

***Combining Justice and Treatment
The N.S.W Drug Court***

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This paper is based upon a presentation given by His Honour Judge Roger Dive, Senior Judge, Drug Court of NSW, at the AIJA Non-Adversarial Justice Conference in Melbourne in May, 2010 and now published in the Journal of Judicial Administration

Problem-solving techniques and programs are being introduced to many of our courts, through initiatives such as MERIT, Circle Sentencing, the Youth Drug and Alcohol Court, and the Care Jurisdiction of the Children's Court. Many judges and magistrates are very involved in providing therapeutic jurisprudence, but without calling it that. The Drug Court has the advantage of being able to bring together resources and skills, and assist offenders to move away from drugs and crime.

Judicial supervision has been identified as a key component in the success of Drug Court programs. There are two aspects to that role – the judge's role as the leader of a diverse team, and the judge's role in the courtroom and with the participants.

This paper sets out the structural arrangements at the Drug Court of NSW which support this innovative program, and the techniques used with participants to assist them in their recovery from long-term addictions.

Combining justice and treatment

Drug Courts are specialist courts that deal with offenders who are dependent on drugs. They emerged as a result of growing disenchantment with the ability of traditional criminal justice approaches to provide long-term solutions to the cycle of drug use and crime. Drug Courts aim to assist drug-dependent offenders to overcome both their drug dependence and their criminal offending.

The Drug Court of New South Wales is the first Drug Court to be trialled and evaluated in Australia. The Court began operation as a two-year pilot in February 1999 and has matured from that pilot status to become a welcome addition to the criminal justice system of this State, sitting at both Parramatta, Toronto and the new Sydney Drug Court will commence sitting at the Downing Centre later this year.

What does the Drug Court do?

At the Drug Court we break that cycle of crime and drugs, and provide participants with opportunities to get treatment, to stabilise their lives, and to get back into education or employment.

This is achieved with:

- A full-time court and registry at Parramatta, with one full-time judge.
- A regional court at Toronto to cover the Hunter region.
- Full-time teams of professionals from Legal Aid, ODPP, Justice Health, Probation and Parole and the Police Force.
- Innovative legislation with defined objectives and a diverse multiple jurisdiction.
- The program concentrates on the long-term, serious, recidivist offenders who will, without doubt, be otherwise going to gaol.
- Eligible and suitable offenders receive their proper sentence of full-time gaol for those offences. That prison sentence is suspended whilst the participant complies with a very intensive treatment plan. That treatment plan may be an abstinence-based program, may require residential rehabilitation, or may require the assistance of pharmacotherapy.

An important management tool is the power the court has to impose sanctions for breaches of program. Sanctions may involve a curfew, tighter controls, more frequent reports to court, or days in gaol.

Objectives

The objectives of the Drug Court are set out in section 3 of the *Drug Court Act 1998*:-

- to reduce the drug dependency of eligible persons,
- to promote the re-integration of such drug dependent persons into the community,
- to reduce the need for such drug dependent persons to resort to criminal activity to support their drug dependencies.

To achieve those objectives the Drug Court diverts drug dependent offenders into supervised treatment plans, which are designed to reduce or eliminate their drug dependence, and each participant's Drug Court program is individually tailored to address his or her specific needs.

There are four fundamental aspects that are common to each Drug Court program plan:-

- Evidence-based treatment of drug use.
- Social support and the development of living skills.
- Regular reports to the Court regarding participant progress, and
- Regular supervised urine testing to detect drug use.

Eligibility and selection

To be eligible for the Drug Court a person must:-

- be highly likely to be sentenced to full-time imprisonment if convicted,
- have indicated that he or she will plead guilty to the offence,
- be dependent on the use of prohibited drugs,
- reside within the specified catchment area,
- be referred from a court in the catchment area,
- be 18 years of age or over, and
- be willing to participate.

A person is not eligible if he or she:-

- is charged with an offence involving violent conduct,
- is charged with a sexual offence,
- is charged with a strictly indictable supply of prohibited drugs, or
- is suffering from a mental condition that could prevent or restrict participation in the Program.

Offenders who are before a Local or District Court in the defined catchment areas, who appear to meet the Drug Court eligibility criteria, and seek entry into a program, must be referred to the Drug Court.

Whenever there are more eligible applicants than there are available program places, a weekly random selection process occurs to determine which applicant is assigned to each available place. The number of places available each week is determined by the Senior Judge, in consultation with the court team, after consideration of the number of participants currently actively engaged in their program.

