

Queensland Integrated Court Referrals

Procedures Manual



QUEENSLAND
COURTS

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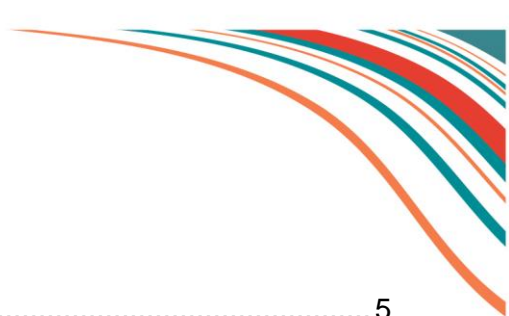
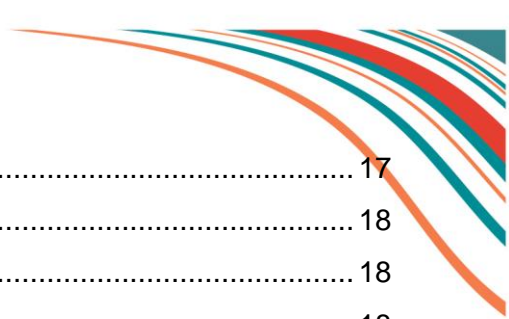


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ABBREVIATIONS

ATSILS – Aboriginal and Torres Strait Islander Legal Service

CAG – Case Assessment Group

EAF – Eligibility Assessment Form

LAQ – Legal Aid Queensland

QCS – Queensland Corrective Services

QICR – Queensland Integrated Courts Referral

QPS – Queensland Police Service

SRF – Screening and Referral Form



1. INTRODUCTION TO THE PROCEDURES MANUAL

1.1 Purpose of the Manual

The aim of the Manual is to define the standard procedures required to support QICR implementation and operation across the sites involved in QICR.

As a range of professionals work with each individual participant, it is important that all stakeholders and program participants involved in QICR are aware of the roles and responsibilities of all involved. The Manual is therefore designed to present information in a logical sequence that explains QICR, the policies guiding program operations, and the steps required to support a participant's journey through QICR.

The Manual is intended to assist Case Assessment Group (CAG) members and QICR facilitators as they work within the QICR process. Legal representatives and police prosecutors may also find the information in this manual helpful when working with defendants who are participating in QICR.

The Manual is set out according to the structure of the QICR process, represented in Appendix 1.

1.2 Regional Variations

The delivery of QICR may vary across different locations, according to the resources and stakeholders available in each location. The appendices to this Manual set out those regional variations.

Program policies and reporting requirements should be consistent across all sites.

1.3 Amending the QICR Procedures Manual

QICR may evolve over time and the Manual will need to be updated to reflect any changes to the process.

Stakeholders may propose amendments to the Manual by contacting the Coordinator, Diversion and Referral Services.

The Director, Courts Innovation Program will be responsible for approving updates to the Manual.

If amendments to the appendices outlining local arrangements are required, stakeholders should contact the local facilitator about this issue. The facilitator will bring these issues to the attention of the Coordinator, Diversion and Referral Services as appropriate.



2. PROGRAM OVERVIEW

2.1 Aims of QICR

QICR operates within the Magistrates Court process. It provides opportunities for defendants to access treatment services and other support to address the underlying causes of their offending. QICR encourages collaboration and information sharing between service providers and government agencies to ensure effective support is provided to defendants and accurate information is provided to the court.

The aims of the QICR process are to:

- improve defendants' engagement with, and understanding of, the court process;
- encourage defendants to attend treatment and support services while on bail and after sentence;
- provide accurate and detailed information to magistrates to allow them to consider at sentence how a defendant's personal circumstances contribute to their offending;
- facilitate improvements in defendants' self-reported physical and psychological health and quality of life; and
- reduce the frequency and seriousness of any subsequent contact offenders may have with the criminal justice system.

The logic underpinning QICR is that by linking defendants with appropriate treatment and support, and using the influence of the court to monitor and encourage progress, QICR will reduce recidivism and improve defendants' physical and psychological health, and quality of life.

2.2 Overview of the QICR process

The QICR process is outlined briefly below. More specific details about the steps in this process can be found in section 3 of this Manual.

There are no limitations on who may refer a defendant to QICR. Where possible, defendants should be referred to QICR before their first appearance in court.

Once referred, the QICR facilitator will complete an Eligibility Assessment Form (EAF). The EAF is submitted to the Magistrates Court on the same day as the defendant's referral. The magistrate is ultimately responsible for deciding whether an individual will participate in QICR.

When a defendant is referred, the QICR facilitator will also commence a QICR Screening and Referral Form (SRF). The SRF records information about the defendant's personal circumstances, factors thought to contribute to the defendant's offending, and whether the defendant is currently, or has previously, engaged with public mental health services or Queensland Corrective Services (QCS).

Once complete, the SRF is provided to the CAG. The CAG is responsible for determining the defendant's suitability to participate in QICR, identifying an appropriate referral pathway (set out in

an engagement plan) and making a recommendation to the Magistrates Court. The CAG will consider a defendant to be suitable if an appropriate referral can be identified.

Defendants who are both eligible and suitable may participate in QICR on bail, or on bail and then on sentence. Defendants who participate on bail will have their matter adjourned to provide sufficient time for service providers to engage with the defendant, and for the court to monitor progress. Participation in QICR will be made a condition of bail and service providers will be expected to complete reports for the court that describe the defendant’s attendance, engagement and progress.

Defendants who participate on sentence will have participation in QICR made a condition of their probation or recognisance order and will be monitored by the QICR facilitator or by QCS, as appropriate. Service providers are expected to complete reports for the QICR facilitator whenever there is a change to the defendant’s engagement plan, the defendant has disengaged from QICR, or the defendant completes their engagement plan. Where a defendant is on a probation order, the QICR facilitator will share these reports with QCS. The QICR facilitator or QCS may commence breach proceedings against a defendant where he or she disengages from QICR.

The QICR process is shown in the diagram below (and more fully in Appendix 1). This diagram covers the period from when a defendant is first referred to QICR until their participation in QICR ends.

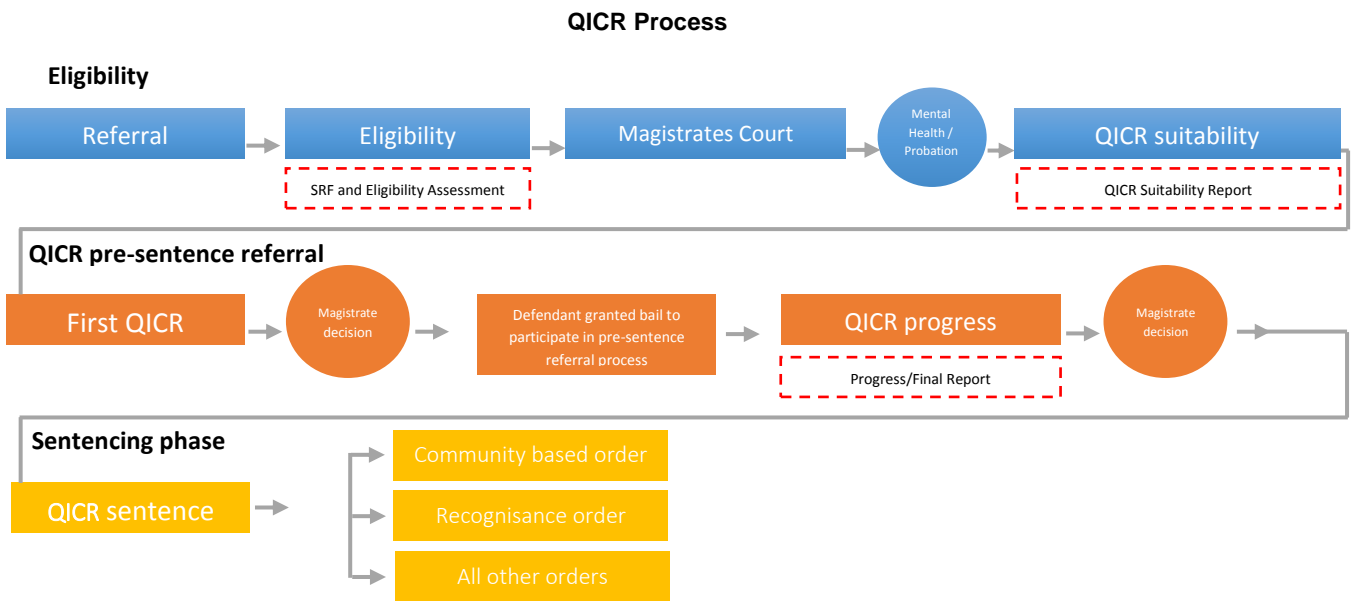



Figure 1. Summary of QICR process

2.3 Responsibilities of defendants

Defendants participating in QICR are required to:

- engage with the facilitator and provide the necessary information to allow the initial screening to be conducted;
- work with the nominated service provider and make a genuine effort to address the underlying issues that may contribute to their offending; and

- 
- attend court as required and engage with the magistrate regarding their progress in addressing the underlying issues that may contribute to their offending.

2.4 Roles and responsibilities of government and partner organisations

2.4.1 Facilitator

The facilitator acts as a conduit between the court, the defendant, and the CAG. They will also liaise with the Queensland Police Service (QPS), legal representatives and QCS, where necessary. The facilitator is responsible for:

- conducting the initial screening of the defendant;
- acting as a point of contact for the defendant throughout the QICR process;
- providing the relevant reports to service providers, parties to proceedings and the court;
- working with local service providers to develop and strengthen the CAG;
- working with local service providers to resolve issues at a local level where possible; and
- monitoring compliance for offenders on recognisance orders and assisting service providers to report on compliance for offenders on probation orders.

2.4.2 Case Assessment Group

A CAG will be established in each QICR location, and will be guided by a Terms of Reference in their operation.

The CAG is comprised of representatives of local service providers that have chosen to be involved in QICR. The service providers represented on the CAG are those that offer services that can meet the needs of the QICR client groups: for example, homelessness services, drug and alcohol treatment, or mental health services. The CAG is responsible for identifying appropriate referrals for defendants. CAG meetings are chaired by the QICR facilitator.

2.4.3 Nominated service providers

The nominated service provider is responsible for assessing the defendant and recommending a course of action to meet the defendant's needs. Service providers work with defendants to address the underlying factors contributing to their offending, and report on the defendant's progress and compliance with QICR.

2.4.4 Queensland Police Service prosecutor

QPS may choose to refer defendants to QICR, where they become aware that a defendant may meet the QICR eligibility criteria.

In addition to usual court process, police prosecutors are expected to review the QICR reports provided to them before each court appearance, in order to raise any issues of concern with the court.

Any issues raised in the context of objecting to bail may also be considered by the magistrate when deciding whether a defendant should participate in QICR.



2.4.5 Legal representative

Legal representatives may choose to refer defendants to QICR, where they become aware that a defendant may meet the QICR eligibility criteria.

In addition to usual court process, legal representatives are expected to review the QICR reports provided to them before each court appearance, in order to recommend appropriate adjournment periods and raise any relevant issues with the court.

