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If you have a disability and you're involved in the justice system, you have the same rights as anyone to become or remain an NDIS participant.

We consider you're involved in the justice system if you are:

- in custody in a correctional facility, for example a prison, remand centre, youth detention centre or secure mental health facility
- on remand, awaiting or following sentencing
- required by a court order to regularly report to a correctional or community correctional agency, for example on bail, probation or parole
- serving a community based order, or are on a leave of absence order or therapeutic leave
- under forensic orders, which may include restrictions on your movements or other requirements, such as drug testing or attending prescribed treatment.

The NDIS is responsible for providing disability-related supports to help meet your needs while you're involved in the justice system.

State justice systems are responsible for:

- imposing conditions on any individual, who may be considered a risk, while in the community
- law enforcement and ensuring any participant released from a justice setting complies with any supervised orders or conditions that may be in place
- taking action should someone re-offend or be considered a risk of re-offending
- protecting other people if a participant has a known criminal history.

We have a guideline about the justice system, which explains what we consider and how we make decisions based on the legislation.

Justice Liaison Officers

The NDIA Justice Liaison Team has a network of Justice Liaison Officers (JLOs) who work collaboratively with state and territory government agencies to support people with disability in

custody and to transition back into the community.

The JLOs can:

- work with mainstream justice services to assist people with disability to access the NDIS
- help people with disability access the supports they need while in custody and to transition back to the community
- respond to enquiries and assist with any barriers between the NDIS and mainstream services
- provide education and promote a best practice approach.

Supporting access

During the NDIS access process, JLOs can:

- build capacity with stakeholders to understand NDIS access processes, including consent requirements
- provide information and support for required documents
- assist with access requests and monitor the status of applications, including prioritising requests
- advise relevant stakeholders of the decision and provide guidance on the next steps
- where access is met, support progression to the NDIS planning stage.

For applicants who are not eligible for the NDIS, JLOs can provide connection to Local Area Coordinators who can support access to appropriate community and mainstream supports.

Planning, implementation, monitoring and reassessment

JLOs support NDIS planning staff to support participants in custody and transition into the community, ensuring that all stages of the NDIS planning pathway occur at the right time.

JLOs work in collaboration with internal and external stakeholders, to ensure a participant's NDIS plan meets their disability-related needs.

Justice Advisory Panel

In September 2026, the Justice Advisory Panel provided the NDIA with its advice about policy and systemic issues affecting people with disability interacting with the justice system.

Learn more about the Justice Advisory Panel advice .

Our Guideline

Download our guideline on the justice system:

- Justice system (PDF 216KB)
- Justice system (DOCX 81KB)

More information

For more information on supporting people with disability in the justice system, visit:

- Would We Fund It - Justice

Stakeholder guides

We've developed 2 guides for justice stakeholders and providers that explain:

- the distinct roles and responsibilities of the NDIA and NDIS supports
- how NDIS supports may compliment supports from other systems
- the importance of working together to support participant outcomes.

Download the stakeholder guides:

- Guide to assist courts, tribunals and judicial stakeholders (PDF 200KB)
- Guide to assist courts, tribunals and judicial stakeholders (DOCX 127KB)
- Guide for providers and external stakeholders (PDF 226KB)
- Guide for providers and external stakeholders (DOCX 99KB)

This page current as of
29 October 2026