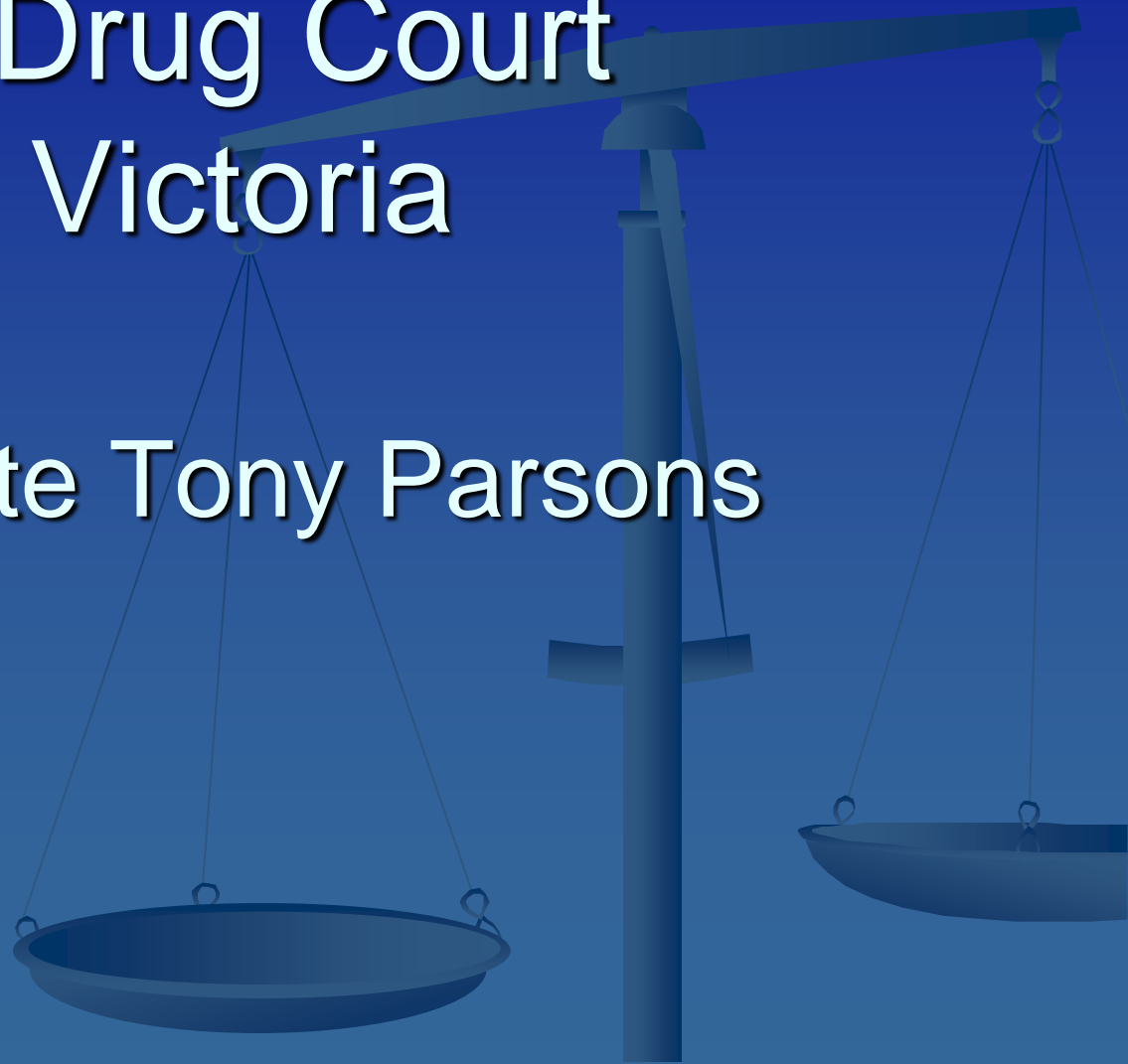