If a defendant is to be represented by a duty lawyer, the duty lawyer must request a copy of the relevant report from the facilitator prior to the defendant's court appearance.

2.4.6 Queensland Corrective Services – Probation and Parole

QCS is responsible for:

- advising when a defendant who may be referred to QICR is already subject to the supervision of QCS; and
- responding to reports of non-compliance of offenders on probation orders with a QICR condition, including initiating breach action when necessary.

2.5 QICR Governance

2.5.1 Case Assessment Groups

The CAG will attempt to resolve operational issues in consultation with the facilitator, if the issues are relevant only to the local area. If such issues cannot be resolved locally, or may have statewide implications, they should be escalated through the facilitator to the Coordinator, Diversion and Referral Services.

2.5.2 Local Stakeholder Groups

A Local Stakeholder Group (LSG) will be established in each QICR location. The membership of these groups are drawn from representatives at a decision-maker level from local service providers involved in the CAG, in addition to representatives from QPS, Legal Aid Queensland (LAQ), the Aboriginal and Torres Strait Islander Legal Services (ATSILS) and QCS.

The LSGs will oversee the operation of QICR in each location, and resolve local operational issues. Where issues cannot be resolved locally they should be escalated through the Coordinator, Diversion and Referral Services to the Director, Courts Innovation Program and the Statewide Reference Group.

2.5.3 Statewide Reference Group

The Statewide Reference Group provides strategic oversight of QICR. This group will consider the operation of QICR, whether any significant changes to the QICR model are necessary, and recommend how these should be implemented. The group will also work to identify trends and patterns, and will identify issues and recommend changes. The Statewide Reference Group is chaired by the Director, Courts Innovation Program.

2.6 Complaints

It is expected that complaints about the QICR process or a person in the QICR process will be dealt with at the local level where possible, and escalated through the governance structure as necessary. Anyone wishing to make a complaint may contact the Coordinator, Diversion and Referral Services for assistance.

3. QICR PROCEDURES



3.1 Eligibility criteria

To be eligible to participate in QICR the defendant must:

- a) have current alleged offences before the court which are to be dealt with summarily (by right or election). A defendant is ineligible for QICR where any offences must be dealt with on indictment;
- b) be on bail or have been granted bail but yet to sign an undertaking as to bail;
- c) intend to plead guilty or have entered a plea of guilty;
- d) have or is likely to have one or more of the following contributors to their offending:
 - i) **problematic substance use;**
 - ii) **mental illness;**
 - iii) **impaired decision-making capacity;**
 - iv) **is homeless or at risk of homelessness;**
- e) be prepared to voluntarily participate in QICR; and
- f) provide written informed consent to participate in QICR.

3.2 Screening and referral

A defendant can be identified as a potential participant by anyone, including but not limited to:

- a legal representative
- QPS
- a facilitator
- a defendant's family members or friends
- government or non-government organisations
- a presiding magistrate
- the defendant.

Where a defendant is identified as a potential participant, they will be initially screened by using an SRF and EAF to collect information on their eligibility.



3.2.1 Screening and Referral Form and Eligibility Assessment Form

3.2.1.1 Responsibilities of the facilitator

When a facilitator becomes aware that a defendant may be eligible for QICR, they are responsible for completing a SRF with the defendant, followed by an EAF based on the information provided by the defendant.

Screening and Referral Form

The purpose of the SRF is to:

- assess the defendant's eligibility to be referred to QICR;
- collect information to be used by the CAG to identify treatment and support services that may benefit the defendant; and
- provide a resource for the court to draw on, if necessary, with information about the defendant's personal circumstances and support needs.

The facilitator must explain the QICR process to the defendant and what they are expected to do. The facilitator will explain to the defendant that they are not required to provide information about their personal circumstances if they do not wish to.

When the facilitator is assured that the defendant understands their obligations they should ask the defendant to tick the appropriate box regarding their consent to the use of their personal information for the purposes of QICR and have them sign the SRF, indicating their willingness to participate.

The SRF informs the CAG when a person has a history of sexual or violent offences, however it must be noted that non-violence offences that have an element of violence will not be identified. This information is made available to service providers to allow them to make an informed decision on a defendant's suitability to engage with their service, with regard to the protection of their staff. If a service provider requires more information on the nature of the charges, they should contact the facilitator. The facilitator may then provide the name and date of charges and the associated penalty.

It is important that the report is completed as fully and accurately as possible. This is because the CAG relies on this report to get a good understanding of the defendant and their offending. The information in this report may also help the magistrate when making decisions and sentencing the defendant.

Questionnaire

The SRF includes a questionnaire that asks the defendant about their previous experience of the court process. This information is collected to assist DJAG to monitor QICR, by enabling a comparison with defendants' experiences of QICR processes to allow DJAG to assess how well the process is working and make changes if necessary. The questionnaire is removed from the SRF before it is distributed and is viewed only by DJAG staff.

The facilitator will provide the defendant with their contact details, should the defendant need to make contact about QICR.

Sections of the SRF for later completion

Some sections of the SRF may not be completed before the defendant's first court appearance, as they rely on information that may not be immediately available.

Mental Health Court Liaison Service

Where the SRF suggests that the defendant may have a mental illness, they should be referred to the MHCLS to obtain further information.

The MHCLS will complete the relevant section of the SRF based on the information held in its system, and is not required to conduct an assessment of the defendant at this stage.

Where the MHCLS believes that further assessment is required, this assessment should occur before the defendant's next court date. The facilitator will not send the SRF to the CAG unless they are advised that the assessment has been conducted and MHCLS does not wish to work with the defendant. MHCLS is responsible for advising the facilitator whether or not they choose to work with a defendant.

If MHCLS chooses to work with the defendant, they will not be suitable for QICR and the court will be advised of this at the next mention date.

Queensland Corrective Services – Probation and Parole

If a defendant is subject to the supervision of QCS, details of this should be recorded on the SRF. This information is used to consider whether any supervision requirements the defendant is subject to may affect their ability to participate in QICR.

Eligibility Assessment Form

The EAF is intended to inform the magistrate whether the defendant is eligible to participate in QICR.


Once the SRF is completed (except those sections requiring information from QCS or MHCLS) the facilitator must complete the EAF based on the information provided by the defendant. This form requires the facilitator to make a determination as to whether or not the defendant meets the eligibility criteria for QICR.

The facilitator must provide the completed EAF to the defendant or the defendant's legal representative, prosecution and the court, prior to the defendant's first appearance in court.



3.2.2 Court appearance

At the defendant's first appearance, the magistrate will consider the EAF and all other relevant facts and circumstances, together with any submissions made by the parties. If the magistrate decides that the defendant should participate in QICR, he or she will adjourn the matter for approximately three weeks to allow the CAG to complete a suitability assessment.



A defendant may only be referred for a QICR suitability assessment:

- after the facilitator has assessed the defendant as eligible and submitted the EAF to the court; and
- if the magistrate is satisfied the eligibility criteria in the EAF are met and believes the defendant should participate in QICR.

Where the magistrate is satisfied the eligibility criteria are met, there is a presumption in favour of adjourning the matter to QICR.

3.2.2.1 Eligible defendants

A plea may be entered at any time from the defendant's first appearance before the court until the QICR sentence date.

The prosecutor and defence representative, where applicable, are to place the appropriate election of indictable or summary disposition of the charges on the court record at the earliest reasonable opportunity.

3.2.2.2 Ineligible defendants

Where the defendant has been found ineligible, the matter will proceed as per the usual court process.

3.3 Referral to the CAG

The defendant is referred for a suitability assessment once the SRF is complete. A copy of the SRF must be provided to the CAG within two business days after the defendant's initial court appearance.

On receiving a referral from the facilitator, the CAG members will identify the most appropriate service provider or providers to work with the defendant.

Once an appropriate referral has been identified, the nominated service provider is responsible for making contact with the defendant and completing a QICR suitability report.

3.3.1 Referrals to non-CAG service providers

If the CAG is unable to identify a suitable referral among its members, it may identify a non-CAG service provider who can work with the defendant.

In this case, the CAG should notify the facilitator of the nominated referral. The facilitator will make contact with the service provider to make any referral arrangements and provide the service provider with the appropriate forms.

3.4 Service provider assessment and Suitability Report



The purpose of the Suitability Report is to provide recommendations about a defendant's suitability to participate in QICR.

The report provides:

- information on the defendant's history of engagement with the nominated service provider;
- a QICR engagement plan which identifies:
 - the service provider that will engage with the defendant; and
 - estimated timeframes for the appropriate treatment or support to be provided, including a proposed date for court review.

3.4.1 Preparing the Suitability Report

3.4.1.1 Responsibilities of the nominated service provider

The nominated service provider is responsible for preparing a Suitability Report and providing a copy of the report to the facilitator at least two business days before the next court date.

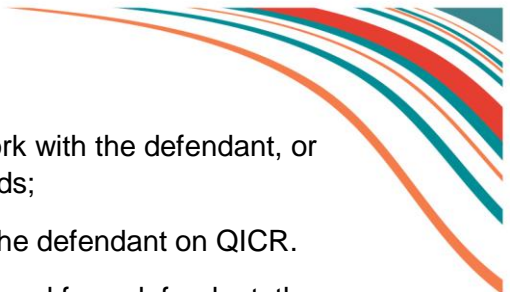
As part of the assessment of a defendant's suitability to participate in QICR the nominated service provider will consider a number of matters. Each service provider that takes a referral is required to review the criteria addressed in the SRF and apply its clinical expertise or experience in making recommendations about the defendant's suitability and engagement plan.

Matters to be considered by the service provider when determining suitability include:

- the defendant's willingness to participate in suitable treatment, rehabilitation or other intervention programs and the QICR process;
- the nature of the defendant's offending history and current charges, and the appropriateness of a referral having regard to:
 - the service providers internal guidelines and policies; and
 - the safety of the staff and clients of service providers or those of on-referral agencies.

In completing a Suitability Report, the nominated service provider is expected to:

1. provide the defendant's name, address, and date of birth;
2. report whether the defendant has indicated they are willing to participate in QICR;
3. make a recommendation as to whether the defendant should, or should not, participate in QICR;

- 
4. indicate an appropriate time period for service providers to work with the defendant, or advise that the defendant has addressed their immediate needs;
 5. identify whether the service provider has capacity to support the defendant on QICR.

If a service provider not in the CAG is identified as an appropriate referral for a defendant, the facilitator will work with that provider to ensure that the appropriate reports are completed.

3.4.1.2 Responsibilities of the facilitator

If the defendant is considered suitable for participation in QICR but there is no appropriate service provider with capacity to take the referral, this should be indicated in the Suitability Report by the facilitator.

If the defendant is not considered suitable because of information provided by QCS or MHCLS, the facilitator will indicate this on the Suitability Report.

The facilitator will provide a copy of the Suitability Report, together with the SRF, to the defendant or the defendant's legal representative, prosecution and the court at least one business day prior to the first QICR mention.

If a defendant is to be represented by a duty lawyer, the duty lawyer must request a copy of the report from the facilitator prior to the defendant's court appearance.

3.5 First QICR Mention

The magistrate will determine the defendant's suitability to participate in QICR having regard to:

- the Suitability Report;
- all other relevant facts and circumstances, including those specified in section 11(9) of the *Bail Act 1980*; and
- any submissions by the parties.

