

**Senate Community Affairs Committee**  
**ANSWERS TO ESTIMATES QUESTIONS ON NOTICE**  
**FAMILIES, HOUSING, COMMUNITY SERVICES AND**  
**INDIGENOUS AFFAIRS PORTFOLIO**  
**2011-12 Budget Estimates Hearings**

**Outcome Number:** 3

**Question No:** 429

**Topic:** Incarceration of Aboriginal People with Intellectual Impairment

**Hansard Page:** Written

**Senator Boyce** asked:

What steps is the department taking to assist states and territories to divert Aboriginal people with intellectual disabilities/acquired brain injury and mental impairment who are unfit to plead during the court process, away from indefinite incarceration in jails and psychiatric institutions?

**Answer:**

This is a matter for the relevant state or territory jurisdiction. FaHCSIA will raise this issue with the appropriate state and territory agencies.