

DRUG COURT ANNUAL REVIEW 2022

The Drug Court of NSW experienced a busy and challenging year. The impact of the Covid 19 pandemic continued to affect the operations of the court during 2022.

Towards the end of 2021 the District Court returned to pre-pandemic arrangements in relation to appeal and sentence matters, while the Local Court adopted a more conservative approach. As a consequence, referrals of eligible participants dwindled considerably. Once Local Court sittings resumed to pre-pandemic arrangements the court enjoyed a steady flow of referrals.

As can be seen from the statistical overview at the end of 2022 the court had returned to pre-pandemic participation numbers. However demand for treatment continues to exceed available places.

COURT EXPANSION

The announcement in 2021 of the expansion of the court to Dubbo saw much of the focus of the year working towards the successful launch of the court in that community. The expansion of the Drug Court model to a regional area had proved to be particularly challenging. There was an endless schedule of meetings & consultations to bring the project together. Securing suitable and affordable housing as well as transportation were but some of the issues which needed to be addressed.

Throughout the year there were a number of visits to both Parramatta & Dubbo. This was to facilitate education & training for those from Dubbo & Wellington who would be involved in the delivery of the program in their community. There were also opportunities for interested members of the general community to observe proceedings at Parramatta, in order to demystify the operation of the court. Building an understanding and trust of the court within those communities was considered to be important in supporting success for the program.

Ms Brooke Delbridge, Project Manager worked tirelessly with the community at Dubbo and Wellington in order to understand the issues impacting upon the delivery of a program as intensive as that offered by the Drug Court. In anticipation that approximately three-quarters of the participants would identify as Aboriginal meant cultural sensitivities needed to be appropriately recognised and addressed. With the support of Trevor Kennedy Manager, State-wide Services, Aboriginal Support Unit, Ms Delbridge was able to make the necessary and appropriate community connections so the wisdom of those organisations and people could help inform the expansion program.

Unfortunately delays with settling the amendments to the Drug Court Regulation resulted in a postponement of the commencement of operations until 2/23. Ultimately the Regulation was amended to not only to establish the sittings of the court at Dubbo, but to also permit all Local & District Courts to refer an eligible person. In seeking this change, the intention was to ensure the availability of the Drug Court program as a therapeutic intervention in communities characterised by high levels of drug dependency and associated offending behaviour, regardless of where the offending behaviour occurred. The effective communication of the changes to the Drug Court Regulation to members of the judiciary was entrusted to the Judicial Commission. A heartfelt thanks

is expressed to Ms Una Doyle, CEO & Ms Kate Lumley Manager, Publications & Communications for their assistance in that regard.

As the year was drawing to a close it was evident the delivery of the project was on schedule with sittings to commence on 20 February 2023. That was achieved by the hardworking & practical members of the Working Group ably led by Ms Delbridge. Congratulations and thanks to all. While the expansion to Dubbo was a major project it was not the only issue facing the court in 2022. In September 2022 the government announced an expansion of the sittings at the Sydney Drug Court from 1 to 5 days per week. Ms Vanessa Lane was appointed as Project Manager and work is currently underway to ensure expanded sittings commence in 2023.

WAYBACK

In August 2022 the Ministry of Health varied the classification of Wayback from residential rehabilitation centre to supported accommodation. This resulted in a dramatic decline in the number of people released to the program at Wayback. Many more treatment plans require placement in residential rehabilitation rather than release to a community address. Wayback being classified as supported accommodation meant there was increasing pressure to secure a bed in residential rehabilitation. For our participants, it resulted in longer periods in custody waiting for a placement. Those particularly affected were participants on pharmacotherapy, given the limited rehabilitation centres equipped to cater for such participants.

Fortunately towards the end of 2022, more treatment plans were being prepared involving support at Wayback which has been most welcome. This is especially so given the expansion at Dubbo & Sydney.

