



MINISTRY OF
JUSTICE
Tabū o te Ture

AODT

Court

**TE WHARE WHAKAPIKI
WAIKUA**

Alcohol and Other Drug Treatment Court

Navigator





Purpose of this AODT Court Navigator

This Alcohol and Other Drug Treatment (AODT) Court digital toolkit is for people who are involved with, or are interested in Te Whare Whakapiki Wairua – The house that uplifts the spirit.

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Overview

Nau mai, haere mai Te Whare Whakapiki Wairua

Addiction is a pattern of regular and heavy alcohol or drug use that prevents people from living the life they want to. Addiction impacts whānau and relationships, makes it hard to keep work and affects mental and physical health. This can create a downwards spiral that can be difficult for people to come out of.

Many people who come into the criminal justice system struggle with addiction. For some, cycling in and out of prison has become a way of life.

Te Whare Whakapiki Wairua - the AODT Court provides an alternative pathway that helps people who want to break this cycle.

This toolkit is for people who are involved with, or are interested in, Te Whare Whakapiki Wairua - The house that uplifts the spirit. It includes information about:

- the different AODT Court roles and responsibilities
- how they support the participant and victims
- what the participant's journey through the Court can look like
- what to expect when you attend an AODT Court
- the tikanga of the AODT Court.



What is the AODT Court?

Stakeholders

The AODT Court is led by the judiciary and brings together iwi, Ministry of Justice, Ministry of Health, Ara Poutama Aotearoa – Department of Corrections, New Zealand Police, the Public Defence Service, health service providers and the local community to better support an effective response to alcohol and/or other drug substance use disorders.



Locations

Te Whare Whakapiki Wairua was first established in Auckland and Waitākere as a pilot in 2012. In December 2019, the then Minister of Justice announced his intention to make the two pilot courts permanent and establish a third court in Waikato. In 2021, the Te Whare Whakapiki Wairua ki Kirikiriroa was established at the Hamilton District Court.

Why have an alcohol and drug court?

Best practice

The AODT Court is designed to be consistent with international best practice, and to supervise offenders whose offending is driven by AOD issues. The Court provides judicial oversight of participants' engagement in treatment programmes and rehabilitation support services.

A number of therapeutic or solution-focused courts have been established in New Zealand where the judiciary, iwi, government agencies, and communities collaborate to take more holistic approaches to address the underlying causes of offending.

AOD addiction is a serious health issue in Aotearoa that is a contributor to crime and other social harm in our community.

Ara Poutama Aotearoa – Department of Corrections figures show that approximately 60% of community-based offenders have an identified AOD need and 87% of prisoners have experienced an AOD problem over their lifetime.

New Zealand's AODT Court is a joint initiative between government agencies and the judiciary.

Outcomes to date in Auckland and Waitakere

The Alcohol and Other Drug Treatment Court Outcomes Evaluation 2018–19 report (June, 2019) found that within two years after graduating from the AODT Court, participants were:

- less likely to offend
- less likely to be in prison
- less likely to be involved with Police services.
- Where subsequent offending occurred, it was likely to be less serious offending.

The report also found that participants who completed the AODT programme experienced improved relationships with whānau, improved health, and increased education, training and mahi opportunities.



Capacity

The AODT Court has a maximum capacity of 50 participants at any one time at each site.

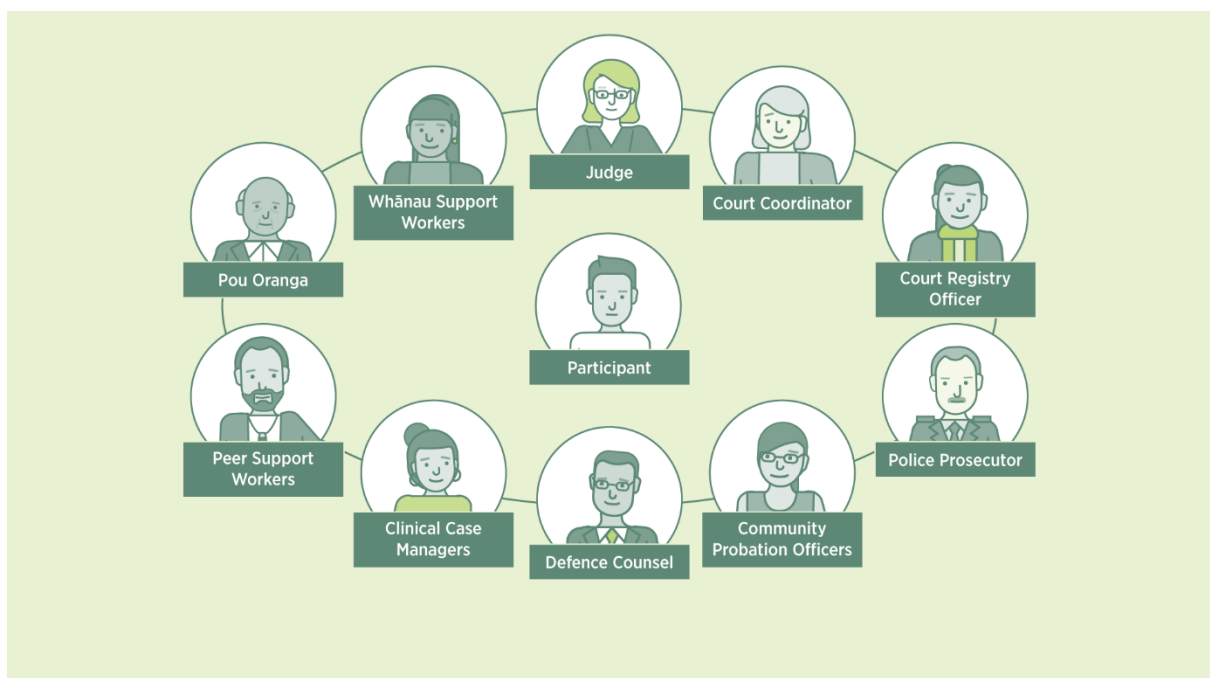
The AODT Court team

Overview of the AODT Court team

The AODT Court team consists of the:

- AODT Court Judge
- Court Coordinator
- Court Registry Officer
- Police Prosecutor
- Community Probation Officers
- Defence Counsel
- Clinical Case Managers
- Peer Support Workers
- Pou Oranga (Māori Advisor)
- Whānau Support Workers (currently only at Te Whare Whakapiki Wairua ki Kirikiriroa).

The AODT Court team holds a pre-Court meeting to monitor participants' progress, consider reports and share information about the participants appearing on that sitting day. This interdisciplinary team focuses on consistent collaboration to ensure timely responses to issues.