Justice Health or the Area Health Service gives each offender successfully referred to the Drug Court a preliminary health assessment and then further investigations regarding the offender's eligibility are made. Successful applicants must then enter the assessment and detoxification stage, where an assessment of the individual's treatment needs is conducted and, where possible, a highly suitable treatment plan is formulated.

Offenders may later be excluded from participation in the Drug Court Program due to ineligibility, unwillingness to participate, or lack of a highly suitable treatment plan. In addition, the Drug Court will consider an offender's criminal history and background when assessing if it is appropriate for a person to enter a Drug Court program. A history of violence, sexual assault or dangerous conduct may prevent the Court from accepting a person.

Offenders who are referred to the Drug Court but do not enter the Drug Court Program are sent back to the referring court for sentence.

Program Progression

After detoxification and assessment, the offender appears before the Drug Court where he or she enters a guilty plea, receives a sentence that is suspended, and signs an undertaking to abide by his or her program conditions. This process marks the commencement of the offender's Drug Court program.

Each participant's program comprises three phases. Each phase has distinct goals that must be achieved before the participant is promoted to the next phase of their program.

Phase One is the 'initiation' phase where participants are expected to reduce drug use, stabilise their physical health and to cease criminal activity. In this phase, participants are required to undergo drug testing at least three times a week; and to report back to the Drug Court initially twice a week, and then once a week when they have demonstrated stability in the community. This phase is a minimum of 3 months.

Phase Two is the 'consolidation' phase where participants are expected to remain drug-free and crime-free, and to develop life and job skills. In this phase, testing for drug use is conducted twice weekly and report-back court appearances occur fortnightly. This phase is a minimum of 3 months.

Phase Three is the 'reintegration' phase where participants are expected to gain or be ready to gain employment, and to be financially responsible. In this phase, drug testing is conducted twice weekly and report-back court appearances are conducted monthly. This phase is a minimum of 6 months.

The Court closely monitors all participants. The Drug Court team meets before Court each day to receive reports from treatment providers and Probation Officers and to discuss the participants who will be appearing that day. The team consists of the Judge, the DPP solicitor, the Police Prosecutor, the Clinical Nurse Consultant, Legal Aid solicitors, the Probation & Parole Co-ordinator and the Registrar of the Court. In the light of this discussion the Judge then speaks to each participant about his or her progress.

The *Drug Court Act 1998* allows the Court to confer rewards on a participant when they maintain a satisfactory level of compliance with their Drug Court program. Rewards may be simply a round of applause, or perhaps permission to work even during Phase One.

Sanctions may be imposed on a participant who fails to comply with the program. Participants are informed of the types of behaviour that can attract rewards and sanctions. The most severe form of sanction available to the court, short of program termination, is a custodial sanction of up to 14 days. Community-based sanctions, such as increased supervision or community work, are also available to the Court.

A program will last for at least 12 months unless it is terminated sooner.

A Drug Court program can be terminated when:-

- the Court decides that the participant has substantially complied with the program, or
- the participant applies to have it terminated, or
- the Court decides that the participant is unlikely to make any further progress in the program, or that further participation poses an unacceptable risk to the community that the offender will re-offend.

When a program is terminated, pursuant to S.12 of the *Drug Court Act*, the Court must reconsider the initial sentence. If appropriate, that sentence can be set aside and another sentence imposed in its place. In deciding the final sentence the Court will take into consideration the nature of the offender's participation in the program, any sanctions that have been imposed and any time spent in custody during the program. The initial sentence cannot be increased.

When the Court finds that a participant has substantially complied with a program, a good behaviour bond is the usual final court order. The Court awards a Certificate of Graduation or a Certificate of Substantial Achievement to participants who have met the standards that the Court has set. Also, as a positive acknowledgement of progress the Court awards certificates when participants progress between the Phases.

What actually happens at the Drug Court?

A typical day:

- Team Meeting at 9.30am – exchange and collection of information, and discussion of today's participants
- "Report backs" and minor legal matters from 11am
- More significant cases are usually heard in the afternoon, such as arguments as to eligibility and appropriateness, risk to the community, or final sentences.