FIELD VISITS AND ASSOCIATED ACTIVITIES

During 2022 a number of field visits were conducted at some of our residential rehabilitation partners. Various members of our interagency teams, together with our judges were provided an opportunity to visit WHOS, Odyssey House, The Glen and The Glen for Women. Without exception everyone who had the opportunity to attend found it be a very worthwhile experience. Thank you to all those who guided us through the centres & explained the operation of the programs. The enthusiasm expressed for the work in supporting our participants was inspiring.

With access to court premises increasing during the course of the year, more students both high school and university attended to watch the operation of the court. Our visitors also included a delegation of public officials from Thailand including the Deputy Prime Minister, Minister of Justice & members of the Office of Narcotics Control Board, hoping to gain a greater appreciation of the operation of Drug Courts.

In addition, the Judicial Commission facilitated an educational forum on the operation of Drug Courts in NSW, Victoria & Western Australia for the benefit of a delegation of Maldivian Judges.

COMPULSORY DRUG TREATMENT CORRECTIONAL CENTRE

Unfortunately the impact of the COVID 19 has continued to affect the operation of the CDTCC. A decline in referrals to the Centre continued in 2022. At the end of 2022 there were 37 participants on program. Amongst other aspects of eligibility, an offender is required to have an unexpired non parole period of at least 18 months at the time of sentencing. The majority of referrals are made by the District Court. However with longer periods on remand while prosecutions proceed through the committal process means the finding of eligibility is adversely affected. Regrettably until the COVID backlog of committal matters is addressed or a review of eligibility criteria is undertaken, the Centre is unlikely to operate at its 70 participant capacity.

