

DISABILITY JUSTICE STRATEGY

REPORT ON WHAT WE HEARD



DEVELOPING THE ACT'S FIRST DISABILITY JUSTICE STRATEGY

A Disability Justice Strategy is critical to ensuring people with disability living in Canberra can access the systems and supports that enable equality before the law.

The ACT Government is committed to developing a Disability Justice Strategy as part of its continuing commitment to people with disability. We sought the views of the community on the issues, concerns and responses that could be included in the strategy around three central themes of knowing your rights, exercising your rights, and your experience of the justice system.

It's well known that people with disability do not have access to the legal supports and services they need and that the legal system is difficult to navigate.

There's considerable evidence that when people are unable to access effective justice it further adds to the societal disadvantages experienced by people with disability. We know that people with disability experience high rates of violence and isolation and are more likely to be incarcerated and less likely to feel confident navigating the justice system.



THE CONVERSATION

We held four public conversations across Canberra on 19 June, 25 July, 29 August and 10 September 2018 to hear directly from the community about their views, priorities and experiences. We also opened the conversation online on YourSay with a community survey and Justice and Services survey from 6 August until 21 September 2018.

In addition to our online and public conversations, we have met with and consulted many stakeholders currently engaged in the justice and disability sectors.

WHO ENGAGED

During the conversation we heard from people with disability, their families and supporters. We also spoke with organisations that work with, and represent, the interests of people with disability, and we spoke with Canberra's legal sector and justice agencies.

Specifically, we heard from people with disability, lawyers, advocates, disability workers, parents of people with disability, youth workers, social workers, psychologists, correctional officers, detainees, teachers, public housing tenants, mental health workers, activists, academics, victims of crime, women, people from a culturally and linguistically diverse background, Aboriginal and Torres Strait Islander people and specific organisations, therapists, community centres, legislators, litigators and people with psychosocial disability.

Key insights from the community

Access to information and awareness of rights

- The justice system is complex and information needs to be easily accessed and be expressed in clear, non-legal language using a variety of methods.
- People with disability sometimes do not realise their situation could be helped by accessing the justice system and their rights are often not well explained.
- People with disability should be supported to make their own decisions and be believed when dealing with authorities.

Education/Awareness/Cultural change in the system

- Education is important to ensure everyone involved in the justice system is aware of disability and how to work better for people with disability.
- The justice system needs to change how it treats people with disability – doing this will make the system better for everyone.

Data/Evidence base

- Building a picture of the number of people with disability who are involved in the justice system, the type of disability, and the reason for their involvement is needed to ensure focused allocation of resources and to build effective responses.
- Identification of a disability as early as possible is key to prevent contact with the justice system and improve quality of life.
- Tools need to be available to identify disability and be used at multiple points in the system.
- People want to be included in the conversation when key decisions are being made about their case.

Supports for people with disability and their families

- Providing individualised supports to assist people with disability interact with the justice system would produce better outcomes.
- Supports need to be consistent and operate throughout the justice system.
- Early provision of supports and services would prevent the need for contact with the justice system.

Supports for the justice system

- The justice system should be provided with the capability to link effectively with all government and non-government services and systems to ensure a coherent and coordinated approach.
- Tools to allow the justice system to hear and respond to people with disability (such as communication assistants/intermediaries and technological supports) will help the justice system to work more effectively.

WHAT'S NEXT?

- The ACT Government is drafting the Disability Justice Strategy based on what we heard. It is intended that the ACT Disability Justice Strategy will run for 10 years and will commence from mid-2019.
- You can register to receive project updates by emailing ACTDisabilityjustice@act.gov.au
- To find out more about the Disability Justice Strategy and other initiatives, policies and projects in Canberra visit www.yoursay.act.gov.au

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Key Timings

Step 1 – June-July 2018

Public consultations on a Disability Justice Strategy for the ACT commence. First meeting of the Disability Justice Reference Group is convened

Step 2 – August-September 2018

YourSay consultation opens and public consultations continue

Step 3 – Late 2018

Public release of consultation report

Step 4 – Mid 2019

Finalisation of Disability Justice Strategy

THANK YOU FOR YOUR FEEDBACK

30

Targeted and public conversations were held with key stakeholders from across the disability and justice sectors.

140

We heard from over 140 people about their stories, ideas and priorities for improving access to justice for people with disability.

26

We had 26 submissions and responses to our online surveys.

The ACT Government extends a warm thank you to everyone who gave their views during community consultation.

In particular, thank you to the many people with disability who have been disadvantaged by their interactions with the justice system and who generously provided personal insights on what is working well and what can be improved through the justice system.

The ACT Government is committed to introducing a Disability Justice Strategy and your experiences are an important contribution to shaping this.