



Drug Court Policy 1

Team meetings and participant review

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This policy is to be read in conjunction with Drug Court Policy 7 – Program goals and measures.

1 Purpose

The purpose of this policy is:

- To clarify the purposes, structure and content of Drug Court team meetings.
- To ensure the Highly Suitable Treatment plan meets the needs of participants and program requirements.
- To ensure the resources of the program are not expended upon those who cannot succeed.

2 Definitions

Term	Definition
Act	means the <i>Drug Court Act 1998</i>
Community Corrections Officer	means a Community Corrections officer assigned to a participant
Drug Court	means the Drug Court of NSW
Drug Court program	means the conditions that a participant has accepted under section 7(3)(a) of the Act
Drug Court team	means a Drug Court Judge, the Registrar, the Legal Aid NSW (LA) solicitor, the solicitor from the Office of the Director of Public Prosecutions (ODPP), the Police Prosecutor, the Community Corrections Court Coordinator, the Aboriginal Casework Coordinator and the Justice Health NSW clinician attached to the Drug Court, and/or the alternate delegates for each.
Highly Suitable Treatment plan	means a plan for therapeutic intervention to address an offender’s drug dependency and related health needs.
Interagency Team	means the staff from each partner agency attached to a Drug Court.
Participant	means a person dealt with under sections 7(2) and (3) of the Act.
Registrar	means the Registrar of the Drug Court of NSW.
Senior Officers Interagency Group (SOIG)	means the Senior Judge of the Drug Court and selected senior representatives from Drug Court, Legal Aid NSW (LA), Office of the Director of Public Prosecutions (ODPP), NSW Police Force, Community Corrections, Aboriginal Services

Term	Definition
	Unit, Justice Health NSW and NSW Ministry of Health in accordance with the terms of reference.
Treatment provider	means a participant’s principal ongoing treatment provider – e.g., Local Health District (LHD), residential rehabilitation, supported accommodation.

3 Scope

This policy applies to the team meetings and participant review by all Drug Courts in New South Wales.

4 Policy statement

4.1 Team meetings

- 4.1.1 Generally, on any day the Drug Court sits to consider the progress of participants, a Drug Court team meeting will precede the sitting. At that meeting, the Drug Court team will discuss each participant listed for that day.
- 4.1.2 Each Drug Court team meeting is open to members of the Drug Court team, any invitee of the Drug Court team and as approved by the Judge. Interested persons such as treatment providers or Community Corrections Officers may ask to be present at a meeting.
- 4.1.3 A participant’s case will not be discussed at a Drug Court team meeting unless the legal representative is present (in person or via conference telephone) or does not wish to be present during discussion about the participant.
- 4.1.4 Except in exceptional circumstances, no offender/participant will be present at a Drug Court team meeting when their case is discussed.
- 4.1.5 At Drug Court team meetings, the Drug Court team will discuss matters relating to the special functions conferred on the Drug Court, including:
- (1) whether an offender appears to be eligible
 - (2) Highly Suitable Treatment plans (implementation and variation) including suitability of accommodation
 - (3) other conditions of Drug Court programs
 - (4) appropriate rewards and/or sanctions
 - (5) prison accommodation arrangements

(6) logistical matters, e.g., the need to call in outstanding charges and the status of matters before the State Parole Authority of New South Wales

(7) behaviour in custody

- 4.1.6 At Drug Court team meetings, the Drug Court team will not discuss legal issues (except to the extent necessary in relation to 4.1.5 above)
- 4.1.7 At Drug Court team meetings, the presiding Drug Court Judge may be furnished with documents proposed to tender by consent.
- 4.1.8 A Drug Court team meeting will be chaired by the Drug Court Judge who will be presiding in the Drug Court on that day. Any notes taken by the Judge will be held in a separate court file. Judge's notes do not form part of the court record.
- 4.1.9 The Justice Health NSW clinician is responsible for informing the Drug Court team meeting about drug dependency and treatment matters.
- 4.1.10 The Community Corrections Court Coordinator is responsible for informing the Drug Court team meeting about accommodation and engagement with supervision, parole, or any other community-based orders.
- 4.1.11 The Office of the Director of Public Prosecutions solicitor and the Police Prosecutor are responsible for informing the Drug Court team meeting about offence matters, or any contact between police and the Drug Court participant that may affect the Drug Court participant's performance on program.
- 4.1.12 Justice Health, through the Justice Health NSW clinician, is responsible for informing the Drug Court team meeting about prison accommodation matters and the interpretation of urine drug screening results.
- 4.1.13 The Aboriginal Casework Coordinator is responsible for informing the team of any cultural barriers and cultural care available for Aboriginal and Torres Strait Islander participants.
- 4.1.14 The Registrar is responsible for informing the Drug Court team meeting about any issues regarding drug testing at any locations and will inform the Drug Court Team regarding compliance with drug testing regimes, especially participants on Phase 2 and Phase 3.

4.2 Interagency Team Meetings and discussions

- 4.2.1 The Interagency Team may have informal discussions outside of the Drug Court team meetings for case management purposes and to identify or resolve where appropriate eligibility or appropriateness issues in dispute.
- 4.2.2 Interagency teams may hold regular meetings, informal discussion and/or informal regular meetings. The purpose of these meetings is to discuss

participant case management, share information required to prepare for the next drug court sitting and to identify or resolve where appropriate eligibility or suitability issues in dispute. Any directions or decisions about participant programs including brokerage expenditure are to be discussed at the next Drug Court team meeting in the presence of the presiding Judge.

4.3 Review and Management meetings

4.3.1 The Drug Court at each location will convene a Review and Management Meeting each month. Participants who have remained on a phase of the program for an extended period will be reviewed. Additional participants who warrant consideration or discussion can be added when needed, or at the request of a team member, Treatment Provider or Community Corrections Officer.

4.3.2 The Drug Court team will rely on reports provided to the Court for regular report-backs. Generally, no additional report will be obtained from a Treatment Provider or Community Corrections Officer.

4.3.3 In respect of each participant, the team will consider if progress is being made against the standards set in Drug Court Policy 7 - *Program Goals and Measures*, and may consider:

- Is the participant substantially complying with the program?
- Is the participant likely to make any further progress?
- Should the participant be promoted to the next Phase, or, if on Phase 3, listed for graduation?
- Should changes be made to the Highly Suitable Treatment and Case Management plan to assist the participant to succeed?
- Would a “Sunset Clause” be added, or is a termination hearing or other court action appropriate?

4.4 Review and Management meetings procedure

4.4.1 The Judge’s associate will email to the team a list of participants for discussion at the meeting. The Drug Court team members should consider each participant before the meeting to focus discussion.

4.4.2 The Interagency Team will be invited to include any items for the agenda relating to practice and procedure or issues impacting the Drug Court program.

4.4.3 Any systemic issues raised at the Review and Management Team meeting can be escalated by the presiding Judge to the Senior Judge or to the Drug

Court Executive Officer for consideration by the Senior Officers Interagency Group (SOIG).

5 Related legislation/regulation and other documents

- Drug Court Policy 7 – Program goals and measures

6 Document information

Document name	Drug Court Policy 1 – Team meetings and participant review
Applies to	All Drug Courts of New South Wales
Policy administrator	Senior Judge of the Drug Court of NSW
Approval	Senior Judge Mottley, February 2024

7 Version and review details

Version	Effective date	Reason for amendment	Due for review
1	12/02/2024	Policy reviewed, updated and re-formatted.	12/02/2026