



**Government of
South Australia**

Our response to the Disability Royal Commission

Recommendations about the justice system

Easy Read version



How to use this document



The Government of South Australia wrote this document.

When you read the word 'we', it means the Government of South Australia.



This document is part of our response to the Disability Royal Commission.

It is about part **8** of their final report.



We wrote this information in an easy to read way.

We use pictures to explain some ideas.

Bold
Not bold

We wrote some important words in **bold**.

This means the letters are thicker and darker.



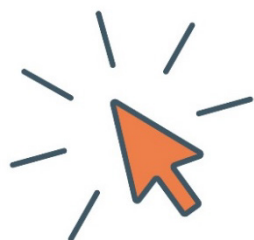
We explain what these bold words mean.

There is a list of these words on page 26.



This Easy Read plan is a summary of our response to the Disability Royal Commission.

This means it only includes the most important ideas.



You can find the other document on our website.

www.dhs.sa.gov.au/disability-royal-commission



You can ask for help to read this document.

A friend, family member or support person may be able to help you.



We recognise Aboriginal peoples as the traditional owners of the land we live on – South Australia.



They were the first people to live on and use the:

- land
- waters.



We also recognise First Nations peoples who:

- live in South Australia now
- visit South Australia.

What's in this document?

About the Disability Royal Commission 5

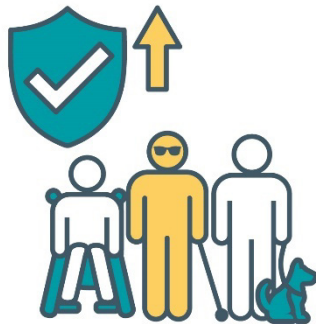
About the recommendations 6

Our response to the recommendations 9

Word list 26

Contact us 30

About the Disability Royal Commission



The Australian Government created a **royal commission** to find out how to make our community safer for people with disability.



A royal commission is an official way of looking into a big problem.

It helps us work out what:

- has gone wrong
- we need to improve.

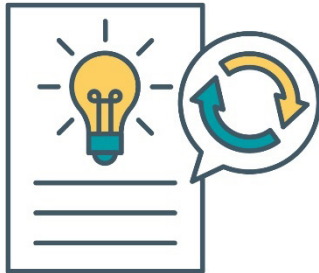


We call it the Disability Royal Commission.



The Disability Royal Commission ran from **2019** to **2023**.

About the recommendations



The Disability Royal Commission shared ideas about what governments and services should change.

We call these ideas **recommendations**.



This document explains our response to recommendations about people with disability and the **justice system**.



The justice system includes:

- police
- the courts
- the law.

The justice system also includes **detention settings**.



Detention settings are places where people have to stay if they:

- have broken the law
- are waiting for a court to decide if they broke the law.

For example:



- prisons



- youth justice centres.



This document also explains our response to recommendations about people with disability and **violence**.



Violence is when someone:

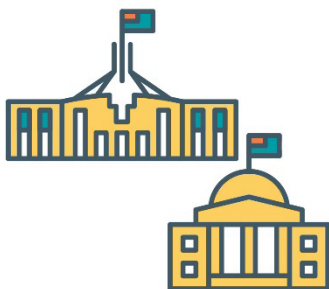
- hurts you
- scares you
- controls you.

This includes **family and domestic violence**.

Family and domestic violence is when someone close to you hurts you, such as:



- your partner, like your boyfriend or girlfriend
- a member of your family
- someone who takes care of you
- someone you live with.



We are working on some of the recommendations with:

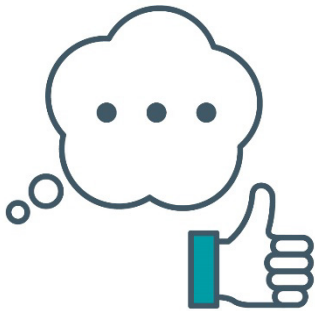
- the Australian Government
- other state and territory governments.

Our response to the recommendations

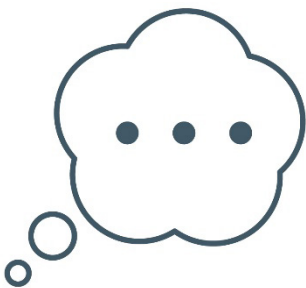
On the following pages we explain the recommendations we:



- agree with



- mostly agree with



- need to think more about.

