



DISABILITY JUSTICE STRATEGY

First Annual Progress report 2020

Community Services
Directorate and Justice and
Community Safety
Directorate

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DISABILITY JUSTICE STRATEGY

Annual Progress Report 2020

INTRODUCTION

The ACT's Disability Justice Strategy 2019-2029 was launched in August 2019 as part of the ACT Government's vision for an inclusive society that gives everyone the chance to participate in community life and leaves no-one behind. The overarching aim of the Disability Justice Strategy is to ensure people with disability in the ACT have equal access to justice.

The First Action Plan 2019-2023 sits under the Disability Justice Strategy and describes the first four years of work and the commitments made by stakeholders. The plan contains actions for each of the five focus areas of the Disability Justice Strategy:

1. Information and communication;
2. Education and guidance;
3. Identification, screening and assessment;
4. Better service delivery; and
5. Data, research and review.

This progress report provides a summary of the work undertaken in the first 12 months (2019-2020) of the Disability Justice Strategy against key actions scheduled for the first year of the Action Plan.

The first year of the Disability Justice Strategy has been impacted by the COVID-19 global pandemic and work is underway to refocus the forward workplan to reflect changed timeframes. This report acknowledges the pandemic has meant that not all the planned work for 2019-20 has progressed as originally intended but the outcomes of the First Action Plan are still achievable by 2023.

The impact of the pandemic has been felt across the five focus areas of the Disability Justice Strategy. The strategy is a collaborative program of work with one team member located in the Community Services Directorate and one in the Justice and Community Directorate. During the initial months of the pandemic those staff were diverted to work on other priority tasks, including responding to the needs of people with disability. This has had a flow on effect for many of the action items under the First Action Plan.

In addition, stakeholders which were committed to actions under the strategy had to shift focus to respond to the pandemic and actions were affected by the need to alter behaviours in terms of social distancing. Despite a challenging first year, however, implementation work has taken place and agencies involved in the Disability Justice Strategy have demonstrated continued commitment and determination to continue the work of achieving equity and inclusion for people with disability in the justice system.

KEY ACTIONS

The Disability Justice Strategy First Action Plan 2019-2023 is based on a series of commitments and engagements made by agencies across the Territory to move towards equality before the law for people with disability. The First Action Plan is structured to include the outcome being sought, what it will look like for people with disability, and a break-down of the activities that will be undertaken over the first four years. Each of the activities relates to one of the five focus areas identified as critical to achieving the goals of the Disability Justice Strategy. This section highlights the actions taken in the first year of implementation of the plan where notable progress has been achieved. A summary of all the actions within each of the five focus areas is outlined in the next section.

Action 1.1 and 4.1 - Community of Practice

Focus Area 1 INFORMATION AND COMMUNICATION & Focus Area 4 BETTER SERVICE DELIVERY	
Action	Outcome
A community of practice will be created through the phased introduction of Disability Justice Support Workers in key agencies. The networked members employed by a range of justice agencies will provide direct one to one navigation and support to individuals in those services and foster cultural change through internal expertise and advocacy.	People with disability will experience the provision of practical supports and reasonable adjustments as they engage with justice agencies, to support them to navigate the system. Justice agencies will have increased confidence in supporting people with disability and making reasonable adjustment to enable access to justice. This action will mean that there will be a core network of dedicated disability justice workers to support people with disability, their carers and supporters to navigate the justice system and receive necessary adjustments. Community of practice designed and established with two (2) dedicated justice agency staff in early 2020 building to eight (8) dedicated staff by 2023.

The Community of Practice is a critical foundational action under the First Action Plan and cuts across two focus areas: information and communication; and better service delivery. It was initially intended to bring on board two Disability Justice Support Workers in early 2020 followed by two further workers in mid-2020. However, as part of the planning process following the launch of the First Action Plan, it became apparent that starting four workers together would allow the Community of Practice to have a more comprehensive start. It would promote a collaborative approach and the initial four workers would be better able to create methods of working across business units.

The Disability Justice Strategy Team worked with the four stakeholders concerned – Legal Aid ACT, ACT Policing, ACT Corrective Services (custodial services) and the Office of the Director of Public Prosecutions – and secured agreement to this slightly altered approach. Work was undertaken in partnership with the stakeholders to develop position description in preparation for the recruitment process and to ensure the position descriptions were aligned with each other but also reflected the differing needs of the specific organisations.

The COVID-19 pandemic has had considerable impact on the operations of all four organisations involved in the first phase of the Community of Practice. As a result, it has not been possible to recruit and commence all four positions simultaneously. At the time of this report, one position has been filled at Legal Aid while the remainder are at varying stages of the recruitment process.

