

# Te Whare Whakapiki Wairua ki Kirikiriroa

The Waikato Alcohol and Other  
Drug Treatment (AODT) Court

Participant Handbook



MINISTRY OF  
**JUSTICE**  
*Tabū o te Ture*

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# Welcome from the AODT Court team

*Nau mai, haere mai.*

Kia ora, welcome to Te Whare Whakapiki Wairua ki Kirikiriroa, the Alcohol and Other Drug Treatment (AODT) Court. The name Te Whare Whakapiki Wairua was gifted to the AODT Court by Tā Pita Sharples and means ‘the house that uplifts the spirit’.

With your commitment, and with the AODT Court team’s support, you can live a healthier and happier life. And if you’re living a healthier and happier life, your whaanau/family will benefit from this too!

This handbook gives you more information about how the AODT Court works, and how it can help you. Please share this booklet with your whaanau/family if you’d like to. It may help them understand what you’ll be doing in the AODT Court and also help them to support you.

The AODT Court is an abstinence court. This means you must not use alcohol or drugs while going through this Court programme. The AODT Court’s focus is to provide you with alcohol and/or other drug (AOD) treatment and support.

Remember you need to commit to recovery, which means:

- not using alcohol or drugs
- following the treatment plan
- attending the Court when asked to.

# Your responsibilities as an AODT Court participant

## We expect you to:

- not use alcohol or other drugs
- follow the rules of your bail conditions, AOD treatment and the AODT Court's rules (what you agreed to in the Participant Agreement)
- be honest, open and transparent with the AODT Court team. This approach is needed for your recovery journey
- attend treatment, recovery groups, and any other services or supports the Court offers you
- tell your case manager, lawyer or peer support if you use alcohol or other drugs or decide to leave the treatment programme
- go to drug testing when asked to
- wear an alcohol monitoring bracelet (SCRAM bracelet) if the judge says you need to
- come to the Court when the judge asks you to
- act in a way that brings mana to yourself and the Court (for example, coming to Court and your appointments on time)
- wear tidy clothing at court and sit quietly to support other participants until it's your turn to speak with the Judge.



**The AODT Court sits on Thursdays at 1.00 pm in Courtroom C at Hamilton District Court.**

**You'll need to arrive at Court by 12.40pm to see your lawyer and case manager**

# Alcohol and Other Drug (AOD) testing

You'll regularly be tested for alcohol and other drugs (AOD). Testing is a requirement of the AODT Court. It's an important part of your programme. It's a way that the Court can see if you're on track in your recovery and achieving your goals.

Testing is random, which means you 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 you're in residential (live-in) treatment or in a later stage of the AODT Court programme, you might be tested less often but it will still be at random times.

## What you need to do:



Phone **0800 900 088** each morning to find out if you need to provide a sample that day. They will let you know the opening hours for the clinic. If you're in residential (live-in) treatment you don't need to phone in.



Go to the **HealthScope clinic at 248 Grey Street**, Hamilton East, Hamilton, 3216.



Make sure you take your ID (like a driver's license, 18+ Card) and bring any scripts from your doctor for any medication you're taking. Make sure you tell the person doing the testing if you're taking any new medications.



Arrive at the clinic at least 30 minutes before it closes. It can be a good idea to drink some water while you wait.

### Some things to consider:

- How will you get to testing? How long will it take you to get there?
- What do you need to arrange or what might you need some help with? (for example, child care)
- Avoid bringing children to the testing clinic – you won't be able to have children with you while you're giving a sample.

**Use the space below to plan:**

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### What happens at testing?

When you get to the testing clinic, you'll need to provide a urine sample.

There will be lots of different people at the testing clinic – they're all there for different reasons.

The testing is indirectly observed. This means the person doing the testing will be in the same room as you while you're giving the urine sample, but they won't be right in front of you.

If you miss a test, or can't give a urine sample, or if your sample is too dilute (if you've had too much water) – your case manager will be told and you'll need to go back for testing the next day.

Some people may have saliva drug tests instead. This is only for participants who can't easily give a urine sample. Talk to your case manager if you're having trouble giving urine samples.