At the **Team Meeting** we get information from;

- The Area Health Service or the residential rehab centre as to the participant's attendance and participation in counselling, group programs and compliance with any pharmacotherapy,
- Probation and Parole as to the weekly home visit, including parent or partner feedback, compliance with any curfew checks, the sighting of payslips etc.
- Any intelligence from Police regarding conduct, or, for example, current investigation of old offences.
- Urine drug screening results

A "report back" is a short meeting between the participant and the judge during which the participant's progress is reviewed. They range in nature from chatty and light to significant dissatisfaction being expressed by the judge.

Workload:

- 150 active on program at Parramatta,
- the court sees an average of 40 participants and prisoners each day,
- 55 active on program at Toronto.

Drug use and other breaches of program:

As participants progress, the reins are loosened and they are seen less often. This means, mathematically, that on a visit to the Drug Court you may see many persons who are perhaps a little chaotic. That is because if they are doing well, they are only coming to court once per month, whereas the chaotic may be attending twice per week.

Admitted drug use is dealt with as a treatment issue, and unadmitted use is treated as dishonesty and as a lack of engagement in treatment. The aim is to develop a working relationship between the judge, the team, and the participant, and to have the participant working in the community with their counsellor and probation officer, psychiatrist, Department of Community Services etc.

Sanctions and rewards:

The principal reward for good progress is applause. The participants care greatly as to whether they have been acknowledged by applause, and it is often the first time in their life they have received such recognition. Other rewards include the relaxation of conditions, allowing a return to paid work before Phase 2, and more flexible court attendance.

Sanctions are usually days in gaol. They are administered on a scale determined by a published policy. They are allowed to accumulate, but never allowed to exceed 14 days. Good behaviour is rewarded by the removal of sanctions. Other sanctions may be, for example, written homework on the effects of certain drugs, a written apology to a treatment provider, or the imposition of a curfew.

Addressing fundamental issues:

It can be surprising as to how much court time is spent discussing:

- Dental work
- Housing
- Mental Health and medication
- Centrelink
- Medicare
- TAFE
- DoCS, children, and parenting courses
- Partners and pets
- Financial counselling
- Green Cards, Forklift licences
- Living Skills

Experience has shown that by addressing these fundamentals, participants can progress in addressing their drug use. It can get very complicated; a participant with a mental illness, who may have been self medicating with illicit drugs for years, may become more unpleasant at home, and spark family issues, before improving after receiving some mental health intervention.

How successful is the program?

The first objective of the Drug Court is to minimise loss of life. Offenders who take part in a Drug Court program are a high-risk group regarding accidental and non-accidental death. It is a major achievement that no participant has died of a drug overdose since May 2004. This measure is not taken lightly. If a participant is in danger of overdosing accidentally or intentionally, They will be returned to gaol for treatment and perhaps psychiatric review; and if the reports make it necessary their program may be terminated.

Success on the program is not limited to reaching the graduation standard, and the remarkable achievements of a man who did not graduate, and who suffered from a severe social phobia, were expressed in his own words to the court at the completion of his program:

OFFENDER: *“On the streets at thirteen, crime, crime and more crime,*

Never spoke to parents until Christmas time, all I wanted was them, but grew to be rebellious. The only other time my family knew exactly where I was, plus knew if I was safe and alive, was when I was in prison.

Twenty to twenty-six, crime, drugs, gaol, no family, living under Harbour Bridge, wood chips for four years, two to three years everywhere else....

Finally my favourite part of my whole life began. I began Drug Court, which I believe was meant to be, and then the most wonderful thing happened - my son was born.

Drug Court has given me my Mum, my Dad, my brother, my sister, a son, a daughter, a fiancée, many assets, hobbies, some day soon a recognized business, true friends, almost beating a concerning phobia, a car, a permanent roof over my head, bills, my licence back within months, drug-free life, savings, and lastly the courage to wake up and face the world without hiding behind heroin.

Thank you, thank you, thank you everyone.”

The payment of bills is something many have never done before, and are very proud of that achievement.

A success is a participant who is not required, in accordance with the ordinary principles of sentencing, to return to gaol when their program comes to an end. That long-term success rate is now 50% over several years, with 57% achieved in both 2009 and 2010. Whilst about 35 - 40 graduate each year, reaching our “gold”

standard, a further 40 are not returned to gaol. Many have made significant changes in their lives, but not meet the exacting standards of graduation. A recently calculated statistic shows that the 73 participants NOT required to go back to gaol in one year had a total non-parole period of 67 years. With gaol costing \$330 per day, that amounts to \$8.07 million.

To graduate, participants must be engaged in positive activity, such as work or study. But when you peel away drug addiction and criminal activity, the person underneath is just as likely to be as slack and lazy as anyone else.