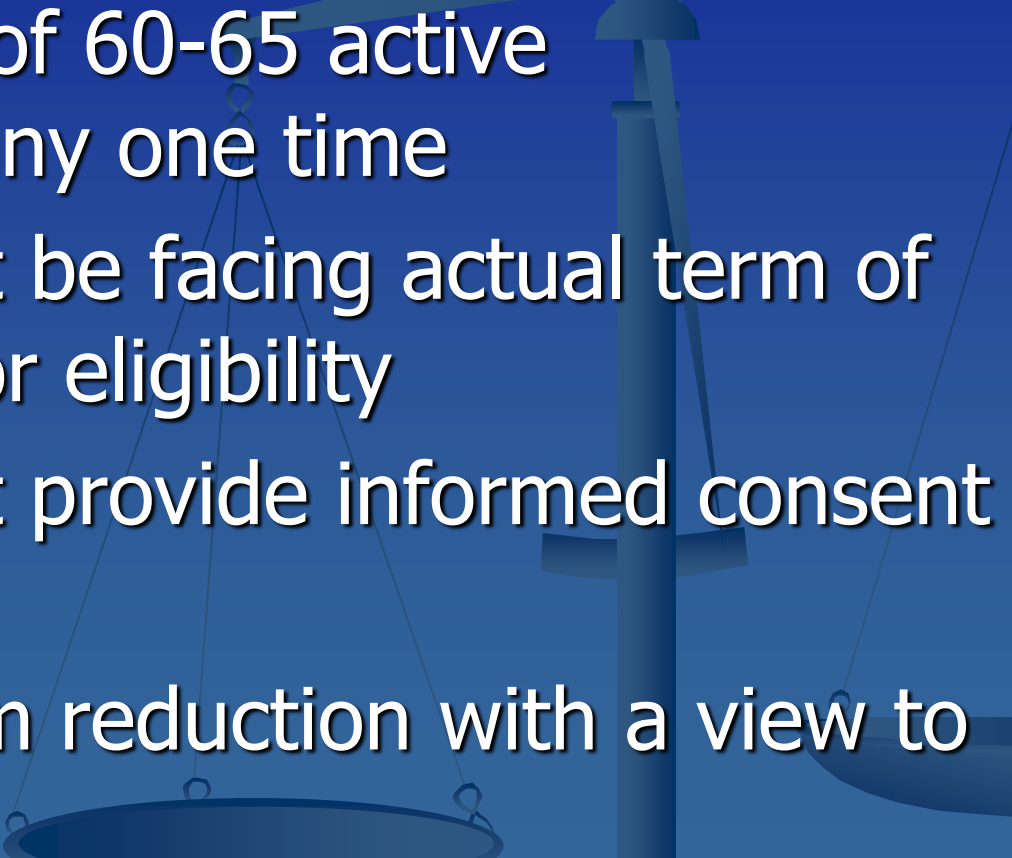