The magistrate will also be provided with the SRF and may review this form if they would like more information on the defendant's personal circumstances.

A finding of suitability by the CAG does not prevent the magistrate from deciding not to allow a defendant to participate in QICR. Where the magistrate considers a defendant unsuitable for QICR, the magistrate will provide their reasons to the defendant.

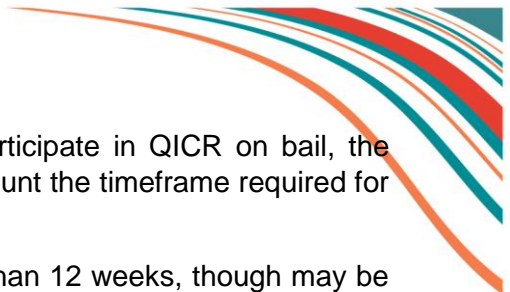
Where the defendant has been found unsuitable for QICR, the matter will proceed as per usual court process.

3.5.1 Bail

Once the defendant has been found suitable, the magistrate may adjourn the matter and grant bail or vary/extend the grant of bail to the defendant in accordance with the *Bail Act 1980*.

To support the defendant's participation in QICR, the magistrate should also impose a condition under section 11(9) of the *Bail Act 1980* that the defendant participate in QICR.

3.5.2 Adjournment



Where the magistrate is of the view that the defendant should participate in QICR on bail, the magistrate should set a date for a progress mention, taking into account the timeframe required for engagement that is provided in the Suitability Report.

The QICR pre-sentence referral period is intended to be no longer than 12 weeks, though may be extended where the magistrate believes it is appropriate.

3.5.3 Pre-sentence referral process

Once the magistrate has determined that the defendant is suitable for QICR, the defendant officially enters the QICR process and becomes subject to the supervision and direction of the facilitator and nominated service provider.

The facilitator will notify the CAG when the magistrate has determined that a defendant should participate in QICR.

3.6 Progress Report


The purpose of a Progress Report is to update the court about the defendant's progress while participating in QICR, and to make recommendations about the defendant's continued participation in QICR.

3.6.1 Responsibilities of the nominated service provider

The nominated service provider is responsible for preparing the Progress Report.

In completing a Progress Report, the service provider is expected to:

1. confirm the name, address and date of birth of the defendant;
2. identify the date on which the defendant was first referred to the service;
3. advise on the referral appointments attended by the defendant, those not attended, and the reasons for non-attendance;
4. outline future appointments scheduled for the defendant;
5. report on the service providers' satisfaction with the defendant's attendance and engagement with the service;
6. provide any other comments relevant to the defendant's continued engagement with the service provider;
7. record any amendments to the engagement plan, including any additional or alternative treatment and services; and
8. recommend whether:
 - a. more time is required to engage with the defendant before another court review;
 - b. the defendant has engaged with the service provider to address their immediate needs;
or
 - c. the defendant should be removed from QICR, and why.



Reports must be provided to the facilitator at least two business days before each progress mention.

3.6.2 Responsibilities of the facilitator

The facilitator will provide a copy of the Progress Report to the defendant or the defendant's legal representative, prosecution, and the court at least one business day prior to the progress mention.

If a defendant is to be represented by a duty lawyer, the duty lawyer must request a copy of the Progress Report from the facilitator prior to the defendant's court appearance.

3.7 Progress mention

The defendant will be required to attend regular court ordered progress mentions after commencing the QICR referral process.

A progress mention will be conducted at intervals determined by the magistrate upon consideration of any recommendation by the nominated service provider or the facilitator, but approximately every three to four weeks while participating in the QICR process on bail.

The prosecution, the defendant's legal representative or the defendant may make submissions about the appropriate timeframes for progress mentions.

3.7.1 Role of the magistrate

At each progress mention the magistrate may discuss with the defendant their progress, and encourage the defendant to continue to engage with the treatment and support services available to them.

At each progress mention the magistrate will consider the defendant's continued participation in QICR. The prosecutor, the defendant's legal representative or the defendant may make submissions about this issue.

As part of this process, the magistrate may invite the defendant to speak directly to the court about their offending, the steps they have taken to address the factors contributing to their offending, and their motivation to address their offending, rather than communicating through a legal representative.

3.8 Non-engagement and non-compliance

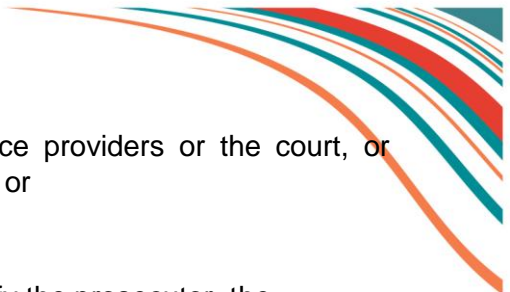
3.8.1 Non-engagement

If, upon consideration of the information contained in the Progress Report, and upon hearing any submissions by the prosecutor, the defendant's legal representative, or the defendant, the magistrate determines that the defendant should no longer participate in QICR, the magistrate may proceed to sentence or otherwise deal with the offender as per the usual court process.

3.8.2 Non-compliance while on bail

During the QICR process, the service provider must notify the facilitator immediately via a Progress Report, if the defendant:

- a) fails to comply with the directions of the service provider;

- 
- b) engages in behaviour that breaches the protocols of service providers or the court, or endangers service providers, court staff or the general public; or
 - c) advises they no longer wish to participate in QICR.

Upon becoming aware of such non-compliance the facilitator will notify the prosecutor, the defendant's legal representative and the court of the non-compliance as soon as possible.

While minor issues of non-compliance with the agreed treatment plan, such as missed appointments, need not be immediately reported by the service provider, reference to such conduct must appear in the next Progress Report or the Final Report. The defendant's continuation in QICR is then a matter for the court's discretion.

3.9 QICR Final Report

The purpose of the QICR Final Report is to provide an update on the defendant's progress and achievements in addressing the factors thought to be contributing to their offending.


If a matter proceeds to sentence without prior notice, the Progress Report may be considered in place of a Final Report.

3.9.1 Responsibilities of the nominated service provider

Service providers are to ensure that a Final Report is to be prepared when a matter has been adjourned for sentence.

The Final Report will:

1. confirm the defendant's name, address and date of birth;
2. make a recommendation about the defendant's continued engagement with the service provider post-sentence or not, and the reasons why;
3. provide an update on the defendant's personal circumstances and their progress towards addressing those factors believed to be contributing to their offending;
4. set out the achievements of the defendant through the QICR referral process, including the progress of the defendant towards their treatment goals;
5. provide a plan for the ongoing treatment and support of the defendant, and indicate whether this has been discussed with the defendant;
6. outline future appointments to be attended by the defendant;
7. report on the service providers' satisfaction with the defendant's attendance and engagement with the service;
8. provide any other comments relevant to the defendant's continued engagement with the service provider;
9. recommend any amendments to the QICR engagement plan, including additional or alternative treatment and services (where required), to support the defendant post-sentence.



The nominated service provider is also expected to ensure the defendant questionnaire attached to the Final Report is completed with the defendant. This information is collected to assist DJAG to monitor QICR, by enabling a comparison with defendants' experiences of QICR processes to allow DJAG to assess how well the process is working and make changes if necessary. The questionnaire is removed from the SRF before it is distributed and is viewed only by DJAG staff.

Final Reports must be provided to the facilitator two business days before the sentence date.

3.9.2 Responsibilities of the facilitator

The facilitator will provide a copy of the Final Report (without the questionnaire) to the defendant or the defendant's legal representative, the prosecutor and the court at least one business day prior to the QICR mention.

If a defendant is to be represented by a duty lawyer, the duty lawyer must request a copy of the report from the facilitator prior to the defendant's court appearance.

3.10 Sentence phase

3.10.1 Purpose

QICR is available to offenders on sentence to allow for the continuation of supervised treatment, rehabilitation or other intervention post-sentence. Offenders will participate in QICR on bail before continuing their participation post-sentence.

QICR also provides magistrates with information they may consider when determining a sentence. This includes information about the defendant's personal circumstances and their opportunities to engage in treatment or support post-sentence.

3.10.2 Procedure

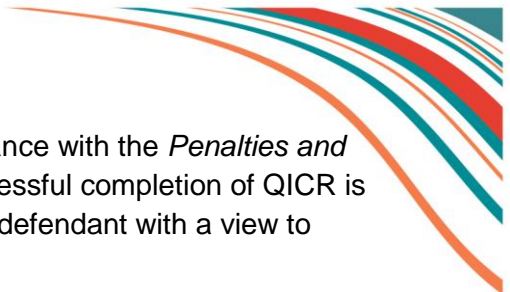
Where the magistrate is of the view that the defendant should participate in QICR on sentence, the magistrate may choose to sentence the defendant either immediately or at a future date.

A defendant may only participate in QICR on sentence once an appropriate referral has been identified and an engagement plan has been developed.

A magistrate may include a condition that an offender participate in QICR on sentence, when sentencing a defendant to either a probation or recognisance order. A defendant's participation in QICR will cease when they have completed all the requirements of their engagement plan. This may mean that their participation in QICR does not continue for the length of their order.

At the time of sentence:

- The magistrate may discuss with the defendant their progress, draw attention to the defendant's successes, and encourage the defendant to make positive changes in their life and continue to engage with the treatment and other support available to them.
- The magistrate may invite the defendant to speak directly to the court about their offending, the steps they have taken to address the factors thought to be contributing to their offending, and their motivation to address their offending behaviour.



The magistrate will proceed to sentence the defendant in accordance with the *Penalties and Sentences Act 1992*. Successful completion or the extent of successful completion of QICR is a matter which the court may take into account in sentencing the defendant with a view to mitigating a penalty.

In determining a sentence, the magistrate should have regard to:

- information contained in the Progress and Final Reports, including any progress made by the defendant during the QICR referral process;
- the defendant's opportunities to continue treatment and rehabilitation support that commenced prior to sentence; and
- the defendant's opportunities to commence treatment and rehabilitation support post-sentence.

Where the defendant receives a probation order, the facilitator will provide a copy of all QICR reports to QCS to ensure continuity of the defendant's support.

The facilitator will inform the CAG of the defendant's sentencing outcome via email.

3.10.3 Post-sentence actions

3.10.3.1 Post-sentence report


The nominated service provider is required to complete a Post-sentence Report and provide this report to the facilitator. The facilitator will provide this report to QCS where the offender is subject to a probation order.

The requirement to provide a Post-sentence Report is triggered when:

- a defendant is no longer engaging with their QICR engagement plan;
- a defendant has completed their engagement plan; or
- there has been a significant change to the engagement plan.

The QICR Post-sentence Report will:

- confirm the defendant's name, address and date of birth;
- advise where there has been a change to the defendant's QICR engagement plan, where the defendant has stopped engaging with their QICR engagement plan, or where the defendant has completed their QICR engagement plan;
- advise on the referral appointments not attended by the defendant and the reason given for non-attendance;
- outline future appointments to be attended by the defendant;
- report on the service providers' satisfaction with the defendant's attendance and engagement with the service;

- 
- provide any other comments relevant to the defendant's continued engagement with the service provider.