Roles and responsibilities

Role	Responsibilities
Judge	The Judge works collaboratively to support participants while still holding them accountable for their offending by requiring them to address its underlying causes. The Judge will sentence participants who successfully complete the AODT Court programme.
Court Coordinator	The Court Coordinator helps manage relationships and the flow of information between external stakeholders and the AODT Court team, including overseeing drug testing results.
Court Registry Officer	The Court Registry Officer is responsible for providing judicial support and case progression. This includes taking court, case management and scheduling.
Police Prosecutor	Ensuring public safety is a central focus of the AODT Court. The Police Prosecutor's role includes informing the court of victims' views and providing relevant information about the participant.
Community Probation Officers	Specialist Probation Officers represent Ara Poutama Aotearoa – Department of Corrections. They attend pre-court meetings and determination hearings, facilitate graduates' transition to the Probation Service, and proactively manage graduates' community-based sentences, where continued focus is on ensuring that recovery activities are maintained.
Defence Counsel	The role of the Defence Lawyer is to provide services that advocate for and represent participants to ensure their rights are protected.
Clinical Case Managers	Clinical Case Managers coordinate the treatment programme tailored for participants to address their alcohol and/or drug dependency issues and provide a recovery programme. They regularly report back to the AODT Court team as to how participants are progressing with their treatment.
Peer Support Workers	Peer Support Workers have lived experience of recovery and provide mentoring and support to participants while they're working through the AODT Court programme. They also play an important role in discussions about participants' progress.
Pou Oranga	The Pou Oranga has expertise in te reo Māori and tikanga. Their responsibilities involve role modelling and advising the AODT Court Judge and team on how to engage with participants, while also ensuring that kaupapa Māori aspects are included in the AODT Court process and participant treatment plan.
Whānau Support Workers	The Whānau Support Workers fulfil a new role at Te Whare Whakapiki Wairua ki Kirikiriroa. It is intended to support whānau of participants, especially when they attend the AODT Court. They will also facilitate family conferences as needed.



About addiction and recovery

What is addiction?

Addiction is when heavy or frequent use of alcohol or other drugs stops people being able to live the life they want to.

Signs of addiction can include:

- family or relationship breakdowns
- not being able to meet study or mahi commitments
- wanting to stop using but not being able to
- needing to use more to get the same effect
- developing or worsening mental or physical health issues and experiencing cravings or withdrawals.



The AODT Court is for people who would be experiencing many of these impacts and when this addiction is leading to criminal offending. When diagnosed by a health professional, addiction may also be referred to as a substance use disorder.

What are addiction treatment services?

Addiction treatment services help people to improve their wellbeing, reconnect with community and whānau, and learn how to manage cravings. Activities available in treatment services may include:

- talking to a counsellor
- being part of a group programme
- attending support groups run by people with similar experiences (such as Alcoholics Anonymous or Narcotics Anonymous)
- receiving substitution therapy (such as being prescribed methadone)
- being supported to detox
- or living-in at a residential treatment facility.

What is recovery?

Recovery is when someone who has experienced addiction has stopped using alcohol or other drugs.

This looks different for each person. For many, recovery involves finding a new community, finding work or study, reconnecting with friends and whānau and staying sober. For some, recovery can be a lifetime journey and even if there is a lapse (using again) people can come back to recovery.



People in stable recovery are a great asset to communities and are more likely to volunteer, know their neighbours and be employed compared to the general population.

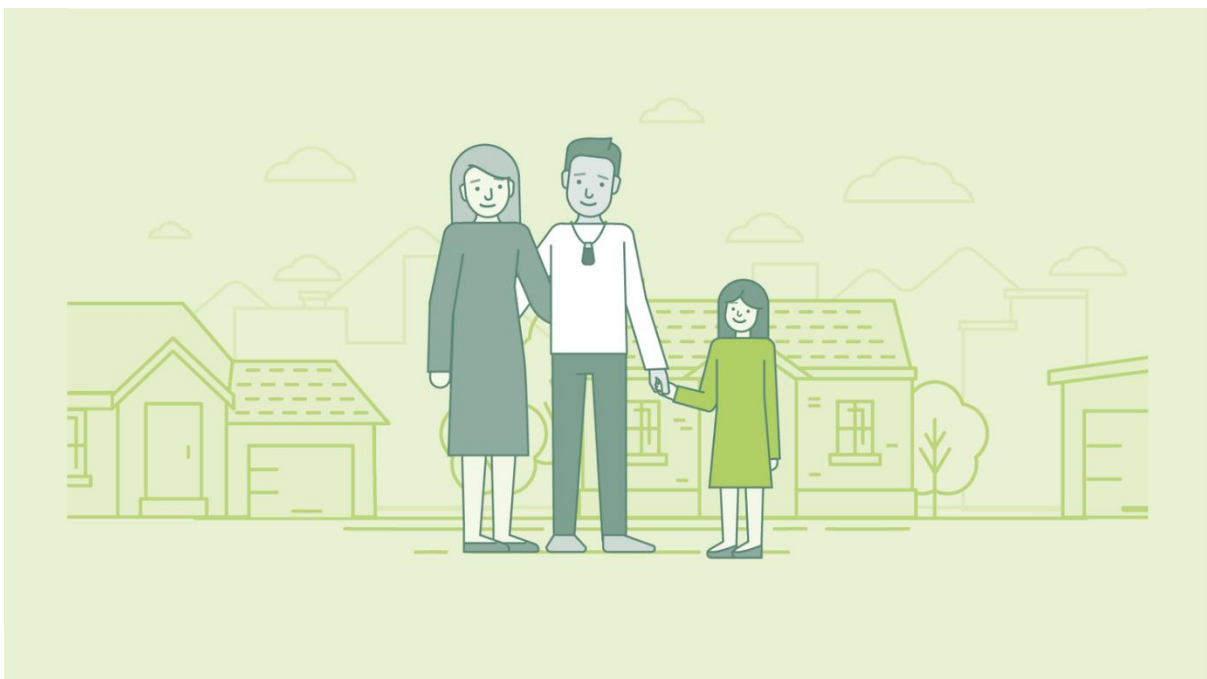
How can whānau, iwi, and friends help?

How can whānau, iwi, and friends support AODT Court participants?

The role of whānau and friends is central to recovery. They can help people experiencing addiction to find new connections that are not centred around alcohol and drug use – this can include just spending time with someone doing fun activities together sober. However, supporting recovery is not always easy and people need to be able to look after themselves as well. They need to set some boundaries around what support they are willing to provide and some expectations around behaviour (for example only spending time together if they are sober).

Whānau and friends of AODT Court participants are actively encouraged to:

- listen and offer encouragement and support
- help with transport (for example, to and from court, drug-testing appointments, treatment programmes and recovery meetings such as Alcoholics Anonymous or Narcotics Anonymous)
- attend the AODT Court to support their whānau member/friend
- support participants to comply with their bail conditions
- support participants to comply with the requirements of the AODT Court
- help participants to avoid situations where they're likely to encounter opportunities to use alcohol and drugs.