The Drug Court in Victoria

Magistrate Tony Parsons

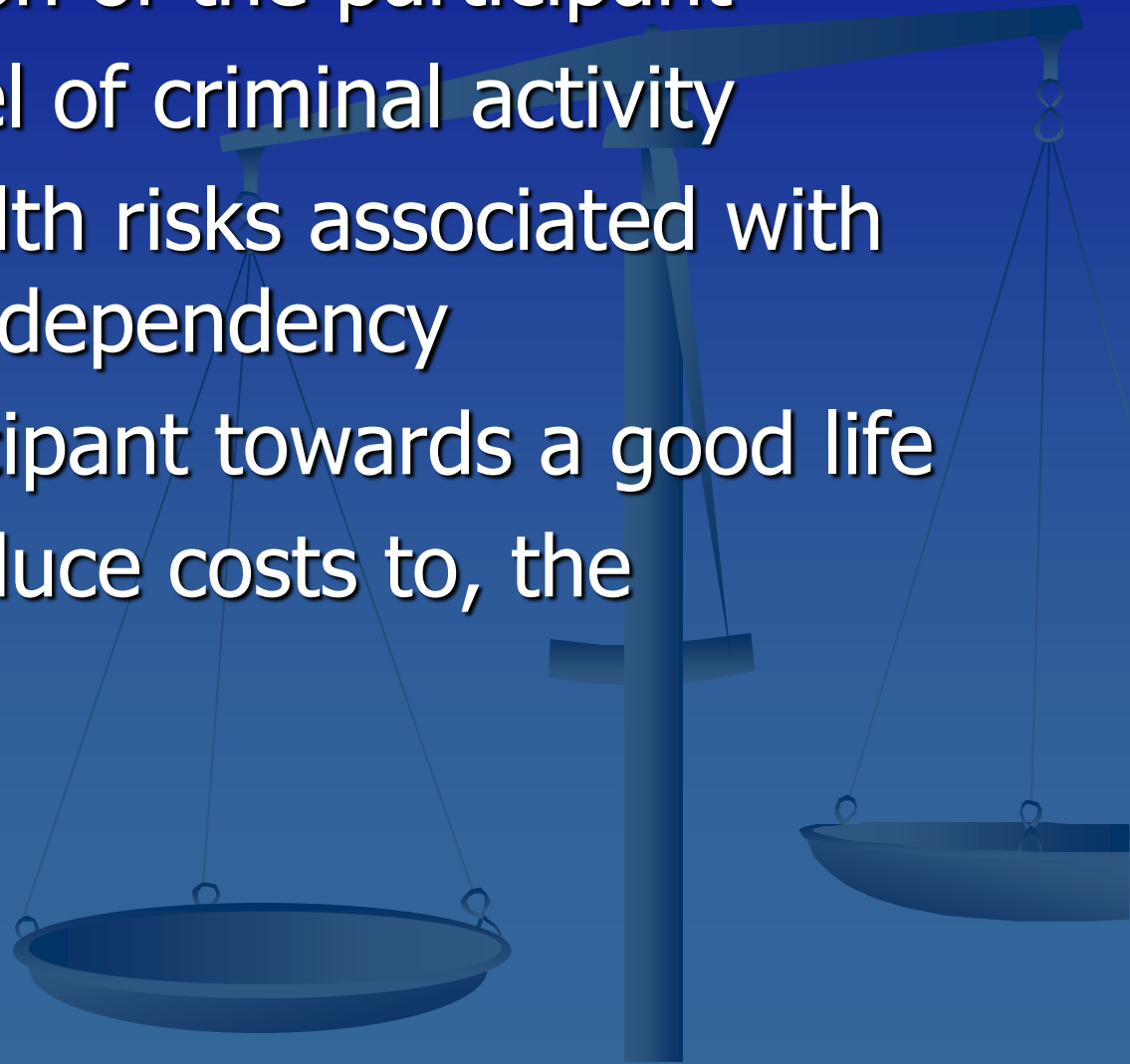


Overview of Victoria's Drug Court

- Cap: Maximum of 60-65 active participants at any one time
