

Aspect's Response to the Criminal Justice System Issues Paper Summary

Disability Royal Commission

Submitted February 2020

What is the Disability Royal Commission about?

This Royal Commission is called the **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability**.

We call it the Disability Royal Commission.

The Disability Royal Commission wants to know about people with disability and their experience of

- **violence** – if someone's body is being hurt by someone else
- **abuse** – if someone is being treated badly
- **neglect** – if someone is not being helped in the way they are supposed to be
- **exploitation** – if someone is being taken advantage of

What is the *Criminal Justice System Issues Paper*?

The Disability Royal Commission wrote about what it knows about people with disability and contact with the **criminal justice system**.

The criminal justice system is about how the government deals with a person if that person breaks the law.

The criminal justice system includes

- police
- lawyers
- courts
- jails and detention centres
- victim support services

This paper is called the Criminal Justice System Issues Paper (**Issues Paper**).

The Issues Paper says that there are some common issues for people with disability in the criminal justice system.

The Issues Paper asked questions about what it is like for people with disability to:

- talk to police
- answer questions that the police ask
- go to court
- understand the laws about what you can and cannot do
- go to a jail or detention centre.

The Issues Paper wants to know what supports help people with disability in the criminal justice system.

What did Aspect respond to the Issues Paper?

People and organisations do not have to respond to the Issues Paper. It is a choice.

Aspect wrote back about the Issues Paper to the Disability Royal Commission in February 2020.

Aspect wrote about the following topics.

Aspect's history

We wrote about what we do at Aspect including:

- Aspect's [services](#)
- Our research – [Aspect Research Centre for Autism Practice \(ARCAP\)](#)

Autism and the criminal justice system

We wrote research that told us about autistic people's experiences with the criminal justice system.

Some research told us that:

- Autistic people are more likely to be a victim of some crimes
- Autistic people can have issues with communication and social situations. This can
 - Create stress and anxiety.

Stress and anxiety can sometimes cause some people to become aggressive.

The police may deal with a person who has aggressive behaviour.

- Make it hard for the autistic person to know what other people expect of them
- Make it hard for other people to understand the autistic person
- Make it more likely that the autistic person is not safe in jails and detention centres.

Aspect's research

ARCAP did some research on how autistic people feel deal with the police in Australia.

The research showed that

- autistic people and their carers were often unhappy with how the police acted
- the autistic person and the police did not understand each other well
- some autistic people think that the police do not know about autism or how to work with autistic people.

Finding solutions

Aspect wrote that more people in the criminal justice system need to know about autism.

We think people who work in the criminal justice system should have training on how to work with autistic people.

Aspect has made an online training package for the police about autism.

The online training package is being used in the ACT.

The online training package might be used by police in other parts of Australia.

Police officers who have done the training say that it is helpful.

Aspect believes the criminal justice system should give more help and support to stay safe for autistic people.

Autistic people have the right to stay safe as just like everyone else.

What will the Disability Royal Commission do with Aspect's response?

The Disability Royal Commission will use the information Aspect gave them to:

- complete their work
- decide if they want to ask Aspect for more information
- share information.