

NSW Legal Information and Referral Forum **Report to NLA**

LIRF met online on Tuesday 7 July 2020

Presentation from the Justice Advocacy Service (JAS)

Guests: Corinna Nolan (Justice Advocacy Service), Denise Hanley (Director, Justice Advocacy Service), Margot Morris (Principal Solicitor, Ability Rights Centre)

The JAS is a service of the Intellectual Disability Advice and Rights Service (IDRS). The service commenced in 2019 and is funded to 2021. Denise Hanley noted that people with a cognitive impairment (CI) are overrepresented in the criminal justice system. The JAS aims to access and support people at the beginning of their interactions with the criminal justice system.

The JAS does not provide legal advice. However, the IDRS lawyers provide a 24hr police custody service. Since July 2019 they have worked with over 1,000 clients.

Corinna Nolan gave an overview of the service. The seven core functions of the JAS are:

1. Support for suspects/defendants with CI in police custody
2. Support for victims and witnesses with CI when in contact with police
3. Support for people with CI attending court
4. Support for people with CI attending legal appointments
5. Training for Justice agency staff on working with people with CI in contact with the criminal justice system
6. Capacity building and peer mentoring for people with CI in contact with the criminal justice system
7. Free legal advice from a trained solicitor for suspects with CI in police custody

The presentation outlined the different types of cognitive impairment, how to identify clients with cognitive impairments, suggestions for communicating effectively/obtaining Instructions, support provided by the JAS and how to refer clients to the JAS.

Points to note:

- JAS has delivered training with Justice staff on working with people with cognitive impairment and aim to deliver training to court staff and sheriffs.
- Recognition of cognitive impairment remains a barrier and police referrals are still not as high as the JAS would like.
- JAS is undertaking capacity building and peer mentoring of young people with cognitive impairment.
- JAS workers can support people in prisons if they are doing an interview or AVL appearance, although with COVID-19 and the increase of AVL it is very difficult to provide support for weekend bail court.

- JAS workers can attend all court appearances and they aim for the same support person to be present to ensure continuity.
- With the client's consent JAS workers can provide information to their legal representatives.
- JAS workers find out whether their clients have access to the NDIS and if not they make a referral to a local coordinator. Often clients have packages that do not meet their needs.
- JAS is concerned about the impact of online/virtual courts on people with cognitive impairment because research from the UK has shown that it may lead to tougher penalties.

Denise Hanley will share the final report of the training needs analysis (May 2020) and the program data with the group. The JAS is currently being evaluated.

Sector round up and discussion: providing legal information during COVID-19

- Liverpool library and South West Sydney CLC partnered to present an event on Facebook live and have had over 300 views
- Mel Kallmier from Mid-North Coast CLC shared that the CLC has had success using Facebook to share snippets of legal information about employment and tenancy since COVID-19 lockdown
- The Tenant's Union of NSW website has received over 2 million visits. They have also moved the training for tenant advocates online. The COVID-19 information blog has been successful and there are now a series of factsheets for tenants.
- Legal Aid increased the frequency of the Law for Community Workers newsletter and webinars. There has been a significant increase in webinar participation. Legal Aid focused on DV, crime, civil and family law.
- Law Access relocated call centre staff to work from home. The Law Access website was updated to include help for people during COVID-19 including information about the restrictions, domestic and family violence support and links to the Legal Aid NSW factsheets.
- The older persons' advocacy network is doing weekly webinars.

LIRF is co-convened by LIAC and the Legal Aid NSW

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Please contact Philippa to be added to the LIRF contact list.

The next LIRF meeting will be held on Tuesday 6 October at 9:30am.

LIRF meetings are held at Legal Aid NSW and can be attended remotely by telephone or computer via GoToMeeting.