

NDIA Justice Advisory Panel

Advice: Supporting Young People with Disability in the
Justice System

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1. Executive Summary

The Justice Advisory Panel (Panel) is an expert advisory group to the National Disability Insurance Agency (NDIA) that examines policy and systemic issues between state, territory and federal governments. For people with disability who are current or potential National Disability Insurance Scheme (NDIS) participants, these issues can impact not only their transition from custody but also their integration and transition into the community.

This advice relates to all young people with disability who are involved with, or at risk of entering, the justice system, while recognising the significant overrepresentation of Aboriginal and Torres Strait Islander children and the need for targeted, culturally safe, and community-led responses. The Panel notes the limited progress toward the socio-economic targets of the 'Closing the Gap' initiative, and how these advice considerations directly support improvements to justice and health outcomes. A consistent theme across all considerations within this advice is the need for structured, accountable, and well-coordinated multi-agency collaboration across disability, justice, child protection, health, and education systems.

The Panel identified opportunities to strengthen early identification, coordinated planning, culturally grounded practice and continuity of supports for young people who are involved with, or at risk of entering, the justice system. The advice is framed around nine considerations that highlight how the NDIA, together with state and territory partners, Aboriginal Community Controlled Organisations (ACCO) / Aboriginal Community Controlled Health Organisations (ACCHO), and mainstream systems, can contribute to more consistent, culturally safe and coordinated support pathways for young people:

1. Strengthen strategic leadership on Youth Justice.
2. Improve collaboration with State/Territory Justice agencies.
3. Strengthen research, data linkages, and outcomes.
4. Strengthen remote and First Nations-led service pathways.
5. Increase NDIA Planner, Local Area Coordinators (LACs), and Early Childhood Partner Capability.
6. Introduce rapid and reproducible NDIS Plan Adjustment Arrangements.
7. Clarify Interface Responsibilities.

8. Expand and Integrate Justice Liaison Officer (JLO) and Child Protection Liaison (CPL) Functions.
9. Mechanisms to Operationalise System Change.

Young people with disability may encounter delays in identification and support due to complex referral pathways and inconsistent information sharing across service systems. There are shared opportunities to improve culturally safe and trauma informed practice, particularly for those from culturally and linguistically diverse (CALD) backgrounds and First Nations young people and families.

Remote communities experience additional challenges such as limited access to assessments, workforce fluctuations and digital exclusion, which can affect timely support. Key transition points—such as bail, sentencing, release from custody, leaving statutory care and turning 18—are moments when collaboration across systems is essential to ensure continuity and holistic support.

This advice forms part of a broader suite of Panel recommendations and should be read in conjunction with the Information and Data Sharing, Education and Engagement and Providers and Markets advice, recognising the interrelated nature of the issues addressed across the disability and justice interface.

1.1 Key Issues Identified by the Panel

- **Delayed Identification**
 - Diagnostic thresholds sometimes result in later referrals; earlier attention to developmental and vulnerability indicators would support more timely access across systems.
- **Limited Cultural Safety & Coordination**
 - Culturally grounded practices and consistent cross-agency coordination continue to evolve; strengthening these approaches can reduce disengagement and improve outcomes.
- **Remote Market Constraints**
 - Remote and very remote communities face thin markets and workforce turnover. Partnership with ACCOs/ACCHOs can help improve continuity.

- **High Risk Transitions**

- Transitions such as bail, custody, release, and key milestones such as leaving statutory care or ageing into adulthood often require coordinated, multi-agency responses to support young people's wellbeing and stability.

- **Fragmented Interfaces**

- Child protection, justice, and disability systems work in parallel rather than in a coordinated way, resulting in fragmented support. JLO and CPL already help bridge these gaps, and further alignment across systems can enhance coordination.

2. Advice

The following considerations reflect practical, collaborative actions the NDIA can take alongside state and territory agencies, ACCOs/ACCHOs and community partners to improve early identification, culturally safe responses, coordinated planning and continuity of supports.

Consideration 1: Strengthen Strategic Leadership on Youth Justice

The Panel observed that coordination across systems for young people with or at risk of justice involvement can vary, with agencies frequently operating alongside one another rather than through aligned or integrated processes.

The Panel recommends the NDIA:

- Continue building internal capability for coordinated youth justice policy and practice, including consistent approaches to justice-involved cohorts across jurisdictions.
- Establish a cross-agency advisory mechanism, including ACCO/ACCHO partners, CALD youth representatives, and disability representative organisations justice, child protection, education, health, and NDIA staff, to support shared planning, escalation of systemic issues and decision-making. The Panel specifically identified National Ethnic Disability Alliance (NEDA) and SNAICC as exemplar organisations.

