Court liaison nurses
Advanced practice and Untapped resource

Patsy-Jane Tarrant RN

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Structure

- Outline of research methodology
- Findings
- Is court liaison nursing advanced practice
- Conclusion
Methodology

- Constructivism (Crotty, 1998)
- Naturalistic inquiry (Lincoln & Guba, 1995)

Qualitative descriptive methodology (Sandelowski, 1998)
  - Mixed methods (Tashakkori & Teddlie, 2003)
    - Survey – entire population (41 CLNs)
      - 68% response rate
      - SPSS, Thematic content analysis (Morgan, 1993)
    - In-depth interviews – purposive sampling
      - 6 CLNs across NZ, geographical and experiential diversity
      - Thematic content analysis
    - Audit – purposive sampling
      - 6 CLNs across NZ, geographical and experiential diversity
      - SPSS.

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Findings

- Where do CLNs practice
- What does a CLN do
- Main themes
- Findings of interest to the Addiction sector
- Advanced practice

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Where do CLNs practice

Youth, District and High Courts

List days and other hearings

Multiple roles e.g. Prison liaison, Forensic PDN

Multiple sites e.g. Multiple courts and MHS in different locations

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
What does a CLN do?

CLNs provide mental health expertise regarding the intersection of mental health and criminal justice system through:

- **Assessment**
  - Provision of reports to the court
  - Gatekeeping
  - Interpreter

- **Court Liaison**

- **Court Diversion**

- **Advocates**

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
“When civil commitment is required to achieve mental health intervention for the person: the role of the CLN is to facilitate rapid assessment by a psychiatrist and rapid transfer to appropriate mental health services by acting in the statutory role as Duly Authorised Officers under the Mental Health (Compulsory Assessment and Treatment Act) 1992” (McKenna & Seaton, 2007, p.457).

Court diversion “involves the transfer of people suffering mental illness from criminal justice settings (court, remand, prison) to hospital or community settings” (McKenna & Seaton, p.449).
An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Findings of interest to Addiction and Cultural services

- Frequency and quality of contact with alcohol and other drug services
- Frequency and quality of contact with cultural services
Quality of contact

![Bar chart showing the number of contacts with different agencies.]
### Referral information

<table>
<thead>
<tr>
<th>Demographic characteristics variable</th>
<th>Number of responses (N = 106)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>19</td>
<td>18</td>
</tr>
<tr>
<td>Male</td>
<td>87</td>
<td>82</td>
</tr>
<tr>
<td><strong>Age group</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17-20</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>21-25</td>
<td>26</td>
<td>24</td>
</tr>
<tr>
<td>26-30</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>31-40</td>
<td>18</td>
<td>17</td>
</tr>
<tr>
<td>41-50</td>
<td>23</td>
<td>22</td>
</tr>
<tr>
<td>51-60</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>61 +</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Ethnicity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maori</td>
<td>37</td>
<td>35</td>
</tr>
<tr>
<td>New Zealand European</td>
<td>55</td>
<td>52</td>
</tr>
<tr>
<td>Pacific</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Asian</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>African</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Maori and Pacific</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
<table>
<thead>
<tr>
<th>Mental health information variable</th>
<th>Number of responses (N = 106)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Known client of mental health services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>93</td>
<td>88</td>
</tr>
<tr>
<td>No</td>
<td>13</td>
<td>12</td>
</tr>
<tr>
<td><strong>Primary health issue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schizophrenia and other psychotic disorders</td>
<td>27</td>
<td>26</td>
</tr>
<tr>
<td>Mood disorders</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Anxiety disorders</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Personality disorders</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>Attention deficit hyperactivity disorder</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Substance abuse - alcohol</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Drug induced psychosis</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Intellectual disability</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>Unknown</td>
<td>29</td>
<td>27</td>
</tr>
</tbody>
</table>

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Organisational processes

- **Resources**
  Only half of the CLNs have access to reasonable resources required to carry out role
  - computer at court to write up reports for the court
  - access to DHB health database from court
  - an office or working space at court
  - a room to interview people in privacy

- **Presence**
- Changes in systems and services
- Service level agreements and interagency protocols
Professional supervision

Just sitting in court sometimes and hearing lots of stuff that people have done. I think you could get a really distorted view of humanity. I think that sometimes when you’re not talking with other court liaison nurses who are dealing with the same stuff then ...//... you’re not even perhaps aware that you are getting de-sensitised. And I think sometimes if I’m feeling a bit tired or whatever, I think, oh have I just lapsed into that sort of, I’m on that cattle train as well and therefore am I doing the best that I can for someone, did I miss them because I’m a bit tired ...//... or because I might have an issue with the lawyer and the way they talked to me. It does feel like a battle sometimes, wading through mud I think can be quite a good analogy!
Providing reports to the court

When I first started in 2000 I was writing court assessments up from a comprehensive assessment perspective. These days if I can’t put it on one page I will go back until I can. Because learning about it, the reality is that whatever you’re writing to the courts is obviously, it’s a legal document. There are issues around consent and informed consent. There’s a perspective that regardless of the fact a client may give consent it’s a coercive environment, So quite frankly I write very little.
An exploration of the role of the court liaison nurse within the New Zealand criminal courts

Would we send a nurse into an operating theatre without instruction about the processes?

No one teaches these nurses about these things – this is crazy

Forensic psychiatric settings are places of unusual circumstance (Austin, Goble & Kelecevic, 2009)
Layers of knowledge

- CLN+ ideally specialist post-graduate pathway
- Forensic mental health nurse + ideally specialist post-graduate forensic mental health nursing papers
- Mental health nurse - 12 month NETP programme
- Registered nurse - generic bachelor of nursing undergraduate education

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
The defining feature of a profession is generally considered to be its distinctive knowledge, based on credentials gained through advanced training. Distinctive knowledge is the basis for creating exclusive control over a particular area of work (Taylor & Field, 2007, p.253).
Possible ways forward

- Framework for practice
- Credentialing
- Advanced practice roles
  - Nurse practitioner
  - Expanded RN scope
- Specialist opportunities
  - Specialist nurse
  - Speciality area of practice
Innovative roles

- Structure and guidance,
  Including professional supervision, framework for practice

- Resources in place

- Service level agreements

- Interagency protocols re information sharing

An exploration of the role of the court liaison nurse within the New Zealand criminal courts
Untapped resource

- Extensive knowledge of criminal mental health interface
- Can identify gaps in services – what works well, what is not working
- Query role for CLNs in addiction work, brief intervention
- The criminal justice system is “a complex web of interconnecting parts”, with each agency having its own agenda and financial constraints (Turnbull & Beese, 2000, p.290).