How are victims supported?

New Zealand Police

Wherever possible, New Zealand Police calls the victim to get their view and make this information available to the AODT Court at the pre-court team meeting. This is held before the offender appears at the AODT Court determination hearing in open court.

Once the participant is in the AODT Court, the victim's views can be presented by AODT Court Police Prosecutors in the AODT Court sittings. The Victim Advisors and New Zealand Police (in line with the Victims' Rights Act 2002) manage the flow of victim information to the criminal court from the first appearance of the defendant until sentencing.

Victim Advisors

Victim Advisors are Ministry of Justice employees and advise victims of the progress of their case through the court, and their rights in the court process if the victim chooses to engage with the Victim Advisor service. Victim Advisors work to ensure victims understand the court system and the specialist nature of the AODT Court. In addition, where requested by the victim or the court, Victim Advisors can provide a memorandum to the court outlining victims' views or, by invitation of the court, speak orally to the memorandum.

Victim Advisors are not required to attend the AODT Court pre-court team meetings. They can obtain information about case progression through the existing channels and may obtain additional updates on AODT Court-specific information on request to the Court Coordinator. The Court Coordinators are the conduit between the AODT Court and the Victim Advisors.

Restorative justice

Any defendant, having entered a guilty plea in the District Court to an offence where there is an identifiable victim, must be referred for restorative justice.

In this case, there is a presumption that the participant will attend a restorative justice meeting, at the direction of the Judge and only if the victim agrees.



How can victims be involved?

How can victims be involved in the AODT Court process?

Victims and people affected by crime committed by an AODT Court participant can:

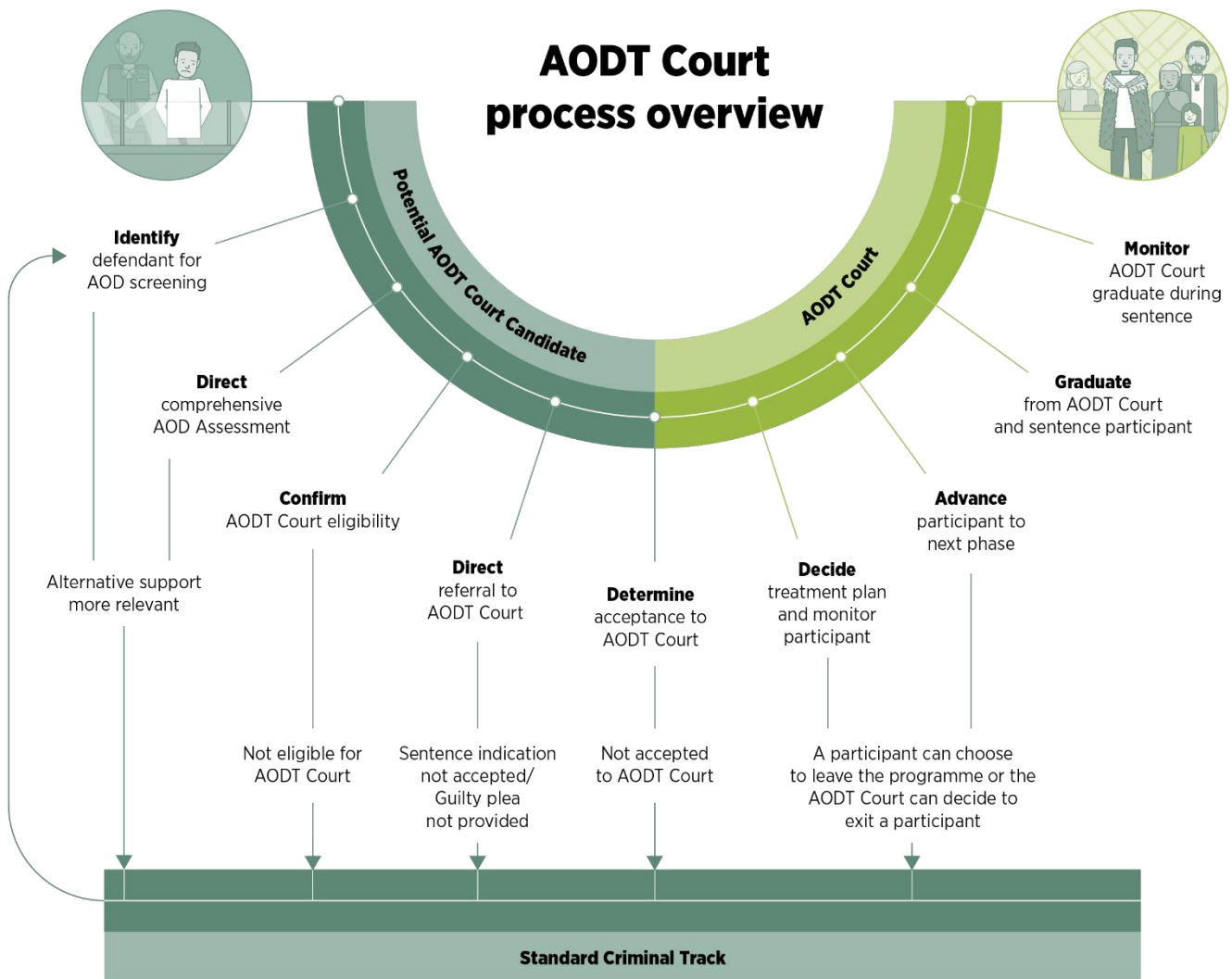
- attend open AODT Court hearings including the sentencing
- be informed about the defendant's progress through the AODT Court
- provide their views to the AODT Court (via the Victim Advisor, Police or a support person)
- apply to read their Victim Impact Statement at sentencing
- choose to be involved in a restorative justice conference with the defendant (where applicable)
- be informed about the reparation or financial restitution to which they may be entitled
- be advised of any financial assistance to which they may be entitled.

Overview

Overview of the pathway

The pathway of a defendant becoming a possible AODT Court participant starts during the standard Criminal Court track. The defendant might progress through all the steps, become a participant and graduate the AODT programme. There are also many points within the process where the person reverts back to the standard Criminal Court track.

This section dives deeper into that pathway, which is illustrated in the diagram below.



