



## Hope in the Courtroom: The Start Court Approach

**Thanks to** Teri Ekanayake, Nurse Manager, State Forensic Mental Health Service at the Start Court.

*In this session we learn about the mental health court diversion program in action and what makes the difference to consumers coming through their court. Who can access Start Court and how it works is explained.*

**Dr. Emma Crampin (Deputy Chief Psychiatrist):** *"The Start Court program has supported thousands of individuals over its ten plus years since it commenced. By embedding clinical expertise within the court process, it offers a therapeutic, recovery-oriented alternative to traditional legal proceedings for those experiencing a mental illness.*

*The collaborative model of the Start Court program not only improves access to appropriate mental health care and treatment but also promotes dignity, stability, and long-term wellbeing for participants.*

*The importance of the Start Court lies in its ability to reduce the cycle of reoffending by addressing mental health needs early and effectively, ultimately contributing to safer communities and a more compassionate justice system."*

### Key Messages -

- **The Start Court began in 2013 as a pilot for 8 years:** After demonstrating results through data, the court was made permanent in 2020.
- **Therapeutic justice works:** Addresses root causes of offending and maladaptive behaviors through structured, clinically informed support.
- **Collaborative model:** Joint initiative involving Department of Justice (DoJ), State Forensic Mental Health Service, Legal Aid, Aboriginal Legal Services, Outcare, alcohol and other drug services(AOD) and others.
- **Integrated support:** Participants receive co-ordinated care across mental health, alcohol and other drugs, psychosocial, and legal domains.
- **Co-location of AOD, DoJ, NGO and of the clinical team** facilitates confidentiality and information sharing.
- **Peer Support is vital to the relationship:** Consumer and family lived experience workers case manage participants with clinical staff as key workers – we work together.
- **Carer and consumer representatives:** Carer and consumer representatives regularly survey the participants and their supports, towards continual improvement of the Start Court experience.
- **Cultural Safety and Sensitivity:** An Aboriginal liaison officer and an Aboriginal peer worker are part of the team. Aboriginal art is in the courtroom and art by Creative Expressions program at Graylands welcomes participants.
- **Voluntary and individualised plans:** Participants choose to engage; plans are tailored to their needs.
- **Financial support:** The Outcare (NGO) component can access brokerage funds from the Mental Health Commission for up to \$1000 per participant to support them to get basic needs met like food and travel.

### Program Structure

Start Court operates through four key stages:

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1. **Referral:** There is no referral form. Individuals need to express an interest at their first court appearance; legal and mental health suitability is then assessed.
  2. **Joint assessment:** By health and NGO staff across four domains: mental health, AOD, psychosocial and legal.
  3. **Program:** Six-month engagement under the Bail Act. Includes fortnightly court check-ins, supervised urinalysis, and therapeutic groups.
  4. **Sentencing:** Participants must be pleading guilty to join the program - because people are innocent until proven guilty. Outcomes consider early pleas, progress, and recovery plans. Sentences are often discounted. Graduates receive recognition in a graduation ceremony at the end which is a positive experience.



**The clinical team are not a treatment team:** That is why 'Start' is no longer an acronym! Clinicians provide assessment and referral - they work alongside the participant's community mental health team or refer as needed.

**Lived Experience staff** - Consumer and family peer workers, with experience in the justice system, provide relational support, advocacy, and engagement and are vital in building trust and to helping to navigate the court and recovery.

***Teri Ekanayake:** " Peer workers are really the voice of the participant... they have taken people out bowling or to play pool or fishing or whatever it may be. And it's that relaxed time - it's that enjoyment time is where they're able to build relationships with participants."*

### Who are our participants?

Average age: 39 years; 70% male, 30% female; 22% Aboriginal.

Diagnoses include schizophrenia (31%), personality disorders (21%), bipolar disorder (13%), drug-induced psychosis (10%). 80% of participants have alcohol and other drug needs.

### Start Court Outcomes – Data collected demonstrated the impact on outcomes, and it was cost neutral.

- Over 2300 applicants since 2013; 73% found suitable.
- Decreased arrest rates and severity of charges and longer periods before reoffending.
- Fewer hospital admissions and emergency presentations.
- Increased access to support services and reduced violent behaviours.

### Q: What is available for people with learning and cognitive disabilities?

- **A:** In Perth, the Intellectual Disability Diversion Program Court (IDDP) and alcohol and drug court and mental health court share a magistrate, lawyers, prosecutor, orderlies and are in the same court room and there is flow between these courts.

### Q: Are Work and Development Permits (WDP) available on the program?

- **A:** Work and Development Permits are available. Anyone who engages in the mental health Start Court, and is eligible for a WDP can pay off up to \$60 to \$70.00 per hour.

### Case Study: The transformative potential of Start Court.

A 40-year-old woman diagnosed with complex PTSD, had over 50 hospital admissions with 2 extended admissions the year prior to contact with Start Court. The Start Court assessment raised concerns about her stability, and whether she could handle the program. Despite challenges, she completed the six-month program, graduated, secured employment, purchased a home, and had no hospital admissions during the program. During later readmissions she kept her home and job.

### What's next for Start Court?

- **Regional Expansion:** Hope to extend services beyond metropolitan Perth.
- **Courts for neurodivergence:** There are increasing diagnoses of autism and ADHD that suggest potential for a dedicated court.
- **Increasing our Aboriginal staffing:** Referral and peer support provision is a priority by having more Aboriginal staff, due to overrepresentation of Aboriginal people in the justice system.

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**Teri Ekanayake:** "There's been many a tear, not just from the family at a point of graduation. And really for a clinician, it provides hope - that recovery is possible, and we see it in action. It's wonderful."

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**For more information:** [https://www.magistratescourt.wa.gov.au/s/start\\_court.aspx](https://www.magistratescourt.wa.gov.au/s/start_court.aspx)

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