

Department of Justice –Disability Inclusion Action Plan Submission

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Stakeholder type (mark the box most relevant to you):

- Individual**
- Non-Government Organisation:** One Door Mental Health
- Other:**

1. Issues or suggestions on creating a positive and inclusive attitude and environment for people with disability interacting with the Department of Justice.

As an NGO dealing with both services and advocacy for people with lived experience of mental illness, and as an organisation employing a significant number of people with lived experience, One Door Mental Health is well placed to advise on the inclusion of people with psychosocial disability in the NSW Department of Justice (DOJ). One Door looks positively on the recommendation made in the *2015-2018 Disability Inclusion Action Plan (DIAP)*. The suggestions made here are intended to complement the positive recommendations of that plan. In this context, it is worth re-stating the Departmental principles set out on the 2015-2018 DIAP:

- Providing mainstream services in an inclusive manner
- Supporting and promoting the principles of flexible service delivery
- Training our staff to understand the impacts of attitudinal barriers in the provision of inclusive services
- Ensuring that people with disability are aware of and can effectively access information in accessible formats about the Department’s services
- Building all new and renovated environments to comply with the Disability Discrimination Act 1992 (Cwth) Access to Premises Standards
- Consulting people with disability in the development of inclusive policies, programs and services
- Being an employer of choice for people with disability, where their skills and experiences are valued

Moving beyond these principles, creating an inclusive environment for people with disability interacting with the DOJ is task requiring more than a number of specific recommendations. It involves a distinct change of organisational culture to welcome, accommodate and value people with disability. It involves seeing psychosocial disability not as the definition of a person, but as a single feature of their life, and as a quality that brings valuable life experience.

In part, this cultural change will involve training current members of the Department about issues common to psychosocial disability. This will involve helping staff “understand the impacts of attitudinal barriers in the provision of inclusive services”. Further to this, staff should be made aware

of the nature and consequences of mental distress and illness – its typical presentations, treatments and common prognoses (where possible to discern). It will also involve training in strategies to deal with people with psychosocial disability experiencing mental distress or illness. This may include Mental Health First Aid training to help staff of the Department of Justice deal with people in mental health crisis. Training must focus on a positive outlook for people with psychosocial disability to help counteract embedded stigma and discrimination. One Door could provide this training; One Door has been the official NSW Police trainer within the Mental Health Intervention Team since 2007 and has also provided mental health training for NSW Magistrates and District Court Judges in the past.

The cultural change described above may also be achieved through the hiring of specific staff to the DOJ with the relevant skills dedicated to working with people with psychosocial disability. These staff could be embedded across the various sub-sections of the “Justice Cluster”. This may include embedding staff not only the Department of Justice, but also the Judicial Commission, Legal Aid NSW, the NSW Crime Commission, the Crown Solicitor’s Office and so forth.

2. Issues or suggestions on how we can create an inclusive and accessible environment for the NSW community accessing our services and programs.

The cultural change described above should also help create an inclusive and accessible environment for the NSW community accessing DOJ services and programs.

In large part, creating this environment will involve providing targeted assistance for members of the NSW community who may have difficulty achieving access to services and programs. Targeted assistance would include such assistance as wheelchair-accessible DOJ premises; providing people at the DOJ able to communicate in Auslan; providing foreign language interpreters with experience in dealing with people from culturally and linguistically diverse backgrounds, in particular for indigenous communities; and supporting assistance for people with blindness. It may also involve altering DOJ procedures to allow for supported access, including provision for people with psychosocial disability to attend with a social worker, friend or carer.

More generally, DOJ procedures must be streamlined to the greatest extent practical and complementary with the goals of justice.

3. Issues or suggestions on how to embed inclusion and meaningful employment for people with disability in the Department of Justice.