## **SCRAM bracelets**

Some AODT participants will wear a SCRAM bracelet, which tests for alcohol use. It does this by continually measuring your sweat for any alcohol content.

It's important that you look after the SCRAM bracelet. It's best to avoid getting the bracelet fully wet. This means you can't go swimming or put it under water. Showering is fine.

The judge will decide if the SCRAM is a good option for you and how long you'll have it for.

If the test or SCRAM result shows that you've recently used alcohol or other drugs, or if the sample provided was fake, or if you've tried to take off or trick your SCRAM bracelet, the Court will be told and you'll face a consequence for this. You might find that you have to appear in court earlier than you expected because of this. This is called being 'brought on'.

# Your AOD treatment plan

You'll have a treatment plan that's right for you and what you need. Your case manager will explain the treatment plan to you and will check in regularly to see how you're doing.

## What's AOD treatment?

AOD treatment helps people improve their wellbeing by learning skills to stop using, manage cravings and deal with tough moments in life without using drugs or alcohol.

A big part of your treatment involves thinking about your past behaviour and working out who you want to be from now on. It's also about planning how to play a positive part within your whaanau/family and wider community.

There are different types of treatment. Your team will work with you to figure out what will work best for you and your needs and how your whaanau /family might be involved in this.

Some examples of treatments you might do include:

- treatment programme in the community (sometimes called 'intensive outpatient')
- residential treatment (live-in)
- group sessions
- one-on-one counselling
- supported accommodation (independent living in a recovery community)

- treatment ‘after-care’ and relapse-prevention meetings – these help you to stay abstinent and achieve your goals after leaving the AODT Court programme.

## Recovery meetings

You’ll be expected to go to recovery meetings like Alcoholics Anonymous (AA), Narcotics Anonymous (NA) or SMART recovery.

Recovery meetings are where people who also have experiences of addiction share how they’re doing and support each other. These meetings will be an important part of your recovery journey.

If there’s a different type of recovery meeting that works for you – that’s okay. You and your case manager and peer support can work out what sort of recovery meeting works best for you.

The Court will also give you a card, which you’ll need to take to recovery meetings. At the start of the meeting, give your card to the person leading the meeting so they can sign it to show that you were at the meeting. Make sure you bring your card with you each time you come to Court.

## Some things to consider:

- What meeting times and locations will work for you.
- Plan out how you’ll get to your recovery meetings.

# What else might you be expected to do while in the AODT Court?



## Restorative justice

If your offending involves a victim/s that would like to meet you, a Restorative Justice meeting will be held, if appropriate. This gives you the chance to apologise for your offending face-to-face and to take responsibility for your actions. This meeting can also be important to give victims a voice.



## Community involvement

While you're in the Court, we'll expect you to help out in your community by doing some community service. The Court will tell you about what opportunities are available for you.

Community service can teach you new skills and sometimes even lead into paid work. The judge may take into account any community service you do at your sentencing. The Court will give you a card to take when you go to community service so that you can get the hours that you do recorded.

The AODT Court can also support your involvement in activities in the community. You can talk to the Court about this.