The Community of Practice worker at Legal Aid has undertaken many activities to support cultural change and improve access to justice for people with disability. Examples of some of the activities undertaken include:

- reviewing policies on inclusive practice;
- arranging training for staff on adjustments available for communicating with people who have communication difficulties;
- enabling reasonable adjustments for people such as longer duty appointments, adjusting meeting rooms to have appropriate lighting, space for wheelchairs and communication aids for people with hearing impairment or communication difficulties;
- arranging Auslan interpreters;
- referring people to the Intermediary Program
- preparing Plain English and Easy English documents to explaining processes and legal advice
- linking people with advocacy agencies;
- liaising with the Public Trustee and Guardian, and
- providing education to colleagues regarding supporting people to access the National Disability Insurance Scheme.

Action 1.2 – Accessible Information

Focus Area 1 INFORMATION AND COMMUNICATION	
Action	Outcome
All government agencies develop accessible information through a variety of formats to ensure people with disability are able to understand their rights, access information and better understand the justice system	<p>People with disability, their carers and supporters have accessible information to enable equal access to justice in ways meaningful to them. Accessible information will help to ensure that people with disability understand their rights and their responsibilities and have them respected</p> <p>First round of accessible information completed by June 2020</p> <p>First workshops on accessible information September 2019</p>

A series of four workshops led by expert trainers from Scope Australia was planned for 2019-2020 to assist government agencies to translate their documents and information into Easy English. Upskilling agencies in this way allows agencies to continue to develop information and documents which are accessible to people with intellectual disability or who have low literacy in English. Three workshops took place, with the fourth put on hold due to the COVID-19 pandemic. In total 39 people from Justice agencies participated in the training with feedback praising the practical usefulness of the training and how valuable it was to better communication.

The Disability Justice Strategy has also made funding available to government agencies for the translation of key communication materials, particularly where such documents are complex and particularly difficult to translate internally. Several agencies have identified key communication materials and implemented translation to accessible formats. Canberra Community Law developed a brochure about supports offered by their service for people with disability and had this translated into Easy English. Canberra Community Law also developed the Canberra COVID Legal Help website to provide Canberrans with a one stop shop for COVID-related legal education materials. The website incorporated several accessibility features, including:

- easy to find legal materials using plain language boxes;
- Reading materials in multiple formats;
- General resources that can be read or watched, to cater for different methods of learning;
- Links to other, non-legal services, so people were aware of counselling and other services.

Child and Youth Protection Services (CYPS) have commenced translation of four key information sheets for parents and young people into Easy English and plain language. CYPS has also identified the 'Working together for kids' guides for translation into Easy English. This is a series of practical, easy to read guides aimed at helping parents and family members understand how the child protection system works in the ACT.

The ACT Human Rights Commission refreshed their Client Service Charter which explains how they engage with and support the community. They are in the process of developing an Easy English version of the charter.

The Office of the Director of Public Prosecutions have, over the course of the last financial year, introduced a range of initiatives such as educational videos to assist witnesses, victims and the accused.

All the justice and health agencies who initially committed to the goals of the Disability Justice Strategy have indicated a desire to develop accessible information for individuals using their services. Further funding is available to continue this valuable work throughout the year.

Action 2.4 – Legal Capacity Guidance for Legal Profession

Focus Area 2 EDUCATION AND GUIDANCE	
Action	Outcome
'Legal Capacity Guidelines' are developed for legal practitioners to assist in identification of clients who may need additional supports	Developed in partnership with Legal Aid ACT, this action will support the legal profession to better understand the capabilities, strengths and needs of people with disability in their interaction with legal issues and decision-making Guidelines are developed and tested in 2020

This action will be completed with the launch of the Capacity Guidelines and Toolkit in August 2020.

Legal Aid ACT, commissioned by the Disability Justice Strategy, have developed both guidelines on capacity for the legal profession and a toolkit for use by the wider community. Both documents were drafted and then consulted on with relevant stakeholders, including key members of the legal profession, the ACT Human Rights Commission, the Law Society and members of the Disability Justice Reference Group which provides oversight for the Disability Justice Strategy. The Capacity Guidelines and Toolkit will be available online and in printed copy from Legal Aid ACT.

