



National  
Disability  
Data Asset

## People with disability and the justice system

What we learned from our early research

December 2021

Easy Read report



## How to use this report



The National Disability Data Asset Team wrote this report. When you see the word 'we', it means the National Disability Data Asset Team.



We wrote this report in an easy to read way.

We use pictures to explain some ideas.

Not bold  
**Bold**

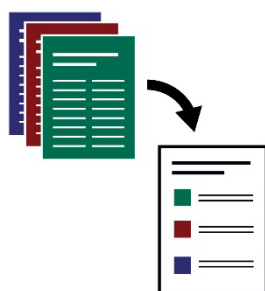
We have written some words in **bold**.

This means the letters are thicker and darker.



We explain what these words mean.

There is a list of these words on page 17.



This Easy Read report is a summary of another report.

This means it only includes the most important ideas.



You can ask for help to read this report. A friend, family member or support person may be able to help you.



In this report, we talk about some things that might upset some people.



If you get upset and need support, you can contact Lifeline.



13 11 14



[www.lifeline.org.au/](http://www.lifeline.org.au/)



You can also contact Beyond Blue for support.



1300 22 4636



[www.beyondblue.org.au](http://www.beyondblue.org.au)

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## What is this report about?



This report is about people with disability who are involved in the **justice system**.

The justice system includes:



- police



- the courts



- the law



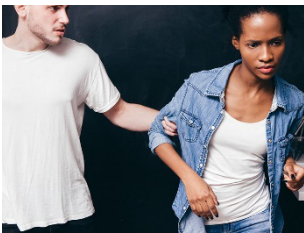
- prisons.



People with disability might be involved in the justice system if they're a **victim**.



A victim is someone who experiences a **crime**.



A crime is when someone:

- does something bad to someone else
- breaks the law.



People with disability might be involved in the justice system if they're an **offender**.



An offender is someone who:

- does something bad to someone else
- breaks the law.



We did some research in New South Wales (NSW) about the experiences of people with disability who are involved in the justice system.



We looked at **data** from 2009 to 2018.



When we talk about data, we mean:

- facts
- information
- records.



It was hard to know which people from the data were people with disability.



So we looked at which people used disability supports.





We counted someone as a person with disability if they used disability supports.

This includes support from services:



- for everyone in the community, like health care or housing services



- just for people with disability, like the **National Disability Insurance Scheme (NDIS)**.



The NDIS is a way to support people with disability around Australia.



## What do we know about people with disability and the justice system?

**1/3**



Nearly 1 in 3 people with disability were victims of a crime.

**1/10**



Just over 1 in 10 people with disability were victims of a **violent** crime.



When a crime is violent, the offender:

- badly hurts or kills the victim
- uses force or a weapon to steal money or property.



**1/5**

Just under 1 in 5 people with disability who were victims experienced another crime within one year.

**342,000**



342,000 people with disability took part in the justice system as:

- victims
- offenders.

1/4



About one quarter of all offenders were people with disability.

3/4



3 in 4 offenders with disability had a psychosocial disability.



A psychosocial disability comes from a person's mental health issues.



6/10



6 in 10 young offenders with disability committed another crime within 2 years.



Some people are involved in the justice system as victims and offenders.

About one third are people with disability.

## What did we learn from our early research?

### First Nations peoples



First Nations peoples are also known as Aboriginal and Torres Strait Islander peoples.



### Disability

First Nations languages don't have a word for disability.



Many First Nations peoples don't say if they:

- are First Nations peoples
- have a disability.

### Victims



First Nations peoples with disability face a very high risk of becoming victims of violent crimes.

Some First Nations people with disability don't feel safe to:



- talk about their experiences



- report crimes to the police.

**1/4**



Nearly 1 in 4 First Nations women with disability aged 15 years or older were victims of violent crimes from 2014 to 2018.



**1/3**

Nearly 1 in 3 of these women experienced another crime within 1 year.

**2/5**



Almost 2 in 5 First Nations women with disability aged 15 to 19 years were victims of violent crimes between 2014 and 2018.



But these numbers are much higher in real life because people might not:

- say they are a First Nations persons
- say they have a disability
- tell the police about a crime.

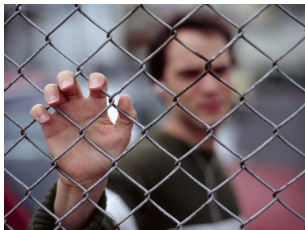
## Offenders

2/5



Over 2 in 5 First Nations offenders were people with disability.

## Custody



When someone is in **custody**, they go to a place where they:

- are locked in
- can't leave.



They might go to a:

- youth justice centre
- prison.

1/2



Nearly 1 in 2 people in custody are people with disability.

# 1/10



1 in 10 of these people had a **cognitive disability**.

When someone has a cognitive disability, they find it hard to:



- think
- communicate
- understand
- remember.

# 2/5



Almost 2 in 5 of these people had a psychosocial disability.

# 1/3



Over 1 in 3 of these people had more than one disability.

## Mental health dismissals



Some people who go to court get a **mental health dismissal**.

When a court gives someone a mental health dismissal, they:



- don't go into custody
- go into the care of **mental health services**.



Mental health services support people with their mental health problems.



A mental health service can be an:

- organisation
- individual.



Courts only gave mental health dismissals to 1 in 10 offenders with cognitive disability.



## What does our early research mean?



There are many people with disability who are involved in the justice system.



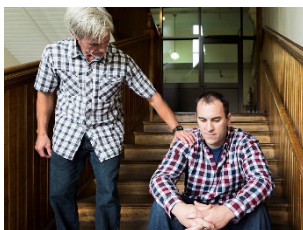
We must support people with disability who are involved in the justice system.



We need better ways to keep people with disability safe from crime.



We must find ways to keep First Nations women with disability safe.



We need better support for offenders with cognitive disability.



The courts could think about using more mental health dismissals for offenders with cognitive disability.

## Word list

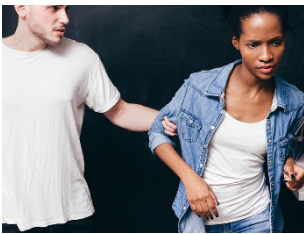
This list explains what the **bold** words in this document mean.



### **Cognitive disability**

When someone has a cognitive disability, they find it hard to:

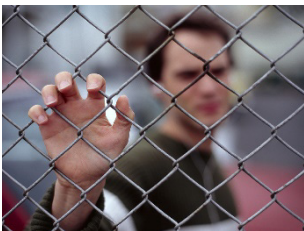
- think
- communicate
- understand
- remember.



### **Crime**

A crime is when someone:

- does something bad to someone else
- breaks the law.



### **Custody**

When someone is in custody, they go to a place where they:

- are locked in
- can't leave.



## Data

When we talk about data, we mean:

- facts
- information
- records.



## First Nations peoples

First Nations peoples are also known as Aboriginal and Torres Strait Islander peoples.



## Justice system

The justice system includes:

- police
- the courts
- the law
- prisons.



## Mental health services

Mental health services support people with their mental health problems.



## National Disability Insurance Scheme (NDIS)

The NDIS is a way to support people with disability around Australia.



## Offender

An offender is someone who:

- does something bad to someone else
- breaks the law.



## Psychosocial disability

A psychosocial disability comes from a person's mental health issues.



## Victim

A victim is a person who has experienced a crime.

## Contact us



If you have trouble hearing or speaking, you can contact the National Relay Service.



133 677



[www.relayservice.gov.au](http://www.relayservice.gov.au)



You can also contact the Department of Social Services (DSS) for more information.



[NDDA@dss.gov.au](mailto:NDDA@dss.gov.au)



GPO Box 9820  
Canberra ACT 2601



[www.dss.gov.au/ndda](http://www.dss.gov.au/ndda)



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