## **Reparation**

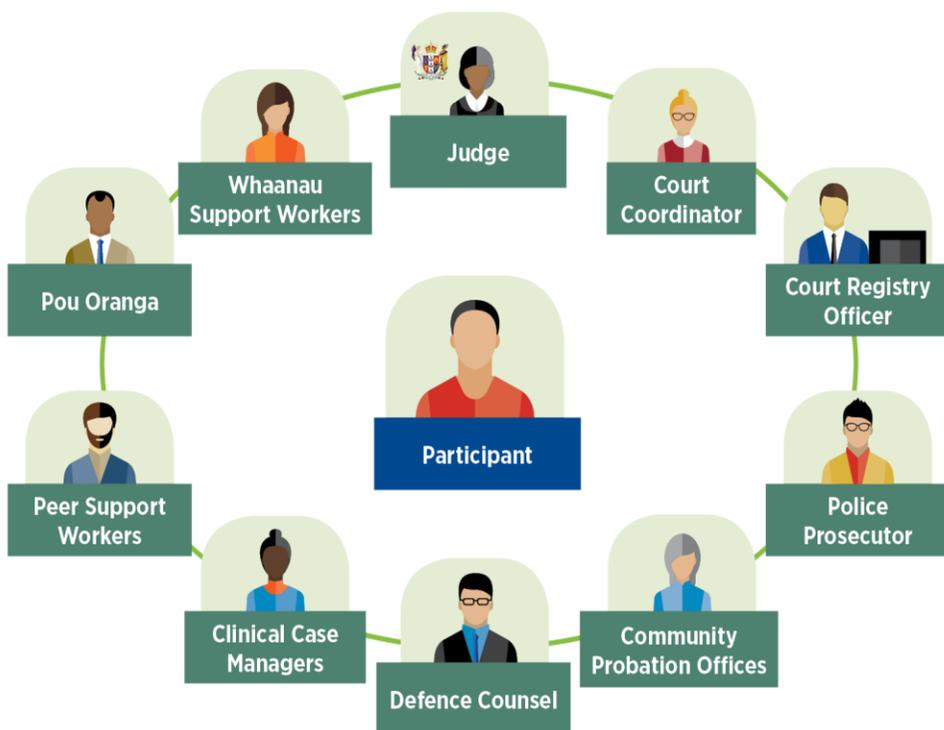
The judge will decide if you need to make a reparation to your victim/s. A reparation is money payable to a victim as compensation (recognition) for their losses. If you do need to pay reparation, this can be paid off over time.

# How does the AODT Court work?

## The AODT Court team

The AODT Court team works together to help you. You'll see them when you come to Court. You'll also work with people like your Case Manager and Peer Support outside of Court.

## The Alcohol and Other Drug Treatment Court team



## Who is in my team and what do they do?

- **Judge:** Leads the AODT Court. The judge will talk to you about how you're doing, what you've learned and what other help you might need.
- **Clinical case manager:** Organises your AOD treatment plan and is your first contact if you have any questions or problems.
- **Peer support worker:** Has lived experience of addiction and are now in recovery (no longer using alcohol or drugs). They can let you know what to expect, and can tell you about what's worked for them. They will also run some of the group programmes and can help with getting you to the Court when you need to be there.
- **Whaanau support worker:** Can work with you and your whaanau to rebuild relationships and connections. They can also support any whaanau who come to the Court to support you and help explain the Court process to them.
- **Defence Counsel:** Makes sure your legal rights are protected. When you go into the AODT Court, you'll have an AODT Court lawyer who will help you with your legal matters.
- **Te Pou Oranga:** the Pou Oranga is a Maaori wellness and cultural advisor who knows about Te Reo Maaori and tikanga. They give cultural advice to the Court and also help participants. Like the Peer Supports, the Pou Oranga has lived experience of addiction and is living in recovery too.
- **Police prosecutor:** In Court on victims' behalf. They provide relevant information about AODT Court participants and people applying for the AODT Court.
- **Community probation officer:** Supervises and supports AODT Court graduates when they're on their community-based sentence.
- **Court coordinator:** Helps organise things for the Court.

You can use the space below to write down the names of your team:

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The judge meets with the Court team, including your lawyer, before Court to discuss how the AODT Court participants are progressing. At this meeting, the team share information about AODT Court participants to ensure that together the team can make the best plan to help participants in their recovery journey. This will be different to how lawyers have represented you in the past.

If you have any questions about how your relationship with your lawyer works in the AODT Court, please ask your lawyer.

## What will I do in the AODT Court?

The AODT Court has three parts called ‘phases’. You need to finish all three phases to graduate (complete) the AODT Court. Each phase can take about six months. The time it takes to finish a phase depends on how things are going for you, like your progress in treatment.

You’ll be in ‘phase 1’ when you start in the AODT Court.

It may take one to two years to finish all three phases of the AODT Court.