Eligibility

Eligibility

To be eligible for the AODT Court, the applicant must:

- be aged 17 years or over
- be a New Zealand citizen or permanent resident
- be likely to have an alcohol and/or other drug substance use disorder (active addiction for alcohol and/or other drug use) that is driving their offending
- does not appear to have a serious medical or serious mental health condition (other than an alcohol and/or other drug substance use disorder) that would prevent meaningful participation in the AODT Court
- has resolved all active charges (OR) is currently in the process of resolving all active charges
- has a RoC*RoI (Risk of Re-conviction x Risk of Re-imprisonment) score (as defined by Ara Poutama Aotearoa – Department of Corrections) which is considered generally within the range of 0.5 up to but not including 0.9. Exceptions to this include where the defendant is being charged with their third or subsequent drink-driving offence in the aggravated form
- be willing to take part in the AODT Court and able to attend programme sessions, which could include a residential treatment programme, and attend AOD testing appointments
- reside in the approved catchment area (OR) if the defendant does not live in the approved catchment area, there is confidence that the defendant has supports in place (ie, access to transport) to meaningfully participate in the AODT Court (refer to the AODT Court Manual for details of catchment areas)
- be facing charges at one of the identified Courts (refer to AODT Court eligibility criteria which can be found in the AODT Court Manual).

Why are some people not eligible for the AODT Courts?

Applicants may not be accepted into the AODT Court if:

- they have a serious medical or serious mental health condition (other than the AOD substance use disorder) that would prevent meaningful participation in the AODT Court
- their only active charges are breaches of a sentence or court order
- they are currently facing charges relating to sexual or serious violence, arson, or Category 4-related offending (or have previously been convicted of one of these types of offending).

Referral to the AODT Court

Referral to the AODT Court

Potential participants for the AODT Court are identified by their Defence Counsel, the presiding District Court Judge, Police Prosecutor or other parties involved in the proceedings. Sometimes defendants already know about the AODT Court themselves and seek a referral.

Referral at Te Whare Whakapiki Wairua (in Auckland and Waitākere)

If the defendant appears to be a suitable candidate for the AODT Court, their counsel should:

1. provide them with a copy of the AODT Court participant handbook and AODT Court participant agreement from which to learn more about the AODT Court
2. ask them to complete the AODT Court consent form, to consent to the release of the relevant documents for an eligibility assessment
3. complete the relevant section of the AODT Court eligibility criteria checklist, hand it to the presiding District Court Judge to complete the remaining section and request a remand for an assessment of their alcohol and/or drug dependency by the court-appointed clinician (AOD assessment).

Referral at Te Whare Whakapiki Wairua ki Kirikiriroa (in Waikato)

This is the screening process at the AODT Court in Hamilton:

1. If alcohol and other drug use is thought to be driving offending the Defence Counsel or a Judge can refer for AOD screening and brief intervention.
2. If the defendant agrees to be screened they can be booked in with the court-based service. If they are on a community sentence and have recently been screened, that can be used instead.
3. If screening occurs, the Judge and Defence Counsel will be provided with a summary (that is agreed to be shared) likely to give an indication of AOD need, cultural connection and any referrals to local health or social support services.
4. If a high AOD need has been identified then consideration for the AODT Court (awaiting eligibility criteria check and comprehensive assessment) can be recommended.

Comprehensive AOD assessment

Comprehensive AOD assessment

If the Court Registry Officer has reviewed eligibility criteria and the presiding Judge is satisfied that the eligibility criteria are met, a comprehensive AOD assessment can be arranged by the AODT Court Coordinator.

The Court Coordinator will make the necessary arrangements for the AOD assessment to be conducted, either by appointment (if the defendant is on bail) or in prison (if the defendant is in custody). The assessment takes up to four hours and will give an indication of substance use disorder and propose a treatment plan to meet addiction, mental health and other needs.

Once the report is prepared, the Court Coordinator will provide a copy to both referring counsel to canvas with the defendant, and to the presiding District Court Judge to consider at the defendant's next appearance.

If the comprehensive assessment confirms the AODT Court is appropriate, the Judge can set a determination hearing.

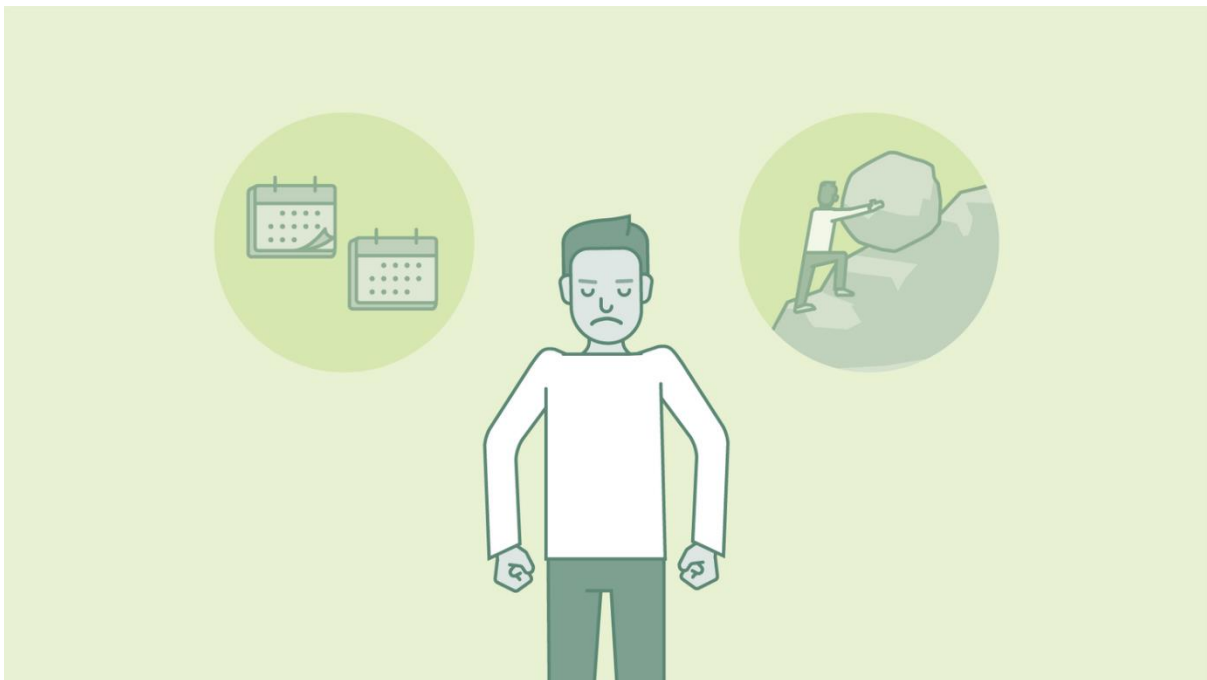
Determination hearing

Determination hearing

At the determination hearing, the AODT Court Judge will decide whether the defendant will be offered a place in the court, which will be informed by views from the AODT Court team members and the defendant's counsel (canvassed in detail at the pre-court hearing).

The focus of the discussion will be:

- whether the defendant meets the entry criteria or not
- whether the defendant understands what is expected of them (full commitment, engagement, accountability, patience and determination).



