**Eligibility Assessment Form**

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

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the defendant should be assessed as to his / her suitability for  a DATO because:  □ intention to plead has been withdrawn  □ agreement to referral has been withdrawn  □ the drug and or alcohol dependency is not sufficiently related to the  offending  □ the penalty is unlikely to be within range  □ other:  [Free text box] |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