparatively, these practices place the Bantul Religious Court ahead of many Indonesian courts, where disability access remains partial and largely underdeveloped. National studies on disability access to justice in the general court system and on reasonable accommodation in e-court processes show that accessibility is often limited, regulations are poorly operationalized, and web or digital systems are not fully compliant with accessibility standards.^{10,34} At the same time, the Bantul Religious Court initiatives mirror several elements of the Global Initiative for Inclusive Information and Communication Technologies (G3ICT) Inclusive Courts Checklist³⁵ such as attention to accessible communication, infrastructure, and the use of digital tools although the checklist also underlines that these steps must be embedded in a broader digital inclusion and disability strategy, which is not yet fully evident in the Bantul context.

However, the implementation is still partial. For instance, Braille materials are not available, the whereabouts of assistive hearing devices are unclear, and the *posbakum* (legal aid post) provides general information without specific adaptations for users with disabilities. This confirms broader findings that courts frequently deliver some aspects of accessibility

³¹ J. Bornman, and D. Msipa, "Accommodating Persons with Communication Disabilities in Court: Perspectives of Law Students," *Afr J Disabil* 13 (2024), <https://dx.doi.org/10.4102/ajod.v13i0.1385>.

³² Robyn White, Ensa Johnson, and Juan Bornman, "Investigating Court Accommodations for Persons with Severe Communication Disabilities: Perspectives of International Legal Experts," *Scandinavian Journal of Disability Research* 23, no. 1 (2021), <https://dx.doi.org/10.16993/sjdr.779>.

³³ Zuria Pitaloka, Tanti Nurgiyanti, Harits Dwi Wiratma, Yeyen Subandi, Upaya Sentra Advokasi Perempuan, Difabel, Dan Anak (Sapda) Dalam Menangani Kekerasan Seksual Terhadap Perempuan Disabilitas Di Yogyakarta Tahun 2022-2023, *Innovative: Journal Of Social Science Research*, Volume 5 Nomor 1 Tahun 2025, hlm. 3

³⁴ Siska Panggabean, "Access of People with Disabilities to Justice in Indonesia General Court System," *IJDS Indonesian Journal of Disability Studies* 6, no. 1 (2019), <https://dx.doi.org/10.21776/ub.IJDS.2019.006.01.13>.

³⁵ Global Initiative for Inclusive Information and Communication Technologies, *Inclusive Courts Checklist* (Global Initiative for Inclusive Information and Communication Technologies, 2020). <https://g3ict.org/publication/inclusive-courts-checklist>.

(ramps, basic infrastructure) while neglecting others, particularly accessible information formats and specialized support services.^{36,37}

Barriers and enabling factors in practice

There are obstacles to achieving access to justice for people with disabilities. These obstacles are caused by several factors affecting law enforcement, such as facilities provided by law enforcement agencies, handling by law enforcement officers, and finally, regulations. People with disabilities who come into conflict with the law have the right to affirmative action as a form of compromise to overcome obstacles caused by their condition and as a form of affirmation of their constitutional rights.

The data reveal a combination of supportive factors and persistent barriers that affect access to justice for persons with disabilities at the Bantul Religious Court.

On the supporting aspect, there is a clear institutional commitment. The Bantul Religious Court has received recognition from the Agency for Religious Courts (*Badilag*) for its inclusive disability initiatives, signaling that services for persons with disabilities are included in the court's performance and reputation agenda. Furthermore, monitoring and evaluation of disability-related standard operating procedures (SOPs) is conducted routinely, involving the Advocacy Center for Women, Disabled People, and Children (SAPDA - *Sentra Advokasi Perempuan, Difabel dan Anak*). This demonstrates that sustainable implementation is not treated as a one-time project, but rather as an evolving practice to reduce disparities. This aligns with international recommendations calling for ongoing monitoring and collaboration with Disabled Persons' Organizations (DPOs) as key drivers of inclusive justice.³⁸

The presence of the SIANJELITA and CHITATA programs demonstrates that courts are allocating their available resources to support vulnerable users. In the literature, budget priorities are often identified as a determining factor in whether courts will move beyond symbolic commitments to actual accommodations.³⁹ Collaboration with SAPDA through seminars, technical assistance, and inclusion in public events also serves as a powerful motivating factor, echoing findings from studies in Indonesia and elsewhere that highlight the transformative impact of sustained partnerships between courts and disability rights NGOs on the attitudes and practices of justice actors.^{40,41}

However, these strengths coexist with several structural and operational barriers. First, disability screening and identification remain weak at the registration stage. Many cases

³⁶ M. Syuib, "Equal Access to Justice for Persons with Disabilities: A Comparative Legal Analysis of Indonesia and Australia under the Cprd," *As-Siyasi: Journal of Constitutional Law* 5, no. 1 (2025), <https://dx.doi.org/10.24042/as-siyasi.v5i1.26855>.