# Summary of the phases

## Phase 1

Settling into the AODT Court programme and beginning AOD treatment

## Phase 2

Continuing with AOD treatment

Starting other programmes and courses supports (like counselling, driver license programmes)

Giving back to your community

## Phase 3

Finishing your treatment plan

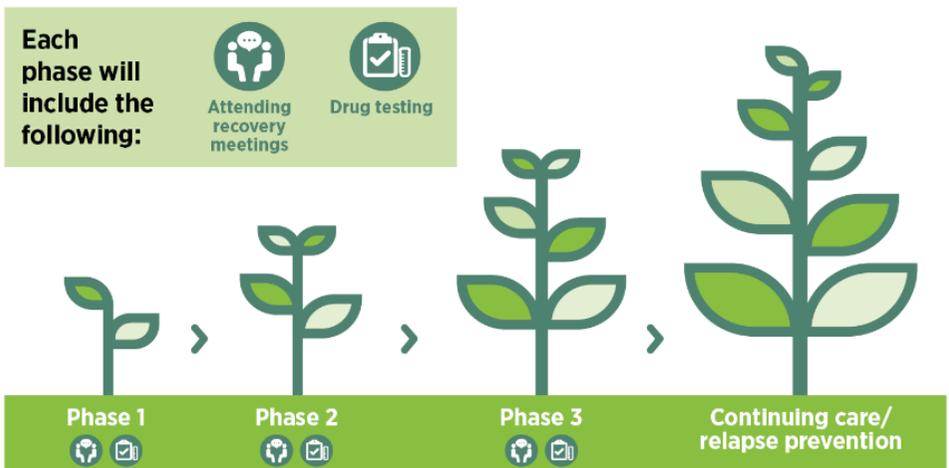
Planning for life after the AODT Court

Finding work or study, and/or getting involved in positive activities

## Post graduation- continuing care

Focussing on maintaining your AOD free lifestyle

Getting support from your Probation Officer, and Pou Oranga



## What does the AODT Court look like?

The judge will tell you how often you need to come to Court. You'll come to Court less often as you work through the phases. In all three phases, you'll be tested for alcohol and/or other drugs and go to recovery meetings.

Coming to Court regularly lets the judge and AODT Court team see how you're doing, celebrate your progress and find out what else they can help you with.

### Phase 1

You'll settle into the AODT Court and start your treatment plan.

You'll need to see the judge every two weeks unless the judge tells you differently.

### Phase 2

You'll continue your treatment plan and start other programmes to help with other needs you might have. These might be programmes like counselling, road safety, or getting help with reading and writing.

You might also attend a Restorative Justice meeting (if victims agree) to apologise face-to-face for your actions. You'll be encouraged to help out in your community by doing some community service. You'll also need to go to regular recovery meetings.

You'll need to see the judge every three weeks unless the judge tells you differently.

### **Phase 3**

You'll finish your treatment plan and your case manager will help you make a plan to keep you on track after you leave the AODT Court. In this phase, you'll be finding work or study, housing and other things that will support you after the Court.

You'll see the judge once a month, unless the judge tells you differently. In this phase, you'll be invited to apply (ask) to graduate the AODT Court. The AODT Court team will help you do this.

# Leaving the AODT Court

There are three ways to leave the AODT Court:

- Graduating – this means you’ve finished all the AODT Court’s phases and requirements.
- You choose to leave (exit)– this means you’ll be sentenced following the usual District Court process.
- The judge decides to remove (exit) you from the AODT Court- this means you’ll be sentenced following the usual District Court process.

Below is some more information about leaving the AODT Court.

## Graduating the AODT Court

To graduate (finish) the AODT Court, you need to finish the three phases and show the judge you’re ready to graduate.

At graduation, the judge will sentence you. Graduating the AODT Court means you’ll receive a community-based sentence and you won’t go to prison.

Your community probation officer will supervise your sentence and support you. You’ll meet your probation officer in phase three. Your probation officer will tell you how often you’ll need to meet them. You’re likely to also have some judicial (Court) monitoring as part of your sentence.

This means that the AODT Court judge will continue to monitor (check on) your progress. Your probation officer will give updates to the Court while you’re on your sentence.

