

Rewards and sanctions

The court can impose sanctions on participants who do not comply with their program, including short custodial sanctions. Successful participants are rewarded by reduced restrictions and encouragement from the court.

Program completion

A Drug Court of NSW program can be terminated if the court decides that:

- the participant has substantially complied with the program
- the participant is unlikely to make any further progress on the program
- the participant poses an unacceptable risk to the community by remaining on the program.

The participant can also choose to exit the program.

At program completion, the court reconsiders the initial sentence imposed, the nature of the participation on the program, any sanctions imposed and any time spent in custody while on the program.

The initial sentence can be set aside and another sentence imposed, but it cannot be increased. Participants who do not comply with their program can expect to be returned to custody.

If the court decides the participant has substantially complied with the program, a non-custodial sentence is the usual outcome. The court awards certificates of graduation or achievement to participants who show particularly strong progress while on the program.

If you require further information about the Drug Court of New South Wales, please contact the court registry.

Parramatta Drug Court

Parramatta Courthouse
Ground Floor, 12 George Street
PO Box 92, Parramatta NSW 2150
Phone 02 8688 4525
Fax 02 8688 4913

Hunter Drug Court

Toronto Courthouse
140-142 Carey Street
PO Box 994, Toronto NSW 2283
Phone 02 4935 8338
Fax 02 4935 8305

Sydney Drug Court

Downing Centre
143-147 Liverpool Street
Sydney NSW 2000
PO Box A4, Sydney South NSW 1235
Phone 9287 7305
Fax 9287 7755

www.lawlink.nsw.gov.au/drugcrt

If you need an interpreter ring 131 450 and ask the operator to contact the Drug Court at Parramatta or the Hunter on the numbers above.

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Alternative formats: For alternative formats (audio tape, electronic or Braille versions) of this brochure contact the Drug Court registry on the numbers above or Diversity Services via email: diversityservices@agd.nsw.gov.au, phone: 02 8688 7507, fax: 02 8688 9626 or TTY: 02 8688 7733 for people who have a speech or hearing impairment.



Drug Court
of New South Wales



Attorney General
& Justice

A guide to the Drug Court of New South Wales

www.lawlink.nsw.gov.au/drugcrt

The Drug Court of NSW

Drug Courts are specialist courts based at Parramatta, Sydney and the Hunter which supervise the community-based rehabilitation of drug-dependent offenders.

Drug Courts aim to assist non-violent offenders to overcome both their drug dependence and their criminal offending, and benefit the community by reducing drug-related crime.

The Drug Court team

A Judge of the Drug Court leads the Drug Court team consisting of officers from the:

- Department of Justice and Attorney General
- Office of the Director of Public Prosecutions
- NSW Police
- Legal Aid NSW
- Corrective Services NSW
- Justice Health
- Area Health Services.

The Drug Court Team works in collaboration with local health networks and non-government residential rehabilitation services to provide appropriate treatment, counselling and health interventions for participants.

How the Drug Court of NSW operates

The Drug Court has Local Court and District Court jurisdiction. Its operations are governed by the Drug Court Act and Regulation, and the court's past decisions and policies.

Who is eligible to participate?

To be eligible for the Drug court a person must:

- be likely to be sentenced to full-time imprisonment
- be dependent on the use of illicit drugs
- meet the following criteria:
 - Live in the Auburn, Bankstown City, Blacktown City, Campbelltown City, Cessnock, City of Sydney, Fairfield City, Hawkesbury City, Holroyd City, Lake Macquarie, Liverpool City, Maitland, Newcastle, Parramatta City, Penrith City, Port Stephens or The Hills Shire Local Government Areas
 - be referred from the District Court at Campbelltown, Liverpool, Parramatta, Penrith, East Maitland, Newcastle or Sydney
 - be referred from the Local Court at Bankstown, Belmont, Blacktown, Burwood, Campbelltown, Central, Cessnock, Downing Centre, Fairfield, Kurri Kurri, Liverpool, Maitland, Mount Druitt, Newcastle, Newtown, Parramatta, Penrith, Raymond Terrace, Richmond, Ryde, Toronto, Waverley, or Windsor
- be 18 years of age or over
- be willing to participate.

A person is not eligible if they:

- are charged with an offence involving violent conduct
- are charged with a sexual offence or some types of drug offence
- have a serious psychiatric condition.

People with a history of violent or dangerous behaviour may be ineligible for participation.

What is a Drug Court program?

When an eligible person is referred to the Drug Court and enters a plea of guilty to the offences, the court imposes an initial sentence, which is suspended while the person is on the Drug Court program.

Each participant's program is developed to address their specific needs. A range of evidence-based treatment options are offered. A participant may be required to enter a residential rehabilitation centre, or live in their own approved accommodation or in supported housing organised by the court. Social support and living skills training are also provided.

All participants report regularly to the court on their progress and are required to undertake testing for drug use.

Each participant's program has three phases.

- **Phase 1 – Initiation and stabilisation** takes at least three months.
- **Phase 2 – Consolidation** takes at least three months.
- **Phase 3 – Reintegration into the community** takes at least six months.

Each phase has distinct goals that must be achieved before the participant moves to the next phase of the program.