



UNSW
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Social Policy Research Centre

EVALUATION OF THE JUSTICE ADVOCACY SERVICE (JAS)

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What is JAS?

- People with cognitive impairment are over-represented in the criminal justice system (CJS) in Australia and internationally. They are more likely to be convicted and receive a custodial sentence, partly because of their limited understanding of the system.
- The Justice Advocacy Service (JAS) supports young people and adults with cognitive impairment in contact with the New South Wales criminal justice system, including as victims, witnesses and suspects/defendants to exercise their rights and fully participate in the process.

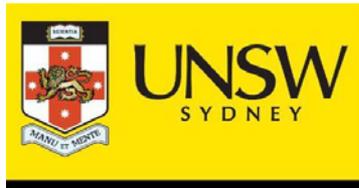


- JAS is funded by the NSW government and provided by IDRS, a Non Government Organisation (NGO)
- <https://idrs.org.au/jas/>

JAS Evaluation

- Purpose of the evaluation;
- to assess the efficacy of the service within its first year of operation and inform decisions for potential continuation.

Evaluation Consortium (Led by EY)



First Peoples
Disability Network
Australia

Methods overview

- Mixed quantitative and qualitative
- Process – to make informed judgements on process issues in operation, and highlight any key implementation issues arising during program rollout
- Outcomes – a comprehensive overview of the outcomes arising from the programs, derived from data and analysis
- Economic – a qualitative and quantitative assessment of the extent to which the economic benefits of the investments exceed their costs

Evaluation Data Sources

1. Clients of JAS
2. Staff and volunteers of JAS
3. Stakeholders
4. Administrative and economic databases

Co-design process

- Methodology workshops with funders, providers and stakeholders
- Includes workshop with people with cognitive impairment who have had contact with the CJS
 - Focuses on what success might look like

Clients of JAS

- **Interviews with JAS clients**

- Thirty interviews with individual JAS clients/carers.
- SPRC and FPDN conducted the interviews
- Client Survey (administered by IDRS)
 - When the case is closed, IDRS volunteers/advocates assist clients to complete a short survey to assess the client's experience of the CJS.

Client Survey (administered by IDRS)

- Survey was part of the client database developed by IDRS.
- The database includes details of the client, the charge, the CJ process, the support provided, referrals to other agencies and future engagement with the client.
- When the case is closed, IDRS volunteers/advocates assisted clients to complete a short survey to assess the client's experience of the CJS.

Client database – recruitment, data collection, and analysis

- Recruitment: By IDRS staff, at completion/exit.
- Clients asked to consent for their de-identified data to be used for monitoring and evaluation purposes.
- Data analysis: De-identified data from the database and client survey provided to the evaluation.

3. Stakeholders

Stakeholders will included 6 major groupings:

- Government officials
- Legal services/lawyers (including Aboriginal Legal Services, Legal Aid, the Bar Association, the Law Society of NSW)
- Courts (magistrates, registrars, victims' services)
- Police and Department of Public Prosecutions
- JAS staff
- Services/NGOs

Stakeholder survey

- Similar survey to the survey of JAS staff/volunteers
- But focused on participants' overall understanding of the issues faced by PWCI in the CJS and their perceptions of the impact of JAS on supporting client's rights and improving the system.
- 72 stakeholders responded

Stakeholder focus groups and interviews

Four focus groups held including with:

1. Government (Including Dept of Communities and Justice, Justice Health);
 2. Legal services/lawyers (including Aboriginal Legal Services, Legal Aid, the Bar Association, the Law Society of NSW);
 3. JAS staff;
 4. Services/NGOs (including witness supporters, NDIS, Aboriginal Medical Services, etc).
- A further 6 interviews with stakeholders such as magistrates, the DPP, and others.

Stakeholder focus groups and interviews

Focus groups:

- 6-8 participants
- 1.5 hours each
- Three will be held in greater Sydney (including Wollongong and Newcastle)
- One in regional NSW.

Interviews:

- 4-6 participants
- Up to 1 hour each
- Over the phone or face to face

Administrative data analysis

Administrative Data Analysis

- Program data from IDRS regarding numbers and profile of clients

Economic Evaluation

- Compared outcomes of JAS clients with similar populations in the criminal justice system in New South Wales

Findings

- The JAS program enabled clients to have a voice and supported their understanding of their rights in the legal process,
- 89% of JAS staff and volunteers and 73% of non-JAS professionals agreeing that JAS enabled clients to better express their views and exercise their rights
- Individuals who received JAS support were also more likely to understand and follow court orders,
- However ongoing casework was identified as a key area of improvement required to support clients

