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MEDIA STATEMENT

Concern for persons with complex cognitive disabilities in Corrections

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As the Principal Community Visitor (PCV) of the Community Visitor Program (CVP), our statutory obligations extend to persons with a complex cognitive disability who are subject to custodial and non-custodial supervision orders under Part IIA of the Criminal Code Act 1983. The Secure Care Facility (SCF) in Alice Springs was purpose built to provide direct care services for these persons who are found unfit to stand trial, or not guilty by reason of mental impairment.

In July 2024, I raised concerns with Minister Uibo, the previous Minister for Health and Minister for Mental Health and Suicide Prevention, about the potential impact of repurposing the SCF in Alice Springs. The CVP was concerned that persons with complex cognitive disabilities, who were previously accommodated in SCF, were at risk of either being placed in mainstream correctional settings or confined to the Cognitive Behaviour Unit (CBU) at Darwin Correctional Centre (DCC). In response, Minister Uibo acknowledged the concerns and advised that the Department of Health would work with relevant stakeholders to ensure that individuals under Part IIA orders would receive services which are safe, supported and therapeutic.

The CVP have since been informed that some individuals under Part IIA orders, who are under clinical oversight from Department of Health's Forensic Disability Unit (FDU), are now experiencing delayed transitions from CBU to FDU at Cottages. This delay has a further impact on their long term transition plan into the care of National Disability Insurance Scheme providers within the community.

We have been informed that CBU is managed and staffed by the Department Corrections, who are responsible for the day to day operations within CBU whilst Department of Health's FDU team provide in-reach services to CBU. The CVP raises the following concerns:

- Lack of access to appropriate therapeutic care for individuals with complex cognitive disabilities, as Corrections staff are not trained to work in this area.
- Delayed transitions from CBU to the Cottages.
- Concerns regarding regression in the wellbeing, behaviours and therapeutic progress of individuals due to these delays.
- As a member of the National Prevention Mechanism (NPM), the CVP is concerned about the potential contravention of the Optional Protocol to the Convention of against Torture (OPCAT)

The CVP calls for the re-instatement of the Secure Care facility, which provides specialist, therapeutic, multi-disciplinary care for persons with complex cognitive disabilities. Additionally, we request an urgent review of the delayed transitions from CBU to the Cottages and the upskilling of Corrections staff to ensure that individuals with complex cognitive disabilities receive the appropriate care and support they require.

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