

Assessment and Referral Court

The Assessment and Referral Court (ARC) supports accused experiencing mental illness and/or cognitive impairment to address the underlying causes of their offending. It aims to boost community safety and improve the wellbeing of participants.



What is ARC?

The Assessment and Referral Court (ARC) is a specialist court for accused individuals experiencing complex mental illness and/or cognitive impairment, such as an intellectual disability, autism or brain injury. ARC's therapeutic approach increases participants' engagement with the court process while providing treatment and support tailored to their needs and to address the underlying causes of their offending.

The pre-sentence program motivates participants to engage with the court as well as achieve their individual goals. Participants are supervised by a magistrate who hears their matters and reviews their progress in a less formal setting than a regular court hearing.

Who is eligible?

To be eligible for ARC, an accused must:

- be diagnosed with a mental illness, intellectual disability, acquired brain injury, autism spectrum disorder and/or neurological impairment, including dementia
- have a substantially reduced capacity for self-care, self-management, social interaction and/or communication
- be likely to benefit from receiving support from co-ordinated services
- plead guilty
- consent to participate in ARC, including the sharing of information between service providers



What is involved?

ARC assesses the needs of participants and refers them to appropriate health, welfare and disability services to promote their recovery or stabilisation. Case managers develop a support plan alongside participants whose progress is regularly monitored by a specialist magistrate. Participants are supported by a multi-disciplinary team which includes the accused's lawyer, a police prosecutor and treating professionals. Participants are eligible for up to 12 months support before being sentenced by an ARC magistrate who takes their progress into consideration. If a participant is unable to engage with the program, their case may be transferred to mainstream court for sentencing.

A referral to ARC can be made by anyone, including the accused person, their family, a magistrate, Victoria Police, their lawyer or court support services such as the Court Integrated Services Program.

Brad's story

Brad* was referred to ARC after being charged with aggravated burglary, theft and attempted fraud.

He was assessed as having acquired brain injury (ABI) risk factors as well as needing support for alcohol abuse, grief and loss and problem gambling. His ARC support plan included a referral for an ABI assessment which resulted in him being diagnosed with an ABI.

Brad was referred for housing support, to a gambling help service and commenced drug and alcohol counselling. He also contributed to the development of a mental health care plan with his GP, who then managed his mental health issues. During his time in ARC, Brad reconnected with his family, started vocational training and gained part-time work. By the end of his involvement with ARC, Brad had made significant improvements to his life and did not reoffend.

*Not his real name. Image for illustration purposes only.



For more information on ARC and MCV's other specialist courts and programs, visit our website:

