

samoaobserver

Drug and Alcohol Court plan in the pipeline

Wednesday, 02 April 2014 14:33

Jasmine Netzler

[2 Comments](#)

Three New Zealand experts are in Samoa to assist the Ministry of Justice and Courts Administration to establish a Drug and Alcohol Court.

This was revealed on Monday during proceedings into criminal cases before Supreme Court, His Honour Justice Vui Clarence Nelson, when he acknowledged the presence of the three experts who were in his Court at the time.

The group includes Auckland District Court Judge, Ema Aitken who specialises in this area of the law, a doctor and a legal consultant who are both experts in the areas of drugs and alcohol.

Their assistance in setting up a Drug and Alcohol Court here in Samoa will be made possible through a week long workshop that started yesterday.

No further information regarding this workshop was revealed. But Attorney General Lawyer, Brigitta Faafiti, who was prosecutor for matters before Justice Vui was asked who from her office will be attending the workshop.

Mrs. Faafiti informed the court that she is unable to offer up this information.

Justice Vui told her it is important that there be prosecutors attending this workshop. According to him, it would be a "valuable exercise" for prosecutors from the Attorney General's office.

His Honour the Chief Justice Patu Tiava'asu'e Falefatu Sapolu also mentioned this during his 2pm proceedings into mentions.

The issue came up when he was asked by a lawyer representing a defendant that was unable to attend the mention of his matter as she was travelling over from Savai'i.

The lawyer asked if the matter could be adjourned to yesterday by then his client would be in Apia. But His Honour was reluctant informing the Court that he had been busy with the Drug and Alcohol workshop that would be starting yesterday.

And so he had given the exception that the matter to be heard on Tuesday. Prosecutor Precious Chang said that the matter before the Court is in relation to setting a new hearing date. She asked if the matter could be adjourned to a later date.

But His Honour declined and gave the go ahead for the matter to be heard before him as the defendant's lawyer had requested. Two of the first Drug and Alcohol courts in New Zealand opened in Central Auckland and Waitakere in November 2012.

According to media coverage, the New Zealand drug and alcohol courts were a "pilot project" aimed at those who have pleaded guilty, face a term of up to three years in prison and show a willingness to change their ways.

They would be put through an intense programme designed to turn their lives around and, if they are successful, their efforts will be taken into account at sentencing.

There are 2,600 similar courts in the United States and the number has increased, despite Federal budget cuts in that country. In 2011, a campaigner for Alcohol and Drug Courts in New Zealand, Gerald Waters, compiled studies that showed that approximately 80% of crime in that country occurs under the influence of alcohol and/or illegal drugs.

Seven out of 10 offenders apprehended by Police in 2007 were under the influence of drugs in the period leading up to their arrests.

Mr. Waters entered the debate after losing a friend who was killed by a drunk driver. He rejected the usual 'get tough on crime' calls.

Instead, he said, "We do not need more prisons: we need fewer offenders," and started looking into what works around the world. New Zealand Justice minister Judith Collins introduced a five year pilot in March 2012.

"The aim of the pilot is to deal with 100 offenders a year who have severe addiction problems and need more intensive treatment to help them break the cycle of substance abuse," Ms. Collins told Parliament at the time.