Preston Stanley Room Parliament House

18 April 2018

Public Launch by the Attorney General Mark Speakman

of the UNSW research report:

Economic Evaluation of Criminal Justice Support Network
Economic Evaluation
Intelectual Disability Rights Service
Criminal Justice Support Network

Report Launch
NSW Parliament House
18 April 2018

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Aim of economic evaluation of the Criminal Justice Support Network (CJSN)

To estimate the economic benefits of CJSN by answering the following key questions:

• Do court outcomes and associated costs differ for CJSN-supported clients compared to people with intellectual disability who don’t receive specialist support?

• What do unsupported and supported pathways through the criminal justice system look like for people with intellectual disability?

• Is the CSJN cost effective?
Method: Data sets

CJSN deidentified client data
- Criminal court outcomes
- AVOs and breaches
- Details for matching to comparison group
- Case notes for comparative case study

Comparison data
- Mental Health Disorders and Cognitive Disability (MHDCD) dataset
- UNSW linked administrative dataset of people who have been in the justice system
- 25% of the cohort have an intellectual disability
- Details for matching to CJSN clients
- Comparison case study developed from administrative data
Method: Matched comparison analysis

- Finalised court matters for CJSN clients matched using propensity score matching to cases for similar unsupported individuals with intellectual disability in the MHDCD cohort

- Looked at differences in:
  - Criminal court outcomes
  - Costs of custody and supervised orders
  - AVO breach rates and associated court outcomes and costs
Method: Comparative case study

- CJSN client: ‘Byron’ - Deidentified case notes provided by CJSN
- MHDCD comparison case - Similar history to Byron up to age 20
- Both have an intellectual disability and experienced neglect and trauma as a child
- Both had been in out-of-home-care and had contact with juvenile justice system

- At 20, Byron was referred to CJSN at which point his trajectory began to diverge from the comparator who did not receive appropriate support
- This evidence is used to detail an unsupported pathway vs Byron’s supported pathway over 2 years
Findings

- Our **matched data analysis** found, that for modest costs of $822,000 per annum, CJSN support generates savings of:
  - $1.64 million per annum in custodial sentences avoided
  - $43,000 per annum in supervised orders avoided
  - $359,000 per annum in AVO breaches avoided

- Overall, every $1 invested in CJSN returns $2.5 in cost savings to the justice system.

- CJSN clients are three times as likely as the comparison group to receive a Section 32 order, diverting them away from criminal proceedings and towards appropriate help and disability support.
Case Study: Byron

- 20-22 years old.
- Diagnosed with Neurodevelopmental Disorder, Autism Spectrum Disorder, Attention Deficit Hyperactivity Disorder, Tourette’s Syndrome, attachment disorder.
- History of neglect, abuse, trauma and isolation.
- Out of home care, drug use and juvenile justice contact.
- Difficult to manage emotions; can be aggressive when frustrated.
- Living in a disability group home in a regional NSW town with 24 hour support run by a non-government service provider.
- At 20, two incidents involving other residents lead to AVOs. Moved from group home to caravan park, support workers visit 2x weekly.
- Becomes destructive, smashes up caravan, overdoses on medication. Another AVO for threatening to kill a young woman on social media. Disruptive in public places, frequently comes to the attention of police.
Unsupported pathway

The comparison case from the MHDCD data illustrates what Byron’s pathway over the next two years might have been without CJSN support.

<table>
<thead>
<tr>
<th>Unsupported pathway over two years</th>
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</thead>
<tbody>
<tr>
<td>Increasing contact with the criminal justice system and no specialist support:</td>
</tr>
<tr>
<td>✜ Not supported by CJSN.</td>
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<tr>
<td>✜ 32 police incidents as a person of interest.</td>
</tr>
<tr>
<td>✜ 19 charges of assault, theft, drug possession and breach of justice orders.</td>
</tr>
<tr>
<td>✜ 5 court cases for 17 offences, resulting in 16 convictions and 4 custodial episodes.</td>
</tr>
<tr>
<td>✜ Represented by 5 different Legal Aid solicitors who have very little time to spend with him before each court appearance.</td>
</tr>
<tr>
<td>✜ Virtually no reference to his intellectual disability in police notes or other case history.</td>
</tr>
</tbody>
</table>
**Supported pathway over 2 years**

CJSN contacted by NGO at time of 2nd AVO. Support staff and volunteers develop trusting relationship with Byron:

- **22 instances of consistent support provided by CJSN** at police station and in court over 2 years: briefing lawyers, gathering reports from services, arranging psychological assessment.
- Several changes in Legal Aid solicitors before CJSN involved the IDRS legal team which resulted in fewer adjournments.
- 1st matter: s32 order on condition of compliance with treatment plan. CJSN involve specialist disability service provider who have the skills and knowledge to support Byron. They arrange for him to have his own apartment in an appropriate location.
- 2nd matter: no conviction as has appropriate support.
- 3rd matter: 12 month good behaviour bond.
- No contact with police after first matter finalised.
Unsupported vs supported pathway costs

Unsupported: Total cost $185,143
- Police: $83,158
- Defence counsel (Legal Aid): $67,561
- Local court: $26,180
- Corrective services (custody): $8,244

Supported: Total cost $35,536
- Police: $12,056
- Defence counsel (Legal Aid): $11,220
- Local court: $715
- CJSN support: $11,220
- Psychological assessment: $4,488
Conclusions

• CJSN can change the life trajectory of someone with intellectual disability by providing pathways out of the justice system.

• Currently generates savings of at least $2 million per year, compared to operating costs of $822,000.

• Ongoing funding of the IDRS’ CJSN will enable them to continue to improve the lives of people with intellectual disability and result in significant future cost savings to government.
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