



# Developing the Disability Justice Plan

## SNAPSHOT

In 2014 the Government of South Australia introduced a Disability Justice Plan which recognised that some people with disability are vulnerable to victimisation and abuse in the community, particularly those with cognitive and/or intellectual disability. Research also shows that those people are over-represented in our prisons. The Disability Justice Plan aimed to make the criminal justice system more accessible and responsive to the needs of people with disability and ensure that people with complex needs are supported and able to assert their rights before the law.

### Background

Reports such as the former Social Inclusion Board's *Strong Voices: a Blueprint to Enhance Life and Claim the Rights of people with Disability in South Australia* identified a need for increased support for people with disability in South Australia. It recommended the development of a Disability Justice Plan.

Extensive consultation identified the need for those with a disability whether victim, witness or a person accused of a crime, to be heard by the justice system and have equal access to the courts.

### The initiative

The *Disability Justice Plan 2014-2017* aimed to make the criminal justice system

more accessible and responsive to the needs of people with disability. It gave vulnerable people a voice and built the capacity of the criminal justice system to ensure that all people can interact with the system on an equal basis.

Changes to the law, in particular the *Evidence Act*, assisted people with disability to have their evidence heard and accepted. Practical measures such as the Communication Partner Service have provided independent, trained volunteer personnel to facilitate communication between vulnerable persons in and out of court. Specialist and general training was designed to be provided to criminal justice front-line staff and practitioners to help effect a cultural change in the system.

## PUBLIC VALUE FRAMEWORK



What outcome will be delivered?



Whose support is necessary?



How will the outcomes be delivered and who will be responsible?

## EVALUATING FOR PUBLIC VALUE

### Public value

**Positive social impact:** The reforms have improved access to the justice system for people with disability. For example, the system is now better able to support people with complex communication needs in giving evidence.

**Increased effectiveness:** Appropriate support and services ensure that the criminal justice system is both effective and efficient in its interactions with people with disability.

**Public engagement:** A comprehensive engagement process was undertaken which also considered submissions made to the South Australian Parliamentary Select Committee enquiry on *Access to and Interaction with the South Australian Justice System for People with Disabilities*.

The Disability Justice Plan Advisory Group, with equal representation from the criminal justice system and disability advocates, was established to provide a vehicle for ongoing engagement with stakeholders to drive the reform process.

### Legitimacy & support

**Clear objectives:** The Disability Justice Plan contributes to the Safe Communities, Healthy Neighbourhoods Strategic Priority of the government. It supports and complements the work of the [Australian Human Rights Commission](#) and contributes to South Australia's commitment to the [National Disability Strategy](#).

**Political support:** Recommendation 19 of the *Strong Voices* report called for the development of a Disability Justice Plan. The plan and legislative changes were supported by the Attorney-General and approved by Cabinet. Changes to the law had bipartisan support in Parliament.

**Stakeholder & community support:** People with disability who come into contact with the justice and the criminal justice sector are the beneficiaries of these reforms. Extensive consultation was undertaken with people with lived experience of disability, including people with disability, their carers, family members and advocates, as well as legal practitioners. The engagement informed the design and ongoing implementation of the reforms.

## Operational capability

**ICT and other resources:** The design of new court ICT systems and electronic court documents will take account of the needs of people with disability.

**Human resources:** Staff from the Attorney-General's Department coordinate the implementation of the Plan and progress is monitored by an advisory group. The volunteer network that delivers the Communication Partner Service has been outsourced to Uniting Communities.

**Financial:** A budget was allocated over four years, including support for the Legal Services Commission to deliver the important community legal education program.

## Outcome

These reforms deliver a fairer and more just society for all South Australians by ensuring that everyone is able to interact with our criminal justice system on an equal basis.

A justice system better equipped to engage with people who have disabilities will be more effective in protecting the community.

An evaluation will be undertaken at the conclusion of the Plan to measure if it has been implemented as intended and the level of stakeholder satisfaction.

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For more information:

Cabinet Office, Department of the Premier and Cabinet

Email: [cabinetofficeandpublicvalue@sa.gov.au](mailto:cabinetofficeandpublicvalue@sa.gov.au)

Web: [www.dpc.sa.gov.au](http://www.dpc.sa.gov.au)