One Door applauds the efforts of the Department of Justice to creating an open and accessible environment for clients and staff with disability. One Door believes that an important part of this effort lies in hiring and supporting the sub-section of people with psychosocial disability. Hiring and supporting people with psychosocial disability has the potential of improving the lives of the people with this disability, and enhancing the services and embedded experience in the Department of Justice

The new DIAP must include clear action points in relation to the inclusion and meaningful employment of people with psychosocial disability. This action should include creating a supportive work environment and work culture with regard to the employment of people with psychosocial disability. Creating this environment and culture may involve (again) training of existing staff about the nature of mental illness and distress, and about the benefits of lived experience a person with psychosocial disability may bring to the Department. Benefits of peer workers (workers with lived experience of mental illness) may include increased abilities to communicate with and understand the situation of members of the public with psychosocial disability approaching the Department.

Another key step is the implementation of positive hiring practices throughout the Department for people with psychosocial disability. The Department must also create a positive, supportive work environment and work culture with regards to people with psychosocial disability. Supports such as the provision of short-term counselling for people in mental distress and the managerial acceptance of taking sickness leave on the grounds of mental distress are both important.

Entrenched stigma is one of the most significant barriers to the employment of people with psychosocial disability. Whilst the DOJ may not be able to combat stigma on a societal level, it seems a reasonable task to reduce stigma within the DOJ and the Justice Cluster. This could be achieved through small presentations of people with diagnosed mental illness talking about their illness to members of the DOJ and disconfirming stigma. Social isolation is another an important barrier to the employment of many people with psychosocial disability. Again, whilst the DOJ may not be able to affect this problem at a societal level, the Department may have some success in working with assertive outreach programs aimed at connecting isolated people with lived experience of mental illness to work opportunities.

4. Issues or suggestions on how the Department of Justice can improve access to inclusive technology, services and information in the mainstream environment for people with disability.

There appear to be a range of opportunities available for the DOJ to improve access through technology, services and information services. The Department would benefit from working closely with existing organisations in the mainstream environment that have knowledge and experience using technology to connect with people with psychosocial disability. Working closely in this way could help the Department improve access, expedite internal processes and develop relevant information for both employees and members of the public interacting with the environment.

There are a remarkable range of social media and related technologies that may help improve access in this way. These media and technologies include, but are not way limited tom social media such as developing a Facebook page, phone App's dedicated to helping people with various disabilities to communicate and internet resources used to spread information and potentially speed up DOJ processes. Examples of some of the potential technologies can be found online; see, for example: <https://www.goodnet.org/articles/7-best-apps-for-people-disabilities-list>

5. Any other comments or feedback you would like to share with us?

The submission so far discussed policies aimed at improving the access and experience of people with psychosocial disabilities working with the DOJ. These issues are serious and need to be addressed. However, one of the most important interactions between people with lived experience of mental illness and the Department of Justice has not been explored– the increased representation of people with mental illness as defendants, as people found guilty of committing crimes, and as prisoners. Whilst people with lived experience of mental illness are more likely to be a danger to themselves than others, the over-representation of these people in the justice system remains an important issue.

The reasons for this over-representation are wide and complex. They may include failures of people with psychosocial disability to engage with educative and employment opportunities. People who have experienced family breakdown related to their own or their family's mental health status. People who are deeply disenfranchised from the kind of protective structures society may provide. People who may suffer co-morbid substance abuse problems leading to crime. People who are both mentally ill and homeless. People whose mental illness may intersect with different social and

cultural factors affecting inclusion and socio-economic status; the fact of indigenous background may be relevant here.

Certainly the DOJ does not have the resources to address these broad causes. The focus must be on civil society and government(s) to address structural, support and pathway issues that contribute to the conflation of crime and mental illness. With that said, the DOJ may contribute time or resources to early intervention programs aimed reducing the risk of criminal behaviour in young people presenting with features of mental illness. More broadly, members of the Judiciary may be informed of mental illness as a mitigating factor when sentencing. Possible policies of diverting people before court into treatment programs rather than prisons could also be useful.

One Door Mental Health would value the opportunity to elaborate on any of the issues in the submission made here.

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