

### Introduction

The need for improved processes to identify and respond to Indigenous offenders with cognitive and complex disabilities (including brain injury) in the Criminal Justice System (CJS) is well recognised (COAG, 2016; Sofronoff, 2016). Brain injury is believed to be high amongst Murri Court participants and impacts on compliance with court obligations and bail conditions.

Information about the presence and nature of brain injury in this group is vital to guide sentencing decisions, diversionary programs and post-release support. However, there is an absence of culturally safe screening and assessment processes to inform the court about offender disabilities, and their functional impact.

### Purpose

The aim of the project was to improve the information provided to the Murri Court through the application of a culturally developed screening protocol.

### Research Questions:

1. What was the extent and nature of brain injury in Murri Court participants?
2. What the utility and feasibility of a brain injury screening process in the Murri Court?

### Methods

- Synapse partnered with the Murri Court and the Brisbane Murri Elders Community Justice group on the co-design of the model. The qualitative co-design aspect of the project is grounded in the principles of participatory action research (PAR), which are desirable when conducting research with Aboriginal and/or Torres Strait Islander peoples (Miller et al., 2015).
- Assessments were undertaken at pre-sentencing and reports made available to the court ( $n = 10$ ). Stakeholder interviews explored the utility and feasibility of the screening model in this setting ( $n = 10$ ).

### Results

High levels of complex disability and functional impairment were found in Murri Court participants:

- Problems with abstract thinking (50%);
- Impaired executive function (80%)
- Depression (100%)
- Post Traumatic Stress Disorder (90%)

Stakeholder feedback indicated that the process was feasible, and useful. The information:

- Increased court understanding of behaviours and capabilities of Murri Court participants
- Helped in setting bail conditions
- Was relevant at sentencing (can reduce likelihood of penalties)
- Assisted with the identification of needs and referrals

### References

- COAG (Council of Australian Governments) (2016). Prison to work report.
- Miller, A., Massey, P., Judd, J., Kelly, J., Durrheim, D., Clough, A., Speare, R., Siggers, S. (2015). Using a Participatory Action Research Framework to Listen to Aboriginal and Torres Strait Islander People in Australia About Pandemic Influenza. *Rural and Remote Health* 2923. 15(3)
- Sofronoff, W. (2016). Queensland Parole System Review. Final Report November 2016. Queensland Corrective Services: Brisbane

### Acknowledgement

*Synapse pays respect and acknowledges Aboriginal and/or Torres Strait Islander Peoples who are the Traditional Custodians of the Land. We pay our respects to the Elders, past, present and future, and commit to improving the health and well-being of Australia's First Peoples. We thank those who took part in this project and gave of their time and their stories.*