Recommendations about the justice system

Rules for going into detention settings

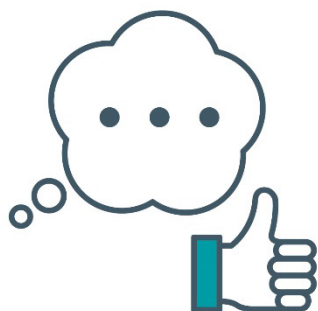


The Disability Royal Commission shared recommendations about the rules for going into detention settings.



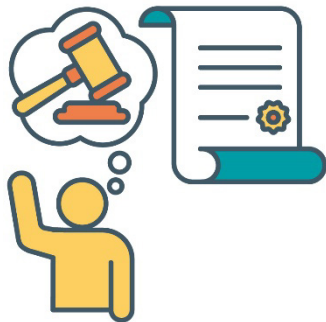
These rules will make sure people who work in the justice system find out if someone going into detention settings:

- has a disability
- needs support for their disability.



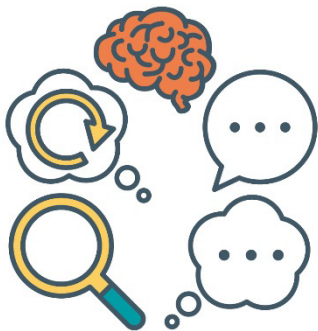
We mostly agree with the goals in these recommendations.

Laws that affect people with cognitive disability who need to go to court

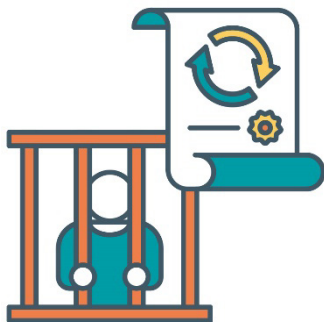


The Disability Royal Commission shared a recommendation about laws that affect people with **cognitive disability** who need to go to court.

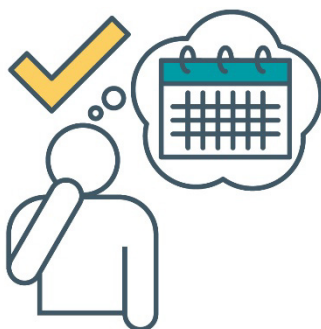
A cognitive disability affects how people:



- think
- communicate
- understand
- focus on what they're doing
- remember.



The recommendation says to change the laws that keep someone with cognitive disability in prison while they wait to go to court.

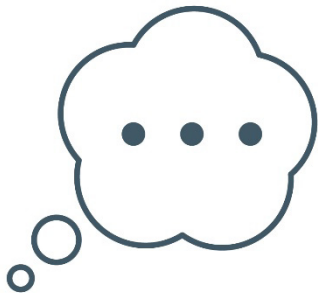


The changes to the law need to make sure the person knows how long they will be in prison for.

They must know when their time in prison will end.



The recommendation also says that people who work in the justice system need to think about what they can change to help people with cognitive disability take part in court.

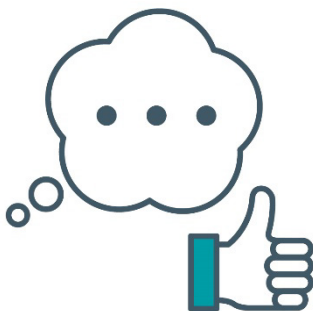


We need to think more about this recommendation.

Collect information



The Disability Royal Commission shared a recommendation about collecting information to find out how many people can't go to court because of a cognitive disability.

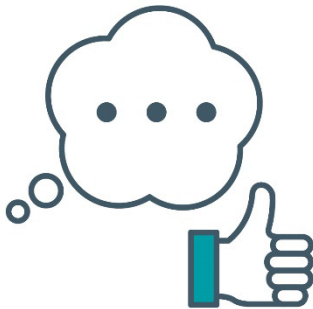


We mostly agree with the goals in this recommendation.