3.10.3.2 Non-compliance while on sentence

Service providers are required to report non-compliance to the facilitator.

Non-compliance will be determined by each service provider in accordance with their standard practice. For example, if a service provider usually makes three attempts to contact a client before concluding that they are no longer engaged with the service, the same standard is to apply to non-compliance with a QICR referral.

If the offender is on a probation order, the facilitator will advise QCS of any non-compliance, when notified of this by the service provider through the Post-sentence Report.

If issues of non-compliance arise, either the facilitator (for offenders on recognisance orders) or QCS (for offenders on probation orders) may consider initiating breach action.

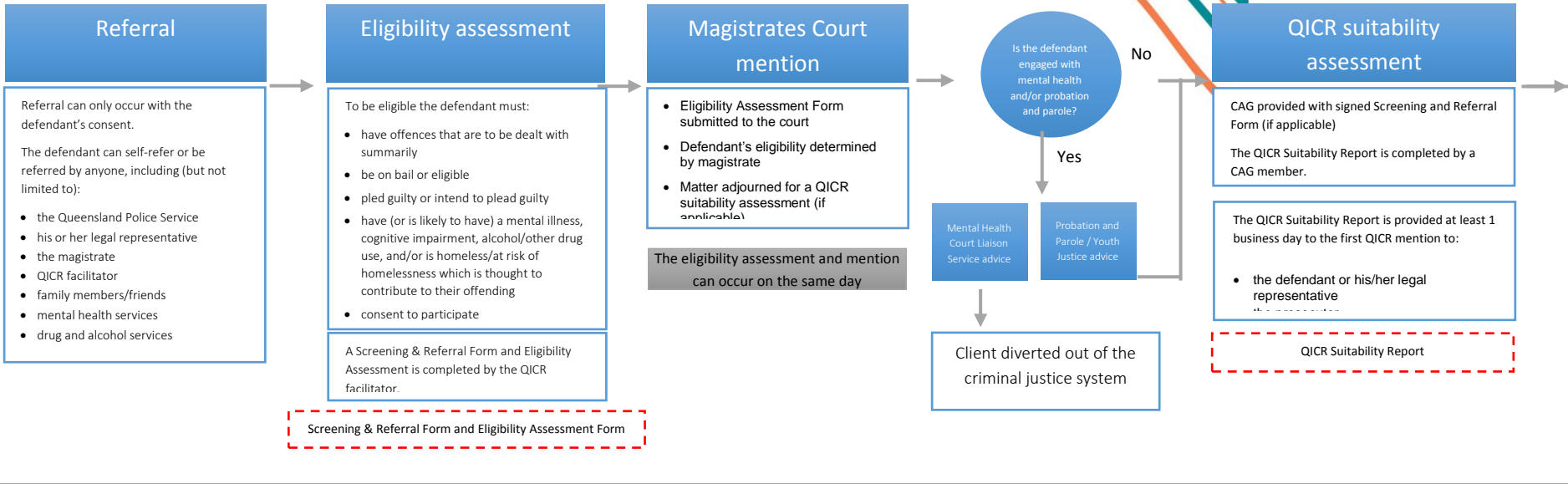
3.10.3.3 Changes to the engagement plan and completion of QICR

Through the Post-sentence Report, service providers must advise the facilitator of any major changes to the offender's engagement plan (for example, if they had originally been referred to a housing service but the service provider plans to refer them to a drug and alcohol treatment service).

The service provider should advise the facilitator via a Post-sentence Report once a defendant has completed their QICR engagement plan.

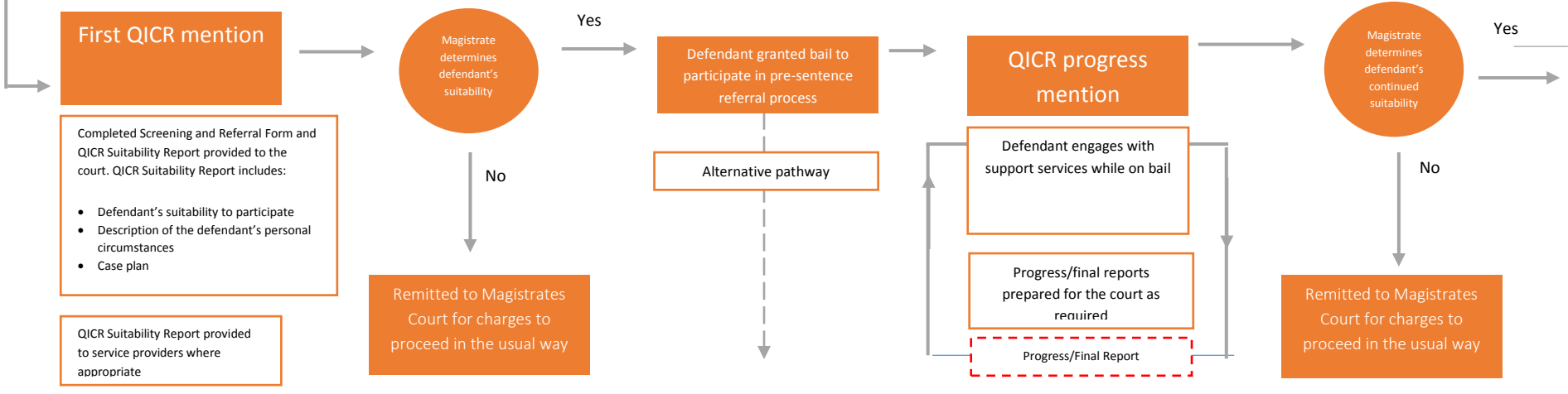
Queensland Integrated Court Referrals (QICR) Flow Chart

Eligibility assessment

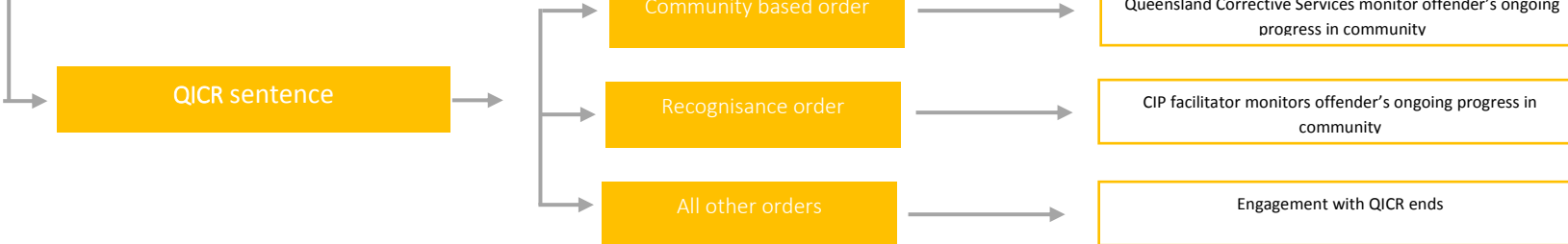


3 month program

QICR pre-sentence referral process



Sentencing phase





APPENDIX 2: [Screening and Referral Form]

APPENDIX 3: [Eligibility Assessment Form]

APPENDIX 4 [Suitability Assessment Report]

APPENDIX 5: [Progress Report]

APPENDIX 6: [Final Report]

APPENDIX 7: [Post-sentence Report]

Queensland Integrated Court Referrals

Screening and Referral Form

Court File Number/s:

Court location

If referred by the magistrate: Proposed **CAG date:** Next **court date:**

Information for the defendant

Queensland Integrated Court Referrals (QICR) is a diversion process for people whose offending appears linked to mental illness, cognitive impairment, alcohol and/or other drug use, and/or homelessness.

If you choose to participate in QICR, you will be referred to treatment and support services in the community. The magistrate may ask you to come back to court and talk to you about your progress. If you engage with the support services to address the issues you are facing then the magistrate may take this into account when sentencing you. If you are sentenced to probation or a recognisance order, the magistrate may also order that you continue to participate in QICR as part of your sentence.

This form is used to collect information about your life, your offending and what you want for your future. Specific things you will be asked about are: your family and family background, the support services you are involved with, your level of education, your income, your physical and mental health, your offending, your needs and goals, and your opinions of the court process.

There may be some questions that make you feel uncomfortable, or some things you do not want to discuss – that's ok. You can skip that question or come back to it later.

If you consent, the information you share will be given to service providers, your lawyer and the court to help them better understand your situation, and how they can support you to make changes in your life. The information will also be used in an evaluation to help make the QICR process better for everyone. Your information will be stored securely and will only be released where relevant to supporting you in the QICR process.

Defendant's Contact Details

Surname Given name/s

Date of birth Age Gender Male Female Other

Cultural and ethnic group Australian Aboriginal Torres Strait Islander South Sea Islander

Other (please describe)

Address

Home phone Mobile

Email

Alternate contact details

PART A: To be completed by the QICR facilitator in consultation with the defendant

Treatment and other support services

This section of the form describes what treatment and support services the defendant reports being currently involved with, or would like to be involved with.

What issues would you like assistance with through QICR? None

What treatment/support services are you **currently** involved with? I am not current involved with any treatment/support services

Organisation	Contact name	Contact details	Reason for attending e.g. relationship, anger, substance issues	Are you finding this service helpful?	
				<input type="checkbox"/> No	<input type="checkbox"/> Yes
				<input type="checkbox"/> No	<input type="checkbox"/> Yes
				<input type="checkbox"/> No	<input type="checkbox"/> Yes

What treatment/support services have you **gone to before**? I have not been to treatment/support services before

Service type / name	Reason for attending e.g. relationship, anger, substance issues	Reason for stopping e.g. finished treatment, moved, didn't work/didn't like it	Do you think it would be helpful to go there again?		Why/ why not?
			<input type="checkbox"/> No	<input type="checkbox"/> Yes	
			<input type="checkbox"/> No	<input type="checkbox"/> Yes	
			<input type="checkbox"/> No	<input type="checkbox"/> Yes	

Is there anything that might stop you from attending treatment or other support services? (tick all that apply)

<input type="checkbox"/> Lack of transport	<input type="checkbox"/> Language difficulties	<input type="checkbox"/> Ill health	<input type="checkbox"/> Caring for family	<input type="checkbox"/> Financial difficulty
<input type="checkbox"/> May be facing prison/detention for other offences	<input type="checkbox"/> Other (please describe) 			

Are there any treatment/support services you do not wish to be referred to? No

Service type / name	Reason for not being referred

Defendant's offending

This section of the report asks about the defendant's offending and the factors thought to contribute to his or her offending.

What are your offences before the court?	<input type="checkbox"/> Don't know
Why did you commit the offences before the court?	<input type="checkbox"/> Don't know

Defendant's personal history

This section of the form asks about the defendant's accommodation, education, employment, income and health.

Accommodation

In the last week, where have you been staying?

<input type="checkbox"/>	A house/unit you rent or own	<input type="checkbox"/>	A house/unit your parents/family rent or own	<input type="checkbox"/>	Public housing	<input type="checkbox"/>	Someone else's house
<input type="checkbox"/>	Hotel/backpackers	<input type="checkbox"/>	Caravan park	<input type="checkbox"/>	Motor vehicle		
<input type="checkbox"/>	Boarding house / hostel	<input type="checkbox"/>	A shelter or emergency housing	<input type="checkbox"/>	Couch surfing	<input type="checkbox"/>	On the street/ no fixed address
<input type="checkbox"/>	Other (please describe)	<input type="text"/>					

How do you feel about your current living arrangements?