³⁷ Enggal Aflah Syafiqoti, and Teti Hadiati, "Fulfilling the Rights to Accessibility of Persons with Disabilities in Pemalang State Court Legal Services," *Asian Journal of Law and Humanity* 2, no. 2 (2022), <https://dx.doi.org/10.28918/ajlh.v2i2.1>.

³⁸ Eliona Gjecaj et al., "They Guarantee Understanding Both Ways: Rights Protection Officers as Facilitators of Access to Justice for Disabled Women," *Scandinavian Journal of Disability Research* 26, no. 1 (2024), <https://dx.doi.org/10.16993/sjdr.1051>.

³⁹ Agus Mulyawan, "Challenges and Opportunities in Implementing Disability Rights: Policy Evaluation and Access to Welfare for Persons with Disabilities," *International Journal of Law and Society* 2, no. 1 (2024), <https://dx.doi.org/10.62951/ijls.v2i1.236>.

⁴⁰ Bronagh Byrne, Brent Elder, and Michael Schwartz, "Enhancing Deaf People's Access to Justice in Northern Ireland: Implementing Article 13 of the Un Convention on the Rights of Persons with Disabilities," *Scandinavian Journal of Disability Research* 23, no. 1 (2021), <https://dx.doi.org/10.16993/sjdr.744>.

⁴¹ Nurul Sa'adah Adriani, Arini Robbi Izzati, and Harum Sekartaji, *Transformation of Justice: The Journey of Legal Assistance Towards Inclusive Courts in Indonesia* (Yogyakarta: Sentra Advokasi, Difabel dan Anak (SAPDA), 2024), https://sapdajogja.org/wp-content/uploads/2024/10/Transformation-of-Justice-English_FINAL_Accessible-PDF.pdf.

involving persons with disabilities are only discovered during court proceedings, and not all parties are aware of the existence of SIANJELITA or CHITATA. This is consistent with empirical studies from various jurisdictions showing that one of the most fundamental barriers to access to justice is the failure of institutions to systematically identify disabilities and their resulting accommodation needs early in the judicial process.⁴² Therefore, identifying whether a party is a person with a disability when registering a case is crucial to optimizing services (SIANJELITA and CHITATA) for the litigants at the Bantul Religious Court. Furthermore, if services for persons with disabilities are not yet optimal, the Bantul Religious Court can immediately communicate with SAPDA to provide assistance so that the parties with disabilities can obtain their rights.

Second, the capacity and continuity of training remain limited. Sign-language training delivered with SAPDA was initial and short-term; follow-up sessions were not attended due to workload pressures. Only some frontline staff participated, and there is no evidence of structured institutionalization (e.g., mandatory disability competence modules for all judges and staff). Studies on inclusive legal services and court practices emphasize that sporadic training is insufficient; sustained disability competence training is necessary to change staff attitudes, build confidence in interacting with court users with disabilities, and reduce dependence on external actors.^{43,44}

Third, service coverage and specialization are still incomplete. While the Bantul Religious Court provides multiple complaint channels (letters, WhatsApp, website, social media, suggestion boxes), there is no dedicated complaint mechanism accessible to blind users (e.g., via fully screen-reader-friendly forms or phone-based assistance). *Posbakum* services remain generic, not tailored to the specific barriers persons with disabilities face in understanding procedures, preparing documents, and navigating hearings. Similar patterns of partial inclusion, where general services are assumed to be sufficient for all, are reported in research on legal protection and access to justice for persons with disabilities in Indonesian courts and law-enforcement processes.⁴⁵

