

Justice Support Program

The Justice Support Program (JSP) is a QAI initiative designed to respond to the needs of individuals with a disability in the Justice and related systems. The Advocate's role is to marshal legal and community services to support the person at risk.

The focus of JSP is to provide the best possible opportunity for a person with a disability to remain in the community and to prevent any further entrenchment into the criminal justice system.

The Advocate is committed to people with disability in Queensland and to promote, protect and defend QAI values and beliefs when conducting any activities or actions related to the role.

Examples of the advocacy support provided by JSP are:

- referral to appropriate legal services, for advice or representation
- try to resolve the issue
- advocate with service systems to acquire appropriate and responsive supports
i.e. personal assistance, counselling, etc..
- help the person to understand and comply with Bail Conditions, Court Orders
i.e. appointments etc..

The **two criteria** for accessing JSP are:

- the person at risk has a disability - mental illness, intellectual disability, cognitive impairment, acquired brain injury or physical disability; and
- the person's primary issue has a connection to the criminal justice system.

To access the Justice Support Program please contact

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JUSTICE SUPPORT PROGRAM BACKGROUND INFORMATION

About QAI

QAI is an independent, community-based systems and legal advocacy organisation for people with disability. QAI's mission is to promote, protect and defend, through advocacy, the fundamental needs, rights and lives of the most vulnerable people with disability in Queensland. The organisation does this by engaging in systemic advocacy through campaigns directed at attitudinal, law and policy change and by supporting the development of a range of advocacy initiatives in this State.

As QAI is a social advocacy organisation, it works to uphold the principles of fundamental human rights, social justice and inclusion in community life by:

- taking positive, ethical action
- being on the side of people with disability
- being understanding of their position and vulnerability
- being independent with minimised conflicts of interest
- focussing on fundamental needs, welfare and interests
- doing advocacy with vigour and a sense of urgency
- remaining loyal and accountable over time
- acknowledging the costly nature of advocacy.

People involved with QAI therefore believe that people with disability:

- are as valuable as any other human beings, regardless of what they can or cannot do
- need to live well and have the same opportunities in life as other people
- are part of the relationships and connections of ordinary life and can participate and contribute to the rich and diverse fabric of our communities
- should not be segregated, congregated or isolated on the basis of disability.

Disabled Justice: The barriers to justice for persons with disability in Queensland

QAI's report *Disabled Justice: The barriers to justice for persons with disability in Queensland* examines the experience of persons with disability with the Queensland criminal justice system and proposes a series of structural reforms to ensure access to justice for persons with disability in Queensland: This Report has received strong support from: the Queensland Premier; the Attorney-General; the Minister for Police and Corrective Services; the Minister for Disability Services Queensland; and the justice sector, including Queensland government justice agencies. Recommendation 22 of the Report proposes that the Queensland Department of Justice and the Attorney General or Disability Services Queensland fund the establishment and operation of a State-wide Police Support and Court Support Service for persons with disability who are required to participate in a police interview or attend Court, whether as victims, suspects or other witnesses.

Background

Persons with disability are significantly over-represented as victims of crime, but are under-represented as complainants. However, even when complaints are made to Police, these are often not investigated in a competent manner. Police may be unable to conduct effective interviews with persons with cognitive disability, and may fail to make the accommodations necessary to effectively support victims. Prosecutions may fail due to poorly conducted police interviews. Additionally, while there have been substantial recent improvements to Court processes in Queensland, attending Court and giving evidence can be very stressful and intimidating for victims with disability. Courts may also fail to make the accommodations necessary to facilitate the effective participation of persons with disability in the Court process. These factors can also result in the failure of prosecutions.

Persons with disability are also significantly over-represented as suspects, defendants and convicted offenders in the criminal justice system. There are multi-factorial reasons for this over-representation. However, the evidence is overwhelming that policing practices and court processes impact very negatively on persons with disability and significantly contribute to over-representation. Again, Police may be unable to conduct effective interviews with persons with cognitive disability and may fail to make the accommodations necessary to ensure investigations are conducted fairly. Court processes may fail to identify persons with disability, or make accommodations necessary for a fair trial.