

Portfolio Committee No. 2 – Health equity, accessibility and appropriate delivery of outpatient and community mental health care in New South Wales

Legal Aid NSW response to a question taken on notice on Thursday, 15 February 2024:

Q1) The Hon. SUSAN CARTER: If there's a Justice Health nurse in Dubbo, does that affect communities other than Broken Hill? Because there would be a number of local courts in between Dubbo and Broken Hill, I think.

A1) The nurse in Dubbo is employed by the Justice Health and Forensic Mental Health Network (“Justice Health”) and is part of their Statewide Community and Court Liaison Service (SCCLS). The SCCLS has been developed to address the prevalence of serious mental illness in the criminal justice system. The purpose of this service is to provide court-based mental health assessments in the Local Court which may then support an application to defer a defendant from the criminal justice system under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW). This service does not operate in all Local Courts in NSW.

There are a number of Local Courts that operate in areas between Broken Hill and Dubbo. The mental health nurse in Dubbo is not responsible for servicing these locations. From time to time local ad-hoc arrangements have been made to extend this program but this has only been on the basis of the willingness of the nurse practitioner and their workload. As is the case with Broken Hill, accused person’s who are referred to the mental health nurse for assessment at these Local Court locations, are also seen by AVL and not in-person.

Our criminal law solicitors report that, similar to Broken Hill, the bar to having a defendant seen by a mental health nurse in these locations is higher than in the Sydney metropolitan area.