

JUSTICE

We need to quantify and understand the characteristics of people with disability and their needs to plan appropriate supports and services for interactions with the justice system. This will enable equitable access to justice.

KEY FINDINGS FROM THE PILOT USING NSW DATA

People with disability are over-represented in all types of criminal justice system contacts.

230,000 people in NSW accessing a core disability support or service were identified as a victim and / or offender during the period 2009-2018. 132,000 additional people who are likely to have a disability were identified using linked data.¹

VICTIMS

People with disability are over-represented as victims of crimes.



Nearly **1 in 3** people accessing a core disability support were victims of a crime reported to the police during the period 2009-2018. Of these, around **1 in 8** were victims of a **violent** crime.

It hurts because you know that is the reality on the ground. Intergenerational trauma, complex trauma fits into all these statistics.

Members of Aboriginal Perspectives Expert Panel



Around **2 in 5** of First Nations young women (15-19 yrs) with disability were victims of **violent** crimes.



Of these, around **1 in 3** experience another **violent** crime within a year.

OFFENDERS

People with disability are over-represented in criminal justice as offenders



Around **1 in 4** of all young and adult offenders were identified with disability.

If you take a broad definition around disability and include further factors around trauma, you'd be pretty unique not to have a disability in prison.

Members of Aboriginal Perspectives Expert Panel



Around **1 in 2** people in custody have disability.



Only around **1 in 8** adult offenders with cognitive disability received a mental health dismissal.²

¹ Based on linked data from health, housing, and social services.

² A mental health dismissal is a mechanism where the court can divert a defendant who is suffering from a mental health condition into care and treatment rather than the criminal justice system.

WHERE TO FROM HERE?

By linking data, the NDDA pilot provided visibility of the numbers of people with disability as victims and as offenders on this scale in NSW.

- Further work is required to understand the complex needs and enable better planning of supports and services throughout a contact with the justice system.
- The NDDA pilot demonstrated how linked data can be used for designing systems and services to be disability and culturally appropriate, enabling better protection against victimisation for people with disability, particularly First Nations women.
- The NDDA pilot identified that mental health dismissals are underutilised for people with cognitive disability. Investing in further diversionary options such as the Court-based Diversion program, Justice Advocacy Service and other potential mechanisms would help divert people with disability into treatment and support.