Of course, not all are successful on the program, and so are sent back to gaol. But even then many will acknowledge, and are grateful for, the assistance the Drug Court has been to them.

Who succeeds?

One of our graduates is the mother of six children. Within two weeks of commencing the program she was evicted from her Department of Housing home, and DoCS assumed care of the six children. She had a large debt to Centrelink. She had never cooked a meal, as her partner did all the cooking. She was still using speed, and was returned to gaol to serve sanctions after only two weeks of the program.

Over the next 13 months, “Amy” and her partner have been re-allocated housing, and have a 4 bedroom home, with payments made automatically from her bank account. Her partner is now in full time employment, and the Centrelink arrears are also being paid by automatic bank deduction.

She has not used any drugs for 11 months of the program.

Not only are all six children back with her; there is the seventh child born during the course of the Drug Court program. The Probation and Parole officer helped them through the Children’s Court proceedings, and DoCS now plan to close their file. Amy is very proud that she is paying her bills, and that the children can now come into the shop and try on shoes and choose a colour. The shoes are now paid for, rather than the previous, necessarily rushed, selection process!

Amy’s mother is very proud of her daughter, and they have a great relationship, after 10 years of strain and burden, including caring for the children at various times. During the program the couple completed a parenting program, a living skills program and undertook financial counselling. She has learnt to cook.

Amy was dreadful at the start, yet grasped the help and made enormous changes. So whilst you cannot predict who will succeed, and who will fail, we have established that by creating a genuine opportunity, some of the most unlikely offenders can and do respond in extraordinary ways.

Why concentrate on Drug offenders?

Drugs are the cause of much of the crime that most upsets our community. Research suggests there is an overwhelming case in favour of seeking to rehabilitate offenders who commit crimes to fund their drug addictions, as:

- 70% of prisoners identify drugs and/or alcohol as the reason they offended.
- 50% of burglars acknowledge a serious drug problem.
- Burglars commit an average of 38 burglaries each per year.
- The probability of being apprehended and convicted for a burglary is statistically low – less than 1 in 20.
- It is an overwhelming case in relation to women. 74% of female prisoners have a history of injecting drugs.

Drug Court Evaluations

In 2008, the Bureau of Crime Statistics and Research re-evaluated the Drug Court's effectiveness regarding recidivism, following the Bureau's earlier evaluations of 2002.

The Bureau's study covered a period between February 2003 and April 2007, and involved 645 in the Drug Court Group, and 329 individuals in a Comparison Group. So the samples were of a significant size. After controlling for pre-existing differences between the treatment and comparison groups, BOCSAR found that, when compared with those in the Comparison Group, Drug Court participants (whether ultimately successful on the program or not) were:

- 17 % less likely to be reconvicted for any offence,
- 30 % less likely to be reconvicted for a violent offence and
- 38 % less likely to be reconvicted for a drug offence

And in relation to those who successfully completed the Drug Court program, they were found to be:

- 37 % less likely to be reconvicted of any offence at any point;
- 65 % less likely to be reconvicted of an offence against the person;
- 35 % less likely to be reconvicted of a property offence; and
- 58 % less likely to be reconvicted of a drug offence

Don Weatherburn, the Director of BOCSAR, has said: "These are very substantial findings. It is possible that they are influenced by extraneous factors not controlled for

in the present study. In my opinion, however, this is fairly unlikely. Our analysis includes controls for all the main factors known to influence risk of recidivism."

The Centre for Health Economics Research and Evaluation (CHERE) undertook an analysis in November 2008 of the cost-effectiveness of the NSW Drug Court. CHERE concluded that the NSW Drug Court program is a cost-effective use of government resources.

Their primary finding was that the Drug Court program provides a net saving of \$1.758 million per year when compared with conventional sanctions (gaol) - even after the cost of incarcerating program failures is considered. It is of note that in the CHERE analysis the cost of incarcerating program failures represented more than half the total costs attributable to the program.

When net saving was added to the 2008 BOCSAR finding that Drug Court participants have demonstrated better effectiveness in terms of time to first offence, CHERE concluded that, from a cost effectiveness perspective, the Drug Court program is cheaper and produces better outcomes than conventional sanctions.

