

## Recommendations to Enhance Alcohol & Drug/ Mental Health Support for People in the Manukau Justice System, 2018

### Recommended Initiatives:

<p><b>1. An Information &amp; Support Hub in Court</b></p>	<p>A hub is established in the Manukau Court which provides information and support to help people navigate and engage with culturally appropriate health and social services. This will allow people attending court to address issues that may be contributing to their offending, or enable people who are supporting them to do so (families/ whanau or staff within the justice system).</p>
<p><b>2. Earlier Substance Use/ Mental Health Assessments</b></p>	<p>People who screen positively for substance use/ mental health issues are routinely offered assessments which are culturally appropriate, holistic and include family/ whanau perspectives. This process could identify which services people could be linked with, and provide recommendations for sentencing.</p>
<p><b>3. Earlier Screening, Brief Intervention &amp; Referral for Substance Use/MH Issues</b></p>	<p>Police, court and justice staff enable more opportunities prior to sentencing, for people to be offered culturally appropriate screening, brief intervention and/or referral to specialist services.</p>

### Rationale for this project

- People in the criminal justice system have much **higher rates** of substance use disorders (SUD) and mental health (MH) problems than in the general New Zealand population.
- Currently, these **health needs** are not being adequately met.
- **Untreated** SUD and MH issues can **undermine** the rehabilitation and reintegration of people involved with the criminal justice system, and can contribute to **re-offending**.
- Support for people with SUD/ MH issues has recently increased, but is **more available after sentencing**, rather than during court processes when people can feel more motivated to change.
- The **Manukau Court is seeing increasing numbers** of people with drug offences, whereas the national trend for this is reducing.

### What was this project's aim?

This project aimed to address the issues above, by reviewing current processes, systems and practices in the Manukau Court, and recommend new initiatives which could be tested and evaluated by key stakeholders.

### How have the recommendations been developed?

The AOD Provider Collaborative<sup>1</sup> commissioned two reports<sup>2</sup> and led a co-design process with **50** key stakeholders from **20** different organisations (a World Café and two workshops) to identify how support for AOD issues could be enhanced for people in the Manukau criminal justice system. People involved with this process included representatives from those with lived experience of addiction issues in the criminal justice system, family members, the NZ Police, Ministry of Justice, the Judiciary, Prosecutor and Defence Lawyers, Department of Corrections, AOD and MH treatment services and other social and health stakeholders involved with the Manukau Court. This process resulted in the development of a **Process Map**, a **List of Key Stakeholders** and a **Logic Model** (see the Appendices). The proposed activities were prioritised by stakeholders to identify the **recommended initiatives**.

<sup>1</sup> A collaborative funded by Counties Manukau DHB, which brings together 16 AOD treatment services and other stakeholders to work together on system-level projects to enhance support for people with alcohol and drug issues in Counties Manukau.

<sup>2</sup> The two reports were: *Enhancing AOD treatment access for offenders: Scoping of issues and recommended strategies* (2016), and *Alcohol & Drug Support for People in the Counties Manukau Criminal Justice System* (2018).