## Being exited from the AODT Court

If you breach (break the rules of) the AODT Court you might have an exit hearing. This is where the judge, with help from the AODT Court team, decides if they will exit you from (take you out of) the AODT Court.

Reasons for an exit hearing include:

- further criminal offending
- a serious failure to do what's expected in terms of treatment and/or AOD testing, or where there are repeated breaches of your Participant Agreement
- violence or seriously threatening behaviour
- being exited from treatment by a treatment provider because of serious breaches of treatment rules
- acting in a way that causes the judge to decide that it's no longer possible for you to stay in the AODT Court.

Before the judge decides, there will be an exit hearing. You'll be represented by your lawyer and you'll have a chance to have a say before the judge decides. The judge will consider your case and situation, including the circumstances around any breach, what progress you had made in the AODT Court, and any other important matters.

There are some situations where the judge has to decide to exit you from the Court (even if you want to stay). This means you'll be sentenced following the usual District Court process.

## Choosing to leave the AODT Court

Being in the AODT Court is voluntary – you don't have to be there. You can choose to leave at any time and be sentenced following the usual District Court process.

Please let us know if you're having problems in the AODT Court before you make any decision to leave – we want to help you stay in the programme if possible.

# Incentives and consequences

We want you to get the most of our AODT Court programme. For this to happen, you need to do your part and follow the Court's rules. The rules you need to follow are written down in your Bail Conditions and your Participant Agreement.

## Incentives

The AODT Court uses incentives (rewards) to acknowledge when you've been doing things well and to recognise your progress.

Moving up a phase and receiving tags and medals to celebrate sobriety milestones, and phase rewards are examples of incentives.

## Consequences

When you don't do what is expected (when there's not a good reason for this) there will be a consequence, which the judge will give you.

Consequences act as a reminder to do the right thing and are given to hold you to account for your actions.

If you don't come to court, reoffend, or don't comply with your bail conditions there will be a consequence. Depending on the circumstances, this could mean a warrant for your arrest is issued, you may be held in custody for your bail to be reviewed, and/or the AODT Court Judge could decide to exit you from the Court.

### **Examples of things that would result in a consequence include:**

- Using alcohol or other drugs. This is a breach (breaks the rules) of your treatment plan and bail conditions
- Missing a Court appointment
- Missing a test, being late to testing, or tampering with a test (for example not providing your own urine sample)
- Breaching your Court requirements in a serious way.

### **Examples of consequences include:**

- Doing some writing or thinking about a topic that the judge chooses
- Apologising for something that has happened
- Losing your court counted abstinence time (if you have a positive test)
- Serious breaches may mean you are held in custody for bail to be reviewed or may have bail conditions added (for example- a curfew – where the Court tells you what times you need to be at home).

You will have input into this process through your lawyer so the judge can make an informed decision.



**If you miss a Court appointment, or if you breach your Court requirements in a serious way, the best thing you can do is contact your lawyer and/or your case manager or peer support and ask for their help.**

# Helping you connect with other services

## Physical health and wellbeing

Your physical health and wellbeing is important. People with addiction problems often have other health issues too. The AODT Court team might recommend that you see a dentist or doctor. If you want to do this, we can help to organise this.

Sometimes, people find that when they stop using alcohol and drugs, other behaviours start to fill that gap, for example, unhealthy eating or gambling (like pokies, online gambling, casino). If you notice this becoming a problem for you (for example, if gambling is affecting your ability to pay for things), tell your case manager so they can help you with a plan to manage this.

## Housing

It's important that you live somewhere that's healthy and safe. Let the team know if you're having any problems with where you're living – we can sometimes help with this.

If your bail conditions say where you must live, then you must live at the place that the judge has approved. You cannot move house without the Court's permission first. You can always talk with your lawyer about this.



## Transport

You'll need to pay for your own transport while you're in the Court programme. Talk to your case manager if paying for public transport is difficult for you.

## Other help

The Court can help with getting your license, birth certificate, a phone (so you can keep in contact with your case manager and the testing service), some transport costs and some health costs. Talk to your case manager if you need any support.