Fourth, dependence on external support is high. For non-physical disabilities (e.g., deaf people), although the Bantul Religious Court has implemented the CHITATA innovation, it still sometimes requires SAPDA assistance to provide interpreters and support, due to the lack of competent sign-language internal staff. This situation reflects the broader finding that, while partnerships with NGOs are crucial, over-reliance without parallel internal capacity building can create fragility: services can be disrupted if external partners lack funding or availability, and courts may remain hesitant to treat persons with disabilities as rights holders entitled to accommodations, rather than through NGO-mediated charities.⁴⁶ Therefore, there remains a need for internal capacity building to be able to provide services in accordance with the rights of persons with disabilities.⁴⁷

⁴² Lake Yan Wu, "The Implementation of Crpd Article 13 Access to Justice in Hong Kong," *International Journal of Disability and Social Justice* 4, no. 1 (2024), <https://dx.doi.org/10.13169/intljofdisassocjus.4.1.0060>.

⁴³ Nur Paikah, "Problems of Inclusive Legal Services for Persons with Disabilities," *Journal of Indonesian Scholars for Social Research* 4, no. 1 (2024), <https://dx.doi.org/10.59065/jissr.v4i1.133>.

⁴⁴ Terje Olsen, and Patrick Kermit, "Disability and Justice," *Scandinavian Journal of Disability Research* 17, no. sup1 (2015), <https://dx.doi.org/10.1080/15017419.2015.1064029>.

⁴⁵ Zahra Alsabilah, and Hery Firmansyah, "Legal Protection for Persons with Disabilities Who Become Victims of Sexual Violence," *Journal of Law, Politic and Humanities* 5, no. 2 (2024), <https://dx.doi.org/10.38035/jlph.v5i2.1019>.

⁴⁶ Anuradha Joshi, "Legal Empowerment and Social Accountability: Complementary Strategies toward Rights-Based Development in Health?," *World Development* 99 (2017), <https://dx.doi.org/10.1016/j.worlddev.2017.07.008>.

⁴⁷ B. C. Elder, and M. A. Schwartz, "Effective Deaf Access to Justice," *J Deaf Stud Deaf Educ* 23, no. 4 (Oct 1 2018), <https://dx.doi.org/10.1093/deafed/eny023>.

Despite these barriers, the condition in the Bantul Religious Court illustrates how innovative local practices (transport services, digital communication tools, collaboration with SAPDA) can partially overcome structural constraints documented in national and international studies, such as limited budgets, weak guidelines, and low awareness among judicial personnel.^{48,49} The testimonies of court users who utilize SIANJELITA (as posted in the court's social media <https://www.instagram.com/p/DHIR9npPI2c/>) further indicate that, when accessible services are available and publicized, they can significantly reduce mobility and cost barriers for persons with disabilities and other vulnerable groups, consistent with evidence from access-to-justice programs in religious courts aimed at women and the poor.^{50,51}

Conformity between practice and the applicable legal framework

From a normative perspective, the Bantul Religious Court operates within a multi-layered framework: the CRPD and its Article 13 on access to justice; Law No. 19 of 2011 (ratification of CRPD); Law No. 8 of 2016 and PP No. 70 of 2019 on persons with disabilities; Supreme Court regulations and decrees (including KMA No. 026/KMA/SK/II/2012); *Badilag* Decrees No. 206/DJA/SK/I/2021 and No. 2078/DjA/HK.00/SK/8/2022 on disability-friendly services; and, most recently, PERMA No. 2 of 2025 on adjudicating cases involving persons with disabilities. At the court level, these norms have been internalized through SOPs stored in the secretariat, which are reviewed periodically, and through manuals and registers that document the provision of services such as SIANJELITA.

Empirical observations suggest that the Bantul Religious Court already meets several key expectations of this framework. The existence of disability-oriented infrastructure, special service rooms, transport support, and cooperation with SAPDA reflects an attempt to give operational meaning to the principles of "reasonable accommodation" and "equal effective access" set out in the CRPD and elaborated in scholarship on disability-inclusive justice systems.⁵² The involvement of SAPDA in monitoring facilities of "guiding blocks" and advising on service improvements is in line with UN guidance, which stresses the participation of persons with disabilities and their organizations in the design and evaluation of justice-sector reforms.⁵³

However, when measured against more detailed benchmarks in comparative scholarship on the implementation of CRPD Article 13 and court accommodations, the Bantul Religious Court's conformity remains partial rather than complete. Studies on access to justice for persons with disabilities show that effective implementation requires not only physical accessibility and ad hoc accommodations, but also explicit written protocols on reasonable accommodation, systematic disability-competence training for justice actors, accessible

⁴⁸ Jane Donoghue, "The Rise of Digital Justice: Courtroom Technology, Public Participation and Access to Justice," *The Modern Law Review* 80, no. 6 (2017), <https://dx.doi.org/10.1111/1468-2230.12300>.

