



# The Guddi Way Screen in Judicial Courts

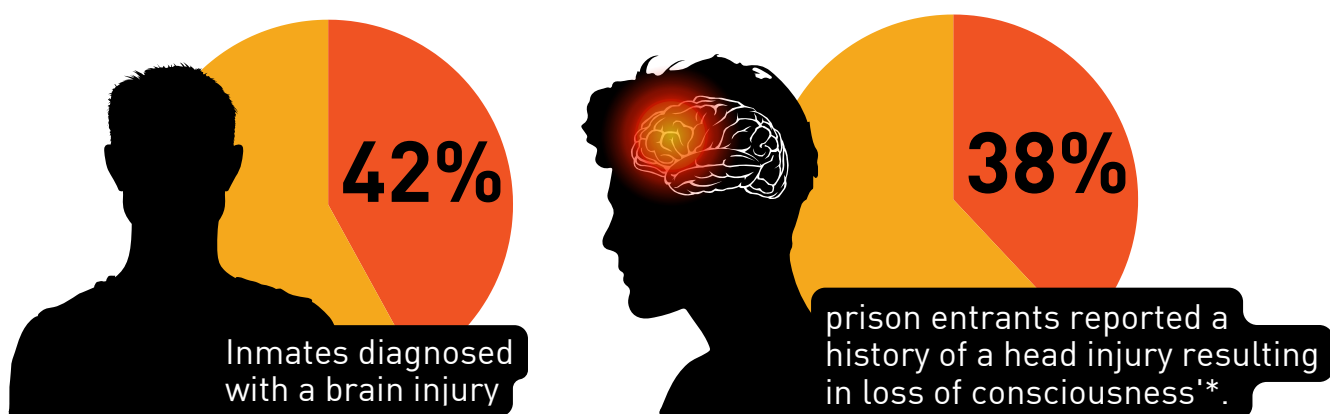
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The Guddi Way Screen is a culturally developed tool to identify cognitive impairment in Aboriginal and/or Torres Strait Islander people. It screens for cognitive difficulty across domains including orientation, attention, language, recall, visuospatial skills, and executive function.

## Prevalence of brain injury in our justice system

Research shows that 42% of adult male prisoners have been diagnosed with a brain injury\*. In 2022, the Australian Institute of Health and Welfare reported that 'almost 2 in 5 (38%) prison entrants reported a history of a head injury resulting in loss of consciousness'\*.

This makes brain injury a key concern in our prisons, as we know living with a brain injury can have unseen impacts on how people think and their cognitive behaviours.



## Increased impact on Indigenous people

Brain injury currently receives relatively little recognition in the criminal justice system. It is estimated that rates of brain injury are up to three times higher for Australian Indigenous peoples who are incarcerated than non-Indigenous peoples.

In 2022, despite First Nations people making up only 3.8% of the total Australian population, First Nations people made up 32% of all people in prison.\*



## Brain Injury - its science not choice

Where a person experiences cognitive problems resulting from brain injury, this is a result of the brain not working properly. This can affect how a person thinks, what they understand, how they manage emotions or react to situations, what they remember, how they speak, their insight into themselves, their behaviour and much more.

The impact of brain injury on behaviour is not changed due to punishment or consequences, without being coupled with the support a person needs to be made aware, and strategies implemented to combat these difficulties which frequently contribute to offending.

## Screening can break the cycle of reoffending

Identifying cognitive difficulty prior to sentencing can have a critical impact on acknowledging the support a person needs to minimise reoffending, and to improve compliance with court conditions. These in turn can have a positive impact on sentencing outcomes.

The intersection of brain injury, mental health and trauma has undeniable impacts on difficulties accessing employment, housing, health care, and creating positive connections to the community. All of which are important protective factors against reoffending. Understanding the individual impacts of brain injury can help to break the cycle of their offending.

