



Children and Young People
with Disability Australia

PO Box 172, Clifton Hill VIC 3068
P: 03 9417 1025
P: 1800 222 660 (regional or interstate)
E: info@cda.org.au
ABN: 42 140 529 273

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Royal Commission into Institutional Responses to Child Sexual Abuse
GPO Box 5283
Sydney NSW 2001
Email: criminaljustice@childabuseroyalcommission.gov.au

RE: CRIMINAL JUSTICE CONSULTATION PAPER

Children and Young People with Disability Australia (CYDA) has previously provided submissions to the Royal Commission that discuss criminal justice issues. In particular, CYDA's submission to the issues paper on *Experiences of Police and Prosecution Responses* focuses on the significant challenges experienced by children and young people with disability within the criminal justice system.

As CYDA has responded to relevant issues in the Consultation Paper for children with disability previously, this feedback focuses specifically on access to communication support. This relates to the following question posed in the Consultation Paper:

Should there be intermediaries available, particularly for children and people with a disability that affects communication, to help communication between the victim or survivor (on the one hand) and the court or the lawyers (on the other hand)?

A recent example of a program that provides 'intermediaries' within the justice system is *Communication Partner Service*, which commenced on 1 July under the *South Australian Disability Justice Plan*. CYDA has significant concerns regarding this program and its capacity to provide support to people with communication support needs who come into contact with the justice system.

The *South Australian Disability Justice Plan 2014-2017* aims to "make the criminal justice system more accessible and responsive to the needs of people with disability."¹ The *Communication Partner Service* provides volunteer personnel to support communication between victims, suspects, witnesses and defendants with complex communication needs in the justice system, including court processes. Communication Partners are required to write a report about each client which includes recommendations for accommodations to be made to support communication.

Uniting Communities SA was granted the tender to provide training for the volunteer Communication Partners and coordinate the program. CYDA has contacted *Uniting Communities* to inquire about required qualifications of Communication Partners and the content of the training provided. CYDA was informed that tertiary qualifications in: disability support; law; allied health particularly speech pathology; or psychology are strongly preferred but are not a requirement for Communication Partners.

¹ South Australian Attorney-General's Department 2014, *Disability Justice Plan 2014-2017*, Government of South Australia, Adelaide, p. 1.

The training is presently in pilot phase and there is no publically available information about the training content. CYDA was informed that training occurs over three days and focuses on: the role of Communication Partners; the code of conduct and competency framework; report writing guidelines; self-care and professional boundaries; working with Aboriginal and Torres Strait Islander and culturally and linguistically diverse clients; and meeting the communication needs of clients.

The training also involves people with disability sharing their experiences of contact with the justice system, examination of case studies and presentations from agencies Communication Partners will potentially work with, such as police. Discussion of the specific needs of children is incorporated in some of the case studies and meetings with agencies.

CYDA is concerned that the voluntary nature of the Service, the lack of required qualifications and expertise, minimal training and lack of specific focus on the needs of children will have a significant impact on the capacity of this program to provide meaningful support to people with communication support needs in the criminal justice system.

It is therefore critical that the Commission consider ways to ensure communication support services and personnel for people with disability within the justice system have the required expertise and appropriate training to meet the needs of clients.

Thank you for the opportunity to contribute to this consultation and please do not hesitate to contact CYDA if you require any further information.

Contact

Stephanie Gotlib
Chief Executive Officer
20 Derby Street, Collingwood VIC 3066
03 9417 1025
stephanieg@cda.org.au
www.cda.org.au