Very unhappy Unhappy Mostly happy Very happy Extremely happy

Are your current living arrangements temporary?

No Yes → Where do you think you will move to?

Are you currently on the public housing waiting list?

No Yes → When did you register? Don't know

Are you receiving rent assistance from Centrelink?

No Yes → How much do you receive per fortnight? Don't know

Education

Can you read and write English?

No Yes Partial/broken

Is an interpreter required?

No Yes Language

What is your highest level of education completed?

Employment

Are you employed?

Yes No

If you are unemployed are you currently:

Not capable of looking for work Capable of looking for work (go to next section)

If you are capable of looking for work, are you currently:

Not working and not looking for work Not working, but looking for work Not working, but studying

Working part-time/casual → Working full time → Where are you currently working?

Other (please describe)

Have you ever had a job?

No (go to next section) Yes → How long has it been since you had a job?

Public Trustee and Office of the Public Guardian

Are you under the care of the Public Trustee?

No Yes → Name of caseworker/office:

Are you under the care of the Office of the Public Guardian?

No Yes → Name of caseworker/office:

Income

Do you have enough money to meet all your expenses each fortnight? No Yes

What is your main source of income? No income Employment Supported by family Other (please describe)

What is your income each fortnight?

Health

Do you have any **physical health** conditions (e.g. diabetes, back pain, disability)? No Yes Don't know

If yes, please describe:

When diagnosed?

Do you have any **mental health** conditions (e.g. depression, anxiety)? No Yes Don't know

If yes, please describe:

When diagnosed?

Are you currently being case managed for your condition (e.g., by your GP)? No Yes Don't know

Do you have a **cognitive impairment** or **brain injury**? (e.g. FASD, from a car accident) No Yes Don't know

If yes, please describe:

When diagnosed?

Have you ever been diagnosed with an **intellectual disability**? No Yes Don't know

If yes, please describe:

When diagnosed?

Do you take any **prescribed medication**? (e.g. anti-depressant, heart medication) No Yes Don't know

If yes, please describe the type of medication and what it is for:

What dosage?

Have you been in **hospital** in the last year? No Yes Don't know

If yes, please describe what you have been in hospital for:

Do you currently have any **substance misuse issues** (e.g. alcohol, illegal drugs, prescription medication)? No Yes Don't know

If yes, please describe type of substance and how often:

In the next 3 months, how easy or difficult do you think it would be to cut down your drinking or drug taking?

Extremely difficult

Very difficult

A bit difficult

Easy

Extremely easy

Have you had any **substance misuse issues in the past**? (e.g. alcohol, illegal drugs, prescription medication) No Yes Don't know

If yes, please describe type of substance and how often:





When did you stop using drugs and/or alcohol?

Do you have a **gambling habit or other addiction**? No Yes Don't know

If yes, please describe:

What do you do to take care of your health (physical, mental, emotional and spiritual)?

Self-assessment

	 Poor	 Fair	 Good	 Excellent
How would you describe your physical health over the last month? (e.g. extent of physical symptoms and bothered by illness)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How would you describe your psychological health over the last month? (e.g. extent of psychological symptoms and bothered by mental illness)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How would you describe your quality of life over the last month? (e.g. able to enjoy life, get on with family and partner, satisfied with living conditions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Defendant's personal circumstances

This section of the form describes what life is like for the defendant now.

Are you currently: Single Defacto Married Separated Divorced Widowed
 Other (please describe)

Are you experiencing domestic violence in your current relationship? No Yes

Have you experienced domestic violence in previous relationships? No Yes

Do you have any children? No Yes How many children do you have? Living with you Living elsewhere

How old are your children?

Are any of your children currently in the care of child safety? No Yes

Consent Form

I confirm that the QICR process has been explained to me, including that I am expected to:

- talk to the QICR facilitator about my personal circumstances and needs;
- engage with treatment and support services I am referred to by the QICR facilitator and/or Case Assessment Group (CAG);
- where I participate in QICR on bail, tell the court about my attendance and engagement with treatment and support services I am referred to;
- appear before the court for sentence where my participation in QICR may be taken in to account by the magistrate.

I understand that:

- my personal information, including my offending history, mental health records, probation and parole history, attendance and engagement with service providers, and other information I choose to disclose will be used to support my participation in QICR;
- my personal information will be stored securely and only released where relevant to the operation of QICR;
- if I am referred to QICR, I will be contacted by a service provider who will arrange an appointment to discuss my personal circumstances and prepare an engagement plan intended to address the underlying contributors to my offending;
- my participation in QICR is dependent on me complying with my engagement plan and with all reasonable directions of the QICR facilitator, the CAG and service providers in the context of QICR. Where I do not comply my matter may be re-mentioned or breach proceedings may be commenced;
- I am free to withdraw from QICR at any time without consequence, and if I wish to do so I must inform the QICR facilitator;
- the magistrate may take my participation in QICR into account at sentence.

I consent to:

- a referral being made to the CAG to determine whether or not I am suitable for QICR;
- the QICR facilitator obtaining information from:
 - Queensland Police Service about my current charges and offending histories;
 - Queensland Health about any assistance I am receiving, and/or have previously received, from mental health, my current and/or former mental health diagnosis, and whether I am currently under an Involuntary Treatment Order or Forensic Order under the *Mental Health Act 2000*;
 - Queensland Corrective Services (QCS) about my involvement with QCS, including treatment and other support services which I am currently attending (or have previously attended);
 - the State Penalties Enforcement Registry (SPER) about my current debt and payment plan;
- the QICR facilitator sharing information collected about me and discussing my circumstances with the CAG, my legal representative/duty lawyer, the prosecution, QCS, Mental Health Court Liaison Service, the court and service providers I am referred to for the purpose of supporting my involvement in QICR, including where I am sentenced to a community-based order;
- the support service agencies I am referred to providing a written report to the QICR facilitator regarding:
 - my attendance or non-attendance at appointments with the service provider and reasons for my non-attendance (when known);
 - the service providers' satisfaction with my attendance, engagement and progress with the service;
 - where I have completed, not completed or partially completed the actions listed in my engagement plan;
 - where the actions listed in my engagement plan can be continued on sentence;
 - the service providers' opinion of my stage of change;
 - where the service provider identifies a need to vary my support plan.

I consent to participate in QICR and for information about me to be shared between those parties involved in QICR.

I do not consent to participate in QICR.

(Defendant to print name)

(Defendant signature)

Date

PART B: To be completed by the QICR facilitator and Queensland Government staff

Background

This section of the form is used to:

- identify where the defendant has a history of violent or sexual offending,
- report if the defendant is currently engaged with Probation and Parole, and
- report if the defendant is currently (or has previously) engaged with Public Mental Health services.

This section is completed by the QICR facilitator

QICR referral details

Defendant referred to QICR by:	<input type="checkbox"/> Legal representative	<input type="checkbox"/> QICR facilitator	<input type="checkbox"/> QPS	<input type="checkbox"/> Magistrate	<input type="checkbox"/> Family member/friend	
	<input type="checkbox"/> Self-referred	<input type="checkbox"/> Service provider	<input type="checkbox"/> Other (describe)	<input type="text"/>		
Is the defendant:	<input type="checkbox"/> Self-represented	<input type="checkbox"/> Represented by the duty lawyer	<input type="checkbox"/> Represented by ATSILS	<input type="checkbox"/> Represented by LAQ	<input type="checkbox"/> Privately represented	
	<input type="checkbox"/> Has no representation	<input type="checkbox"/> Other (describe)	<input type="text"/>			
Where the defendant has no representation, have they been advised to see the duty lawyer (where applicable)				<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A

Legal representative's details

Organisation	<input type="text"/>	Contact name	<input type="text"/>	Contact number	<input type="text"/>
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SPER debt

Does the defendant have a SPER debt?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	Does the defendant have a SPER payment plan?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Don't know
How much does the defendant spend each month on their SPER Payment Plan?	<input type="text"/>				<input type="checkbox"/> Don't know	
Is the defendant's licence currently SPER suspended?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Don't know			
How much is the defendant's SPER debt?	<input type="text"/>	What amount must be paid before the defendant's license can be reinstated?	<input type="text"/>			

Defendant's court details (current)

Provide an overview of the defendant's current offences.

The defendant's current charges consist of charges that fall into the categories of: (tick all that apply)	<input type="checkbox"/> Simple offences (e.g. shoplifting, contravene direction, public nuisance)	<input type="checkbox"/> Traffic related offences (e.g. speeding, unlicensed driving, drink driving, disqualified driving)
	<input type="checkbox"/> Property offences (e.g. stealing, break and enter)	<input type="checkbox"/> Alcohol offences (e.g. drunk in a public place, drink driving)
	<input type="checkbox"/> Drug offences (e.g. possession, supply)	<input type="checkbox"/> Sex offences (e.g. indecent dealing, rape)
	<input type="checkbox"/> Violent offences (e.g. common assault, assault occasioning bodily harm, unlawful wounding)	<input type="checkbox"/> Other (please list below)

What is the total number of charges the defendant is currently facing?	<input type="text"/>
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Criminal history

This section of the form is used to identify where the defendant has a history of sexual or violent offending.

Current orders

Is there currently an operational period of a **suspended sentence**? No Yes → Relevant dates:

Prior offending

Is the defendant currently facing, or has the defendant previously been convicted of, charges for an offence of a sexual nature within the meaning of the *Criminal Law (Sexual Offences) Act 1978*? No Yes

Is the defendant currently facing, or has the defendant previously been convicted of, charges for an indictable offence involving violence? No Yes

Note for the CAG: please contact the QICR facilitator if you require further information.

On reviewing the defendant's criminal history, can you identify any patterns of offending of which the CAG should be aware (e.g., a high number of similar charges, patterns in when offending occurs (based on court dates). No Yes

Prior participation in diversion programs

Has the defendant previously participated in diversion programs (tick all that apply)?

<input type="checkbox"/>	Murri Court / ISL	<input type="checkbox"/>	Queensland Courts Referral (QCR)	<input type="checkbox"/>	Illicit Drugs Court Diversion Program
<input type="checkbox"/>	Drug and Alcohol Assessment Referrals (DAAR)	<input type="checkbox"/>	Queensland Magistrates Early Referral into Treatment (QMERIT)		
<input type="checkbox"/>	Other (please describe)	<input type="text"/>			

Reason for referral

Please note, QICR facilitators do not have clinical qualifications.

The defendant has, or appears to have, one or more contributing causes for offending (please tick all that apply):

Problems with drugs Problems with alcohol Mental illness Impaired decision making capacity
 Homelessness Risk of homelessness

Please add further detail if appropriate

Please comment if the defendant appeared distressed by, upset by, or unwilling to answer, questions in Part A.

Defendant's bail conditions

The purpose of this section is to identify for the CAG any bail conditions that may need to be considered in the context of the defendant's participation in QICR.