CONCLUSION

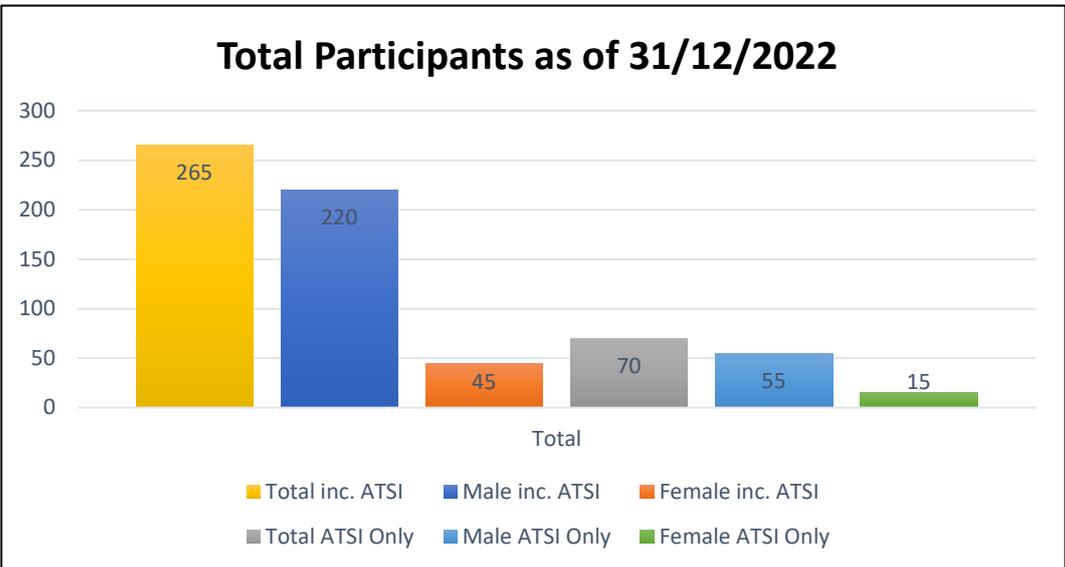
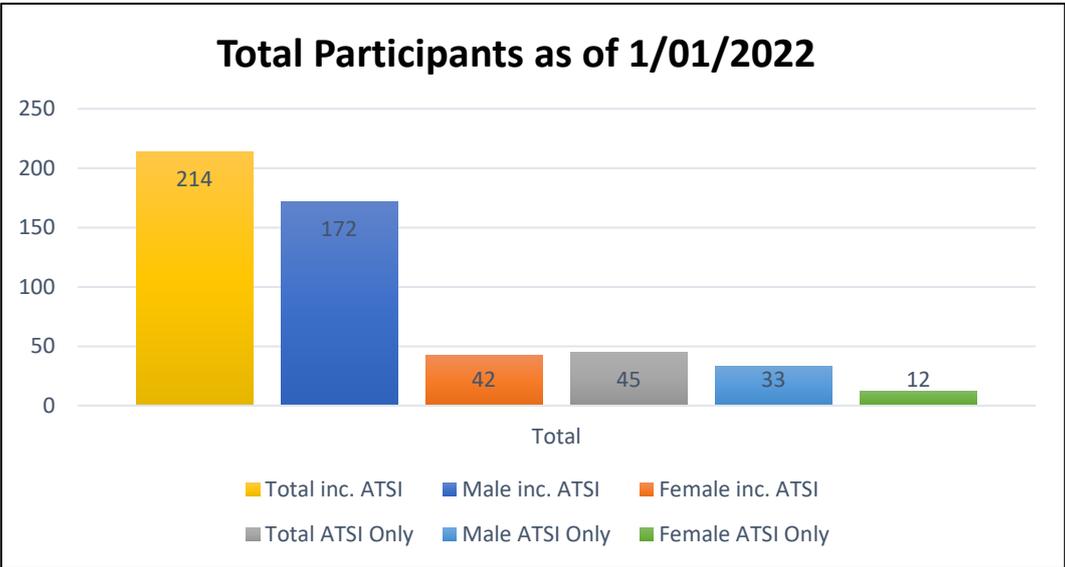
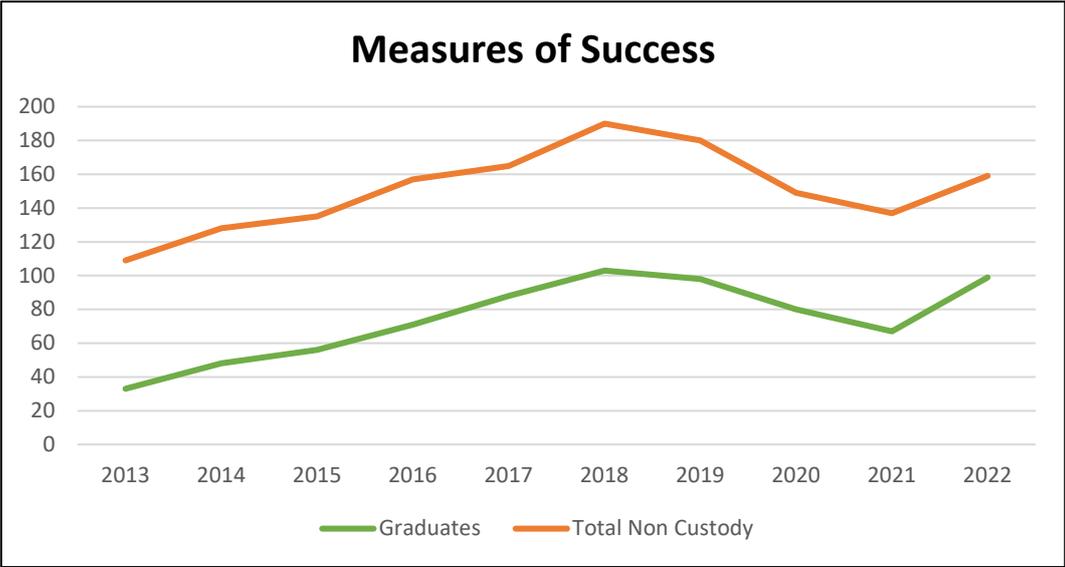
At the end of 2021 there were 214 participants on program. At the end of 2022 that number has increased to 260 out of a capacity of 280.