Action 3.1 – Screening and Identification of Disability for Reasonable Adjustments

Focus Area 3 IDENTIFICATION, SCREENING AND ASSESSMENT	
Action	Outcome
Screening and assessment tools are sourced for used in both the services and justice systems	<p>This action will enable service providers and justice agencies to better identify people with disability to provide reasonable adjustments to support people with disability to access services and be treated equally</p> <p>Workshops to identify tools in 2020</p> <p>Trial of screening tools across settings in 2021</p>

Identification is the process undertaken to trigger an awareness of the unique needs that individuals experience as the result of having a disability. This process determines if a person may require adjustments to be made during their interaction with the justice system. This initial identification and provision of adjustment may be all that is required for better understanding of access to the justice system. In other instances, the increased awareness may trigger further screening, assessment or support.

The Disability Justice Strategy Team secured the assistance of two students studying for a Master of Occupational Therapy (University of Canberra) in working on this action. On commencing broader research and direct engagement with key stakeholders the students focused on the identification of need stage which occurs prior to any screening.

This work has produced an identification tool with two elements: a short series of simple questions addressing functional matters; accompanied by an observational component to provide a structured approach to noticing other aspects of a person's presentation such as behaviour, memory and thinking.

This process seeks to identify a functional need in engagement with the justice stakeholder which in turn will prompt both a greater awareness and a behaviour change in responding to the individual. Through a trial of this tool justice stakeholders will be supported to identify what content is most important to be understood in that first interaction and additional content to be ready to support that changed response.

The next step is to undertake a trial of the identification tool and a broad range of justice stakeholders have indicated their willingness to participate.

Action 4.5 – Intermediary Scheme

Focus Area 4 BETTER SERVICE DELIVERY	
Action	Outcome
The intermediary scheme will commence in January 2020 with a view to expanding in its scope in the third year, to include adults with a communication difficulty.	<p>This action will improve access to justice for people with disability in the criminal justice system.</p> <p>Engagement with witness intermediary scheme from commencement in 2020.</p>

Vulnerable witnesses face significant communication barriers when giving evidence. The intermediary scheme employs trained intermediaries to facilitate communication between vulnerable witnesses and police and vulnerable witnesses, lawyers and others at court during the criminal trial process. Excellent progress has ensured the successful establishment of the ACT's Intermediary Program, since work to set up the scheme first commenced in June 2019.

From January 2020 onwards the Intermediary Program has been providing intermediaries to assist children and vulnerable witnesses to communicate their best evidence to police. Since March 2020 intermediaries have been engaged in criminal matters before the court. 2020 was a difficult year to commence the Intermediary Program, and workplans, timeframes and some planned spending had to be adjusted or delayed as police and courts temporarily adapted their operations. Leadership within the criminal justice sector - particularly police and court leadership - has ensured program start up success via close collaboration and active mitigation of the challenges arising.

Successes of the program to date include:

- establishment of an active program oversight body, the 'Implementation Monitoring Group', populated by highly engaged senior representatives of ACT law and justice organisations, Justice and Community Safety Directorate and Child and Youth Protection Services, which meets monthly;
- recruitment of a skilled in-house team comprising program managers and two full time in-house intermediaries, plus an external panel of allied health professionals who undertook comprehensive training and accreditation processes, producing the ACT's first intermediary cohort of 13 intermediaries available to work across the region;
- in-depth training and information sessions for criminal justice system stakeholders and civil society organisations including police, Supreme Court judges, associates and sheriffs, members of the DPP, Legal Aid, ACT Law Society, ACT Bar, Child and Youth Protection Services, CRCC, PTG and more;
- finalisation of detailed processes, procedures and referral pathways which were developed in close consultation with stakeholders including courts, lawyers and police ensuring early confidence in the program's implementation by criminal justice stakeholders and beneficiaries of the program (vulnerable witnesses with communication difficulties);
- development of an internal ACT Human Rights Commission database assisting the program's production of monitoring, evaluation and quality assurance indicators;
- production of public materials explaining the introduction of the Intermediary Program in the ACT - available at <https://hrc.act.gov.au/act-intermediary-program/>
- commencement of individual intermediaries' engagement in police interviews and Supreme Court proceedings facilitating communication of evidence by range of vulnerable witnesses in sexual abuse and violence-related matters, assisting people ranging from 4 years of age to 92 years of age with a great range of communication difficulties, including disability
- maintenance of an intermediary service 7 days a week, including out of standard business hours, from the point of program commencement in January 2020 and throughout challenges imposed by Covid-19
- provision of intermediary services at locations other than police stations and courts, such as at school, hospital and nursing home settings as required by police and witnesses
- 100% success promptly providing appropriately skilled intermediaries to the satisfaction of police, lawyers and courts that requested intermediary assistance.