Is a printout of the bail conditions attached to the defendant's QICR offences provided? (please tick 'not relevant' where there are no conditions attached to the defendant's bail) Yes No (please provide reasons) Not relevant

Please list any other bail conditions (i.e. for offences other than those associated with QICR) that may impact on the defendant's ability to participate in QICR

Probation and parole

QICR facilitator to complete

Is the defendant currently under Queensland Corrective Services supervision (i.e. Probation and Parole)?

No (section complete)

Yes



Ask QCS to complete the section below

Are there currently **community-based orders** in effect? (insert more lines if required)

No

Yes



Type

Relevant dates:

Please list any conditions attached to this order that may impact on the defendant's ability to participate in QICR (e.g., reporting requirements that prevent participation in residential rehabilitation programs)

Are there currently **parole orders** in effect? (insert more lines if required)

No

Yes



Relevant dates:

Please list any conditions attached to this order that may impact on the defendant's ability to participate in QICR (e.g., reporting requirements that prevent participation in residential rehabilitation programs)

Is the defendant currently engaged with **treatment or other support services** under his or her order?

No

Yes



Please provide details of the treatment or other support services the defendant is currently engaged with (add more lines if required).

Organisation	Contact name	Contact details	Reason for attending e.g. relationship, anger, substances
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Is there **pending or current breach action** against the defendant, the outcome of which may prevent his or her participation in community-based support through QICR?

No

Yes

Mental health (to be completed by the Mental Health Court Liaison Service)

Has the defendant reported, or do you suspect, a mental illness? No (section complete) Yes Ask MHCLS to complete the section below

This section of the form is used to identify if the defendant has a diagnosed mental illness and whether they are known to Public Mental Health services. This information will be used to divert the defendant to appropriate treatment pathways (as required) and/or to ensure the defendant's involvement with Public Mental Health services is reflected in his or her case plan.

Note: the information contained in this section is based on a review of the relevant Queensland Health database only.

Is the defendant **known to** Public Mental Health services? Yes No (section complete)

Defendant's current engagement with Public Mental Health services

Is the defendant currently under an **Involuntary Treatment Order (ITO)** or **Forensic Order** under the *Mental Health Act 2000*? No Yes (section complete)

Is the defendant currently receiving any assistance or care from Public Mental Health services? No Yes

Does the defendant have a current case manager? No Yes

Contact name: Contact number:

Does the defendant have a **current diagnosis**? No Yes (please describe)

Defendant's prior engagement with Public Mental Health services

Has the defendant previously been under an **Involuntary Treatment Order (ITO)** or **Forensic Order** under the *Mental Health Act 2000*? No Yes

On what date did it end?

Has the defendant previously received assistance or care from Public Mental Health services? No Yes

On what date did it end?

Does the defendant have a **historical diagnosis**? No Yes (please describe)

Mental Health Court Liaison Service comment (based on a review of the relevant Queensland Health database)

- It is suggested that at this time: the defendant be diverted from court process under their ITO or Forensic Order (pursuant to Chapter 7 part 2 of the *Mental Health Act 2000*)
- the defendant should be referred for further advice from MHCLS (please complete section below)
- following a search of the public record, there appears no impediment to the defendant proceeding with the QICR process
- other (please describe)

Mental Health Court Liaison Service comment (following a face-to-face meeting with the defendant)

Note: the information contained in this section is based on a meeting with the defendant completed by MHCLS.

It is suggested that at this time the defendant be: diverted from the QICR process in order to continue with MHCLS (please provide reasons)

there appears no impediment to the defendant proceeding with the QICR process

other (please describe)

END OF FORM

QICR evaluation and consent to participate

To improve our processes, QICR will be evaluated. Information collected by the courts and QICR facilitators from QICR defendants, including information about their lives, needs and referrals, will be used in the evaluation. The evaluation will also ask QICR defendants what they think about the process and how it could be improved.

If you agree to take part in the evaluation, your information will be kept secure and anonymous. This means no-one will be able to link your information directly back to you. Your privacy is protected by the law (the *Information Privacy Act (2009)* (IP Act)). This means we cannot use your information in the evaluation without your consent.

You do not have to participate in the evaluation. You do not have to give a reason for not participating. Also, if you agree to take part in the evaluation and then change your mind you can simply tell the QICR facilitator. You are free to withdraw at any time without consequence. If you choose to leave the evaluation, you can still be in QICR. By agreeing for your personal information to be included in the evaluation, you will be helping DJAG to improve QICR for future defendants.

I consent to my personal information being used in the evaluation of QICR.

I do not consent to my personal information being used in the evaluation of QICR.

(Defendant to print name)

(Defendant signature)

Date

Defendant questionnaire

QICR is being evaluated to find out what is working well and what could be improved. Today, I will ask about your experience of the **normal court process** and what it is like going to court. I will also ask about times in your life when you needed help or assistance from support services. Your answers will **not** be given to the magistrate but will be used by QICR staff to help improve QICR in the future.

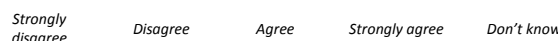
Have you appeared in the **Magistrates Court** before? Yes No (go to question 9)

Thinking about the last time you appeared in the **Magistrates Court**, do you agree or disagree with the following statements...



- | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | Strongly disagree | Disagree | Agree | Strongly agree | Don't know |
| 1. I was treated like a person, not a number | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. I felt fairly treated by the Magistrates Court | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. I understood what was said to me in the Magistrates Court | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. I was encouraged to make positive changes in my life | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. I understood my sentence | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. I think my sentence was fair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. Why do you think your sentence was fair? OR
Why don't you think your sentence was fair? | <input type="text"/> | | | | <input type="checkbox"/> |
| 7. I knew what was expected of me when I left Magistrates Court (eg who I reported to, the conditions on my order) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Do you think the Magistrates Court helped you make positive changes in your life? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| | | | | | Don't know |

Think about the times when you have needed some help or assistance, for example for example with a medical issue, housing, or from Centrelink. Do you agree or disagree with the following statements...



- | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | Strongly disagree | Disagree | Agree | Strongly agree | Don't know |
| 9. I know what services can help me when I need it | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. I can get to the services I need (e.g. transport) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. It is easy to get an appointment when I need one | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. I get the help I need from the services I access | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. How motivated are you to make positive changes in your life? | <input type="checkbox"/> | Not at all motivated | <input type="checkbox"/> | A little bit motivated | <input type="checkbox"/> |
| | | | | Fairly motivated | Very motivated |

We are trying to understand how QICR can help people going to court.

14. Do you think **QICR** will help you to make positive changes in your life? Yes No Don't know
15. Why do you want to go to **QICR**?

Queensland Integrated Court Referrals

QICR ELIGIBILITY ASSESSMENT

Use this form to assess the eligibility of a defendant to be referred to QICR. Upon completion, the QICR Eligibility Assessment is to be handed to the magistrate in order to seek a referral and nominate a preferred adjournment date.

Defendant's details

Surname	<input type="text"/>	Given name/s	<input type="text"/>								
Date of birth	<input type="text"/>	Age	<input type="text"/>	Gender	<input type="text"/>	Male	<input type="text"/>	Female	<input type="text"/>	Other	<input type="text"/>
Address	<input type="text"/>										
Home phone	<input type="text"/>	Mobile	<input type="text"/>	Email	<input type="text"/>						
Court file no:	<input type="text"/>										

Eligibility assessment checklist (to be completed by the QICR facilitator)

This section of the form is used to determine the defendant's eligibility to participate in QICR.

To be eligible to participate in QICR, the defendant must meet the following criteria:

- | | | | | |
|--|--------------------------|----|--------------------------|-----|
| 1. the defendant must have current alleged offence/s before the court; and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 2. all the defendant's alleged offence/s are to be dealt with summarily; and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 3. the defendant must be on bail or have been granted bail; and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 4. the defendant intends to plead guilty, or has pleaded guilty; and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 5. the defendant has, or is likely to have, one or more contributing causes for offending (problematic alcohol and/or other drug use, mental illness, impaired decision making capacity, and/or is homeless or at risk of homelessness); and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 6. the defendant is prepared to voluntarily participate in QICR; and | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| 7. the defendant consents to participate in QICR and for the disclosure (and exchange) of personal information. (The defendant must sign the consent form attached to the QICR Screening and Referral Form) | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |

To be eligible to participate in QICR, the defendant must answer **yes** to **ALL** of the questions above.

I consider the defendant is **eligible** to participate in QICR. Proposed adjournment date: / /

I consider the defendant is **not eligible** to participate in QICR.

Comment if the defendant is assessed as ineligible:

Date: _____ / _____ / 2016

(Name of QICR facilitator)

(Signature)

Magistrate's decision

With consideration to the information provided above, and submissions by the prosecutor and defence, the defendant will:

not be referred to QICR



Comment if the defendant is not referred to QICR

be referred to QICR

Prosecution:

Defence:

By consent, the defendant is remanded to appear in Court ____ on ____/____/ **2016** at _____ AM/PM

Please circle the relevant option below:

for committal

mention

plea of guilty

hearing

bail on own undertaking

bail is enlarged

bail is varied

at large

Name of
Magistrate

Signed

Date

Queensland Integrated Court Referrals

Suitability Report

Purpose of this report

Queensland Integrated Court Referrals (QICR) is a **diversion process** that provides for the referral of eligible defendants to treatment and support services to address the underlying contributors to their offending. Successful engagement in QICR can be taken into account with a view to mitigation of penalty during sentence proceedings. Magistrates may include a QICR referral as a sentence condition when sentencing defendants to a probation or recognisance order.

The purpose of the QICR Suitability Report is to provide a recommendation on a defendant's suitability to participate in QICR. Where the defendant is considered suitable, the report identifies the service provider/s who has agreed to work with the defendant, advises what time is required for service providers to engage the defendant, and what needs the provider will support the defendant to address. Where the defendant is considered unsuitable, the report will outline the reasons for this assessment. This information is intended to assist the court in determining whether a defendant should participate in QICR.

