

# Cognitive Impairment Diversion Program

## Fact sheet for family and friends of defendants

The Cognitive Impairment Diversion Program (CIDP) provides a pathway out of the criminal justice system for defendants with a cognitive impairment charged with low level offences.

The CIDP will support defendants who have a cognitive impairment by:

- helping them to access the National Disability Insurance Scheme (NDIS)
- providing a support plan connecting defendants to support services.

### Who is eligible?

To be considered eligible for the CIDP defendants must:

- be an adult (18 years+)
- be charged with a less serious offence
- be assessed as having a cognitive impairment
- voluntarily agree to participate in the CIDP.

### Where is it available?

The CIDP is currently available at **Penrith and Gosford Local Courts**.

### How are referrals made?

Anyone can make a referral by contacting the Court Liaison Service. Defendants can be referred to the program on more than one occasion.

### How does the CIDP work?

1. When a CIDP referral is received, a clinician will assess the defendant to identify if they have a cognitive impairment and prepare a report for the magistrate.
2. The defendant with a cognitive impairment is referred to a CIDP support worker.
3. The defendant's lawyer makes an application to the magistrate to adjourn the proceedings.
4. The CIDP support worker assists the defendant to access the NDIS. If the defendant is an existing NDIS participant the support worker requests a plan review to ensure the defendant's plan meets the defendant's new circumstances.
5. The CIDP support worker helps the defendant to identify and gain access to any additional community services and support they may need.
6. When the defendant's NDIS plan and support services are in place, the CIDP support worker prepares a report for the clinician and the magistrate.
7. The magistrate will then decide whether a diversion order is appropriate.
8. If the magistrate makes a diversion order, a Community Corrections Officer will be assigned to monitor the defendant while they complete their order. If a defendant fails to comply with the condition/s of their diversionary order within 6 months of their discharge, the Magistrate has the power to request the defendant to appear before them. The Magistrate can then deal with the charge as if it had not been discharged.

## Referrals

**Court Liaison Service:** 9700 2175

For more information

**Email:** [cidp@justice.nsw.gov.au](mailto:cidp@justice.nsw.gov.au)

**Or visit the website at**

[www.localcourt.justice.nsw.gov.au](http://www.localcourt.justice.nsw.gov.au)