If a place in the AODT Court is then formally offered, the defendant is stood down for legal counsel to go through the Participant Agreement with the defendant.

If the defendant is not offered a place in the AODT Court, they will be remanded back to the mainstream criminal courts, for their matter to be dealt with in the usual way.

Three-phase programme

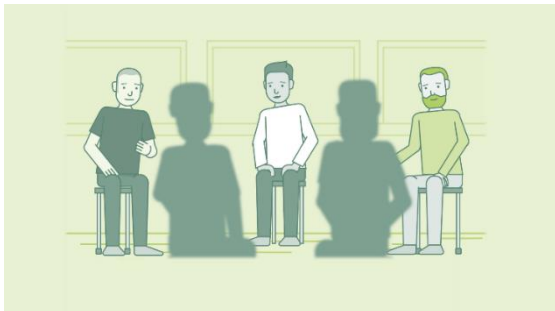
The three-phase AODT Court programme

AODT Court participants go through a programme of three phases, over the course of about 18 months.



Phase 1

Participants settle into the AODT Court's programme and start their recovery journey. They do this by engaging in alcohol and other drug treatment, either as a residential treatment (live-in) or a community-based programme.



Phase 2

Participants continue their treatment plan and receive support as they rebuild their lives by attending other programmes depending on their needs (such as counselling, stopping violence, parenting, road safety, literacy). They're held to account for their offending by attending restorative justice (where agreed to by victims) and completing voluntary community service mahi.



Phase 3

Participants complete their treatment plan and develop an ongoing maintenance plan with their case manager. Participants begin reintegrating into the community by finding suitable mahi or study, accommodation and positive activities that will support them in their life after leaving the AODT Court programme.

Throughout all phases of the Court programme, participants also attend recovery meetings and undergo random drug testing.

Graduation and sentencing

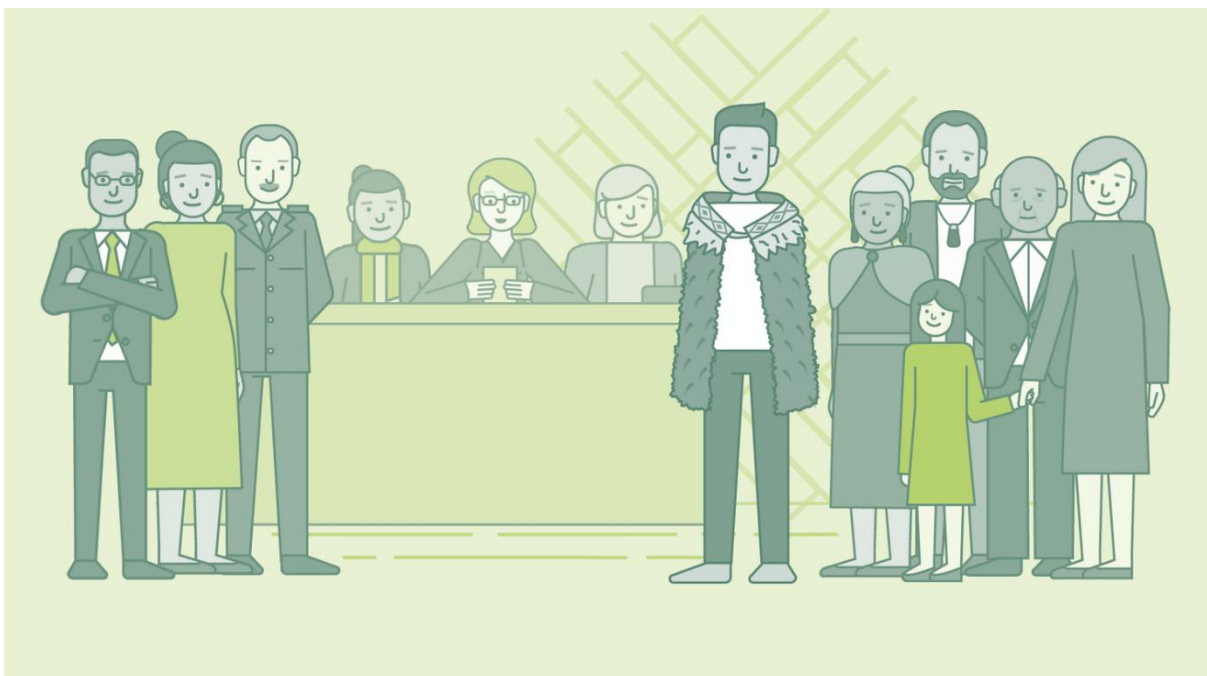
Graduation and sentencing

To graduate the AODT Court, participants need:

- completion or near completion of their treatment plan (finish the three phases)
- no positive AOD tests (including tampered tests or failing to present for testing) for 180 consecutive days
- compliance with conditions of bail and AODT Court participation
- no unexcused absences from scheduled services or appointments
- evidence of achievement towards a personal programme of goals
- submission of a written graduation request.

Participants who complete all these requirements will graduate the AODT Court and are sentenced by the Judge to a community-based sentence. This means they won't go to prison.

Participants who successfully complete the programme are recognised as AODT Court graduates and take part in a ceremony to celebrate their success, which their whānau and other supporters are invited to attend.



Monitoring

Testing

Participants will be regularly tested for alcohol and other drugs. Testing is a requirement of the AODT Court. Testing is an important part of the AODT Court programme. It's a way the Court sees whether participants are on track in their recovery.

Testing is random. Participants could be tested any day of the week. This includes weekends and public holidays. Most people will be tested five times every two weeks. If a participant is in a residential (live-in) treatment, or a later phase of the AODT Court programme, they may be tested less often.

Some people may have saliva drug tests instead (oral fluid testing). This is only for participants who can't easily give a urine sample. The Judge needs to agree to this first.



SCRAM bracelets

Some AODT Court participants will wear a SCRAM (Secure Continuous Remote Alcohol Monitoring) bracelet which tests for alcohol use. It does this by continually measuring participants' sweat for alcohol.

The Judge will decide if the SCRAM is a good option and how long it needs to be worn. Not everyone in the AODT Court will have a SCRAM bracelet.

Incentives and consequences

Incentives and consequences

Incentives are used to reinforce and acknowledge positive behaviours and progress. Consequences are used to deter further negative behaviours.

The types of incentives and consequences used will vary between AODT Courts. Additional incentives, consequences and exit from the Court may be agreed at the AODT Court team meetings and in Court on a case-by-case basis.

Refer to the AODT Court Manual for details.