There are many examples of success on program that will never be measured in monetary terms, yet the community will benefit greatly from those successes over decades. To see a young mother go through a safe and successful pregnancy, and to see the child born drug and alcohol free. To see that young mother then be allowed to keep custody of her new child is very special, especially when all her previous children have been taken into care. That success is never measured in dollar terms, yet the community will benefit for the child's healthy start for the next 70 years.

Drug Courts around the world

There are thousands of Drug Courts around the world. There are 64 in New York City alone.

A recent meta-analysis of 54 drug treatment court programs by the Department of Justice in Canada found that they are an effective method of reducing future criminal behaviour compared to traditional responses. Importantly, that research suggests that sustained behavioural changes are a likely outcome of drug treatment court participation. The report also concluded that it is likely that the benefits of drug treatment court participation increase with time.

Key Strategies:

So how does the Drug Court achieve these successes? The following are some of the day-to-day techniques applied:

Strong Foundations

The Drug Court's governing legislation is quite remarkable, giving the court a broad and flexible jurisdiction to deal with both purely indictable and purely summary matters, and to even sit as a regular District or Local Court if necessary. The court can also deal with a rich variety of breaches of

conditional liberty, such as outstanding breaches of bonds and community service orders, which otherwise may have had the participant appear in a multitude of regular courts.

In addition to the legislation, the Court operates under published policies on all manner of issues – so our rules regarding sanctions and rewards, employment and even the management of mental health issues are all defined and accessible.

Team work

Teamwork is the key to the whole program. There is a courtroom team, and then a wider team of community providers. There is a culture of co-operation and problem solving right across this program, which is actively nurtured. By developing such a culture the program can withstand the inevitable and on-going changes to personnel.

There is also a need to nurture respect for the expertise of other partner agencies, so if, for example, Justice Health tells the team that a participant now needs to go onto a pharmacotherapy, then there is no argument from the judge or the lawyers about what is in fact a medical decision.

Intensive follow-up

In the first three months, the participant meets with the judge and team initially twice a week, and this reduces to once a week when stability has been demonstrated; undertakes three supervised urine drug tests each week; has weekly counselling; and a home visit from his Probation and Parole officer. The participant will also attend group counselling, and perhaps living skills tuition, anger management, parenting or budgeting programs.

Extensive Program

The program recognises that long-term change takes time. The program requires a minimum commitment of 12 months to graduate, and the program is spread over three Phases of decreasing intensity and increased self-regulation.

What has proven to be effective is to start with tight controls, and then slowly loosening the reins as the participant learns to manage in the community. The average time to achieve graduation is 15 months.

Empower

Participants are made responsible for their choices and actions, and have to accept that responsibility. Participants are often used to blaming others, especially figures in authority, for their situation. We seek to reverse that, so if they end up going back into gaol to serve sanctions, or even to serve their

sentence, it is because of the decisions they have made, which have required the Court to do what it may have promised, or threatened, for some weeks.

Short-term goals

A week is a very long time for a recovering drug addict. So setting short-term goals, and checking to see if they have been met, is vital. Participants often ask to come to court more often than required, even twice a week at times, when they are struggling. They are recognising that without intense support and encouragement, they are not going to succeed on their own.

Provide rewards, incentives and opportunity

Lots of applause is heard in my court. If a participant has complied with every part of his or her program this week, they receive a round of applause. Other rewards include the relaxation of conditions, or perhaps allowing a return to work or TAFE in the very early intensive phase of the program.

Motivate and Coach

Part of the success of the program can be attributed to the endless follow up of such issues as obtaining mental health medication; compliance with dosing; dental appointments; issues with housing and the like.

Finding Positives

In addition to dealing with breaches of program, we try and find something positive to say to each participant, despite the week having the look of being a disaster. So it may be that there has been continuing drug use, but the participant has received a pharmacotherapy dose each day, and went to counselling, something he or she has been avoiding in recent weeks. So the positives get mentioned, together with the imposition of sanctions for breach of program.

Fairness, respect, dignity

Our participants often perceive that they have never had a fair go from anyone in authority before. The judge and the team need to make this experience different from their previous, and often multi-generational, perceptions of authority.

It is remarkable how eagle-eyed our participants are as to any perceived injustice or unequal treatment. They may have performed poorly throughout the week, with a wealth of slip-ups of their own, but at their report back will only want to talk about some perceived injustice of three weeks ago.

The published, standard sanctions are vital on this issue. It avoids the court looking capricious or harsh, and it is amazing as to how quickly the participants become experts on our system.