⁴⁹ Elena Alina Onțanu, and Eric Tjong Tjin Tai, "Digital Technology and Procedural Justice: Towards a Geography of Justice," *Tilburg Law Review* 30, no. 2 (2025), <https://dx.doi.org/10.5334/tlr.422>.

⁵⁰ M. Latif Fauzi, "Efektivitas Sidang Keliling (Studi Di Pengadilan Agama Wonogiri)," *Al-'Adalah* 14, no. 2 (2018), <https://dx.doi.org/10.24042/adalah.v14i2.2057>.

⁵¹ Hotnidah Nasution, and Ahmad Rifqi Muchtar, "Access to Justice for Women and Children in Divorce Cases in the Indonesian Religious Courts," *AHKAM : Jurnal Ilmu Syariah* 20, no. 2 (2020), <https://dx.doi.org/10.15408/ajis.v20i2.15702>.

⁵² Melaku T. Zengeta, "Access to Justice: New Right or a Reaffirmation of Existing Human Rights for Persons with Disabilities?," *Yustisia Jurnal Hukum* 11, no. 3 (2022), <https://dx.doi.org/10.20961/yustisia.v11i3.68402>.

⁵³ United Nations Human Rights.

digital platforms, and clear complaint and monitoring mechanisms.⁵⁴ Comparative analyses of access to justice in Indonesia and other CRPD states parties similarly highlight that formal legal frameworks are insufficient when they are not backed by adequate resources, sustained institutional capacity-building, and rights-based procedures for assessing, granting, and documenting accommodations.^{55,56} Against these standards, the Bantul Religious Court has taken important steps through disability-oriented infrastructure and service innovations, yet gaps remain in early disability screening when registering a case, the institutionalization of staff training, the integration of accessible formats and technologies, and the availability of specialized complaint mechanisms for persons with disabilities.

In the Bantul Religious Court, several gaps remain vis-à-vis this ideal. There is no provision of Braille documentation for blind users, and no dedicated complaint channel designed with their needs in mind. Sign-language support is not yet embedded as a standard court resource but depends largely on external actors. Early identification of disability at the registration stage is not systematic, causing delays in providing accommodations. Staff training on disability is occasional rather than continuous and not yet integrated into formal capacity-building schemes. These findings echo international evidence that, even in courts with relatively advanced inclusion practices, barriers persist in accessible information, communication, and institutionalized training.⁵⁷

At the same time, Bantul's Religious Court innovations (SIANJELITA and CHITATA) reflect emerging good practices that are rarely documented in earlier Indonesian studies on access to justice, which have mainly focused on fee waivers, legal aid posts, and circuit courts for women, the poor, and other vulnerable groups in Religious Courts.⁵⁸ In this sense, the court contributes a distinctive model to the Indonesian landscape: a Religious Court that attempts to operationalize disability-specific access-to-justice norms through concrete services and partnerships⁵⁹, even in the absence of dedicated external funding and amid broader systemic challenges highlighted by national and comparative research.

Comparative research on disability and the courts shows that initiatives such as accessible transport to court, disability-friendly information and communication tools, and structured cooperation with Disabled Persons' Organizations (DPOs) are precisely the kinds of measures that begin to translate abstract access-to-justice norms into practice.^{60,61} Studies in Indonesian and regional contexts also indicate that when religious or Sharia courts deliberately adapt their procedures and facilities for persons with disabilities through accommodations, tailored services, and collaboration with civil-society organizations, they move beyond symbolic compliance and start operationalizing CRPD-based obligations in

⁵⁴ White, Johnson, and Bornman.

⁵⁵ Panggabean.

⁵⁶ J. McVeigh, "Operationalising Article 13 of the Convention on the Rights of Persons with Disabilities the Role of Assistive Technology in Ensuring Access to Justice," *Front Rehabil Sci* 6 (2025), <https://dx.doi.org/10.3389/fresc.2025.1650487>.

⁵⁷ Wu.