## Work & Income Benefit

While you're in the AODT Court programme, you can get a Work & Income (WINZ) benefit. Some of this will be taken out (deducted) while you're living in housing that's paid for (for example, if you're in residential (live-in) treatment).

# Questions you might have

You might have some more questions about how the AODT Court works. If we haven't answered all your questions in this handbook, you can ask your lawyer, peer support, case manager or anyone in the AODT Court team. They'll be happy to help you.

## What does a day in the AODT Court look like?

### Pre-Court

The AODT Court team will meet before you come to Court to talk about your progress and how we're supporting you and other programme participants.

It's only the AODT Court team that attend these meetings – you don't need to do anything. Your lawyer will represent you at these meetings.

### AODT Court session

When Court starts, you'll sit with the other AODT Court participants.

The day will start with a karakia (prayer) and waiata (song) (the words are at the end of this handbook).

The judge will welcome everyone and introduce any new people. Your friends and whaanau are welcome to come and support you.

When it's your turn, the judge will talk to you and ask you some questions about how you're doing in the programme and your recovery. This can be

helpful for other AODT Court participants, so they can learn from you. Your peer support, case manager or lawyer might also talk about how things have been going.

The judge will tell you when you next need to come back to Court.

After the judge has seen you, you'll go back to sit with the other AODT Court participants. This is so you can support the other participants and learn from them and their experiences too.

## How can my whaanau and family be involved?

There are lots of ways that your whaanau, family and friends can be involved and support you while you're in the AODT Court.

This could be:

- listening and giving you encouragement and support
- helping you with transport (for example, to and from Court, drug testing, treatment programmes and recovery meetings)
- coming to the AODT Court to support you
- supporting you to follow your bail conditions and the AODT Court's rules (these are written down in your Participant Agreement)
- helping you to stay away from situations where there might be alcohol or drug use.

If spending time with family or whaanau usually means using alcohol or drugs, it can be hard not to use alcohol and drugs (be abstinent) in these situations. Talk to your peer support and case manager so they can help you work out ways to manage this.

# How can victims be involved in the AODT Court?

Victims can be involved in the AODT Court if they want to.

Victims can:

- share their views with the AODT Court by talking to the police prosecutor or the court victim advisor (this is a person who supports victims through the court process)
- go to a restorative justice meeting (if this is appropriate)
- get updates from the AODT Court on the participant's progress
- be told about any reparation (for example, payment) they might be able to get
- go to AODT Court sessions.

# Karakia and Waiata

The AODT Court karakia and waiata were specially written for the AODT Court by the Auckland and Waitākere Pou Oranga, Matua Rāwiri Pene.

## AODT Court Karakia

### Opening

E te atua nou  
te tīmatanga o ngā mea katoa,  
Arohaina mai mātou  
e tutuki nei i ngā mahi  
mo 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. (ĀMINE)

### Closing

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

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!

## AODT Court Waiata

**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

Word	Description
Abstinence	Not using alcohol or any illegal or non-prescription drugs.
Adjourn	When a case is put off to a later date.
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 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).
Charge	A formal statement (usually by a Police Officer) that a person is accused of committing a crime that is punishable by law.
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.

Custody	When someone has to stay in jail.
Defendant	A person who is charged with (accused of) a crime.
Direction	An order made by a judge at a court hearing.
Guilty plea	Defendant admits to the charge and enters a Plea of Guilty.
Offence	An act or omission that one may be prosecuted for and punished under the criminal law.
Participant (AODT)	A defendant who has been accepted into the AODT Court.
Plea	A criminal defendant's answer to a charge. The defendant can plead guilty or not guilty.
Remand	<p>After a court hearing, people might be:</p> <ul style="list-style-type: none"> <li>• remanded at large, which means they're free to go until their next court hearing; or</li> <li>• remanded in custody, which means they'll stay in jail until their next court hearing; or</li> <li>• remanded on bail, which means they're released on bail. See Bail.</li> </ul>
Submission	An argument that is presented to the court in support of an application. It can be written or oral.
Warrant to arrest	A court order authorising the police to make an arrest.

**Te Tāhū o te Ture  
Ministry of Justice**

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