 - Participant must be facing actual term of imprisonment for eligibility
 - Participant must provide informed consent to participate
 - Recognises harm reduction with a view to abstinence
- 

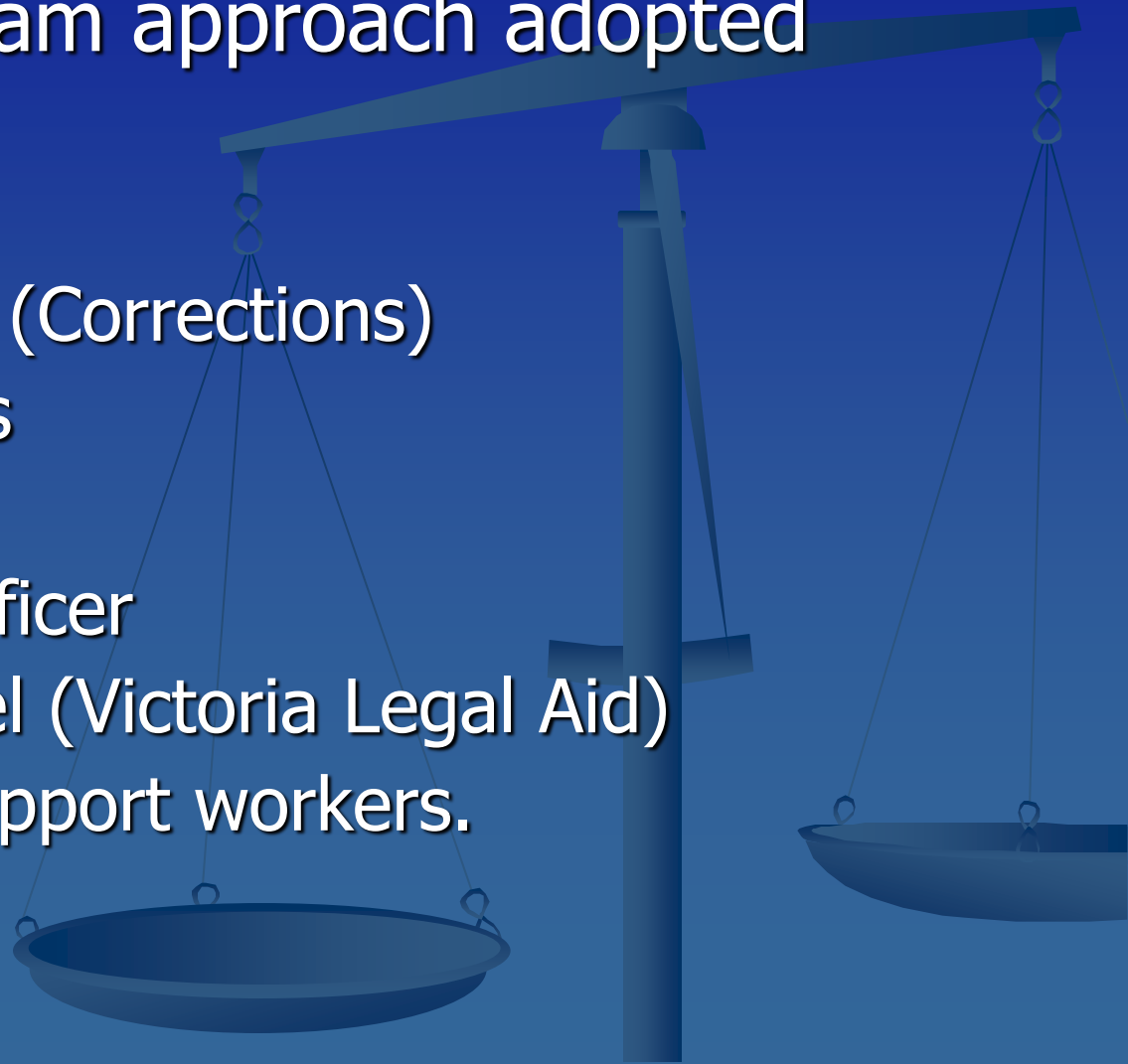
Aims of a D.T.O.