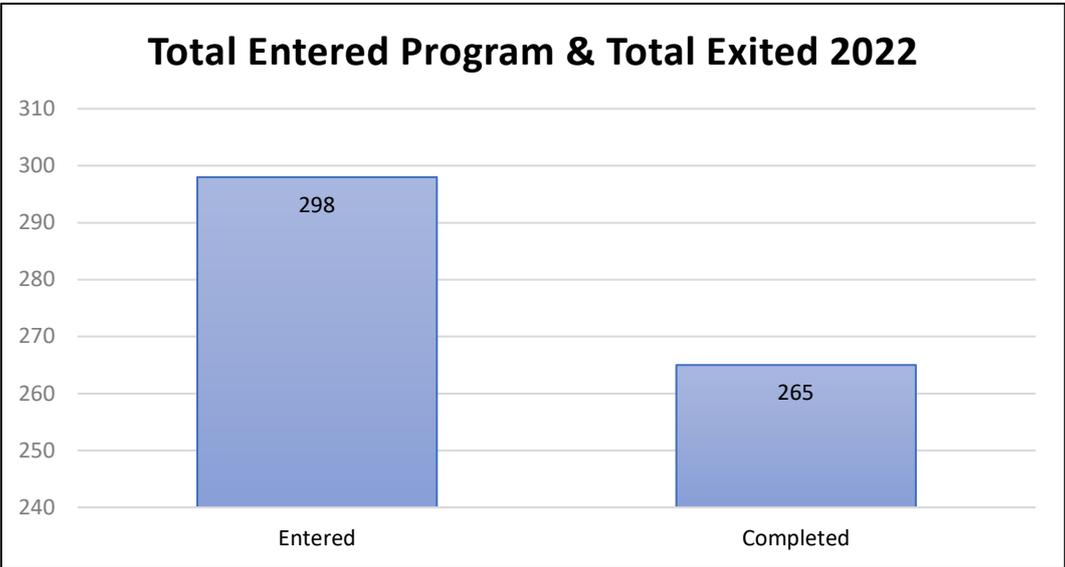
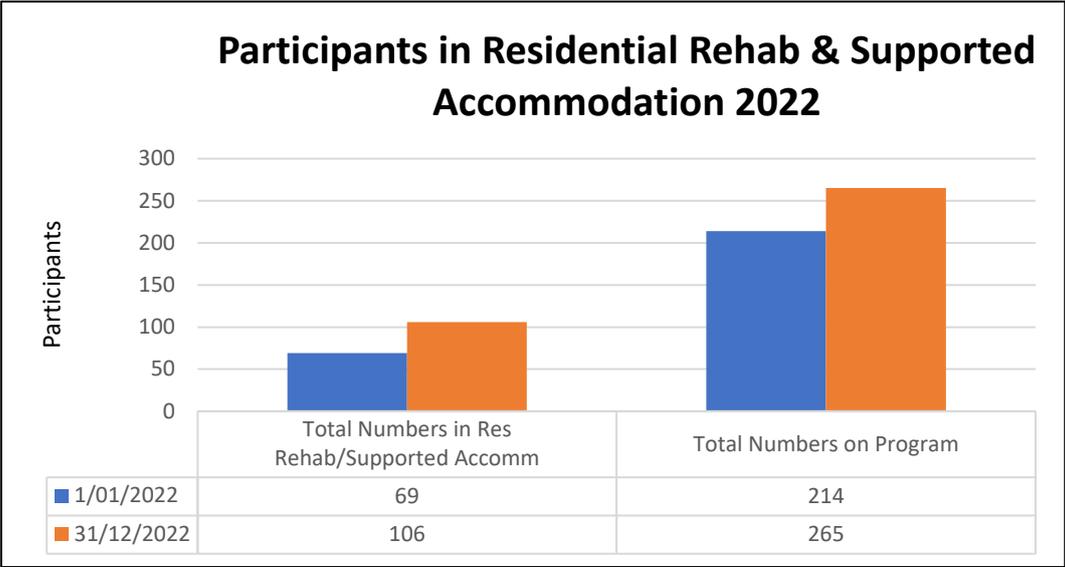
Our participants owe a huge debt of gratitude to the commitment of our individual team members & partner agencies in continuing to provide such valuable support for the very important work of this jurisdiction.