Defendant's details

Surname	<input type="text"/>	Given name/s	<input type="text"/>
Date of birth	<input type="text"/>	Age	<input type="text"/>
		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other
Address	<input type="text"/>	Phone	<input type="text"/>

Defendant's suitability for QICR

The **QICR facilitator** has determined the defendant **is unsuitable to participate** in QICR because:

- Queensland Corrective Services has advised there is pending or current breach action against the defendant
- Mental Health Court Liaison Service has diverted the defendant from QICR in order to continue with their service

The **Case Assessment Group**, having regard to the circumstances of the defendant:

has assessed the defendant as **unsuitable to participate** in QICR at this time because:

- | | |
|--|---|
| <input type="checkbox"/> the service provider has been unable to contact the defendant | <input type="checkbox"/> the defendant is no longer willing to participate in QICR |
| <input type="checkbox"/> there is no capacity to support the defendant | <input type="checkbox"/> the defendant has engaged with the service provider to address his/her immediate needs |
| <input type="checkbox"/> the defendant is not considered suitable (please provide reasons) | |
| <input type="checkbox"/> other (please describe) → | <input type="text"/> |

has assessed the defendant as **suitable to participate** in QICR and

- requests an additional period of for the service provider to work with the defendant prior to the next court review

Magistrate's decision

- I determine that the defendant **is not suitable** to participate in QICR
- I determine that the defendant **is suitable** to participate in QICR and attach a bail condition ordering the defendant to participate in QICR
- I adjourn the matter to be reconsidered for QICR

Prosecution: Defence:

By consent, the defendant is remanded to appear in Court ___ on ___/___/ 2016 at _____ AM/PM

Please circle the relevant option below:

for committal mention plea of guilty hearing bail is varied at large bail is enlarged bail on own undertaking

Name of Magistrate Signed Date



Service provider's details (if more than one provider please add details below)

Name of service	<input type="text"/>	Contact name	<input type="text"/>
Provider's contact details	Phone <input type="text"/>	Email	<input type="text"/>
Next scheduled contact with defendant (if known) <input type="text"/>			
The provider will support the defendant to:	<input type="text"/>		

Service provider's details

Name of service	<input type="text"/>	Contact name	<input type="text"/>
Provider's contact details	Phone <input type="text"/>	Email	<input type="text"/>
Next scheduled contact with defendant (if known) <input type="text"/>			
The provider will support the defendant to:	<input type="text"/>		

Service provider's details

Name of service	<input type="text"/>	Contact name	<input type="text"/>
Provider's contact details	Phone <input type="text"/>	Email	<input type="text"/>
Next scheduled contact with defendant (if known) <input type="text"/>			
The provider will support the defendant to:	<input type="text"/>		

Queensland Integrated Court Referrals

Progress Report

Information for the service provider completing this report

Queensland Integrated Court Referrals (QICR) is a **diversion process** that provides for the referral of eligible defendants to treatment and support services to address the underlying contributors to their offending. Successful engagement in QICR can be taken into account with a view to mitigation of penalty during sentence proceedings. Magistrates may include a QICR **referral as a sentence condition** when sentencing defendants to a probation or recognisance order.

The purpose of the QICR Progress Report is to update the court regarding the defendant's attendance and engagement with services to which he or she has been referred, and to comment regarding the defendant's continued participation in QICR. Once completed this form should be returned to the QICR facilitator no less than two (2) business days prior to the defendant's court date.

The defendant has previously consented to this information being shared with the court. For a copy of the signed consent form, please contact the QICR facilitator.

Defendant's details

Surname	<input type="text"/>	Given name/s	<input type="text"/>
Date of birth	<input type="text"/>	Age	<input type="text"/>
		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other
Address	<input type="text"/>		Phone <input type="text"/>

QICR recommendation (to be completed by the service provider)

<input type="checkbox"/>	requests an additional period of <input type="text"/>	for the service provider to work with the defendant prior to the next court review
<input type="checkbox"/>	the defendant is engaging with the service provider	
<input type="checkbox"/>	the defendant no longer participate in QICR because	➔ <input type="checkbox"/> the defendant has not attended his/her appointments with the service provider
		<input type="checkbox"/> the defendant has indicated he/she no longer wishes to participate
		<input type="checkbox"/> other (please describe)
		<input type="text"/>

Magistrate's decision

Prosecution: Defence:

By consent, the defendant is remanded to appear in Court ___ on ___/___/ 2016 at ___ AM/PM

Please circle the relevant option below:

for committal mention plea of guilty hearing
bail on own undertaking bail is enlarged bail is varied at large

Defendant is **removed** from QICR ➔ Magistrate's reasons for removing the defendant from QICR ↓

Name of Magistrate Signed Date



Defendant's attendance and engagement with the service

This section of the report asks about the defendant's attendance at your service (i.e. is the defendant showing up?)

How often has the defendant attended scheduled appointments with your service?

Attended all appointments
 Regular (reasonable excuse for missed appointments)
 Missed more appointments than attended
 Not attended

What reason did the defendant give for missing appointments? No reason given

Has the defendant rescheduled his or her appointment with your service?
 No Yes Date:

This section of the report asks about the defendant's engagement with your service. If the defendant has failed to attend all of his or her appointments, this section is not required.

How would you rate the defendant's level of engagement when attending your service?

Very poor Below average Average Above average Excellent

How would you rate the defendant's progress since commencing with your service?

Very poor Below average Average Above average Excellent

In your opinion, does the defendant's level of engagement with your service reflect what is required to achieve his or her treatment goal/s?

No Yes

In your opinion, at what stage of change is the defendant:

- Pre-contemplation:** not even thinking about changing their behaviour
- Contemplation:** willing to consider the possibility that they have a problem, and this offers hope for change
- Determination:** ready to make a serious attempt to change behaviour in the near future, committed to action
- Action:** ready to put their plan in to action, make a public commitment to change
- Maintenance:** working to build a new pattern of behaviour, relapse may occur
- Termination:** behaviour change is complete, the client can cope without fear of relapse

Are there any other comments you wish to make regarding the defendant's engagement with your service?

This section of the report asks whether you would recommend changing the defendant's QICR Engagement Plan.

Have you identified a need to vary the defendant's QICR Engagement Plan? No Yes

What amendments to the QICR Engagement Plan do you recommend?

Once you have finished the report, you should provide a copy to the QICR facilitator. This should occur no less than two (2) business days prior to the defendant's court appearance.

A separate QICR Progress Report should be completed by each service provider to which the defendant is currently referred.

Referral details

Service provider name				Contact name				Contact number		
Initial referral date			Next scheduled appointment	Date			Time			Appointment not required
										Appointment not yet booked

QICR Engagement Plan – Progress Report

Goal 1: (e.g., Reduce drug use)

Action	On-referral (Y/N)	Timeframe to achieve action	Complete				Reason (where no/partial)		
(e.g., participate in detox)	N		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	
(e.g., participate in residential rehabilitation program)	N		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	
(e.g., find housing support)	Y		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	

Goal 2:

Action	On-referral (Y/N)	Timeframe to achieve action	Complete				Reason (where no/partial)		
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	

Goal 3:

Action	On-referral (Y/N)	Timeframe to achieve action	Complete				Reason (where no/partial)		
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Partial	

In lieu of completing this page the service provider may choose to attach a copy of their own support plan for the client where this shows the client’s progress.

Queensland Integrated Court Referrals

Final Report

Information for the service provider completing this report

Queensland Integrated Court Referrals (QICR) is a **diversion process** that provides for the referral of eligible defendants to treatment and support services to address the underlying contributors to their offending. Successful engagement in QICR can be taken into account with a view to mitigation of penalty during sentence proceedings. Magistrates may include a QICR **referral as a sentence condition** when sentencing defendants to a probation or recognisance order.

The purpose of the QICR Final Report is to update the court regarding the defendant's progress and achievements in addressing factors thought to be contributing to their offending, and to advise the court where specific activities in the defendant's QICR Engagement Plan can be continued post-sentence. The QICR Final Report is to be prepared when a matter has been adjourned for sentence. Once completed this form should be returned to the QICR facilitator at least two (2) business days prior to the defendant's court date. The defendant has previously consented to the following information being shared with the court. For a copy of the signed consent form, please contact the QICR facilitator.

Defendant's details

Surname	<input type="text"/>	Given name/s	<input type="text"/>	
Date of birth	<input type="text"/>	Age	<input type="text"/>	
		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	
Address	<input type="text"/>		Phone	<input type="text"/>

QICR recommendation (to be completed by the service provider)

<input type="checkbox"/>	the defendant continue to participate in QICR	
<input type="checkbox"/>	the defendant no longer participate in QICR as: (tick all that apply)	↓
<input type="checkbox"/>	the defendant has completed their QICR Engagement Plan	<input type="checkbox"/> the defendant has failed to engage with service providers
<input type="checkbox"/>	there is no capacity among service providers to support the defendant on QICR	<input type="checkbox"/> the defendant has indicated she/he no longer wishes to participate in QICR
<input type="checkbox"/>	other (please describe)	<input type="text"/>

Magistrate's decision

With consideration to the QICR recommendation, and submissions by the prosecutor and defence:

<input type="checkbox"/>	the defendant continue to participate in QICR	➔	a QICR condition is attached to the defendant's order
<input type="checkbox"/>	the defendant conclude their participation in QICR	➔	the defendant is considered to have met his/her QICR obligations
<input type="checkbox"/>	the defendant is removed from QICR	➔	Magistrate's comment on the reasons for removing a defendant from QICR ↓

By consent, the defendant is remanded to appear in Court ____ on ___/___/ 2016 at _____ AM/PM

Please circle the relevant option below:

for committal	mention	plea of guilty	hearing
bail on own undertaking	bail is enlarged	bail is varied	at large

Name of Magistrate Signed Date

Note: A QICR post-sentence referral is only available to defendants on a probation or recognisance order. The magistrate should impose a condition that the defendant continue to participate and engage in the activities contained in their QICR Engagement Plan.

Defendant's attendance and engagement with the service

This section of the report asks about the defendant's attendance at your service (i.e. is the defendant showing up?)

How often has the defendant attended scheduled appointments with your service?

<input type="checkbox"/> Attended all appointments	}	What reason did the defendant give for missing appointments?	<input type="checkbox"/>	No reason given
<input type="checkbox"/> Regular (reasonable excuse for missed appointments)				
<input type="checkbox"/> Missed more appointments than attended				
<input type="checkbox"/> Not attended				
			Has the defendant rescheduled his or her appointment with your service?	
		<input type="checkbox"/> No	<input type="checkbox"/> Yes	Date: <input type="text"/>

This section of the report asks about the defendant's engagement with your service. If the defendant has failed to attend all of his or her appointments, this section is not required.

How would you rate the defendant's level of engagement when attending your service?

<input type="checkbox"/> Very poor	<input type="checkbox"/> Below average	<input type="checkbox"/> Average	<input type="checkbox"/> Above average	<input type="checkbox"/> Excellent
------------------------------------	--	----------------------------------	--	------------------------------------

How would you rate the defendant's progress since commencing with your service?

<input type="checkbox"/> Very poor	<input type="checkbox"/> Below average	<input type="checkbox"/> Average	<input type="checkbox"/> Above average	<input type="checkbox"/> Excellent
------------------------------------	--	----------------------------------	--	------------------------------------

In your opinion, does the defendant's level of engagement with your service reflect what is required to achieve his or her treatment goals?

<input type="checkbox"/> No	<input type="checkbox"/> Yes
-----------------------------	------------------------------

In your opinion, at what stage of change is the defendant:

- Pre-contemplation:** not even thinking about changing their behaviour
- Contemplation:** willing to consider the possibility that they have a problem, and this offers hope for change
- Determination:** ready to make a serious attempt to change behaviour in the near future, committed to action
- Action:** ready to put their plan in to action, make a public commitment to change
- Maintenance:** working to build a new pattern of behaviour, relapse may occur
- Termination:** behaviour change is complete, the client can cope without fear of relapse

Are there any other comments you wish to make regarding the defendant's engagement with your service?

This section of the report asks whether you would recommend changing the defendant's QICR Engagement Plan.

What additions or amendments to the QICR Engagement Plan do you recommend to support the defendant post-sentence?

Once you have finished the report, you should provide a copy to the QICR facilitator. This should occur no less than two (2) business days prior to the defendant's court appearance.

A separate QICR Final Report should be completed by each service provider to which the defendant is currently referred.

