



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

JACS No. 65

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by Ms Elizabeth Lee MLA: To the Attorney-General

In relation to: **Drug and Alcohol Sentencing List (DASL)**

[Ref: JACS Annual Report p 104]

1. The AR advises that during 2020 a DASL courtroom and urinalysis suite were constructed and a DASL co-ordinator engaged.
 - a. How long did this construction take?
 - b. What impact did this construction have on delays to cases dealt with in the Supreme Court?
 - c. What was the total cost of this construction?
2. When did the Drug and Alcohol Court start hearing cases?
3. Since its establishment, how many cases has the Drug and Alcohol Court dealt with?
4. What different outcomes for those on the DASL have resulted from this new court approach, compared to previous trials for offenders with drug and alcohol related crimes?
5. How many such cases were handled in the following financial years prior to the establishment of the new arrangements:
 - i. 2017-2018
 - ii. 2018-2019
6. What assessment has been done of the Drug and Alcohol Court's functionality and effectiveness under the new arrangements?
 - i. If none, will an assessment be undertaken? When?
 - ii. If an assessment will not be undertaken, why not?
 - iii. If done, what were the outcomes of the assessment? Please provide a copy of any assessment.

Shane Rattenbury MLA: The answer to the Member's question is as follows:—

1.
 - a. These works were completed as an adjustment to Stage 2.A2 of the Courts PPP Project. The adjustment was instructed on 30 August 2019 and works were certified as completed with the Commercial Acceptance of Stage 2.A2 of the Courts PPP Project on 30 January 2020.
 - b. There were minimal, if any, delays from this part of the construction as the works were within the Heritage Building which was under renovation at the time and not in use.



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- c. The total cost of construction was \$370,159.76.
2. The Drug and Alcohol Sentencing List commenced on 3 December 2019.
3. As at 2 March 2021 52 referrals have been made to the DASL. From these referrals, 25 people have been placed on Drug and Alcohol Treatment Orders (DATOs), 2 of whom have successfully graduated from their 12 month program and another of whom has completed the program.
4. The DASL was developed to offer an alternative approach to rehabilitating offenders whose crime is related to drug or alcohol dependency. The DASL aims to improve people's health and well-being, reintegrate them into the community and reduce criminal offending.

Since commencement, some DATOs have been extended, or have been set for longer than 12 months, reflecting the chronic relapsing nature of substance use and the high needs of the participant cohort.

To date no participants commencing the program have been charged with serious re-offending.

5. Statistics from previous years cannot be provided as there are eligibility criteria to participate in the DASL. To be eligible to participate in DASL, a person must:
 - be over 18 years and live in the ACT
 - have entered or indicated a guilty plea
 - likely to be imprisoned between one and four years;
 - have no other sentencing orders in place;
 - be dependent on alcohol or other drugs;
 - give informed consent to the order being made; and
 - not have committed a serious violence offence or a sexual offence.

In addition, their suitability to participate in the program is assessed.

Details of this kind aren't held by the Court for cases preceding the commencement of the program.

6. The Australian National University is contracted to provide an evaluation. The final report on the Evaluation is due in April 2022.



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Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

A handwritten signature in blue ink, appearing to read "Shane Rattenbury", is written over a blue circular stamp.

Date:

15/3/21

By the Attorney-General, Mr Shane Rattenbury MLA