The Disability Justice Strategy initially set a target for the intermediary scheme to expand its scope in the third year of the action plan to include adults with a communication difficulty, however within the first few months of operation the program has already assisted adults with disability to communicate with police, lawyers and others at court.

Action 4.11 – Continuation of Canberra Community Law’s Socio-Legal Practice Clinic

Focus Area 4 BETTER SERVICE DELIVERY	
Action	Outcome
The clinic will continue to provide socio-legal services to residents in the ACT and surround who have public housing, social security or disability discrimination problems.	<p>Social barriers which impact on the resolution of legal problems are identified and a resolution is facilitated. It will also help people with disability to overcome the barriers to accessing justice and services and connect them with appropriate community support.</p> <p>Ongoing support identified and funded through the 2018-2019 budget.</p>

The Canberra Community Law’s Socio-Legal Practice (SLP) Clinic has encountered challenges in the face of the COVID-19 pandemic however it has continued to operate under a modified service model. Since the initial COVID-19 shutdown in March, face to face services have been suspended. Services have been provided via phone, videoconference or email.

The SLP clinic plays a key role in reducing power inequalities and alleviating immediate hardship. The following case study provides one example of how the SLP clinic has supported a person to overcome barriers preventing her from accessing justice and appropriate services.

Alice

Alice was on Newstart Allowance and having her Centrelink payments repeatedly suspended for failure to meet her mutual obligation requirements. She has a severe intellectual disability as a result of Foetal Alcohol Syndrome. The CCL social worker and lawyer worked together to assist Alice to apply and obtain access to the National Disability Insurance Scheme. The CCL lawyer and social worker worked collaboratively to obtain the necessary evidence to have Alice assessed for DSP through a cognitive test carried out by the Department of Human Service. Alice was found to have a very low IQ after the test was administered by an Occupational psychologist and automatically qualified for DSP. Alice was granted DSP with back pay.

SUMMARY OF ALL ACTIONS

Focus Area 1 Information and Communication

Focus Area 1 INFORMATION AND COMMUNICATION		
Action Plan initiative	Action to date	Commitments
<p>1.1 Community of practice (CoP)</p> <p>A community of practice will be created through the phased introduction of Disability Justice Support Workers in key agencies. The networked members employed by a range of justice agencies will provide direct one to one navigation and support to individuals in those services and foster cultural change through internal expertise and advocacy.</p> <p>CoP is maintained and led by Disability Justice Team.</p>	<ul style="list-style-type: none">• First CoP worker commenced at Legal Aid ACT.• Recruitment processes underway in ACT Policing and ACT Corrective Services.	<p>Lead: Community Services and Justice and Community Safety Directorates</p> <p>Includes: Partnership with relevant agencies and organisations including commitments from:</p> <ul style="list-style-type: none">• Office of the Director of Public Prosecutions• Legal Aid• ACT Policing• ACT Corrections- AMC• Child and Youth Protection Services• ACT Courts and Tribunal• Canberra Community Law• ACT Community Corrections

<p>1.2 Accessible Information</p> <p>All government agencies develop accessible information through a variety of formats to ensure people with disability are able to understand their rights, access information and better understand the justice system.</p>	<ul style="list-style-type: none"> • Three training sessions were run to develop Easy English competency. Thirty-nine people attended from ACT Courts and Tribunal, Child and Youth Protection Services, ACT Policing, Housing ACT, Women's Legal Centre, ADACAS, Advocacy for Inclusion and the Human Rights Commission. • Resources offered to agencies to support translation of key documents/communications into Easy English or accessible formats – multiple agencies have identified key documents/communications and a range have progressed to translation to accessible format. 	<p>Lead: All ACT Government agencies</p> <p>Includes:</p> <ul style="list-style-type: none"> • Legal Aid • Office of the Director of Public Prosecutions • ACT Courts and Tribunal • Public Trustee and Guardian • Human Rights Commission • Justice and Community Safety Directorate • ACT Corrections • Child and Youth Protection Services • Canberra Community Law • Housing ACT • Community Legal Sector.
<p>1.3 Supported Decision making</p> <p>Supported decision making is understood and promoted across community and justice agencies. Supported decision provides an alternative way of ensuring a person retains autonomy and independence in their lives. It provides an alternative to substitute decision makers and guardians.</p>	<ul style="list-style-type: none"> • ADACAS and Advocacy for Inclusion continued supported decision-making program in 2020. • Advocacy for Inclusion have developed a podcast on supported decision making which is publicly available: http://www.daru.org.au/resource/afi-supported-decision-making-podcast. 	<p>Lead: Office for Disability, Community Services Directorate</p> <p>Delivered by: Community disability advocacy partners and the Public Trustee and Guardian</p>

