

The Downing Centre Drug Court Program: A Glowing Success

The NSW Drug Court aims to assist those battling drug addictions by providing rehabilitation programs to break the cycle of crime and help them to get back on their feet.

The Court commenced operation in 1999, following the success of similar initiatives in the United States.

The first drug court was in Parramatta, and a second one opened in Toronto in the Hunter Region in 2011.

In February 2013, a third drug court was opened at the Downing Centre Courthouse in Sydney's CBD; and it has operated every Thursday in Court 4.7 on level four ever since.

The registry for the Drug Court is located on level one, just outside the lifts.

Getting a Referral

Only certain eligible people can be [referred to the Drug Court](#) and, due to the high demand for the program, those who receive a referral must then have their name drawn from a ballot.

The ballot for the Downing Centre Drug Court is held every Thursday at 1.00pm.

To be referred to the program, the individual must live within the following Local Government Areas: Auburn, Bankstown, Baulkham Hills, Blacktown, Campbelltown, Cessnock, Fairfield, Hawkesbury, Holroyd, Lake Macquarie, Liverpool, Maitland, Newcastle, Parramatta, Penrith, Port Stephens, The Hills Shire or the City of Sydney.

The Downing Centre Drug Court Program takes referrals from the Local and District Courts at the Downing Centre, Central,

Newtown and Waverley.

Eligible persons must be over the age of 18, must be facing a sentence of full time imprisonment, be drug dependant, and be willing to participate.

However, people charged with violent or sexual offences, and those who suffer from a serious psychiatric condition, are deemed ineligible.

Some people charged with serious drug crimes are also ineligible for the program.

How Does It Work?

Those who are seeking inclusion must first plead guilty.

The Local or District Court will then impose a sentence, but this sentence will be suspended while the person undertakes the Drug Court program.

If the program is completed successfully, the original court can reconsider the sentence that was imposed and will normally decide to set it aside or vary it in some way to take into account the person's participation in the program.

Those who successfully complete the program will generally be rewarded by avoiding time behind bars.

If the program is not completed for whatever reason – for instance, if a person pulls out or are kicked out, they can be sent to prison. However, the court cannot impose a harsher sentence than was originally ordered.

The Three Phases

Unlike typical courts, which generally take a punitive (punishment) approach towards offenders, the Drug Court focuses on treatment.

Participants [gradually progress through three phases.](#)

Phase 1 is known as the initiation and stabilisation phase. This phase lasts at least three months and involves a process of detoxification and stabilisation of physical and mental health.

Detoxification takes place in custody at the Silverwater Metropolitan Remand and Reception Centre ('the MRRC') – and all participants must enter custody for detox, even if they are on bail.

A case management plan is developed at this stage in consultation with a community corrections case manager and treatment provider.

Participants must submit to drug testing, attend counselling, refrain from drug use for at least four weeks and undertake psychiatric treatment and medication as directed.

After completing this phase, participants progress to Phase 2, which also lasts for a minimum of three months.

During this phase, participants must remain drug free for significant periods, stay away from crime, develop life skills and maintain their health.

It is during this period that efforts are made to reintegrate the participant into society – for example, by referring them to appropriate accommodation and employment programs.

Again, participants are subject to regular drug testing and must attend appointments with counsellors, case managers and other professionals.

They must also complete the Pathways into Employment, Education and Training Course.

Finally, Phase 3, which lasts for a minimum of 6 months, involves re-integration into the community.

During this stage, participants must remain crime and drug

free and maintain a stable home environment and accommodation. They must also be working, or be ready to commence work, or be otherwise engaged in positive activities or education programs.

Throughout the program, participants must regularly attend reviews at the Drug Court.

A judge heads a panel consisting of people from the DPP, the NSW Police Force, Legal Aid, Corrective Services, Justice Heath, the Department of the Attorney General and Justice, and Area Health Services.

The panel conducts a roundtable discussion prior to court where they discuss each individual's progress through the program, including any outstanding efforts made to engage with the program, as well as any slip ups.

Those who engage positively can be rewarded by reduced restrictions, while those who make mistakes – for example, succumbing to drug use, may have sanctions imposed upon them such as short prison sentences.

Those who complete the three phases will finally graduate from the program.

Does the Drug Court Work?

Initial Drug Court statistics are very promising.

A [BOSCAR review](#) found that those who participated were 37% less likely to be convicted of any offence, 64% less likely to be convicted of an offence against a person (such as assault), 35% less likely to be convicted of a property offence, and 58% less likely to be reconvicted of a drug offence, compared to those who had not completed the program.

These success rates have largely been mirrored in other jurisdictions, including similar programs in [Queensland](#) and [South Australia](#).

It is hoped that such positive result will pave the way for more Drug Courts to be opened around the country.