⁵⁸ Andi Akram et al., "Gender Mainstreaming through Guarantees of Legal Protection and Access to Justice for Women and Children in Religious Court," *Jurnal Hukum dan Peradilan* 12, no. 2 (2023), <https://dx.doi.org/10.25216/jhp.12.2.2023.267-292>.

⁵⁹ Eilionóir Flynn, "Making Human Rights Meaningful for People with Disabilities: Advocacy, Access to Justice and Equality before the Law," *The International Journal of Human Rights* 17, no. 4 (2013), <https://dx.doi.org/10.1080/13642987.2013.782858>.

⁶⁰ David Larson, "Access to Justice for Persons with Disabilities: An Emerging Strategy," *Laws* 3, no. 2 (2014), <https://dx.doi.org/10.3390/laws3020220>.

⁶¹ Raymond Lang et al., "Implementing the United Nations Convention on the Rights of Persons with Disabilities: Principles, Implications, Practice and Limitations," *Alter* 5, no. 3 (2011), <https://dx.doi.org/10.1016/j.alter.2011.02.004>.

concrete ways.^{62,63} These findings resonate with broader analyses of disability access to justice in Indonesia's general courts, which underscore the importance of local institutional innovation in overcoming structural barriers that national regulation alone cannot resolve.⁶⁴ Against this international and national backdrop, the SIANJELITA and CHITATA programs position the Bantul Religious Court as part of an emerging group of "early adopters" that pilot disability-inclusive services through court-level reforms and partnerships, even when dedicated external funding and system-wide support remain limited.

At the same time, international scholarship on disability rights and access to justice emphasizes that such innovations are only a first step toward the deeper structural change required by the CRPD's shift from a medical to a rights-based paradigm.⁶⁵ Researchers argue that courts must move from formal equality in treating all litigants the same toward substantive and transformative equality, which demands systematic removal of environmental, procedural, and communicative barriers, as well as the institutionalization of reasonable accommodation duties and disability-competence training across the justice chain.⁶⁶ Empirical work on judicial institutions in Indonesia and elsewhere confirms that gaps typically persist in early disability screening, the provision and maintenance of assistive devices, the availability of accessible formats, and the integration of a disability perspective into legal aid and complaint mechanisms.⁶⁷ In this light, the strengths and shortcomings identified in Bantul mirror the challenges documented in other trial courts and specialized tribunals and point to a common reform agenda: consolidating isolated good practices such as SIANJELITA and CHITATA into a comprehensive, rights-based system of disability-inclusive justice.

The findings demonstrate that the Bantul Religious Court has progressed beyond mere legal compliance and has commenced implementing real accommodations for individuals with disabilities, particularly through infrastructure and service improvements.⁶⁸ However, a discernible disparity persists between the court's existing practices and the comprehensive requirements of national and international legal systems.⁶⁹ To address this gap, it is recommended that the Bantul Religious Court (1) integrate systematic disability screening at the point of case registration, using standardized forms or digital tools to identify needs promptly; (2) establish regular, mandatory disability competence training for all judges and staff, in partnership with organizations such as SAPDA; (3) designate responsibility for the provision and maintenance of assistive devices and accessible formats (including Braille and screen-reader-compatible content) to specific court staff with a clear monitoring protocol; and (4) revise *posbakum* and grievance mechanisms to include explicit disability-sensitive

⁶² Nor et al.

⁶³ Syafik Muhammad et al., "Implementation of the Principle of Equal Rights for Persons with Disabilities in the Process of Proceedings at the Purbalingga Religious Court," *AJIRSS: Asian Journal of Innovative Research in Social Science* 4, no. 2 (2025), <https://dx.doi.org/10.53866/ajirss.v4i2.1029>.

⁶⁴ Paikah.

⁶⁵ E Flynn, "Disability and Access to Justice in the European Union: Implications of the Un Convention on the Rights of Persons with Disabilities," *European Yearbook Of Disability Law* 5 (2013).

⁶⁶ Paul Harpur, "Embracing the New Disability Rights Paradigm: The Importance of the Convention on the Rights of Persons with Disabilities," *Disability & Society* 27, no. 1 (2012), <https://dx.doi.org/10.1080/09687599.2012.631794>.

⁶⁷ Paikah.

⁶⁸ Bornman, and Msipa.