How police respond to people with disability

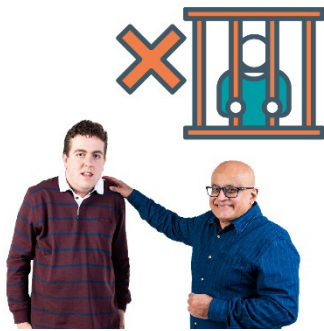


The Disability Royal Commission shared a recommendation to improve how police respond to people with disability.



We mostly agree with the goals in this recommendation.

Programs that support people with cognitive disability to stay out of prison



The Disability Royal Commission shared a recommendation about programs that support people with cognitive disability to stay out of prison.

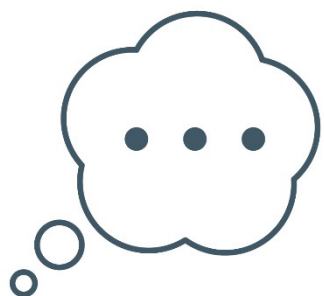


There are programs that support people with cognitive disability in the justice system to make up for their crimes without going to prison.



The recommendation says that governments should check the programs to make sure they:

- are working well
- meet the needs of different people
- have enough money.



We need to think more about this recommendation.

Recommendations about the rights of people with disability

Rights of people with disability in detention settings



The Disability Royal Commission shared recommendations about the **rights** of people with disability in detention settings.

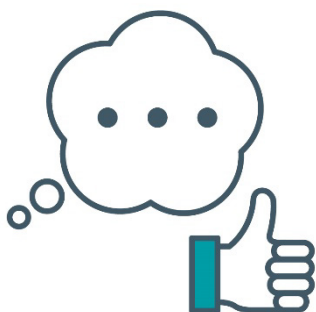


Rights are rules about how people must treat you:

- fairly
- equally.



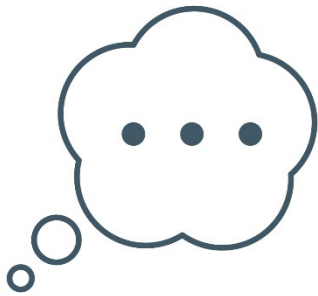
One recommendation says people with disability have the right to get support in detention settings.



We mostly agree with the goals in this recommendation.

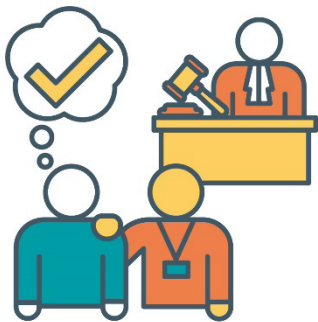


One recommendation says there needs to be more training for people who check that detention settings are respecting people's rights.

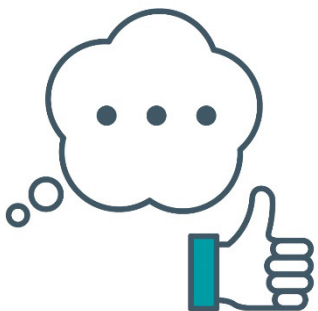


We need to think more about this recommendation.

Information about how courts support people with disability



The Disability Royal Commission shared a recommendation to make information clearer for people with disability so they understand their right to support at court.



We mostly agree with the goals in this recommendation.

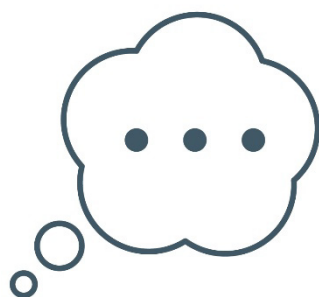
Make it clear what supports the NDIS will help pay for



The National Disability Insurance Scheme (NDIS) uses money from the government to help pay for services and supports for people with disability.



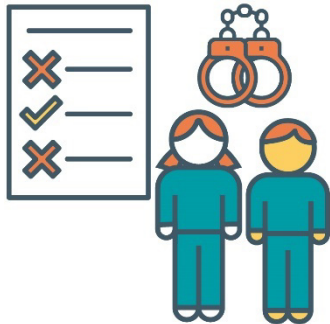
The Disability Royal Commission shared a recommendation about making it clearer what supports the NDIS will help pay for in the justice system.



We need to think more about this recommendation.

Recommendations about children in the justice system

Rules for children going into detention settings



The Disability Royal Commission shared a recommendation about rules for children going into detention settings.