Exiting the court

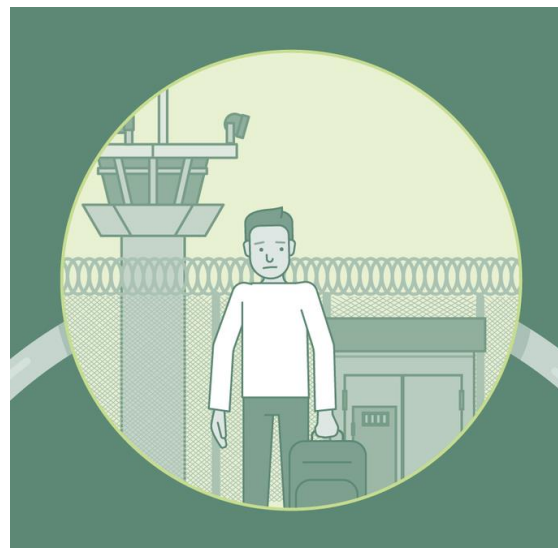
Different ways of exiting the Court

Not all participants graduate the AODT Court programme.

Some participants are exited from the Court if they:

- appear in Court and exit the AODT Court at the participant's request
- continue offending (based on type of offending, relative seriousness of the situation and danger to the community)
- deliberately and persistently fail to comply with treatment and/or testing requirements
- show violence or seriously threatening behaviour within the treatment setting or in Court precincts
- are exited from treatment by a treatment provider due to serious breaches of treatment setting rules
- act in a manner which causes the AODT Court to conclude that continued participation is untenable
- did not present at Court for a period of 14 days* after the issue of a warrant to arrest for non-appearance (*Where an AODT Court participant fails (without an approved absence) to attend their treatment requirements as directed (which may also include absconding from a treatment facility), and fails to attend the next required court appearance, a warrant to arrest will be issued).

The AODT Court Judge will decide at an exit hearing whether a participant is exited from the AODT Court programme or if a warrant to arrest needs to be issued.



A typical day in the AODT Court

What happens on the day at Court?

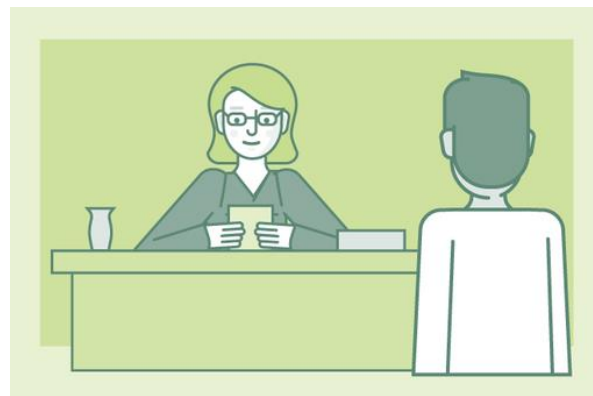
AODT Court sitting days are held in two sessions: a pre-court meeting and an open-court session.

Pre-court meeting

1. The AODT Court pre-court meeting is a closed court session that opens with a karakia and waiata.
2. The presiding Judge, Court Coordinator, Defence Lawyers, Police Prosecutor, Probation Officer, Clinical Case Manager, Peer Support Workers, Pou Oranga (Māori cultural advisor), Whānau Support Workers (currently only at Te Whare Whakapiki Wairua ki Kirikiriroa) make up the AODT team who attend the pre-court session.
3. The purpose of the pre-court session is to discuss the cases appearing before the Court. The Judge and AODT Court team come together and discuss participants' progress, any challenges, and treatment plans.

Open-court session

1. The open-court session is where the participants appear before the Judge for monitoring. The day starts with a karakia and waiata.
2. The AODT Court team is present at the open-court session. The AODT Court participants sit together. Friends and whānau are actively encouraged to attend. Victims can also attend open-court sessions, with support provided by a Court Victim Advisor.
3. The Judge will welcome everyone and introduce any new people.
4. The Judge will talk to the participants and will ask each some questions about how they're doing in their recovery. By sharing in front of other participants, they can learn from each other. Their Peer Support Worker, Clinical Case Manager or Lawyer might also talk about how things are going. The Judge will say when each participant needs to come back to Court.
5. Various types of hearings could be called for during the open-court session, for example determination hearings, progress updates, graduation and sentencing.



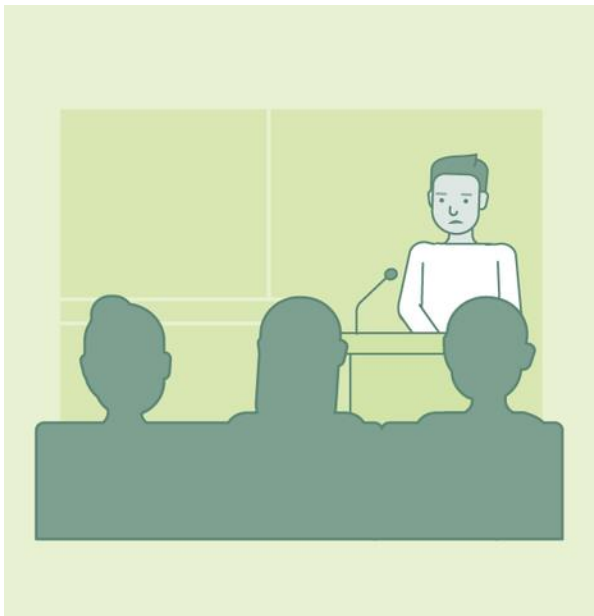
AODT Court etiquette

AODT Court etiquette and expectations

The AODT Court sits within the District Court and is a court of law.

It's important to follow appropriate Court protocol.

- The Judge should be addressed as Ma'am, Sir, Judge, or Your Honour.
- Other members of the team should be addressed as Mrs, Mr, Ms or Sergeant, as appropriate in open court.
- The Judge or others addressing the Court should not be interrupted.
- The person to whom the Judge is speaking should always stand.
- If someone needs to raise a matter, they should politely indicate this to the Judge.
- Communication should be appropriately formal (for example, no colloquialisms or slang).
- Team members should role model appropriate behaviour in Court to participants.
- Counsel and Clinical Case Managers should be present when their client is called.
- Water bottles, hot drinks and food are not permitted unless the Judge agrees.
- Going in and out of the courtroom repeatedly is disruptive and should be kept to a minimum.



Karakia

Te Whare Whakapiki Wairua (Auckland and Waitākere)

Opening

E Te Atua

Ko koe te tīmatanga

O ngā mea katoa

Aroha mai kia mātou

Mō ēnei mahi katoa | tēnei rā

Ake ake āmine

To the creator

You are the beginning

of all things seen and unseen

Keep us in your caring embrace

in all that we do this day

Ongoing, we agree.

Closing

Kia tau te rangimarie

Ki tenei Whare Whakapiki Wairua

Kia piki te kaha

Kia piki te ora

Kia piki te māramatanga

Haumi e, hui e, taiki e!