⁶⁹ Robyn White et al., "Court Accommodations for Persons with Severe Communication Disabilities: A Legal Scoping Review," *Psychology, Public Policy, and Law* 27, no. 3 (2021), <https://dx.doi.org/10.1037/law0000289>.

procedures, such as accessible complaint channels and tailored legal aid support.^{70,71} Implementing these actionable measures advances PA Bantul towards achieving a fully inclusive Religious Court that ensures equitable access to justice for individuals with disabilities.

Policy Implications

The findings of this study have several policy implications for strengthening disability-inclusive access to justice in Religious Courts. First, disability identification should be integrated at the earliest stage of case registration. The experience of the Bantul Religious Court shows that disability status and accommodation needs are not always identified when a case is filed. As a result, services such as SIANJELITA, CHITATA, interpreter support, and other procedural accommodations may not be provided from the outset of the judicial process. These findings suggest the need for a standardized disability screening mechanism in Religious Courts, either through registration forms, e-court platforms, or direct assistance at service counters. Such a mechanism should not be used to label or exclude persons with disabilities, but to ensure that their support needs are identified early and addressed appropriately.

Second, disability-inclusive services should be institutionalized through clear internal protocols. The Bantul Religious Court has developed important innovations, particularly SIANJELITA and CHITATA. However, these good practices need to be supported by written procedures that govern how persons with disabilities are identified, assisted, accompanied, and provided with reasonable accommodation throughout the litigation process. At the policy level, the Directorate General of Religious Courts could use these local innovations as references for developing more detailed technical guidelines for disability-friendly services in Religious Courts. This would help prevent disability services from depending solely on individual initiative or temporary institutional commitment.

Third, capacity-building for judges, registrars, clerks, and frontline officers should become a mandatory, ongoing program. The findings show that disability services training, including sign-language training, has been conducted but remains limited and not yet fully institutionalized. This indicates the need for a formal training policy within Religious Courts. The training should cover disability rights, inclusive communication, reasonable accommodation, courtroom interaction, accessible information, and procedures for handling cases involving persons with disabilities. Cooperation with organizations such as SAPDA and Disabled Persons' Organizations should be maintained. However, internal court capacity must also be strengthened so that services do not depend entirely on external actors.

Fourth, Religious Courts need to improve access to information and complaint mechanisms. The Bantul Religious Court has provided several complaint channels, including letters, WhatsApp, websites, social media, and suggestion boxes. However, these channels are not yet tailored to different types of disabilities, particularly for blind users, Deaf users, or persons with intellectual disabilities. Policy reform should therefore require courts to provide accessible complaint mechanisms, screen-reader-compatible digital forms, audio-based assistance, simplified information formats, and disability-sensitive legal aid services.

⁷⁰ Erna Viljoen, Juan Bornman, and Kerstin M. Tönsing, "Interacting with Persons with Disabilities: South African Police Officers' Knowledge, Experience and Perceived Competence," *Policing: A Journal of Policy and Practice* 15, no. 2 (2021), <https://dx.doi.org/10.1093/police/paaa084>.

⁷¹ G. Gulati et al., "The Evaluation of a Training Course to Enhance Intellectual Disability Awareness Amongst Law Enforcement Officers: A Pilot Study," *Ir J Psychol Med* 40, no. 4 (Dec 2023), <https://dx.doi.org/10.1017/ipm.2021.80>.

Posbakum should also be adapted so that it not only provides general legal information but also addresses the specific procedural barriers faced by persons with disabilities.

Fifth, budget allocation and monitoring should be made more explicit. Implementing disability-inclusive justice requires accessible infrastructure, assistive devices, trained personnel, interpreters, accessible digital systems, and maintenance of existing facilities. These needs cannot be treated as incidental expenses. Religious Courts should include disability-related services in their regular planning and budgeting documents. In addition, monitoring and evaluation should involve disability organizations to ensure that accessibility standards are not only formally available but also functional and useful for court users with disabilities.

Finally, the experience of the Bantul Religious Court indicates that local innovation can inform broader policy reform within the Religious Court system. SIANJELITA and CHITATA demonstrate that disability-inclusive access to justice can be developed through practical, low-cost, and context-sensitive initiatives. These programs may serve as models for other Religious Courts, especially for improving mobility access, communication support, and procedural accommodations. However, replication should not be limited to copying the programs. Institutional guidelines, adequate resources, staff training, and regular evaluation should accompany replication. In this way, disability-inclusive access to justice can move from isolated good practice toward a more systematic policy framework within the Religious Court system.

