**Eligibility Assessment Form**

|  |  |  |
| --- | --- | --- |
| **Drug and Alcohol Treatment Order (DATO) referral****(s12A Crimes (Sentencing) Act 2005)** | **Defendant details** | **File MC / SC 20\_\_\_\_** |
| Surname | Given name/s |
| DOB | Age | Gender |
| Address | E: | Ph: |
| Aboriginal or Torres Strait Islander Origin?  | Interpreter required? Language: |
| Other special arrangements required[Free text box] |
| Referring Magistrate / Judicial Officer |
| Lawyer name | Firm/organisation |
| Unrepresented: y / n |
| Committed for DATO assessment? y/ n  |
| **DATO Preliminary Eligibility Screening Checklist****(offender/representative to complete)** |
| The offender may be eligible to be sentenced to a drug and alcohol treatment order (DATO) as the offender:□ is over 18 years of age;□ has entered or indicated a guilty plea to an eligible offence;□ is likely to be sentenced to a total term of imprisonment of between one and four years;□ is not subject to a sentencing order for another offence;□ agrees to complete the treatment program;□ is dependent on alcohol and or a controlled drug, with the dependency substantially contributing to the offence;□ is able to reside in the ACT for the term of the sentence;□ has not committed a serious violence offence or a sexual offence; and□ has given informed consent to screening and assessment for a DATO.The offender has been reviewed by the DASL team and no objections to further assessment have been raised. |
| Form completed by |
| Date |

|  |  |
| --- | --- |
| **Drug and Alcohol Treatment Order (DATO) referral****(s12A Crimes (Sentencing) Act 2005)** | **Recommendation as to eligibility assessment by treating team** |
| □ proceed to full assessment□ full assessment not recommended due to:[Free text box] |
| **Sentencing Judge to complete:** |
| □ I am satisfied the defendant should be assessed as to his / her suitability for a  DATO and that it may be appropriate to sentence the defendant to a term of  imprisonment of between one and four years for an eligible offence.□ I am not satisfied the defendant should be assessed as to his / her suitability for  a DATO because: □ intention to plead has been withdrawn □ agreement to referral has been withdrawn □ the drug and or alcohol dependency is not sufficiently related to the  offending □ the penalty is unlikely to be within range □ other:[Free text box]  |
| Outcome |
| Adjourn for suitability assessment to (date) at (time) |
| Adjourn for sentence to (date) at (time) |
| Appear back before the referring Judge on (date) at (time) |
| Remit to Magistrates Court for sentence on (date) at (time) |