Let there be peace

in this house that uplifts the spirit

Uplifting in strength

Uplifting in wisdom

Uplifting in wellbeing

Gather, unite, it is done!

Te Whare Whakapiki Wairua ki Kirikiriroa (Waikato)

Opening

E Te Atua nou
te tīmatanga o ngā mea katoa
Arohaina mai mātou
e tutuki nei i ngā mahi
mō tēnei rā
Āmine.

To the creator
you are the beginning
of all things seen and unseen
Keep us in your caring embrace
as we pursue our daily work
We agree.

Closing

Kia tau te rangimārie
Ki tēnei Whare Whakapiki Wairua
Kia piki te kaha
Kia piki te ora
Kia piki te māramatanga
Haumi e, hui e, taiki e!

Let there be peace
in this house that uplifts the spirit
Uplifting in strength
Uplifting in wisdom
Uplifting in wellbeing
Gather, unite, it is done!

Waiata

Te Whare Whakapiki Wairua (Auckland and Waitākere)

Kia tū tika – whakapono – te aroha

Te Atua – hei oranga – te tangata

Kia kaha – kia toa – manawanui

Te whare whakapiki wairua

Kia kaha – kia māia – manawanui

Te whare whakapiki wairua

Tāu ana.

Stand upright in truth in love

'Tis God restoring mankind

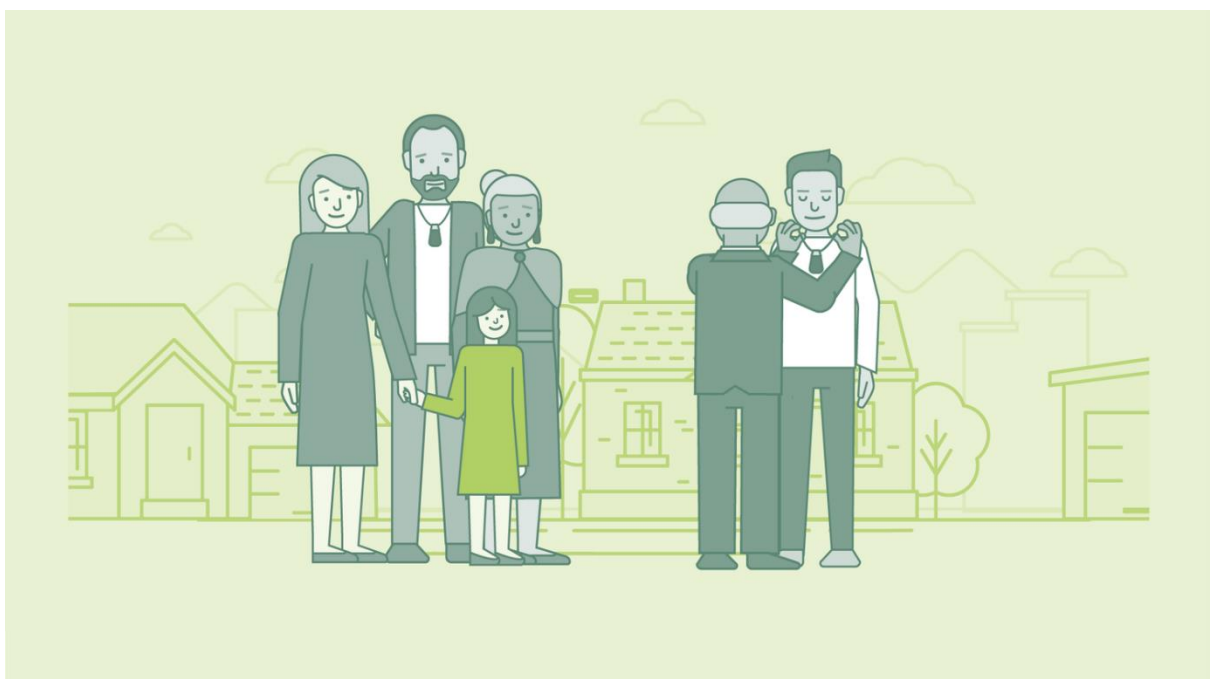
Be strong – be courageous – stout-hearted

in this house that uplifts the spirit

Be strong – be brave – stout-hearted

in this house that uplifts the spirit

'Tis settled.



Te Whare Whakapiki Wairua ki Kirikiriroa (Waikato)

Kia tū tika – whakapono – te aroha

Te Atua – hei oranga – te tangata

Kia kaha – kia toa – manawanui

Te whare whakapiki wairua

Kia kaha – kia māia – manawanui

Te whare whakapiki wairua

Tāu ana.

Stand upright in truth in love

'Tis God restoring mankind

Be strong – be courageous – stout-hearted

in this house that uplifts the spirit

Be strong – be brave – stout-hearted

in this house that uplifts the spirit

'Tis settled.

Glossary

Term	Description
Abstinence	Not using alcohol or any illegal or non-prescription drugs.
Acceptance to AODT Court	The AODT Court Judge makes a decision to accept a defendant to the AODT Court at their determination hearing. Individuals not accepted to the AODT Court continue through the standard criminal court.
Adjourn	When a case is put off to a later date.
Affidavit	A written statement made under oath (including by affirmation) before an authorised person.
Affirmation	A promise to tell the truth about what happened. This is the non-religious way of saying an oath in Court (see Oath).
AOD screening	A clinician will meet a defendant to identify any AOD use to help the Judge with their decision making. The clinician may also conduct a brief intervention and/or refer to services if required.
AODT Court eligibility check	A defendant is checked against set criteria to ascertain if the defendant can be considered for the AODT Court
Application	The act of making a request. Also the name of the document that contains the request.
Application to graduate	An AODT Court participant in Phase 3 can make an application to graduate from the AODT Court programme, on completing all the requirements of this phase.
Application to withdraw from AODT	An AODT Court participant can submit a request to the AODT Court Judge to leave the AODT Court at any stage they choose to.
Bail	If someone's been charged with a crime, they might be able to apply for bail. This means they don't have to stay in jail until their case gets to Court. They'll have to follow some rules (conditions) while on bail (see Bail conditions).
Bail conditions	The rules that someone must follow when they get bail. This might include coming back to Court when they're told and not travelling far away from where they're staying.
Breach	Breaking the rules or doing something they weren't allowed to. For example, breaking the rules of their bail (see Bail conditions).

