



BAY OF PLENTY
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OIA REQUEST

Received: 23 May 2022
Due: 21 June 2022
Response Date: 25 May 2022
Clarification: 08 June 2022
Subject: Comprehensive AOD Assessments

In response to your request under the Official Information Act, please find our response below:

Request

I am a Criminology Honours student at VUW. I am currently doing an assignment on the availability of different reports to the Courts (such as PSR, Cultural, Mental health and comprehensive AOD reports). One of the things I wish to establish is how many of these different reports are provided to Judges in a given year.

Recently I wrote to the MOJ asking how many comprehensive alcohol and drug assessments were provided to Judges in NZ in 2021.

They had the figures for Wellington but in regard to the rest of the country, they replied: "*I must advise that the Ministry is unable to provide this information as it would require investigating individual Court files.*" They also said: "*I understand that the following District Courts have dedicated AOD clinicians.*"

- Auckland District Court,
- Hamilton District Court
- Kaikohe District Court
- Nelson and Blenheim High Court/District Court (shared)
- Porirua District Court,
- **Tauranga District Court,**
- Whangarei District Court, and
- Waitakere District Court.

Questions:

- 1) **Does the DHB have a "dedicated AOD clinician" in the Tauranga District Court?**
Yes. *The DHB does provide the court with a dedicated clinician and providing comprehensive reports is part of that role.*
- 2) **Is the clinician's role primarily focused on providing brief assessments (as in alcohol and drug screening which might take 15-20 minutes) or providing comprehensive AOD assessments (which would include background issues and circumstances - including mental health issues - which might predispose the offender to using alcohol and drugs?)**
Both of these functions are carried out via different courts according to the court schedule (magistrates court day more brief intervention, triage/screening focussed, not exclusive to this though, district court days tend to be more comprehensive). No set primary standout depends on need on the day.



3. Does that dedicated clinician have any responsibilities other than providing alcohol and drug assessments to the courts? If so, what are those other responsibilities?

Yes, consulting and liaison, supporting service users through court processes to provide links and transition between the court and the DHB (or other involved agencies/NGO's). Advice and assistance to counsel, custody staff, the judiciary and probations services including sentencing recommendations when appropriate. To support offender management of risk, bail conditions (for example when abstinence clauses are not possible), custodial safety (for example withdrawal management) using community treatment options and referrals. Support court staff and counsel with service users experiencing high distress and anxiety or other symptoms. Provide links to other social service agencies as issues arise. Liaison and mediation with other health and social service providers or support agencies. Work with whanau or support people as they are referred by court staff or counsel. Facilitate workshops/training to stakeholders. Work collaboratively with the regional forensic team to assess and manage service users in the offender population that may be experience symptoms that may require assessment and treatment (both compulsory and voluntary. Screening for mental health and substance use issues that may require acute assistance from the hospital and facilitating that process from the court or custodial setting.

4) Can you please advise how many comprehensive alcohol and drug assessments were provided to the Courts in Tauranga in 2021?

No, comprehensive reports are provided by other agencies and practitioners across the jurisdictions at the Tauranga District Court (depending on the nature of the file). Numbers are not tracked. Pursuant to clause 18(f) of the Official Information Act the BOPDHB is declining release of this information on the grounds that to provide the information would require substantial collation. This information is not held in an easily retrievable electronic data system and would be part of clinical notes. To provide this information would require going through individual notes/records which would take a substantial amount of time and resource.

25 May 2022 Clarification of our response requested.

In answer to my question 1, you advised that the Tauranga District Court has a dedicated AOD clinician. In answer to question 4, you state that comprehensive reports are provided by "other agencies and practitioners across the jurisdictions and that numbers are not tracked"

Can I ask a couple of clarifying questions please.

- 1) Which agency provides the dedicated AOD clinician? Is that the addiction service at the DHB itself, or perhaps the Salvation Army. Can you specify please.
- 2) Let me assume for argument's sake that the Salvation Army provides the dedicated AOD clinician (as is the case in Wellington). Presumably the DHB does not have access to Salvation Army files. Is it not possible that the clinician has a folder on his or her computer with all of the comprehensive AOD reports provided to the court in their role as the dedicated AOD clinician. (In addition to my criminology studies, I have been working as an alcohol and drug counsellor for 18 years. I provide comprehensive AOD assessments to the courts in Wellington, Hutt Valley and Porirua and I have such a folder on my computer. I have kept these folders since 2008 and have one for each year. So I know exactly how many assessments I provide to the court each year.)

In other words, what I am looking for is the number of comprehensive AOD assessments provided exclusively by the dedicated AOD clinician - not by other agencies or practitioners.

See additional information in red above.

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You have the right to request the Ombudsman investigate and review our response. www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely



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