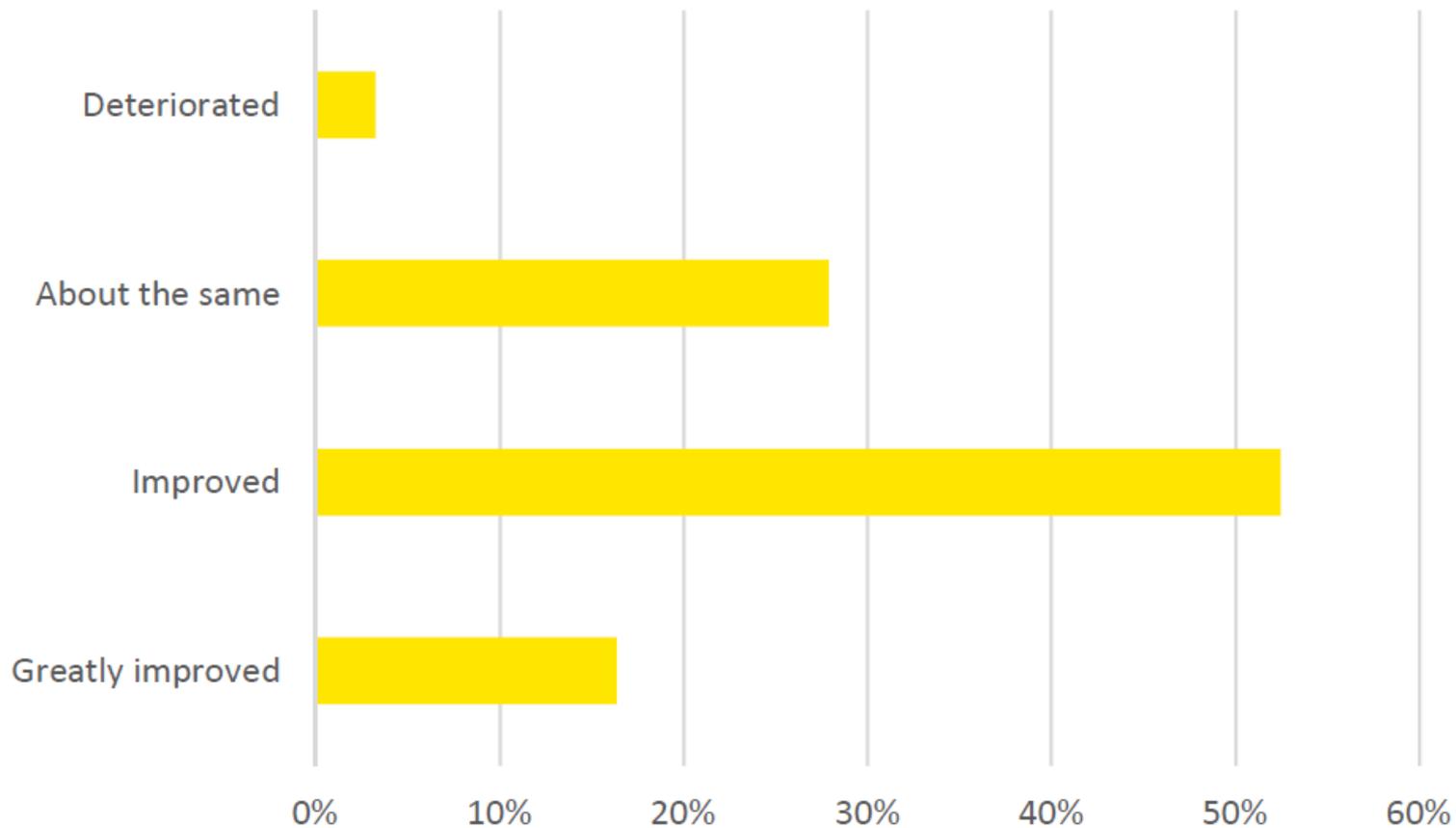
Outcomes

- For support provided during police interactions, positive outcomes were achieved
- Most suspects followed the legal advice and a majority understood cautions and bail conditions,
- Victims and witnesses were successfully supported to appropriately present their story
- For support provided in courts, suspects/defendants with a CI supported by JAS were less likely to be found guilty and more likely to receive a diversion order
- However sentences for those found guilty likely to be of a higher severity when compared to the outcomes for all NSW defendants, adjusting for the difference in the mix of offences

Outcomes

- JAS has delivered a range of training modules and established a Training and Capacity Building team, as well as a Capacity Building Strategy for Justice Agencies,
- Overall, JAS clients felt that the service has had a significant impact on the outcomes they have in interacting with the criminal justice system

Figure 12: Survey of JAS staff and volunteers, Q19: How has the criminal justice system changed in its response to people with cognitive impairment in the past year?



Economic findings

- Considering the value of both financial and non-financial benefits and adjusted for the impact of COVID-19 on case volumes, JAS had a modest saving for every \$ spent.
- However if the program was to be delivered at the full capacity, every \$1 invested in the program would be about 3 times more cost effective
- The program's benefits to individuals were found to be highest followed by benefits to government and benefits to society
- The two largest economic benefits were increased efficiency in cases and reduction in offending

Outcome

- Final evaluation report finally published
<https://www.justice.nsw.gov.au/diversityservices/Documents/evaluation-of-the-justice-advocacy-service-report.PDF>
- The program was re-funded for a further 2 years by the NSW government
- Interest in the program from other states and territories in Australia

Conclusion

- Evaluations can make a significant impact on policies and practices
- Findings not only used for funding decisions but also to improve practices and highlight system deficiencies.
- The evaluation highlighted the importance of mixed method approaches to evaluation and in particular co-design with stakeholders and client groups to ensure that the methods are appropriate.
- This was a pilot that was successfully taken to scale, but many pilots in NSW and Australia are never taken to scale. It is important that pilot projects are real pilots and that if successful they should be rolled out.
- The evaluation highlighted the importance of support for people with cognitive impairment in the criminal justice system. More research and policy development needs to be done to prevent people with cognitive impairment becoming involved with the criminal justice system in the first place.

Questions?

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