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| **Forensic AOD Client Definition Policy** |
| **2022-23** |

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About this document

This policy sets out how the department determines which clients accessing alcohol and other drug (AOD) treatment services meet the definition for a forensic client in 2022–23. This policy applies to service providers funded using Drug Treatment Activity Units (DTAU) and Episodes of Care (EOC).

Services delivered to forensic clients funded by DTAU attract a 15% weighting and will contribute to a service provider’s forensic client performance target. Forensic clients who are also Aboriginal will receive the higher weighting for Aboriginal clients of 30%. Where there is no forensic target, providers may be eligible for Fee For Service for activities delivered.

For more information about forensic funding see The AOD Program Guidelines, Part 3, Section 5.3, available at <https://www2.health.vic.gov.au/alcohol-and-drugs/aod-service-standards-guidelines/aod-program-guidelines>

**Defining characteristics of a forensic AOD client**

Forensic clients are people who access AOD treatment as a result of their contact with the criminal justice system. Most forensic clients are mandated to attend treatment as a condition of their order or diversion. However, some are referred voluntarily via ’Other Diversion’ pathways.

The department considers a forensic client as having one or more of the following defining characteristics:

* Client has judicial direction to undertake assessment/treatment.
* Clients assigned a Justice Case Manager.
* Clients receiving treatment as a diversion from the criminal justice system.
* Clients with an ACSO COATS identifier code / in Penelope / has a TCA; and/or
* Clients with current or future matters in the criminal justice system (i.e. must have a court date pending, rather than past involvement)

**Accepted forensic client types**

1. **ACSO COATS clients**

The Australian Community Support Organisation’s (ACSO) Community Offenders Advice and Treatment Service (COATS) undertakes the majority of forensic intake and assessment services for forensic clients.

The following client types assessed by ACSO meet the department’s definition for a forensic client:

* Clients on Community Corrections Orders (CCO), including those on a combined CCO/imprisonment order, and those on parole; and
* StepOut program participants.
1. **Youth Justice referral clients**

Clients on Youth Justice Community Based Orders meet the department’s definition for a forensic client.

1. **Court diversion programs**

Including Drug Court, Court Integrated Services Program (CISP), CISP Remand Outreach Program (CROP), Court Referral and Evaluation for Drug Intervention and Treatment (CREDIT) and Bail Support Program, Neighbourhood Justice Centre, Assessment and Referral Court (ARC) List.

1. **Police diversion**

Referral from Victoria Police, including Drug Diversion Assessment Line (DDAL).

1. **‘Other Diversion’ referral clients**

Catchment-based intake services provide intake, assessment and brief intervention services for voluntary diversion clients. These clients are voluntary as they are not mandated to attend AOD treatment.

‘Other Diversion’ clients will meet the department’s definition for forensic client if they:

1. are not on an existing order with Department of Justice and Community Safety or caution from Victoria Police; AND
2. are referred to assessment and treatment by any of the following diversion referral sources:
* Koori Court.
* Magistrates Court (not including the formal Court Diversion programs listed above);
* County Court.
* Family Court.
* Drink and Drug Driver programs.
* Child Protection Services.
* Referral from Custodial Health Alcohol and Drug Nurse.
* Referral from solicitor.
* Victoria Police.
* Referral from Salvation Army Prison Chaplain.
* Self-referral, only in cases where the client meets the defining characteristics for a forensic AOD client as stated in this policy.

**Excluded clients**

The following clients are excluded from the forensic client definition unless they have met the any of the acceptance criteria listed above:

* Clients with a Family Reunification Order.
* Clients who are only on an Intervention Order\*.

\* This does not include: Child Protection Orders or Child Protection Prohibitions; Court orders by the Family Court of Australia including Parenting Orders, an order made after a hearing by a judicial officer, or an order made after parties who have reached their own agreement have applied to a court for consent orders; Family violence intervention order or Interim intervention order issued against the client by a local Magistrates Court.

**Reporting forensic service delivery in the VADC**

Service providers are to report forensic service activity to the department via the VADC. This is in addition to submitting Treatment Completion Advice (TCA) to ACSO COATS within 6-months from the date the TCA was opened.

As per the *DTAU Derivation Rules 2021-22* and the *EOC and COT Derivation Rules 2021-22,* the department will identify activity delivered to forensic clients using the following means:

1. **ACSO COATS identifier code**

Any service events reported with the client’s ACSO COATS identifier code (see *5.7.1* *Referral—ACSO identifier – N(7)* in the *VADC Data Specification 2021-22*) AND that have a referral direction value *1 – Referral IN*; OR

1. **Forensic funding source code**

Any service events reported with one of the following funding source codes:

* + 102 – Drug Diversion Appointment Line;
	+ 109 – Low risk offender program;
	+ 112 – 8-hour individual offender;
	+ 113 – 15-hour individual offender;
	+ 114 – 24-hour group offender; OR
	+ 115 – 48-hour group offender.

Refer to the *VADC Data Specification 2021-22* for further instruction about how to report forensic service activity.

**Obtaining an ACSO COATS identifier code**

**ACSO COATS clients**

Clients that are assessed by ACSO COATS and referred to a service provider for treatment will have an existing service file and ACSO COATS identifier code in Penelope – ACSO’s client management software.

**Court Bail Programs**

Clients that are referred by ACSO COATS on behalf of Court Services Victoria’s Court Bail Programs (CISP, CREDIT, ARC, NJC, CROP) will have an existing service file and ACSO COATS identifier code in Penelope.

**Drug Diversion Assessment Line DDAL**

Clients that are referred by Turning Point for DDAL will have a service file and ACSO COATS identifier created in Penelope prior to the date of the appointment.

**Youth Justice clients**

Youth Justice Case managers will refer clients on a Youth Justice Community Based Order directly to a service provider for assessment. They are also required to notify ACSO COATS of the appointment details via the Youth Justice Referral Form ([Professional Referrals | ACSO](https://www.acso.org.au/referrals/)). Once this occurs, a service file and an ACSO identifier will be created in Penelope.

A service file and ACSO identifier will also be created for any subsequent treatment appointments once the assessment has occurred and the respective TCA is returned to ACSO COATS.

**‘Other Diversion’ referral clients**

If the client is not referred by ACSO COATS (i.e. is an ‘Other Diversion’ referral), the service provider will need to apply to ACSO COATS to have a service file and identifier code created. For information about obtaining an ACSO COATS identifier code for other diversion referrals, visit [Professional Referrals | ACSO](https://www.acso.org.au/referrals/)

**Review of forensic client definition policy for 2022–23**

The review of the forensic client definition policy planned to take place over the last two years was placed on hold due to the prioritisation of work relating to the COVID-19 pandemic and forensic demand issues. To ensure the future sustainability of forensic AOD service delivery, this review has recommenced and will be reconsidered in conjunction with relevant stakeholders across the Justice system in the context of Mental Health Royal Commission recommendations.

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| To receive this publication in an accessible format phone 03 9096 0302, using the National Relay Service 13 36 77 if required, or email Mental Health and AOD System Management Team <aod.enquiries@health.vic.gov.au>.Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Department of Health and Human Services September 2022.In this document, ‘Aboriginal’ refers to both Aboriginal and Torres Strait Islander people. ‘Indigenous’ or ‘Koori/Koorie’ is retained when part of the title of a report, program or quotation.Available at https://www2.health.vic.gov.au/alcohol-and-drugs/aod-treatment-services/forensic-aod-services |