CONCLUSION

The study shows that the Bantul Religious Court has moved beyond formal or symbolic compliance with disability-related access-to-justice norms and has begun implementing substantive accommodations for persons with disabilities, especially in infrastructure and services. Innovations such as SIANJELITA (door-to-door transport service), CHITATA (audio–visual communication channel for Deaf and hard-of-hearing users), disability-friendly physical facilities, and systematic collaboration with SAPDA indicate an institutional willingness to operationalize Law No. 8/2016, PP No. 70/2019, Badilag regulations, and CRPD Article 13 in concrete ways. These measures position the Bantul Religious Court ahead of many courts that remain at the level of formal regulation without meaningful adjustments to procedures or services. At the same time, the analysis confirms that the court’s practice still falls short of the comprehensive obligations contained in national and international legal frameworks. Key gaps include the absence of systematic disability screening at the registration stage, the ad hoc and non-continuous nature of disability-competence training for judges and staff, incomplete provision and management of assistive devices, the lack of information in Braille and fully screen-reader-compatible formats, and the absence of disability-sensitive complaint and legal aid mechanisms. The persistence of these gaps reflects structural constraints such as limited resources, dependence on external factors such as SAPDA, and the partial integration of disability into institutional planning and budgeting. Overall, the Bantul Religious Court illustrates a transitional stage: from purely formal equality to emerging practices of substantive and transformative equality. The court provides a promising model of local innovation within the Religious Court system, but also reveals what still needs to be done for access to justice for persons with disabilities to be realized on an equal basis with others.

In practical terms, the findings support several policy and institutional recommendations. First, the court needs to institutionalize early disability identification and case management by integrating simple, rights-based screening questions and accommodation-needs assessments at registration, accompanied by a standard protocol for

documenting and updating these needs throughout the case lifecycle. Second, disability competence should be embedded in continuous professional development so that disability rights and communication with diverse disability groups become mandatory components of in-service training for judges, clerks, bailiffs, and front-office staff, with SAPDA-supported training transformed into a regular, structured program rather than one-off sessions. Third, assistive technologies and accessible information must be strengthened by ensuring the availability, maintenance, and inventory control of devices such as wheelchairs, walkers, and hearing aids, and by preparing key court information (rights, procedures, contact points, complaint mechanisms, SIANJELITA and CHITATA guidelines) in accessible formats including Braille, large print, Easy Read, and web content compliant with recognized accessibility standards. Fourth, disability perspectives should be mainstreamed into legal aid (*posbakum*) and complaint mechanisms through adapted procedures and materials, accessible channels for blind, Deaf, and users with intellectual or psychosocial disabilities, and assistance from trained staff. Finally, SIANJELITA, CHITATA, and the SAPDA partnership should be consolidated and documented as good practice modules that can be shared with other Religious Courts and considered by *Badilag* and the Supreme Court as part of disability-inclusive service indicators, supported by stable budget lines rather than ad hoc allocations.

The research also points to a broader agenda for future studies. Comparative research across Religious Courts in different provinces is needed to map variation in disability-inclusive practices, identify institutional and regional determinants of success, and develop a typology of models for disability access to justice. Longitudinal evaluations should be designed to track the impact of SIANJELITA, CHITATA, and similar services on utilization, case progression, user satisfaction, perceived fairness, and trust in the courts among persons with disabilities. Participatory and disability-led research, using co-researchers with disabilities and focus groups led by DPOs, would deepen understanding of how different groups perceive accessibility and which accommodations they prioritize. Quantitative studies are needed to assess relationships between specific accommodations and measurable outcomes such as attendance, delay reduction, satisfaction scores, or appeal rates, and to develop standardized instruments to measure access-to-justice quality from the perspective of persons with disabilities. Further lines of inquiry include costing and resource-allocation analyses of disability-inclusive innovations for budgeting and advocacy; assessments of the digital accessibility of e-court and court websites for various disability groups; and normative–empirical syntheses that systematically compare CRPD, Law No. 8/2016, PP 70/2019, *Badilag* decrees, and PERMA No. 2/2025 with field data from Religious Courts to refine benchmarks for minimum core obligations and progressive realization in the Indonesian context.

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