

Dear Attorney General and Premier,

I am writing to ask you to commit to long-term funding targeted at helping and supporting people with cognitive disability caught up in the justice system.

If you have an intellectual disability or another cognitive disability like autism or acquired brain injury then you need specialist support if you come into contact with the police and the courts.

The Justice Advocacy Service (JAS), run by the Intellectual Disability Rights Service (IDRS) is an effective programme that provides targeted support to people with cognitive disability who are victims of crime, witnesses or accused of crimes.

The continuation of the JAS is essential to protect the rights of people with cognitive disability however current funding ends in June this year. This is a critically important state-wide service and I ask you to confirm its ongoing long-term funding.

Funding is also needed for a strong court diversionary programme. For three years, IDRS ran the Cognitive Impairment Diversion Programme (CIDP) in two courts. This programme went a step further than JAS. It linked people into the supports they needed for a good life and to keep out of trouble with the law. This gave magistrates confidence to make diversionary orders rather than impose jail sentences and other penalties. Diversion orders were made in over 66% of cases.

The Department of Communities and Justice stopped funding the Cognitive Impairment Diversion Programme in June 2020. However, the Department has recognised the importance of a programme like the CIDP and the value of extending it to more courts.

Indigenous Australians also receive significant benefits from programmes like JAS and CIDP. Over 25% of the clients of JAS and CIDP have been Aboriginal or Torres Strait Islanders.

At the recent Disability Royal Commission Hearing on Justice the Chair, Ronald Sackville, said in his closing remarks that it is time to “end the cycle created by the criminalisation of disability” and “to ensure that effective programmes are introduced, supported and properly funded – and not just in the short term.”

I agree with Ronald Sackville.

Attorney General and Premier, let's help people with a disability live to their potential instead of seeing them go to jail and locking them away.

In the coming budget, I am asking you to commit to long-term funding for JAS and to the roll out of a state-wide diversion programme for people with cognitive disabilities facing criminal charges.

A diversion program would also assist the Government achieve the Premier's priorities to reduce reoffending, domestic violence and the national target to reduce incarceration of Indigenous Australians.

Attorney General and Premier, please ensure that the 2021 state budget includes necessary funding for:

- support of people with cognitive disability in their dealings with police and the courts as victims, witnesses or people accused of crimes, and
- diversion for alleged offenders from the courts into support from the NDIS and other human services.

Thank you for your consideration of my request,