## ACKNOWLEDGEMENTS

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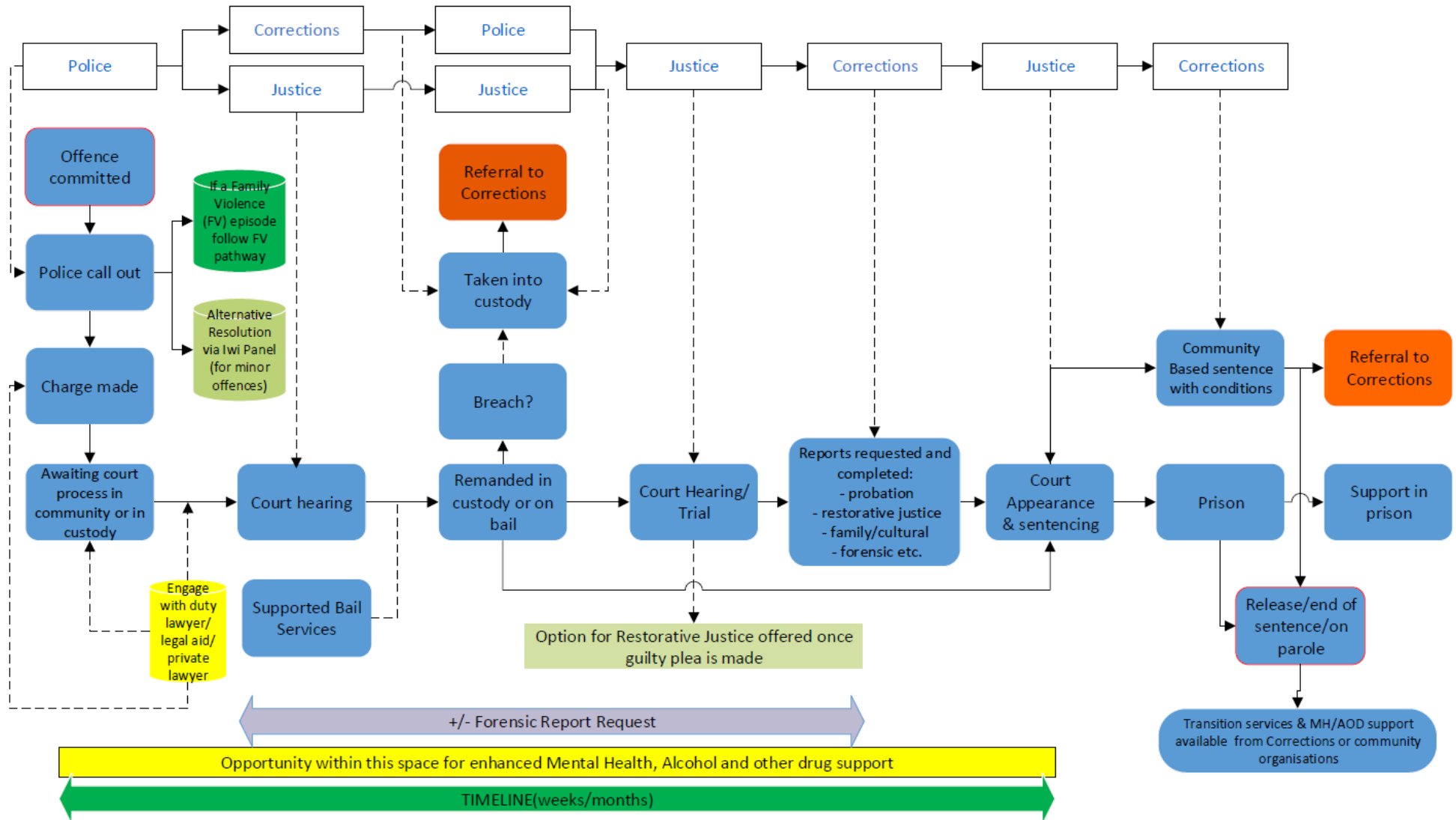
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<b>Ann Sears</b>	Population Health, Counties Manukau District Health Board
<b>Dave Burnside</b>	Odyssey
<b>Anita Edwards</b>	Ministry of Justice

## APPENDICES:

- **Mapping the Process in the Manukau Justice System: To identify opportunities for enhanced support for mental health, alcohol and other drug issues.**
- **Key Organisations Linked to AOD/MH Support in Manukau Court Processes**
- **Logic Model: Enhancing the Alcohol & Drug/ Mental Health Support in the Manukau Justice System**



Mapping the Process in the Manukau Justice System:  
To identify opportunities for Enhanced Support for Mental Health, Alcohol and other drugs issues



- Note: i) This pathway is for people who are not currently serving a sentence  
 ii) For people in custody/on remand AOD support may be available through Corrections funded programmes  
 iii) Orange boxes ('referral to Corrections') also includes Serco contracted services

Legend for diagram elements:

- Start & Finish (Blue box)
- Corrections Funded Services (Orange box)
- Process Step (Blue box)
- MUMA (Green box)

## Key Organisations Linked to AOD/MH Support in Manukau Court Processes

(Collated by the Counties Manukau AOD Provider Collaborative in conjunction with stakeholders, November 2018)

