

## Justice Advocacy Service Frequently Asked Questions

### Who is delivering the Justice Advocacy Service?

The Justice Advocacy Service (JAS) will be delivered by the Intellectual Disability Rights Service (IDRS). IDRS has extensive experience working with people with intellectual disability and cognitive impairment in contact with the NSW criminal justice system. IDRS has provided the Criminal Justice Support Network (CJSN); a similar service for people with intellectual disability since 2004.

### Will the CJSN service still be available?

From 1 July 2019, the CJSN service will be expanded into JAS. The rollout of the National Disability Insurance Scheme (NDIS) has provided an opportunity to broaden the scope of the service to include people with all types of cognitive impairment as well as to deliver the service state-wide.

### Where will JAS be available?

JAS will be available across NSW, including in rural, regional and remote areas, and concentrated in NSW Police Area Commands, Police Districts and around central court locations. The service will commence rolling out from 1 July 2019 and will be available at all locations by 30 August 2019. **A full list of rollout dates and locations is available in the *Justice Advocacy Service Rollout Information for Police Stations and Court and Legal Locations Fact Sheets.***

### How were the locations of JAS determined?

The locations of JAS were determined based on the following factors:

- The ability for a JAS support person to attend charging police stations within two hours including in rural, regional and remote areas.
- Consultation with NSW Police Force, Courts and Tribunal Services and Legal Aid NSW to determine the activity level and demand across police stations, court locations and legal appointments.

### **Will a JAS support person provide legal advice?**

No, a JAS support person is not a solicitor and is not required to have a legal qualification. A JAS support person can refer people with cognitive impairment who have been arrested to the Custody Legal Advice service; a separate service provided by the IDRS community legal centre where a suspect in police custody can receive free legal advice from a trained solicitor. **More information about the JAS Custody Legal Advice service is available in the *Justice Advocacy Service Custody Legal Advice Fact Sheet*.**

Children under the age of 18 years old can also access the Youth Hotline run by the Children's Legal Service of Legal Aid NSW (the Youth Hotline). **More information about the Youth Hotline is available at: [www.legalaid.nsw.gov.au/what-we-do/criminal-law/youth-hotline](http://www.legalaid.nsw.gov.au/what-we-do/criminal-law/youth-hotline)**

### **Can JAS provide support to both the suspect/defendant and the victim or witness involved in the same matter?**

No, JAS will not appoint the same support person to multiple parties involved in the same matter including instances where the suspect/defendant and the victim or witness has a cognitive impairment. If more than one support person is required, JAS will provide support to one of the parties and seek alternative arrangements for the other party.

### **Can JAS provide support to co-suspects/co-defendants involved in the same matter?**

No, JAS will not appoint the same support person to co-suspects/co-defendants with cognitive impairment involved in the same matter. If more than one support person is

required, JAS will provide support to one of the parties and seek alternative arrangements for the other party.

## **What happens if a client makes an admission or discloses information to a JAS support person?**

A JAS support person is trained to avoid and manage instances where a client may begin to disclose information in relation to a potential offence or the details of their arrest. At the beginning of the engagement, the JAS support person will explain their role to the person and emphasise the importance of not disclosing this type of information. Throughout the engagement and if required the JAS support person will verbally interrupt the person and request that they cease communication if it is believed the person is about to make an admission or disclose information about a potential offence or the details of their arrest.

## **Police stations and court cells can be dangerous. What procedures are in place to ensure the safety of JAS support staff?**

The safety of JAS support staff is paramount. All staff are trained to avoid and minimise the risk of dangerous situations. JAS support staff also rely on the expertise, advice and direction from police, court and legal staff to avoid dangerous situations.

## **How can I identify a JAS support person?**

JAS support staff carry identification cards which can be produced upon request. Staff do not wear identification badges or branded uniforms.

## **Does a JAS support person receive special training when working with children?**

Yes, a JAS support person is trained to facilitate understanding and communication with both adults and children with cognitive impairment.

## **What security clearances do JAS support staff have?**

JAS support staff are required to have an up-to-date national police check and a Working with Children Check.

## Will JAS be evaluated?

Yes, an independent evaluation will commence on 1 July 2019.

## How can I submit feedback about a JAS support person or experience?

JAS values and welcomes feedback as it helps us to improve our service. Complaints, suggestions or compliments can be made by contacting a JAS Regional Manager on **1300 665 908** or by emailing JAS at [justiceadvocacy@idrs.org.au](mailto:justiceadvocacy@idrs.org.au).

### For more information

#### Visit the website

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

#### Email JAS

[justiceadvocacy@idrs.org.au](mailto:justiceadvocacy@idrs.org.au)

#### Call JAS

**1300 665 908**