<p>1.4 Identification of intervention points</p> <p>Intervention points for information are identified and advice is given to problem noticers. Problem noticers are individuals and systems that are uniquely placed to engage early or proactively in the life of an issues.</p>	<ul style="list-style-type: none"> • University of Canberra Masters of Occupation Therapy Students commenced mapping by analysing case studies. 	<p>Lead: Community Services and Justice and Community Safety Directorates</p> <p>Includes:</p> <ul style="list-style-type: none"> • ACT Health Directorate • Education Directorate • Justice and Community Safety Directorate • Community Services Directorate • Community sector
<p>1.5 Community engagement and consultation with people with disability</p> <p>Ongoing consultation is undertaken with people with disability and the community sector on the issues that impact their experience and ability to contribute as citizens.</p>	<ul style="list-style-type: none"> • Invitation extended to community groups to join Disability Justice Reference Group. Presentation on Disability Justice Strategy provided to: <ul style="list-style-type: none"> ○ JACS executive retreat ○ ACT Disability Forum ○ ADACAS AGM ○ All Commissioners from the Human Rights Commission ○ Senior Practitioner Series • Quarterly meetings held with Disability Justice Reference Group 	<p>Lead: Community Services and Justice and Community Safety Directorates</p> <p>Includes: All ACT Government agencies</p>

Focus Area 2 Education and Guidance

Focus Area 2 EDUCATION AND GUIDANCE		
Action Plan initiative	Action to date	Commitments
<p>2.1 Justice Sector education and guidance</p> <p>Disability justice specific ACT training resources are developed.</p> <p>Justice organisations undertake training and utilise resources developed.</p>	<ul style="list-style-type: none"> ADACAS and AFI engaged to develop training material with a range of modules commencing with an eLearning package and associated engagement with people with disability to support a shift in attitudes to people with disability. Training due to be rolled out late 2020. Rebus developed and implemented forum theatre style awareness raising sessions access to justice- 	<p>Participation from</p> <ul style="list-style-type: none"> Office of the Director of Public Prosecutions Legal Aid ACT Corrections Child and Youth Protection Services ACT Courts and Tribunal Human Rights Commission Victims of Crime Commissioner Community Legal Sector Bimberi Youth Justice Centre Alexander Maconochie Centre Justice Health PCYC One Link Community disability advocacy partners.
<p>2.2 Best practice guide for ACT police</p> <p>A guide to assist ACT Policing in interacting with people with disability.</p>	<ul style="list-style-type: none"> Guidelines to be developed and tested in 2021. 	<p>Lead: ACT Policing</p> <p>Supported by:</p> <ul style="list-style-type: none"> Justice and Community Safety Directorate and Community Services Directorate

<p>2.3 Supporting Victims to give evidence guidelines</p> <p>Guidelines on supporting victims with disability giving evidence are developed, disseminated and utilised.</p>	<ul style="list-style-type: none"> Guidelines to be developed and tested in 2021 	<p>Lead: Office for Disability, Community Services Directorate</p> <p>Delivered by: Community disability advocacy partners and the Public Trustee and Guardian</p>
<p>2.4 Legal capacity guidance for legal profession</p> <p>‘Legal capacity guidelines’ are developed for legal practitioners to assist in identification of clients who may need additional supports.</p>	<ul style="list-style-type: none"> Legal Aid ACT have developed Capacity Guidelines-A Practical Guide for Legal Practitioners for the legal profession and the Capacity Toolkit for community members in consultation with the PTG, and the ACT disability and legal sectors. This will be available online and in printed format by September 2020. 	<p>Lead: Legal Aid ACT</p> <p>Supported by:</p> <ul style="list-style-type: none"> Justice and Community Safety Directorate Community Services Directorate Public Trustee and Guardian
<p>2.5 Education outreach on rights of people with disability</p> <p>Disability focused rights outreach from the Human rights Commission is undertaken, targeting people with disability and the non-government sector.</p>	<ul style="list-style-type: none"> ACT Human Rights Commission have commenced development of a training program to deliver disability-specific training for Victim Support ACT providers with a view to expanding access to therapeutic services for victims of crime with a disability. Victim Support ACT has been working to build stronger networks and outreach relationships to ensure other organisations know what supports are available to their clients with disability and to ensure we can collaborate in support of this client group. This includes meetings with: <ul style="list-style-type: none"> Housing ACT Legal Aid ACT The NDIS Quality & Safeguards Commission Disability advocacy organisations NDIS support coordinators ACT Police. Victim Support ACT is increasing their capacity to offer face to face support to victims of crime with a disability who need to engage with service providers. 	<p>Lead: ACT Human Rights Commission</p> <p>Supported by: Community Services Directorate and Justice and Community safety Directorate</p>