Organisation	Points of Contact & Potential Opportunities to Provide AOD/ MH Support
<b>NZ Police</b>	<ul style="list-style-type: none"> <li>• Called out to incident</li> <li>• Either <b>Alternative Resolution</b> by giving pre-charge warnings, or referral to Iwi/ community panel (funded by Police).</li> <li>• OR lay charge</li> <li>• In cases of family violence, Police can refer people to the <b>Safety Assessment Meeting (SAM)</b> which identifies support needs and refers people to health or social services, as well as to the <b>Police Family Intervention Team</b>. People are referred to CADS if they are existing clients.</li> <li>• Support is offered when people are held in police cells, waiting for court process, eg NZ Police <b>Family Harm Kaiawhina/ Social Workers</b></li> <li>• <b>Police Prosecutors</b> present cases in the District Court, and are either police or lawyers employed by NZ Police.</li> </ul>
<b>Manukau Urban Maori Authority (MUMA)</b>	<ul style="list-style-type: none"> <li>• Receive pre-charge referrals to <b>Iwi/ community panel</b>. MUMA facilitators meet with the person and others involved with them, to identify and discuss issues they are facing. A pre-panel report is produced raising issues for the panel to explore further with the person. The panel has a discretionary fund to support people to access support for needs.</li> <li>• MUMA staff are present in Manukau Court (share room with Salvation Army Chaplains).</li> <li>• Receive referrals for <b>Restorative Justice</b> process. MUMA facilitators lead this process and produce pre-sentence reports for the Judge to consider in sentencing.</li> <li>• Link to, and provide, <b>Whanau ora services</b>.</li> </ul>
<b>CMDHB Mental Health Services</b>	<ul style="list-style-type: none"> <li>• There are two <b>Intake and Assessment Nurses</b> based at the Manukau Police Station. They provide support (interview/ assess) when people are held in police cells, if they are not already clients of the Intensive Community Team (ICT). ICT clients are supported by their ICT nurse.</li> <li>• CM Mental Health services, eg the Intensive Community Team (ICT) or Community Mental Health services, can receive referrals.</li> <li>• Mental Health clinicians are also based at some Probation sites.</li> </ul>
<b>WDHB Mental Health Services</b>	<ul style="list-style-type: none"> <li>• There are two <b>Court Liaison Nurses</b> in Manukau Court from the Mason Clinic's Forensic Community Team. They support clients in the court process through providing assessments and reports to the court, and advocating for people in the court system who have/may have mental health issues. Nurses present reports to the Judge indicating the mental stability/status of a client, based on information from ICT nurses and/or interviews with the client.</li> <li>• Their services can be requested by Duty Solicitors after people have been arrested if there are concerns about the person's ability to understand the court process (and may want to plea insanity via Section 38) or have had prior involvement with mental health services. A mental health report can also be requested by Assigned Counsels to defendants or judge directed.</li> </ul>
<b>Ministry of Justice</b>	<ul style="list-style-type: none"> <li>• <b>Court Staff</b>, such as Court Registrars and Friends of the Court, ensure brochures are available in the dedicated Family Violence court in Manukau.</li> <li>• <b>Judges</b> can make recommendations or conditions of sentencing for AOD/MH rehabilitation during court hearings, trials and sentencing. In the Manukau Family Violence court, AOD service brochures are available, so that they can be given to defendants when they are directed to complete a treatment programme, as well as available for counsel if there is a self-referral. When someone pleads guilty, the Judge is obliged to offer Restorative Justice (funded by Department of Justice), which could include rehabilitative actions.</li> </ul>