- The rehabilitation of the participant
- Reduce the level of criminal activity
- Reduce the health risks associated with drug or alcohol dependency
- Assist the participant towards a good life
- Protect, and reduce costs to, the community

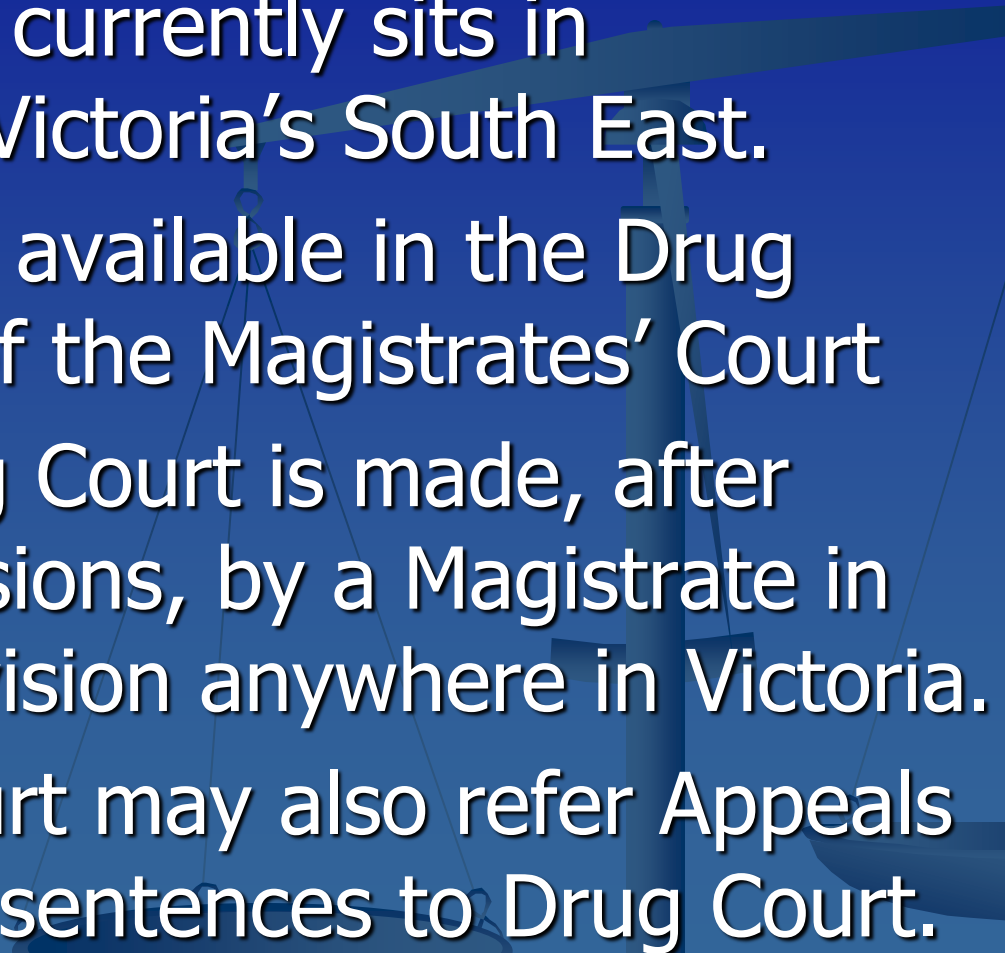


THE TEAM APPROACH

- Collaborative team approach adopted made up of:
 - Magistrate
 - Case Managers (Corrections)
 - Clinical Advisors
 - Prosecutor
 - Police liaison officer
 - Defense counsel (Victoria Legal Aid)
 - Housing and support workers.



D.T.Os Only Available in the Magistrates' Court.

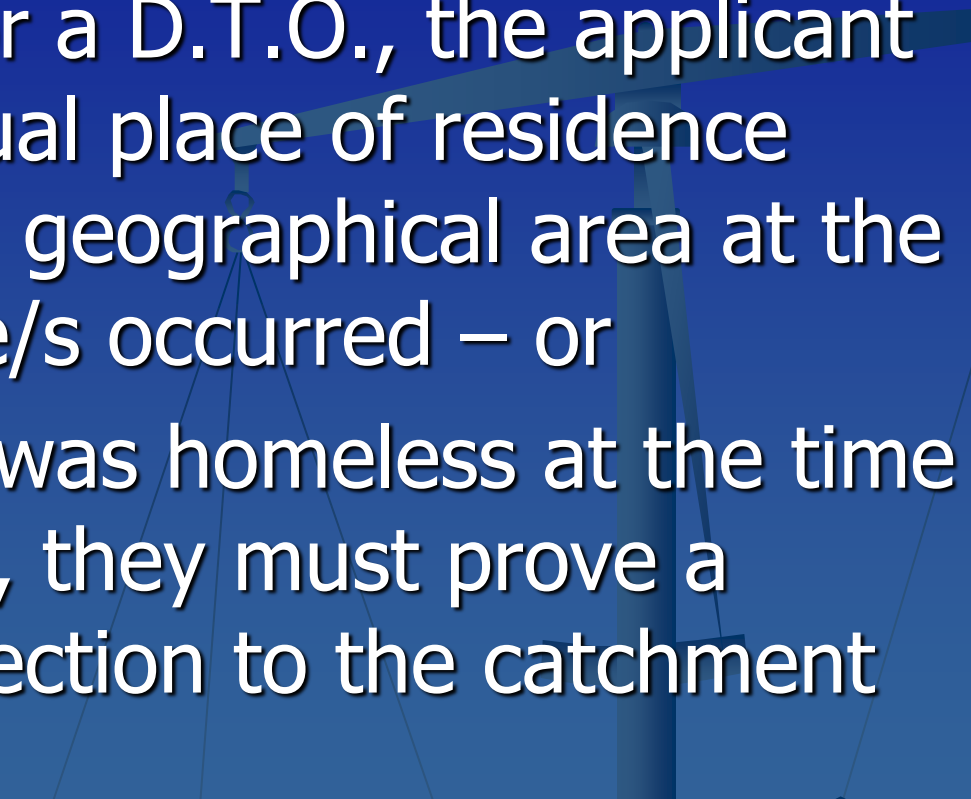
- The Drug Court currently sits in Dandenong, in Victoria's South East.
 - D.T.Os are only available in the Drug Court Division of the Magistrates' Court
 - Referral to Drug Court is made, after hearing submissions, by a Magistrate in the Criminal Division anywhere in Victoria.
 - The County Court may also refer Appeals on Magistrates' sentences to Drug Court.
- 