“ I get real angry sometimes and I don't know why. I get real wild about things. Knowing my brain isn't working proper I can try and do other things to help myself not get angry ”



## Why do a Guddi Way Screen?

To understand the possible cognitive impairments, associated functional impacts, mental health symptoms, and unmet support needs that a person may have:

**To indicate referrals for further assessment**

**To better tailor support for someone with cognitive impairment**

**To improve access to specialist and mainstream services and supports**

**To inform bail and parole conditions, and the support individuals may need to meet them**

## Cultural Foundation

The Guddi Way Screen is administered according to a culturally informed framework and method to ensure cultural safety and respect, using “Proper Way”.

“Proper way” is a way of doing business in Aboriginal and/or Torres Strait Islander peoples that respects their wishes, values and customs.

Training to administer the screen focuses on the use of an informal, yarning approach that respects the story of the individual, their life experiences, culture and community.

\*AIHW (2022), Australian Institute of Health and Welfare. Health of people in prison. Canberra: AIHW, Australian Government



## The Guddi Way Screen in Sentencing courts?

The Guddi Way Screen is a culturally developed tool to identify cognitive impairment in Aboriginal and/or Torres Strait Islander people. It screens for cognitive difficulty across domains including orientation, attention, language, recall, visuospatial skills, and executive function.

This means we can better understand if a person has trouble remembering things, thinking clearly, regulating their emotions, understanding instructions and making decisions. All essential skills that should be considered in sentencing decisions and understanding what support a person may need to engage in rehabilitation and therefore affect their likelihood of reoffending.

**It includes an acute health screen to assess a person's physical wellbeing**

**Social and emotional wellbeing screens that consider trauma and mental health**

**A needs assessment to ensure a holistic understanding of a person**

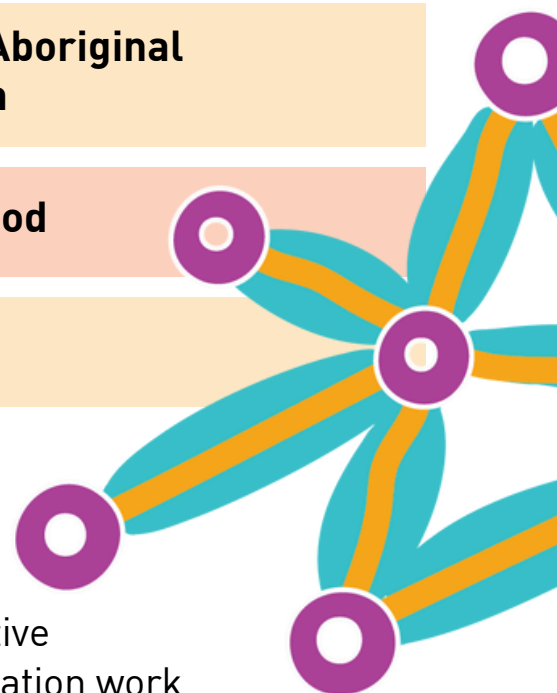
**With training, it can be administered by an Aboriginal and or a Torres Strait Islander non-clinician**

**Engaging and culturally safe 'yarning' method**

**Non-diagnostic**

## Validation

The Guddi Way Screen uses items relevant to cognitive impairment and is culturally valid. Preliminary validation work indicates good predictive value for a wide range of people.





## How can the outcomes of the Guddi Way Screen be implemented in Sentencing courts?

The outcomes from the Guddi Way Screen can inform the Magistrate to assist with making decisions about bail, parole or sentencing decisions with an improved understanding of a person's difficulties, limitations or life experiences.

This of course, increases the chance that the court process supports a person to minimise future engagement with the justice system by identifying what the person can do successfully relative to the support available to them.

It also can be used by the person, court support services, Elders, community, family and others to ensure the right support to assist a person to adhere to any requirements such as bail or parole conditions

For more information on the Guddi Way Screen please contact Synapse.

**Call 1800 673 074**

**learn more at  
[synapse.org.au](https://synapse.org.au)**