- Without delay, acknowledge and integrate the role of well-designed NDIS support in aiding prevention of justice system involvement and enabling justice exit pathways for young people with disability. Such action will meaningfully contribute to Closing the Gap targets
- Work with state and territory governments to clarify system-level coordination responsibilities for young people with disability involved in the youth justice system, including lead agency cross system coordination expectations in complex cases to support accountability and reduce fragmentation.
- Establish an NDIA specialist advisory function to support planners, LACs and partner agencies in complex youth justice and child protection cases, providing authoritative guidance on access, planning, interface responsibilities, and culturally safe and appropriate responses.
- Take a lead role, working with state and territory governments to strengthen strategic leadership in youth justice and NDIS intersection.

Consideration 2: Improve Collaboration with State/Territory Justice Agencies

The Panel has noted inconsistent information sharing, varying thresholds, and unclear responsibilities across systems. Strengthening shared processes can support more timely responses. Clear and well-defined roles across agencies will be critical for effective implementation. Improved alignment and integration across service systems is necessary to support progress against the Closing the Gap targets, particularly in reducing overrepresentation of Aboriginal and Torres Strait Islander adults and young people in the justice system. The NDIA has a role to play as part of a coordinated effort to support these outcomes.

The Panel recommends the NDIA:

- Collaborate with justice, child protection, education, health, and other statutory agencies to identify what information can be lawfully shared to support coordinated operational responses, particularly at key justice decision points (bail, remand, custody, and release).

- Agree with state and territory justice agencies on required service inputs, handover points, and timeframes during justice transitions, including clear NDIA engagement expectations and rapid post release contact to maintain disability supports (e.g., bail, remand, and release).
- Support structured wraparound, multi-disciplinary approaches for young people with high or complex needs, drawing on existing youth case management, intensive supervision or Mandatory Alcohol Counselling and Non-residential Intervention (MACNI) style models, to coordinate justice, disability, health, education, and cultural supports.
- Seek systemic clarification regarding which state and territory agency holds responsibility as 'lead agency' for a range of participant circumstances.
- Clarify operational coordination arrangements in complex cases, including how agencies convene case conferences, agree actions, and monitor follow-up, to support consistent implementation without duplication of statutory responsibilities. This lead agency and case coordination model may sit within youth justice but operate through a multi-agency governance framework involving:
 - Youth justice
 - Child protection
 - Education
 - Health and mental health services
 - Disability services (including the NDIS)
 - Housing
 - Community and cultural organisations

Under this model, the lead agency would:

- Hold overall responsibility for cross-system coordination
- Ensure accountability across participating agencies
- Convene case conferences
- Track outcomes and follow-up actions
- Provide a single point of escalation for disputes or system blockages

- Strengthen workflows between JLOs, CPLs and justice case managers through clear roles, information pathways, and consistent handover arrangements to support coordinated responses.

Consideration 3: Strengthen Research, Data Linkage and Outcomes

The Panel identified data limitations, making long term monitoring and linkage between NDIA, child protection, youth justice, and education difficult.

The Panel recommends the NDIA:

- Explore opportunities for strengthened data linkage with child protection, youth justice and education systems, aligned with First Nations data sovereignty principles and insights from the [National Disability Data Asset research projects](#).
- Collaborate with jurisdictions and cross-system agencies, including youth justice, child protection, education, and health, to develop shared national outcome indicators to measure early identification, coordinated cross-system responses, continuity of disability supports, and long-term well-being.
- Invest in holistic research on early identification, culturally safe practice, remote service pathways, and transition outcomes.

Consideration 4: Strengthen Remote and First Nations Led Service Pathways

The Panel highlighted that remote service delivery challenges affect continuity and cultural safety. Aboriginal and Torres Strait Islander children are significantly overrepresented in child protection and youth justice systems.

The Panel recommends the NDIA:

- Expand and integrate Remote Community Connectors, JLO and Aboriginal Disability Liaison Officers to support children and young people with disability involved in youth justice and child protection, commencing at access and continuing through planning, review and transition points.
- Partner with ACCO/ACCHO through place-based commissioning to deliver NDIS-funded assessments, allied health, service navigation and culturally safe and appropriate disability supports in remote areas.

- Introduce streamlined, culturally appropriate NDIA consent mechanisms that allow families to authorise lawful multi-agency information sharing through a single consent process, applied consistently from access through to planning.
- Strengthen NDIA workforce capability in remote and justice adjacent contexts so planners and LACs can effectively engage with children and young people experiencing complex needs across disability, child protection and youth justice systems.
- Enable earlier NDIA access and support pathways for children in remote and First Nations communities by recognising cumulative vulnerability indicators (including repeated placements, school disengagement, escalating behaviours and justice involvement), alongside diagnostic and functional evidence requirements.
- Ensure NDIA remote and justice adjacent pathway design and delivery are First Nations led, culturally safe and consistent with self-determination principles, including meaningful involvement of community-controlled organisations.

Consideration 5: Increase NDIA Planner, Local Area Coordinators, and Early Childhood Partner Capability

The Panel identified capability varies across programs and jurisdictions with benefits of an uplift in identifying early signs of risk, early identification of youth justice involvement with a trauma-informed approach.

The Panel recommends the NDIA:

- Undertake a desktop review of existing risk assessment frameworks to identify approaches that support early identification of vulnerability indicators – such as attendance decline, behaviour incidents, academic regression, trauma exposure, repeated placements, chronic neglect, exposure to family violence, parental substance use, and intergenerational trauma. This work should be aligned with progress of recommendations from the [Disability Royal Commission](#).
- Strengthen training in trauma-informed practice, developmental disability, FASD, neurodiversity and cultural safety.
- Develop planning guidance tailored to young people's developmental stage, family context and cultural needs.

Consideration 6: Introduce Predictable and Rapid NDIS Plan Adjustment Arrangements

The Panel noted that transitions such as bail, sentencing, release, leaving care, turning 18 are high-risk points that require predictable, timely and well-coordinated adjustments to disability supports where notification of these events, handover arrangements or response timeframes are unclear or delayed, participants are exposed to avoidable gaps in support and increased risk of support breakdown.

The Panel recommends the NDIA:

- Further establish clear NDIA processes for rapid adjustment of disability supports following major justice-related events (e.g., remand, release, placement breakdown), to maintain continuity and avoid support gaps.
- Review with providers and partners about the notification process when major key justice-related events or transition points occur (e.g., remand, release, placement change), so they can adjust supports and prevent service gaps during plan review.
- Strengthen operational guidance for pre-release planning, therapeutic continuity and crisis stabilisation.
- System enhancements to the NDIA business system to be able to track transitions and key dates, for example, sentencing, release, leaving care etc.

Consideration 7: Clarify Interface Responsibilities

The Panel observed that there is shared opportunity to clarify roles across systems, particularly at the child protection–justice–disability interface.

The Panel recommends the NDIA:

- Clarify cross-system roles and responsibilities, including disability child protection, education, health, and justice interfaces, to reduce ambiguity and support consistent decision-making.
- Develop youth specific “reasonable and necessary” support examples, especially for early intervention and cultural supports.
- Co-design guidance with ACCO/ACCHO and justice agencies.

Consideration 8: Expand and Integrate Justice Liaison Officer (JLO) and Child Protection Liaison (CPL) Functions

The Panel highlighted the strong intersection between justice and child protection systems, and the benefits of justice and child protection liaison functions. These functions should support all young people with disability, with culturally safe and targeted approaches for Aboriginal and Torres Strait Islander children and other priority cohorts.

The Panel recommends the NDIA:

- Expand the CPL pilot to become a national, embedded service model.
- Ensure clearly defined youth justice responsibilities between JLO and CPL, role boundaries and agreed handover points to support coordinated cross-system practice.
- Embed JLO and CPL roles within ACCO/ACCHO partnerships to ensure culturally grounded and community-led planning for young people.
- Use JLO and CPL functions to identify early risk indicators and trigger the appropriate NDIA response. Where risks fall outside NDIA responsibility, escalate to the relevant state, territory or partner agencies to ensure the appropriate stakeholders are involved at the earliest appropriate point to support timely intervention.

Consideration 9: Mechanisms to Operationalise System Change

The Panel emphasises the need for coordinated systemic action rather than isolated initiatives.

The Panel recommends the NDIA:

- Explore a Memorandum of Understanding with justice, education, child protection and health agencies to clarify shared roles and information-sharing arrangements.
- Develop system-level capability to monitor patterns of engagement, access and plan utilisation across disability, justice, child protection, education and health systems, using de-identified, high-level reporting agreed with states and territories, to inform earlier, more coordinated responses for young people interacting with multiple systems, consistent with privacy requirements and First Nations data sovereignty.

- Deliver joint capability-building initiatives with states and territories, CALD and First Nations partners to strengthen culturally safe, trauma-informed and cross-system practice, including shared guidance, learning forums and workforce supports that enable effective coordination for young people with disability interacting with multiple systems.

3. Summary

Improving outcomes for young people with disability requires earlier identification of support needs, culturally grounded and trauma-informed practice, and better coordination between systems to enable safer transitions. The NDIA can continue to strengthen its role in providing disability related supports and working with mainstream agencies to help young people holistically, remain connected to their community, culture and positive life pathways.