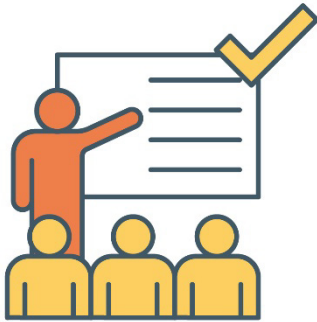
These rules will make sure people who work in the justice system find out if a child going into detention settings:

- has a disability
- needs support for their disability.

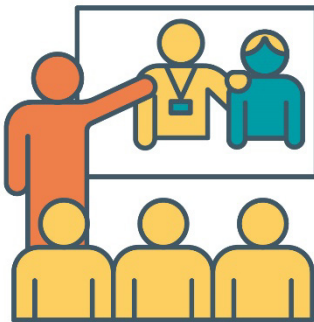


We agree with this recommendation.

Staff in youth justice centres have enough training



The Disability Royal Commission shared a recommendation about making sure staff in youth justice centres have enough training.

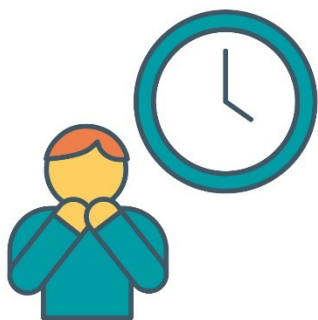


The recommendation says staff need training to understand what support children with disability need.



We agree with this recommendation.

Time alone for children in detention centres

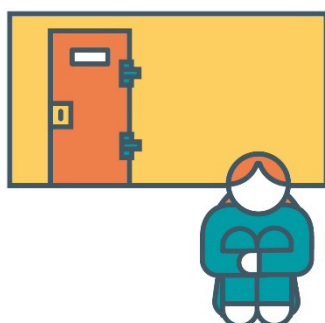


The Disability Royal Commission shared a recommendation about how long children can spend alone in youth justice centres.



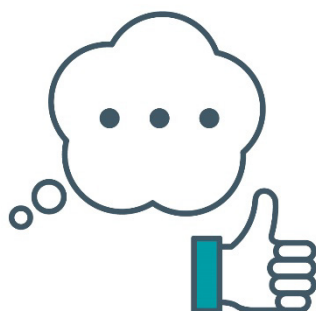
The recommendation says youth justice centres should not make young children spend a lot of time alone.

This includes **solitary confinement**.



Solitary confinement is when staff in detention settings lock someone up:

- alone
- for **22 hours** or more in a day.



We mostly agree with the goals in this recommendation.

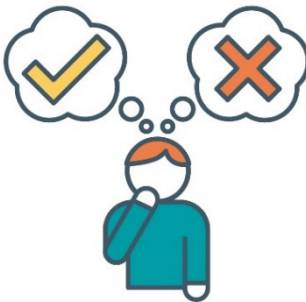


Solitary confinement in youth justice centres is already against the law in South Australia.



We will check if we can make these laws stronger.

Change the law to say 14 years old



The Disability Royal Commission says that children **under 14 years old** don't know enough about what is right and wrong.

This means they:



- don't understand the law



- can't be guilty of a crime.



The Disability Royal Commission shared a recommendation about changes to the law.

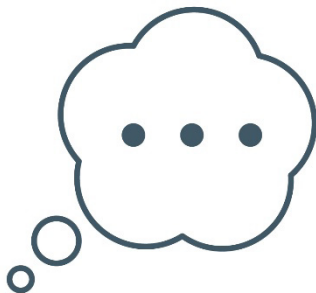
These changes would mean children have to be **over 14 years old** to go to:



- court



- youth justice centres.



We need to think more about this recommendation.



We are already looking into:

- other ways to keep young children out of court and prisons
- changing the law so children have to be **12 years old**.

Recommendations about family and domestic violence

Create a plan to keep women and children with disability safe



The Disability Royal Commission shared a recommendation to create a plan to keep women and children with disability safe from violence.



We mostly agree with the goals in this recommendation.



For example, we will have a new royal commission in South Australia.



It will look into:

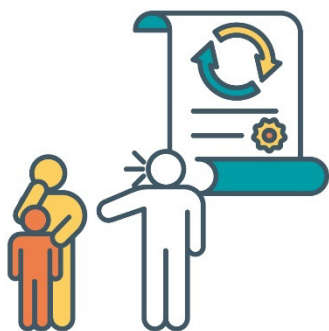
- family and domestic violence
- **sexual violence.**



Sexual violence is when someone:

- does something sexual to you that you don't want them to do
- makes you do sexual things you don't want to do.