<p>2.6 Implementation of Courts and Tribunal Training Tool</p> <p>Provide training for ACT Courts and Tribunal staff to improve their awareness of disability.</p>	<ul style="list-style-type: none"> • ACT Courts and Tribunal have developed a training tool for staff and are working to prepare the training tool for release. ACT Courts and Tribunal have also developed and provided to staff a factsheet on promoting inclusion for people with disability. 	<p>Lead: ACT Courts and Tribunal and People and Workplace Strategy (Justice and Community Safety Directorate)</p>
<p>2.7 Development of best practice guide for Child and Youth Protection Services</p> <p>Child and Youth Protections Services develop a best practice guide for frontline workers. The guide includes best practice for how to support people with disability engaged with Child and Youth Protection Services.</p>	<ul style="list-style-type: none"> • Child and Youth Protection Services have completed development of a best practice guide for frontline workers on supporting parents and children with disability who are engaged with Child and Youth Protection Services. 	<p>Lead: Child and Youth Protection Services</p> <p>Supported by: Office for Disability, Community Services Directorate</p>

Focus Area 3 Identification, Screening and Assessment

Focus Area 3 IDENTIFICATION, SCREENING AND ASSESSMENT		
Action plan initiative	Action to date	Commitments
<p>3.1 Screening and Identification of disability for reasonable adjustments</p> <p>Screening and assessment tools are sourced for use in both the services and justice systems.</p>	<ul style="list-style-type: none"> Office of disability engaged University of Canberra Masters of Occupation Therapy students in a project to research and identify appropriate tools. A needs identification set of questions was singled out through research and modified to meet the needs highlighted by stakeholders. 	<p>Lead: Office for Disability, Community Services Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> ACT Corrections Child and Youth Protection Services Legal Aid Office of the Director of Public Prosecutions Victims of Crime Commissioner ACT Policing Community legal sector

<p>3.2 Referral for functional assessment</p> <p>A process for justice agencies to have ready access to functional assessments is established to inform service responses to people with disability through funding administered by Community Services Directorate.</p>	<p>Referral process to be trialed in 2021</p>	<p>Lead: Office for Disability, Community Services Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> • ACT Corrections • Child and Youth Protection Services • Legal Aid • Office of the Director of Public Prosecutions • Victims of Crime Commissioner • ACT Policing • Community legal sector
<p>3.3 Therapeutic assessment for Children in CYPs</p> <p>Therapeutic assessments are undertaken for children and young people engaged with Child and Youth Protection Services.</p>	<ul style="list-style-type: none"> • Therapeutic assessments for children in Out of Home Care have occurred. 	<p>Lead: Child and Youth Protection Services and Community Services Directorate</p> <p>Supported by: Education Directorate</p>

Focus Area 4 Better Service Delivery

Focus Area 4 BETTER SERVICE DELIVERY		
Action Plan initiative	Action to date	Commitments
4.1 Community of practice A community of practice will be created through the phased introduction of Disability Justice Support Workers in key agencies. The networked members employed by a range of justice agencies will provide direct one to one navigation and support to individuals in those services and foster cultural change through internal expertise and advocacy. CoP is maintained and led by Disability Justice Team.	See 1.1	Lead: Community Services and Justice and Community Safety Directorates Includes: <ul style="list-style-type: none">• ACT Policing• ACT Corrections• Legal Aid• Office of the Director of Public Prosecutions• Child and Youth Protection Services• ACT Courts and Tribunal• Canberra Community Law