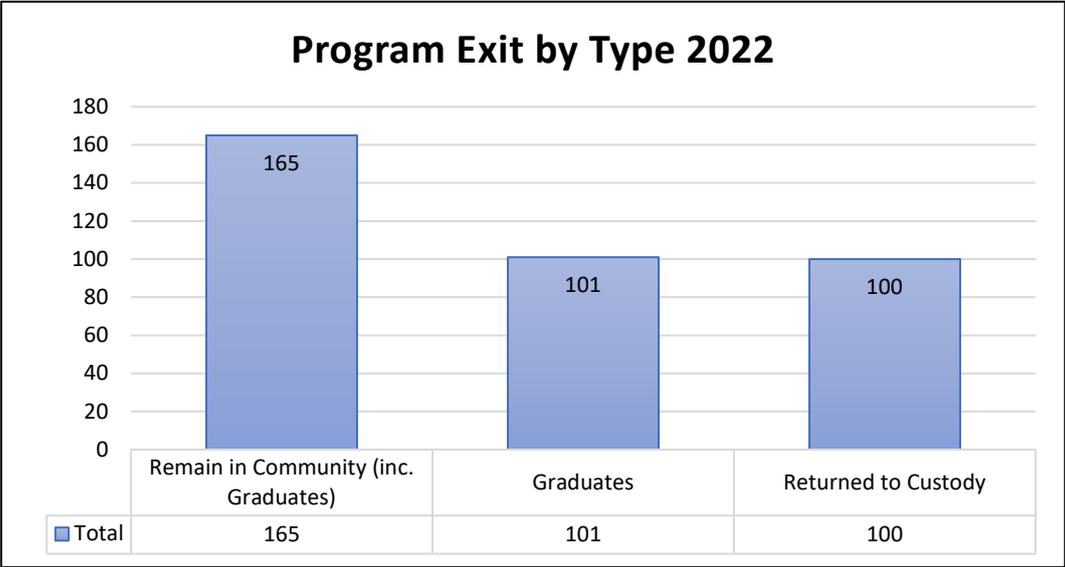
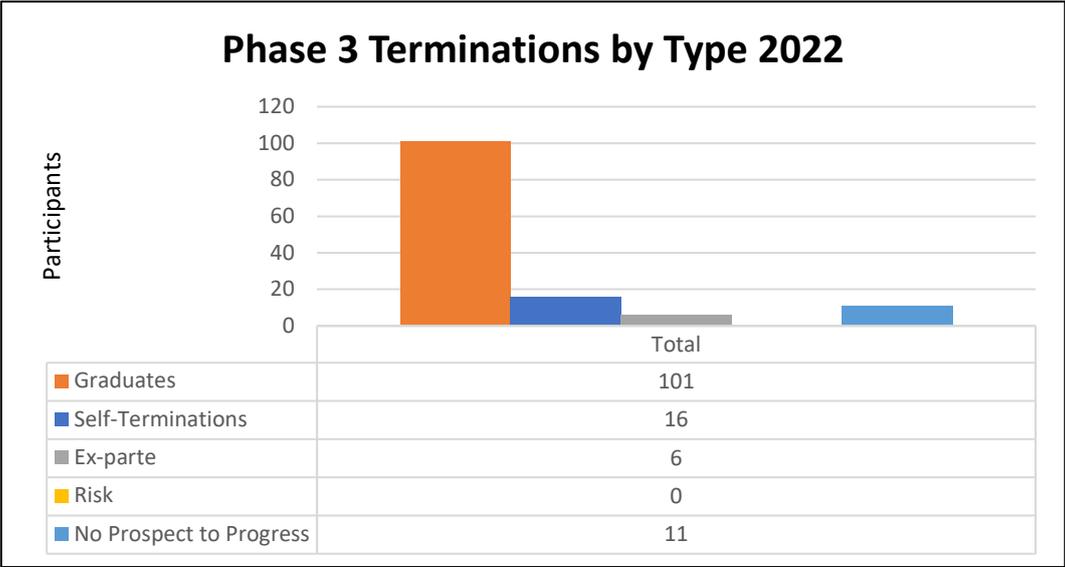
Thank you to Judges Cloran, Still, Keogh, Guy & Dive for your dedication & commitment to the court over the past 12 months.