Change the laws about family and domestic violence

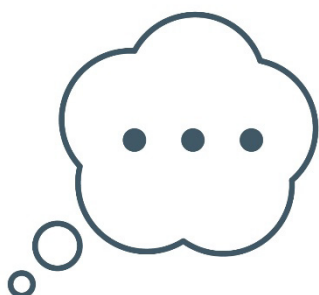


The Disability Royal Commission shared a recommendation to change the laws about family and domestic violence.



The recommendation says the law should include violence that people with disability experience:

- where they live
- from people who provide support to them.



We need to think more about this recommendation.



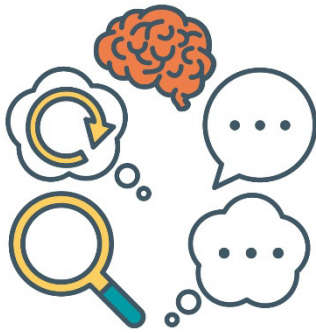
We will use what we find out in the new South Australia royal commission when we think about this recommendation.

Word list

This list explains what the **bold** words in this document mean.

Cognitive disability

A cognitive disability affects how people:



- think
- communicate
- understand
- focus on what they're doing
- remember.

Detention settings

Detention settings are places where people have to stay if they:

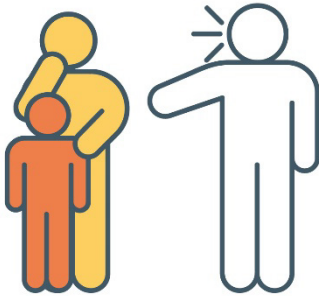


- have broken the law
- are waiting for a court to decide if they broke the law.

For example:

- prisons
- youth justice centres.

Family and domestic violence



Family and domestic violence is when someone close to you hurts you, such as:

- your partner, like your boyfriend or girlfriend
- a member of your family
- someone who takes care of you
- someone you live with.

Justice system



The justice system includes:

- police
- the courts
- the law.

Recommendations



The Disability Royal Commission shared ideas about what governments and services should change.

We call these ideas recommendations.



Rights

Rights are rules about how people must treat you:

- fairly
- equally.

Royal commission

A royal commission is an official way of looking into a big problem.

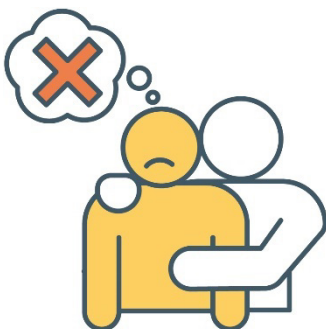


It helps us work out what:

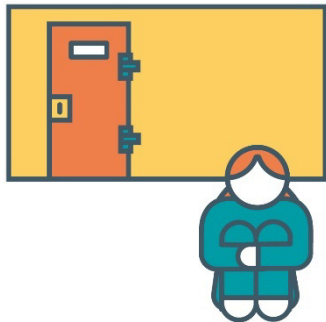
- has gone wrong
- we need to improve.

Sexual violence

Sexual violence is when someone:



- does something sexual to you that you don't want them to do
- makes you do sexual things you don't want to do.



Solitary confinement

Solitary confinement is when staff in detention settings lock someone up:

- alone
- for 22 hours or more in a day.



Violence

Violence is when someone:

- hurts you
- scares you
- controls you.

Contact us



You can call us.

(08) 8415 4383



You can send us an email.

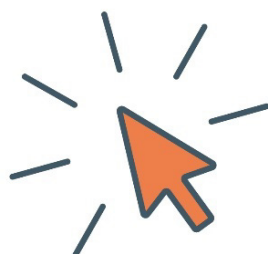
DHSDisabilityRoyalCommission@sa.gov.au



You can write to us.

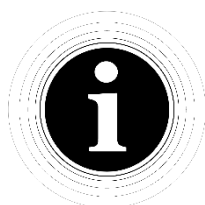
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You can visit our website.

www.dhs.sa.gov.au/disability-royal-commission



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