

DRUG AND ALCOHOL SENTENCING LIST

POLICY NO. C10

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to providing best practice supervision of offenders on the Drug and Alcohol Sentencing List (DASL).

This policy outlines the services that ACTCS provides to the DASL and the administration of Drug and Alcohol Treatment Orders (DATOs).

2 SCOPE

This policy applies to Community Corrections and Release Planning staff involved in assessment and supervision of offenders referred to the DAC and participants who receive a DATO.

Where required, the General Manager Community Corrections and Release Planning will establish operational procedures under this policy.

3 DEFINITIONS

Drug and Alcohol Sentencing List

A list for the administration of DATOs in accordance with the Supreme Court DASL Practice Direction.

Drug and Alcohol Treatment Order (DATO)

An order that forms the basis for an offender's participation in an alcohol and drug treatment program. A sentence of up to four years in custody is suspended while the offender completes a maximum two (2) year DATO.

Threshold Assessment

A report completed by ACT Health (ACTH) to assist the court to determine whether an eligible offender will be referred for full assessment pursuant to 46J of the Crimes (Sentencing) Act 2005 (ACT) (CSA).

Suitability Assessment

A Drug and Alcohol Treatment Assessment (DATA) Pre-Sentence Report (PSR) completed by ACTCS.

Participant

A person undertaking an assessment and/or sentenced to a DATO.

The DASL Treatment Order Team (Treatment Team)

Consists of a DASL judicial officer, ACT Courts and Tribunal (ACTCT), ACTH, ACTCS, Director of Public Prosecution (DPP), Legal Aid ACT (LA ACT) and ACT Policing.

The DASL Treatment and Supervision Team

The DASL Treatment and Supervision Team includes operational staff from ACTCS and ACTH.

4 PRINCIPLES

- 4.1 ACTCS decision-making will consider community safety as paramount, and consideration will be given to the therapeutic, and mental and physical health focus of the DATO.
- 4.2 ACTCS will promote community safety by reducing the level of criminal activity caused by alcohol or drug dependence in offenders.
- 4.3 ACTCS will promote the administration and case management of the DATO by engaging in an integrated approach with treatment services working with the court system.
- 4.4 ACTCS will adopt a holistic, therapeutic and non-adversarial approach to addressing participants' offending behaviour.

5 TREATMENT AND SUPERVISION TEAM

- 5.1 The ACTCS Treatment and Supervision Team:
 - a. engages, supports and monitors a participant's compliance and engagement with offence-specific core conditions and treatment program conditions;
 - b. attend case conferences for participants; and
 - c. maintains open communication with the ACTH Treatment and Supervision Team.
- 5.2 All participants will have a Sentence Management Plan (Sentence Management Policy).
- 5.3 Participants may be subject to breathalyser testing for alcohol use.
- 5.4 Where a participant has a registered victim, the Treatment and Supervision Team will liaise with the Victim Liaison Officer when making decisions about the management of the participant (Sentence Management Policy).

6 RELATED DOCUMENTS

- A – Supervision of Offenders Subject to a Drug and Alcohol Treatment Order Community Instruction
- B – Sentence Management Policy
- C – Pre-Sentence Report Policy
- D – Drug and Alcohol Sentencing List Practice Direction
- E – Supreme Court DASL Practice Guidelines 2019



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