

Disability Justice Plan (AGD)



Members of the Steering Group

THE Disability Justice Plan 2014-2017 was developed with an aim to make the criminal justice system more accessible and responsive to the needs of people with disability. The Plan, guidelines and linked changes to the law provide a comprehensive approach designed to provide enhanced support for vulnerable witnesses who are in contact with the criminal justice system.

The Attorney-General's Department established a Steering Group to oversee the development and implementation of the Disability Justice Plan and consultation strategy. The steering group included a range of agencies working within the disability and justice sectors.

A community engagement strategy for the Disability Justice Plan was developed in close consultation with the Steering Group. Steering Group members also played a key role in the development of a discussion paper, released in accessible formats, and assisted in running public meetings and promoting awareness about the consultation. Their involvement with the process highlighted the genuine nature of the consultation.

What we did

The first consultation period was officially open for two months, though community engagement continued well beyond that. The engagement methods used for the consultation included the following:

Prior to launching the discussion paper, the Attorney-General hosted a roundtable discussion involving key disability advocates and community leaders

- Five public meetings in metropolitan and regional areas
- Use of the SA Strategic Plan website and the Attorney-General's Department website, including an online survey
- Hard copy and electronic mail-out to disability organisations in SA
- Phone submissions
- Face to face meetings with a broad range of community organisations and interested parties, including people in secure care.

Informal consultation was also undertaken with key interested parties prior to the release of the Disability Justice Plan discussion paper.



Second Consultation Phase

Cabinet approved the release of the draft Plan and associated guidelines for the conduct of investigative interviews, which were made available on the AGD website.

Disability organisations and interested individuals who took part in the consultation process were notified by email that the Plan had been released for public comment.

The Government announced that it would provide the necessary \$3.246 million in funding over four years to implement the Disability Justice Plan. The funding was subsequently included in the 2014–15 Budget and forward estimates.

A number of further engagement activities took place, including:

- A roundtable of community leaders and disability advocates present at the launch of the discussion paper was re-convened
- Separate meetings held with the Law Society; the Legal Services Commission and Disability SA; Women with Disability SA; parents of children with intellectual disability and the Disability Justice Plan Steering Group.
- Twenty-one written submissions were received from organisations and individuals

Public comment closed, and the draft Plan, investigative guidelines and proposed Bill were amended in light of feedback. While the amendments to the Disability Justice Plan and guidelines were minor, a Bill to introduce a new offence was subject to further consultation with interested parties.

In light of issues raised in the second stage of submissions and the further consultation, an alternative model was adopted as oppose to the one originally put forward, thought to most effectively strike the best balance of the conflicting interests in what was a sensitive area.

Following the extensive community consultation outlined above, the final Disability Justice Plan was approved by Cabinet and launched, and implementation is now in progress.

What worked well?

The Attorney-General's Department received 28 formal submissions, approximately 50 completed surveys, and more than 120 people took part in the five public meetings.

Submissions not marked confidential were made available on the Attorney-General's Department website, along with an overview of issues raised during public meetings.

In addition to the public meetings, valuable information was gained through officers from the Attorney-General's Department meeting with a large range of community organisations, including a group of people with acquired brain injury; young people with disability from diverse background; a coffee-shop meeting with Women with Disabilities; presentation to the National Disability Services Forum; prisoners with disabilities in the Mobilong Prison and the Women's Prison; the Aboriginal Legal Rights Movement; Pika Wiya Health Service, Port Augusta; parents of children with intellectual disability; and more. Undertaking this process meant that people, who would possibly not have been able to take part in the consultation, were able to.

Coinciding with the consultation, a Select Committee of the Legislative Council was established to inquire into and report on access to justice for people with disabilities, to which officers from the Attorney-General's Department presented evidence. It was agreed that submissions made to the Select Committee would also be considered as part of the Disability Justice Plan consultation, to avoid duplication. **BT**

Ongoing genuine engagement

Consultation is being driven in the implementation phase through community representation on the Disability Justice Plan Advisory Group, which includes five community representatives. To further ensure transparency, the committee is chaired by the Equal Opportunity Commissioner. In addition, the Advisory Group comprises representatives from a range of agencies.