Referral details

Service provider name				Contact name				Contact number			
Initial referral date			Next scheduled appointment	Date			Time			<input type="checkbox"/> Appointment not required	
											<input type="checkbox"/> Appointment not yet booked

QICR Engagement Plan – Final Report

Goal 1: (e.g., Reduce drug use)

Action	On-referral (Y/N)	Timeframe to achieve action	Complete			Reason (where no/partial)	Continue post-sentence?		
			Yes	No	Partial		Yes	No	Partial
(e.g., participate in detox)	N		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e.g., participate in residential rehabilitation program)	N		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e.g., find housing support)	Y		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Goal 2:

Action	On-referral (Y/N)	Timeframe to achieve action	Complete			Reason (where no/partial)	Continue post-sentence?		
			Yes	No	Partial		Yes	No	Partial
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Goal 3:

Action	On-referral (Y/N)	Timeframe to achieve action	Complete			Reason (where no/partial)	Continue post-sentence?		
			Yes	No	Partial		Yes	No	Partial
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In lieu of completing this page the service provider may choose to attach a copy of their own support plan for the client where this shows the client’s progress.

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Defendant questionnaire

To be completed by the service provider with the defendant.

Service provider information sheet

Why is QICR being evaluated?

QICR is being evaluated to explore how it operates, what is working well, what could be improved, and if it achieves its goals. The defendant questionnaire (next page) is an important part of this process as it asks about defendants' perceptions of QICR and gives them a voice in the evaluation. The evaluation will help the Department of Justice and Attorney-General (DJAG), the court and service providers to improve QICR for future clients.

What will I have to do?

You are being asked to complete the defendant questionnaire with your client. The questionnaire asks about the defendant's experience of the Magistrates Court since being referred to QICR, and the services to which the defendant was referred.

Baseline information has already been collected by the QICR facilitator. The information you collect through the defendant questionnaire will be compared to that baseline information. That way, we will know if the defendant's attitudes and perceptions of the court have changed as a result of participating in QICR.

How will the defendant's privacy be protected?

If the defendant agrees to take part in the questionnaire, the information collected will be kept secure and anonymous. The defendant is not required to provide any identifying information on the survey, and the QICR facilitator is responsible for removing the survey prior to providing it to DJAG. The court **will not** receive a copy of the questionnaire.

What will you do with the defendant's information?

The information collected from the defendant questionnaire will be entered into an evaluation database, and later used in evaluation reports for DJAG, the Attorney-General and the Chief Magistrate. The Government may use the report to inform decisions about the future of QICR.

What are the advantages to the defendant of taking part in the evaluation?

The defendant may find the questions about QICR interesting, and appreciate the opportunity to comment on how QICR could be improved. The more people who participate in the evaluation, the more confident we can be that the information we collect and decisions we make about QICR are correct. There are other advantages too. For example, the evaluation is expected to help improve QICR, leading to more positive outcomes for defendants, service providers and others.

Are there any disadvantages to the defendant of taking part in the evaluation?

The defendant will need to give up a little extra time to answer questions. The defendant will be asked about his or her experiences of QICR and this may make some defendants feel uncomfortable. If there is something the defendant does not want to discuss, that is ok. They can skip the question or come back to it later. The defendant is also free to withdraw from the evaluation at any time.

Does the defendant have to take part in the evaluation?

No, **participation in the evaluation is entirely voluntary**. The defendant does not have to take part if they do not want to. They do not have to give a reason for not participating. Also, if the defendant agrees to take part, and then changes his or her mind, the defendant is free to withdraw without consequence.

What if I have more questions about the evaluation?

If you want to know more about the evaluation or what we will do with the information we collect, please contact: Tarnya Comyns (3234 1024) or CourtReferral@justice.qld.gov.au

Thank you for working with the defendant to complete the defendant questionnaire

The defendant indicated he/she did not wish to participate in the defendant questionnaire






Defendant questionnaire

QICR is being evaluated to find out what is working well and what could be improved. Today, I will ask you what it was like being part of QICR and about your experience of the court process since your charges were referred to QICR. Your answers will **not** be given to the magistrate but will be used by QICR staff to help improve QICR in the future.

Thinking about your experience of QICR...

1. Do you think **QICR** helped you to make positive changes in your life? Yes No Don't know
2. Are you proud of the progress you made in QICR? Yes No Don't know
 - a. Why/why not?
3. Would you tell other people to go to QICR? Yes No Don't know
 - a. Why/why not?
4. What, if anything, would you like to change about QICR? Don't know





Since your charges were referred to QICR, do you agree or disagree with the following statements:

- | |  |  |  |  |  |
|---|--|---|---|---|---|
| | Strongly disagree | Disagree | Agree | Strongly agree | Don't know |
| 5. I was treated like a person, not a number | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. I felt fairly treated by the Magistrates Court | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. I understood what was said to me in the Magistrates Court | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. I was encouraged to make positive changes in my life | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. I believe I will receive a fair sentence | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. Why do you believe you will receive a fair sentence? OR | <input type="text"/> | | | | |
| b. Why don't you think you will receive a fair sentence? | <input type="text"/> | | | | |
| 10. I know what is expected of me when I leave court (e.g. who I report to) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Think about the times when you needed some help or assistance, for example with a medical issue, housing, or from Centrelink. Do you agree or disagree with the following statements...

- | | Strongly disagree | Disagree | Agree | Strongly agree | Don't know |
|---|---|---|---|---|--------------------------|
| 11. I know what services can help me when I need it | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. I can get to the services I need (e.g. transport) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. It is easy to get an appointment when I need one | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. I get the help I need from the services I access | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. How motivated are you to make positive changes in your life? | <input type="checkbox"/> Not at all motivated | <input type="checkbox"/> A little bit motivated | <input type="checkbox"/> Fairly motivated | <input type="checkbox"/> Very motivated | |
| 16. Would you be happy if you were contacted in the future to talk about your experience of QICR? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't know | | |

Self-Assessment

- | |  |  |  |  |
|---|---|---|---|---|
| | Poor | Fair | Good | Excellent |
| How would you describe your physical health over the last month? (e.g. extent of physical symptoms and bothered by illness) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| How would you describe your psychological health over the last month? (e.g. extent of psychological symptoms and bothered by mental illness) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| How would you rate your quality of life over the last month? (e.g. able to enjoy life, get on with family and partner, satisfied with living conditions) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Defendant's name

Queensland Integrated Court Referrals

Post-sentence Report

Information for the service provider completing this report

Queensland Integrated Court Referrals (QICR) is a **diversion process** that provides for the referral of eligible defendants to treatment and support services to address the underlying contributors to their offending. Successful engagement in QICR can be taken into account with a view to mitigation of penalty during sentence proceedings. Magistrates may include a QICR **referral as a sentence condition** when sentencing defendants to a probation or recognisance order.

The purpose of the QICR post-sentence report is to update the QICR facilitator when:

- there is a change to the defendant's QICR Engagement Plan;
- the defendant stops engaging with his or her QICR Engagement Plan;
- the defendant has completed his/her QICR Engagement Plan.

Defendant's details

Surname	<input type="text"/>	Given name/s	<input type="text"/>	
Date of birth	<input type="text"/>	Age	<input type="text"/>	
		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	
Address	<input type="text"/>		Phone	<input type="text"/>

Service provider details

Service provider name	<input type="text"/>	Contact name	<input type="text"/>	Contact number	<input type="text"/>
Initial referral date	<input type="text"/>	Next scheduled appointment	Date: <input type="text"/>	Time: <input type="text"/>	<input type="checkbox"/> Appointment not required <input type="checkbox"/> Appointment not yet booked

QICR advice (completed by the service provider)

<input type="checkbox"/>	there has been a change to the defendant's QICR Engagement Plan	
<input type="checkbox"/>	the defendant has stopped engaging with his or her QICR Engagement Plan	
<input type="checkbox"/>	the defendant has completed his/her QICR Engagement Plan	Completion date: <input type="text"/>

Action taken by the QICR facilitator

<input type="checkbox"/>	Advice provided to Probation and Parole	Date: <input type="text"/>
<input type="checkbox"/>	Breach proceedings commenced <i>(for defendants on recognisance orders only)</i>	Date: <input type="text"/>
<input type="checkbox"/>	No action taken (please describe reasons)	<input type="text"/>
<input type="checkbox"/>	Other (please describe)	<input type="text"/>



QICR Engagement Plan – Post-sentence report	Client's name	
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This plan shows where there are changes to the defendant's QICR Engagement Plan

New goals / actions

Goal/s:

Action	Service provider responsible	On-referral (Y/N)	Contact name	Contact number	Proposed start date with service	Est. time to achieve action

Amended goals/actions

Goal:

Please describe the amendment	Please explain the reason for the amendment (if there is a responsible new service provider, please include the name of the service, and a contact name and number)	Proposed start date with service	Est. time to achieve action

Removed goals/actions

Goal:

Action	Please explain the reason for the removal

Does the participant agree to the changes to his/her QICR Engagement Plan? Yes No defendant to sign name Date: / /

In lieu of completing this page the service provider may choose to attach a copy of their own support plan for the client.



Defendant's attendance and engagement with the service

This section of the report asks about the defendant's attendance at your service (i.e. is the defendant showing up?)

How often has the defendant attended scheduled appointments with your service?

<input type="checkbox"/>	Attended all appointments				
<input type="checkbox"/>	Regular (reasonable excuse for missed appointments)	} →	What reason did the defendant give for missing appointments?	<input type="checkbox"/>	No reason given
<input type="checkbox"/>	Missed more appointments than attended				
<input type="checkbox"/>	Not attended				
			Has the defendant rescheduled his or her appointment with your service?		
			<input type="checkbox"/> No	<input type="checkbox"/> Yes	Date: <input type="text"/>

This section of the report asks about the defendant's engagement with your service. If the defendant has failed to attend all of his or her appointments, this section is not required.

How would you rate the defendant's level of engagement when attending your service?

<input type="checkbox"/>	Very poor	<input type="checkbox"/>	Below average	<input type="checkbox"/>	Average	<input type="checkbox"/>	Above average	<input type="checkbox"/>	Excellent
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How would you rate the defendant's progress since commencing with your service?

<input type="checkbox"/>	Very poor	<input type="checkbox"/>	Below average	<input type="checkbox"/>	Average	<input type="checkbox"/>	Above average	<input type="checkbox"/>	Excellent
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In your opinion, does the defendant's level of engagement with your service reflect what is required to achieve his or her treatment goals?

<input type="checkbox"/>	No	<input type="checkbox"/>	Yes
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In your opinion, at what stage of change is the defendant:

<input type="checkbox"/>	Pre-contemplation: not even thinking about changing their behaviour
<input type="checkbox"/>	Contemplation: willing to consider the possibility that they have a problem, and this offers hope for change
<input type="checkbox"/>	Determination: ready to make a serious attempt to change behaviour in the near future, committed to action
<input type="checkbox"/>	Action: ready to put their plan in to action, make a public commitment to change
<input type="checkbox"/>	Maintenance: working to build a new pattern of behaviour, relapse may occur
<input type="checkbox"/>	Termination: behaviour change is complete, the client can cope without fear of relapse

Are there any other comments you wish to make regarding the defendant's engagement with your service?

Once you have finished the report, you should provide a copy to the QICR facilitator.