<p>4.2 Disability Action and Inclusion Plans (DAIP)</p> <p>DAIPs are developed and implemented to improve access and participation of people with disability.</p> <p>DAIPs are active plans written by an organisation as a commitment to improve access and participation for people with disability.</p>	<ul style="list-style-type: none"> • Canberra Health Service has committed to undertaking a needs analysis prior to undertaking development of a Disability Action and Inclusion Plan. • ACT Corrective Services is working with the Australian Network for Disability to develop a Disability Action and Inclusion Plan, which will support improvements in accessibility of service for people with disability, which will be completed December 2020. 	<p>Lead: All directorates</p> <p>Includes:</p> <ul style="list-style-type: none"> • Public Trustee and Guardian • ACT Courts and Tribunal • Office of the Director of Public Prosecutions • Legal Aid • Canberra Community Law • Child and Youth Protection Services • Community legal sector • Canberra Health Service
<p>4.3 Third person support trial</p> <p>A trial providing a third person independent advocate for individuals with disability when interaction with the justice system is implemented.</p>	<p>No action to date- due for implementation in the second year of the Strategy.</p>	<p>Lead: Community Services and Justice and Community Safety Directorates</p> <p>Includes: Justice agencies and legal service providers</p>
<p>4.4 Specialist disability legal and forensic services</p> <p>An examination is undertaken of the necessity and feasibility of specialist disability services for legal issues and supports to people in the criminal justice system.</p>	<p>No action to date – due for action in the third year of the Strategy.</p>	<p>Lead: Community Services Directorate and Justice and Community Safety Directorate</p> <p>Includes: Justice agencies and legal service providers</p>

<p>4.5 Intermediary Scheme</p> <p>The intermediary scheme will commence in January 2020 with a view to expanding in its scope in the third year, to include adults with a communication difficulty.</p>	<ul style="list-style-type: none"> From January 2020 onwards the Intermediary Program has been providing intermediaries to assist children and vulnerable witnesses to communicate their best evidence to police and since March 2020 intermediaries have been engaged in criminal matters before the court. https://hrc.act.gov.au/act-intermediary-program/ <p>Since commencement the service has facilitated communication of evidence by a range of vulnerable witnesses in sexual abuse and violence-related matters, assisting people ranging from 4 years of age to 92 years of age with a great range of communication difficulties, including disability.</p>	<p>Lead: Victims of Crime Commissioner, Justice and Community Safety Directorate and Community Services Directorate</p>
<p>4.6 ACT Corrections Disability Framework</p> <p>A Corrections Disability Framework is developed and implemented.</p>	<ul style="list-style-type: none"> The ACTCS Disability Framework will specifically target service provision for offenders with disability and be completed by the end of FY20/21. 	<p>Lead: ACT Corrections and Justice and Community Safety Directorate</p>
<p>4.7 Information Sharing</p> <p>The collection and sharing of personal information of people with disability, with consent, is improved to ensure relevant information is available in a timely way to better support people with disability.</p>	<ul style="list-style-type: none"> Work commenced in planning for workshop and approach. Disability Justice Reference Group members identified as contributing to working group. 	<p>Lead: Community Services Directorate and Justice and Community Safety Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> Directorates Justice agencies Community sector
<p>4.8 Guardianship reform</p> <p>Explore opportunities to reform decision making laws in the ACT to provide greater options for supported decision making by people with disability.</p>	<ul style="list-style-type: none"> Public Trustee and Guardian presented an alternate guardianship model to the Australian Guardianship and Administration Council meeting in March 2020 and have developed pathways to exit guardianship. 	<p>Lead: Justice and Community Safety Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> ACT Courts and Tribunal ACT Health Directorate Public Trustee and Guardian

<p>4.9 Criminal justice diversion project</p> <p>An examination is undertaken of options for diversion from the criminal justice system for people with disability.</p>	<p>Work will commence in 2021 to examine diversionary options with a view to including the development of diversions in the Second Action Plan</p>	<p>Lead: Community Services Directorate and Justice and Community Safety Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> Justice agencies
<p>4.10 Cognitive impairment and mental health review</p> <p>Given co-morbidity of mental health and disability a review is undertaken of current arrangements and options for reform and service delivery improvements are identified.</p>	<ul style="list-style-type: none"> ACT Health leading the development of a strategic direction for mental health services for people with Intellectual Disability- work delayed to COVID19. 	<p>Lead: ACT Health Directorate supported by Justice and Community Safety Directorate</p> <p>Includes:</p> <ul style="list-style-type: none"> ACT Health Directorate Office for Mental Health and Wellbeing Canberra Health Services Justice agencies Community sector
<p>4.11 Continuation of Canberra Community Law's Socio-Legal Practice Clinic</p> <p>The clinic will continue to provide socio-legal services to residents in the ACT and surround who have public housing, social security or disability discrimination problems.</p>	<ul style="list-style-type: none"> Program is actively engaging with community and providing legal advice and socio legal supports to ACT residents with housing, social security and disability discrimination issues. https://www.canberracommunitylaw.org.au/ 	<p>Lead: Canberra Community Law</p>