Term	Description
Charge	A formal statement (usually by a Police Officer) that a person is accused of committing a crime that is punishable by law.
Clinical Case Manager	Clinical Case Managers coordinate the treatment programme tailored for participants to address their alcohol and/or drug dependency issues and provide a recovery programme. They regularly report back to the AODT Court team as to how participants are progressing with their treatment.
Community Probation Officers	Specialist Probation Officers represent Ara Poutama Aotearoa – Department of Corrections. They attend pre-court meetings and determination hearings, facilitate graduates' transition to the Probation Service, and proactively manage graduates' community-based sentences, where continued focus is on ensuring recovery activities are maintained.
Comprehensive AOD assessment	An in-depth assessment of a defendant, undertaken by a clinician, to provide detailed information about their health needs to support judicial decision making.
Conflict of interest	A real or perceived incompatibility between a person's private interests, actions or decisions made in their official capacity.
Consequences	An AODT Court Judge reviews a participant's progress at their monitoring hearing. A participant's good progress is acknowledged by the Judge. The Judge may decide on consequences for participants who do not comply with the expectations of the AODT Court.
Contempt of Court	Anything said or done that interferes with a Judge's ability to administer justice or that insults the dignity of the Court.
Counsel	A lawyer.
Court Coordinator	An AODT Court staff member who coordinates information and specialist services. The AODT Court Coordinator is a conduit between the AODT Court Judges and the AODT Court team, service providers and other relevant stakeholders. They help manage relationships and the flow of information between external stakeholders and the AODT Court team, including overseeing drug testing results.
Court Registry Officer	The Court Registry Officer is responsible for providing judicial support and case progression. This includes taking court, case management, and scheduling.
Custody	When someone has to stay in jail.
Defence Lawyer	The role of the Defence Lawyer is to provide services that advocate for and represent participants to ensure their rights are protected.

Term	Description
Defendant	A person who's charged with (accused of) a crime.
Determination hearing	The hearing at which an AODT Court Judge decides if a defendant will be offered a place in the AODT Court.
Direction	An order made by a Judge at a Court hearing.
Duty Lawyer	A lawyer at Court who provides free legal advice and can represent a defendant on the day at their first Court appearance.
Eligibility to graduate	An AODT Court participant in Phase 3 of the programme who has completed all the requirements of this phase can be considered for graduation from the AODT Court programme.
Exit hearing	A hearing at which the AODT Court Judge decides whether or not an AODT participant can continue in the AODT Court.
Guilty plea	Defendant admits to the charge and enters a Plea of Guilty.
Incentives	An AODT Court Judge reviews a participant's progress at their monitoring hearing. A participant's good progress is acknowledged by the Judge. The Judge may decide on consequences for participants who do not comply with the expectations of the AODT Court.
Judge	The Judge works collaboratively to support participants while still holding them accountable for their offending by requiring them to address underlying causes. The Judge will sentence participants who successfully complete the AODT Court programme.
Judicial monitoring	A sentencing option for Judges that allows the Court to actively manage and monitor compliance with a sentence. Judicial monitoring is specifically available where a sentence of intensive supervision or home detention has been imposed.
Jurisdiction	The extent of legal authority or power of a Court to apply the law.
Legal aid	Government funding to pay for legal help for people who cannot afford a lawyer.
Monitoring hearing	A hearing at which the AODT Court Judge checks on the progress of the AODT Court participant.
Oath	A solemn declaration, accompanied by swearing to God, that one's statement is true before a person who has authority to administer it.
Offence	An act or omission that one may be prosecuted for and punished under the criminal law.

Term	Description
Offender	A person convicted of a criminal offence.
Opposed (bail)	When the Police don't think the Court should let someone have bail (see Bail).
Participant (AODT)	A defendant who has been accepted into the AODT Court.
Participant agreement	If the defendant is offered a place in the AODT Court and accepts the place, the defendant and Judge will sign the participant agreement where the defendant makes a commitment to meet the expectations of the AODT Court programme.
Peer Support Workers	Peer Support Workers have lived experience of recovery and provide mentoring and support to participants while they're working through the AODT Court programme. They also play an important role in discussions about participants' progress.
Plea	A criminal defendant's answer to a charge. The defendant can plead guilty or not guilty.
Police Prosecutors	Ensuring public safety is a central focus of the AODT Court. The Police Prosecutor's role includes informing the Court of victims' views and providing relevant information about the participant.
Pou Oranga	The Pou Oranga has expertise in te reo Māori and tikanga. Their responsibilities involve role modelling and advising the AODT Court Judge and team on how to engage with participants, while also ensuring that kaupapa Māori aspects are included in the AODT Court process and participant treatment plan.
Referral to AODT Court	This is when a Judge decides to request the AODT Court to consider giving the defendant a place in the AODT Court
Registrar	A Court official who makes sure the formal processes of the Court are followed and that accurate records of hearings are kept, and who gives effect to any direction from the Judge.
Remand	After a Court hearing, people might be: remanded at large, which means they're free to go until their next court hearing; or remanded in custody, which means they'll stay in jail until their next court hearing; or remanded on bail, which means they're released on bail. See Bail.
Restorative justice	A process that provides opportunities for both victims and offenders to be involved in finding ways to hold the offender accountable for their offending and, as far as possible, repair

Term	Description
	<p>the harm caused to the victim and community.</p> <p>This process happens outside of Court. Participants meet with the person (the victim) who was hurt by the crime. Someone else will also be at the meeting to help work out how to make things right for the victim.</p>
ROC*ROI	Ara Poutama Aotearoa – Department of Corrections' measure of the likelihood that a person could re-offend.
SCRAM	An ankle bracelet which tests for alcohol use. It does this by continuously measuring the wearer's sweat for alcohol. SCRAM stands for Secure Continuous Remote Alcohol Monitoring™.
Screening report	The high-level report the clinician provides the Court after screening a defendant, with information on any AOD needs and referrals made.
Sentence	The penalty given to a defendant (see Defendant). Sentencing happens when the defendant has admitted to a crime or has been found guilty. A possible sentence could be time in jail.
Sentence (AODT graduate)	If a participant graduates from the AODT Court, they'll receive a community-based sentence rather than imprisonment.
Sentence indication hearing	A hearing where the Judge decides what sentence would likely be given to the defendant.
Submission	An argument that is presented to the Court in support of an application. It can be written or oral.
Testing / AOD testing	AODT Court participants are randomly and regularly tested for AOD.
Victim	A person who has a wrongful action committed against them.
Victim Advisor	A District Court staff member who helps victims through the court processes.
Warrant to arrest (WTA)	A court order authorising the Police to make an arrest.
Whānau Support Worker	The Whānau Support Worker supports whānau of participants, especially when they attend the AODT Court. They will also facilitate family conferences as needed.

More information

Do you want to know more?

Thank you for your interest in Te Whare Whakapiki Wairua – the AODT Court.

Use the links below to find more information, or if appropriate, talk to your manager.

1. Anyone can visit the website of Te Tāhū o te Ture – Ministry of Justice.
2. If you are part of the AODT Court team you should have been given the AODT Court Manual. Please talk to your manager or the Court Coordinator if you need a copy.
3. If you are an employee at Te Tāhū o te Ture, check out JET.