Flexibility

There is a fine balance between having fair rules which apply to everyone, and not allowing the rules to get in the way of progress. By giving someone a special opportunity, not particularly deserved, such as not being required to serve sanctions when they were just about to start a new job, or just about to have all their damaged teeth removed, can be turned to great advantage. The participant often responds by really appreciating that opportunity to be special. Sometimes of course the trust is not repaid, but they are often very ashamed of their failure to respond to the trust offered.

Closed “Report Backs”

The Court has reintroduced the limited use of “closed court” report back sessions, whereby the court is closed, and the judge sits at the bar table with the court team and the participant. A “closed court” report back may be requested when a participant is distressed, and, for example, needs to disclose family or personal issues that they simply could not do in open court.

Such sessions have been most therapeutic in two contrasting situations. Firstly, for women participants who have issues concerning their children, especially if the children have been, or may be, taken into care, or Children’s Court proceedings are pending. Secondly, older and more seasoned male participants, who would never reveal emotional issues before a crowded courtroom, do so to a surprising degree in the more secure environment of a closed report back.

Honesty and trust

These are foreign concepts for some participants. Being a good liar may be their BEST survival skill, learnt from the age of two. As a child you got belted even if you told the truth, but if you lied well, you might just get away with it.

At the Drug Court we require honesty, and we seek to establish it by dealing quite severely with dishonest behaviour, but making it a safe place to be honest. So if they admit having used drugs during the week, they don’t get a hard time.

As for trust, that is a sentiment long foreign to their way of life. Their parents may not have allowed them in the house for years, having lost too many valuables for too many years. They may let them shower in the home, but certainly not stay overnight. We are not criticizing the parents. They are often totally exhausted by the behaviour of their child over many years, even decades. Trusting others, and learning how and who to trust, is a key skill we work to develop with our participants.

Determination

We just never give up until we have to. Some participants are quite determined that the Court, like every other figure of authority throughout their lives, will let them down and give up on them. They seem to unconsciously self-sabotage so as to see that expectation fulfilled. This does not mean we are naively unrealistic regarding some of participants, but we will continue to work with them on achieving change, provided they continue to work with the Drug Court team and their treatment providers.

Goal posts on the move

Managing the recovery of our offenders is a very complicated process. For example, the participant may have a wife or partner of long standing. They may both have drug issues. *With the assistance of the Drug Court, Christopher stops using the many drugs he has used in the last several years. His ordinary personality starts to re-emerge, which may be the personality of quite an unpleasant man. This is not the Christopher that Kylie loves. Without drugs his underlying personality disorder, his miserable and negative views of the world, return. Kylie has a point. The only thing they really had in common anyway was their drug taking and drug seeking behaviours. So Kylie kicks him out and keeps the kids. We now have a perennially miserable, lonely and homeless man to deal with, who wants to see his kids on Father's day, but Kylie is having none of that until he returns the TV. So we have to find him housing, offer relationship counselling, and perhaps psychiatric help for his depression.*

So we may start with one situation, one set of problems, and end up elsewhere with a whole new suite of issues, which will need to be addressed.

It may be that it is six months into treatment before a young man reveals to his counsellor the appalling sexual abuse he experienced as a child, and starts, for the first time, to receive some intensive counselling regarding that issue. His drug use may even escalate when he starts to receive counselling for that long suppressed, but crucial, barrier to recovery.

Internal Control

A broad strategy is to try and move the participant from being constrained by the external controls of the Drug Court, with its drug tests, curfews and sanctions, to a new situation whereby the participant has personal, internal controls, and a new ability to reject drugs and a criminal lifestyle.

That change is a moment all successful participants experience. At the beginning of their program they are trying not to use so as to avoid sanctions, and avoid returning to gaol. It appears to be that by enforcing (externally) a period of resisting drugs and complying with the program, an internal ability to not use drugs grows, perhaps with the achievement of success through the

external control mechanisms. A participant may see, for the first time, that it is actually possible to give up drugs. A participant may, for the first time, experience ordinary community life, and really enjoy it.

With some sobriety, they often “see” drug users in a new light. They might see a pilled-out person on the train station, and come and tell the Court about it, expressing some disgust that they used to look like that and behave like that.

In conclusion:

So it all comes down to the need for an epiphany – a new perception, the revelation to the participant of an essential truth. How we get there varies with every participant, but we do have a whole toolbox of methods to assist them towards that goal.

For further information, including policies and decisions of the Drug Court, go to:
www.lawlink.nsw.gov.au/drugcrt