Organisation	Points of Contact & Potential Opportunities to Provide Support
<b>The Private Bar</b>	<b>The South Auckland Bar Association</b> under-take most of the duty lawyer and defence counsel work, including legal aid cases.
<b>Public Defence Service</b>	<p>The PDS is an independent service within the Ministry of Justice. It provides:</p> <ul style="list-style-type: none"> <li>• <b>Duty Lawyers</b> who provide initial information and advice to people who have a criminal charge, and aim to link them with ongoing legal representation, such as an assigned legal aid lawyer.</li> <li>• <b>Assigned Legal Aid Lawyers</b> who represent the defendant throughout the case, and can recommend support to them, and identify when this may assist the case outcome.</li> </ul>
<b>The Crown Law Office</b>	<ul style="list-style-type: none"> <li>• <b>Crown Prosecutors</b> are employed by the Crown Solicitor in each district. Crown Solicitors are appointed for the district by the Crown Law Office. They present the prosecutions in the High Court, and in the District Court for jury trials.</li> <li>• Other prosecutions in the District Court are presented by <b>Police Prosecutors</b> (see NZ Police section for more details).</li> </ul>
<b>The Salvation Army</b>	<ul style="list-style-type: none"> <li>• <b>Chaplains</b> are available in Manukau court for some days of the week (share room with MUMA staff). They talk with people who are attending court and their families and offer them support. Assistance is also offered to lawyers. Sometimes lawyers and families ask them to speak to those being held in cells, or sit with people in court.</li> <li>• The Chaplains help people to navigate the court building, procedures and decisions and advise them where to get legal advice. They refer people to other information, resources and support services, including emergency transport, accommodation and food. They can also refer people to the Salvation Army Bridge programme. They provide brief counselling and offer Christian support and fellowship.</li> </ul>
<b>Department of Corrections</b>	<ul style="list-style-type: none"> <li>• <b>Probation Officers</b> are based at Court. They write pre-sentencing reports or updates for the Judge during a hearing, which includes screening (ASSIST, CSSRs tools) and recommendations.</li> <li>• <b>Supported Bail Services</b> has recently been established by Corrections. This service is available in the Court and in the community. It supports people on bail, to successfully complete their bail period.</li> <li>• Dept. of Corrections fund AOD/MH services for people on probation or in prison, including while remanded in custody on bail, eg Odyssey is piloting AOD screening and brief interventions in Mt Eden Remand prison.</li> <li>• SERCO also fund and link with AOD/MH services for people in their prison.</li> </ul>
<b>AOD Treatment Services (DHB or NGO)</b>	<ul style="list-style-type: none"> <li>• Provide assessment and treatment for AOD issues, including Peer Support and culturally focused services.</li> <li>• Services are provided in the community or in residential treatment settings.</li> <li>• DHB funded services are available to the public, through self-referrals or referrals from others with consent.</li> <li>• There are also services available to people on probation or in prison, through Department of Corrections' funded services.</li> <li>• Supported accommodation services are also provided.</li> </ul>

## Enhancing the Alcohol & Drug/ Mental Health Support in the Manukau Justice System

### Background

The rates of substance use disorders (SUD) and mental health (MH) problems are much higher for people involved with the criminal justice sector than in the general New Zealand population:

- **91%** of prisoners have a lifetime diagnosis of either mental health or substance use disorders (**62%** in last 12 months, compared to **21%** in general population).
- **60%** of people on community-based sentences, and **87%** of people in prison, have a lifetime substance use disorder, compared to **12%** of the general population.
- Prisoners have **higher rates** than the general population for a range of mental disorders, eg Post Traumatic Stress Disorder (4x).
- **46%** of people in prison with a MH/SUD issue in the last 12 months have received treatment.

The Department of Corrections has identified the importance of improved detection, early intervention, treatment and rehabilitation and diversion away from the criminal justice system for these people. They are improving the integration of mental health and substance use disorder treatment within Correction services to improve health, and reducing re-offending among prisoners.

**Problem:** Support for people with AOD and/or MH issues is a lot more available after they have been sentenced, and not before. A lack of support at this earlier stage could contribute to them re-offending, and re-entering the criminal justice system. Offering support through police or court processes can take advantage of people's motivation to change during this process and enables earlier intervention, either for AOD or MH issues directly and/or other social issues which might be undermining their mental wellbeing.

**Aim:** The workshop participants (representatives from NZ Police, Ministry of Justice, Prosecutor and Defence Lawyers, Department of Corrections, AOD and MH treatment services and other social and health stakeholders) will develop a set of recommendations for consideration by stakeholder organisations by December 2018 which will include:

- A review of the current processes, systems and practices,
- Suggestions for re-orienting current resources, and changing organisational cultures and practices, and
- Identifying new initiatives for testing and evaluation

**Targeted Population:** Focused on people involved with the Manukau Court (from being charged through to sentencing) & their whaanau; Justice (i.e. NZ Police, Court) and Corrections staff; Health and social services linked with court; AOD/MH treatment providers.



# Logic Model: Enhancing AOD/MH Support in the Manukau Justice System