Finally thank you to the former Attorney General, Mark Speakman SC for his ongoing support for the Court throughout 2022.

Jane Mottley AM
Senior Judge Drug Court of NSW
2 June 2023







**Drug Court of NSW – Parramatta
Program activity by year from 2004 to 2022**

Year	Program entrants	Sentenced program completers	Non Custody (Graduates)*	Custody	% Non Custody
2004	142	133	62 (20)	71	47%
2005	165	150	74 (36)	76	49%
2006	164	155	62 (33)	93	40%
2007	169	176	78 (28)	98	44%
2008	132	151	65 (29)	86	43%
2009	158	146	83 (42)	63	57%
2010	140	158	90 (42)	68	56.6%
2011	166	155	86 (30)	69	55.8%
2012	167	187	95 (37)	92	51%
2013	206	168	72 (24)	96	43%
2014	165	182	79 (24)	103	43%
2015	184	180	96 (35)	84	53%
2016	175	188	97 (48)	91	51.5%
2017	184	169	97 (54)	72	57%
2018	198	207	124 (63)	83	60%
2019	194	221	113 (60)	108	51%
2020	196	193	94 (42)	99	49%
2021	145	156	84 (36)	72	54%
2022	199	175	99 (64)	76	56.5%

NB: The number of those classed as program graduates shown in brackets.

**Drug Court of NSW – Hunter
Program activity by year from 2011 to 2022**

Year	Program entrants	Sentenced program completers	Non Custody (Graduates)*	Custody	% Non Custody
2011	70	10	0	10	0
2012	61	43	20 (8)	23	46.5%
2013	68	66	36 (9)	30	54.5%
2014	54	65	34(16)	31	63%
2015	61	48	26 (14)	22	54%
2016	76	69	38 (16)	31	55%
2017	65	67	51 (29)	16	76%
2018	65	68	42 (26)	26	62%
2019	65	72	48 (29)	24	67%

2020	60	60	41 (28)	19	68%
2021	51	54	37 (24)	17	68.5%
2022	64	61	48 (28)	13	77%

NB: The number of those classed as program graduates shown in brackets

Drug Court of NSW – Sydney Program activity by year from 2013 to 2022

Year	Program entrants	Sentenced program completers	Non Custody (Graduates)*	Custody	% Non Custody
2013	62	14	1	13	7%
2014	44	42	16 (8)	26	38%
2015	54	43	13 (7)	30	30%
2016	58	57	22 (7)	35	38.5%
2017	51	53	17 (5)	36	32%
2018	50	51	24 (14)	27	47%
2019	44	56	19 (9)	37	34%
2020	37	40	14 (10)	26	35%
2021	31	38	16 (7)	22	42%
2022	35	29	18 (9)	11	62%

NB: The number of those classed as program graduates shown in brackets

Compulsory Drug Treatment Correctional Centre Statistical Overview 2022

Pre Program	Persons
Referral	31
Eligibility and Suitability Assessments	19
Ineligible	13

Program Progression	Participants
Participants who entered Stage 1 in 2022	11
Participants who progressed to Stage 2 in 2022	23
Participants who progressed to Stage 3 in 2022	22
Participants on program as at 31/12/22	37

Programs Completed	Participants
Order Revoked	5
Order Expired	3
Parole Granted	21