Focus Area 5 Data, Research and Review

Focus Area 5 DATA, RESEARCH AND REVIEW		
Action Plan initiative	Action to date	Commitments
5.1 Data collection and publication project Data collection points and collection methods are examined and mapped to improve data capture and reporting with a view to annual statistical collation.	Actions underway but delayed: <ul style="list-style-type: none"> • Trial of Washington group questions. • Planning for stakeholder workshop underway. • Discussions with internal data excellence areas underway. 	Lead: Community Services Directorate and Justice and Community Safety Directorate Includes: <ul style="list-style-type: none"> • Justice agencies • Chief Digital Office
5.2 Evaluation A formal evaluation of the strategy and the First Action Plan is undertaken in year 3 to inform strategy direction and Second Action Plan.	<ul style="list-style-type: none"> • Development of evaluation framework for whole strategy delayed but evaluation actions built into project plans 	Lead: Community Services Directorate and Justice and Community Safety Directorate Includes: <ul style="list-style-type: none"> • External evaluator

<p>5.3 Governance and Oversight</p> <p>Oversight of the strategy implementation and outcomes is undertaken by the Disability Justice Working Group. Government oversight will be provided by the senior leadership of the Human Services Cluster comprising the Directors General of Health, Justice and Community Safety, Education and Community Services Directorates.</p>	<ul style="list-style-type: none"> • The DJRG met in November 2019, February 2020 and August 2020. • Quarterly reports on progress have been prepared throughout the year and a public facing annual progress report for the first year of the DJS is being prepared by September 2020. 	<p>Lead: Community Services Directorate and Justice and Community Safety Directorate</p> <p>Includes justice agencies, relevant directorates and community sector:</p> <ul style="list-style-type: none"> • Public Trustee and Guardian • ACT Courts and Tribunal • Human Rights Commission • Victims of Crime Commissioner • Office of the Director of Public Prosecutions • Legal Aid • Aboriginal and Torres Strait Islander Elected Body • ACT Health • Education Directorate • Aboriginal Legal Service
<p>5.4 Ongoing Development of the Disability Strategy and action plans</p> <p>The Disability Justice Strategy and actions under the First Action Plan will be monitored and reviewed. This will inform the development of the Second Action Plan.</p>	<ul style="list-style-type: none"> • Recruitment process for SOG C position in the Office for Disability for the DJS has been finalised. The LPP position remains located in the Criminal Law Group. • Regular briefings have been provided to the Minister for Disability, the Attorney-General and the Minister for Justice, Consumer Affairs and Road Safety. • Work is underway to adjust the workplan to reflect changed methods of working and delivery of actions due to COVID19. 	<p>Lead: Community Services Directorate and Justice and Community Safety Directorate</p>

NEXT STEPS

Progress has been achieved in the first twelve months of the First Action Plan despite the challenges introduced by the COVID-19 pandemic. There remains, however, a significant amount of work to complete over the next three years of the First Action Plan. Those actions with the highest priority will be outlined here.

The initial task for 2020-2021 will be to adapt the First Action Plan to respond to the changes imposed by the COVID-19 pandemic while still aiming to achieve the outcomes sought. For people with disability, unequal access to justice remains a reality. For some people with disability, COVID-19 will have exacerbated this inequality which makes the goal of the Disability Justice Strategy to address this of fundamental importance.

The recruitment of our Community of Practice members in key agencies remains a priority as a key building block for fostering cultural change. The community of practice is the foundation of several actions in the First Action Plan as the Disability Justice Liaison Officers will be well placed to identify intervention points, promote supported decision making, trial the needs identification tool and continue to identify key communications across agencies for translation to accessible formats. The Disability Justice Strategy team will develop operating principles for the community of practice including mapping of these principles to the organisational goals of the organisations involved.

Another item of high priority is to complete the development of the disability justice specific ACT training resources and work with both agencies and the community sector to operationalise the training in their respective areas. The training package is being developed in partnership by ACT Disability, Aged and Carer Advocacy Service (ADACAS) and Advocacy for Inclusion (AFI) and is close to completion.

The Canberra Health Service and ACT Corrective Services have both committed to the development of a Disability Action and Inclusion Plan to improve access and participation of people with disability to services and programs provided by those agencies. The Disability Justice Strategy team has linked both agencies with the Australian Network for Disability to support development of the plans. The Australian Network for Disability is a national organisation that supports organisations to advance the inclusion of people with disability in all aspects of business. Development of the Disability Action and Inclusion Plans will also be a priority in the next phase of The Action Plan.



Community Services Directorate and Justice
and Community Safety Directorate

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