

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: 5

Question No: 433

Topic: Incarceration of Aboriginal people with cognitive impairment

Hansard Page: Written

Senator Boyce asked:

Can the department describe how the National Disability Strategy can assist in resolving the indefinite incarceration of Aboriginal people with a cognitive impairment subject to mental impairment / unfit to plead findings?

Answer:

The National Disability Strategy outlines a 10-year national plan to improve the lives of people with disability, promote participation, and create a more inclusive society. The Strategy recognises that Aboriginal and Torres Strait Islander Australians experience rates of disability almost twice as high as that of non-Indigenous people. The Strategy will take account of initiatives under the *Closing the Gap* strategies for tackling specific barriers faced by Aboriginal and Torres Strait Islander Australians with disability. This includes continuing reforms begun under the National Disability Agreement (NDA) and the National Indigenous Reform Agreement (NIRA).

The Commonwealth, state and territory governments are working together to implement the Strategy, including prioritising areas for future action. Two areas are relevant: number 2.7 *Provide greater support for people with disability with heightened vulnerabilities to participate in legal processes on an equal basis with others*, and number 2.9 *Support people with disability with heightened vulnerabilities in any contacts with the criminal justice system, with an emphasis on early identification, diversion and support*. These areas are the responsibility of the state and territory governments.