Eligibility for Drug Court



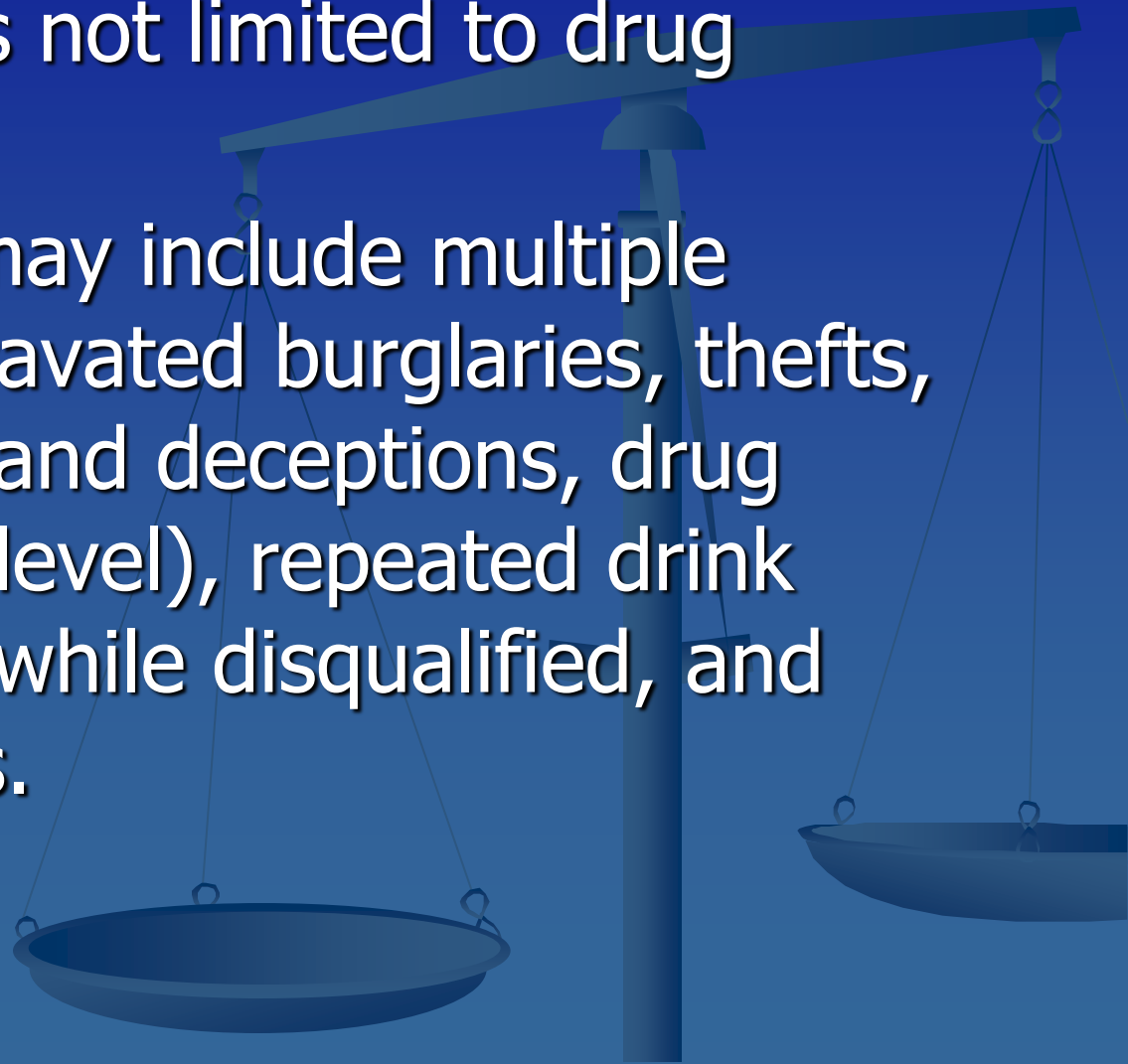
- Applicants must plead guilty to the offending
- Applicants must consent in writing to a Drug Treatment Order and sign sharing of information releases.
- Applicants must have a substance dependency (inc. alcohol).
- The offences would ordinarily attract an actual imprisonment sentence not more than 2 years.
- The offences must not be crimes involving actual bodily harm or sexual offences

Eligibility – Catchment Area

- To be eligible for a D.T.O., the applicant must have a usual place of residence within a defined geographical area at the time the offence/s occurred – or
 - If the applicant was homeless at the time of the offence/s, they must prove a significant connection to the catchment area.
- 

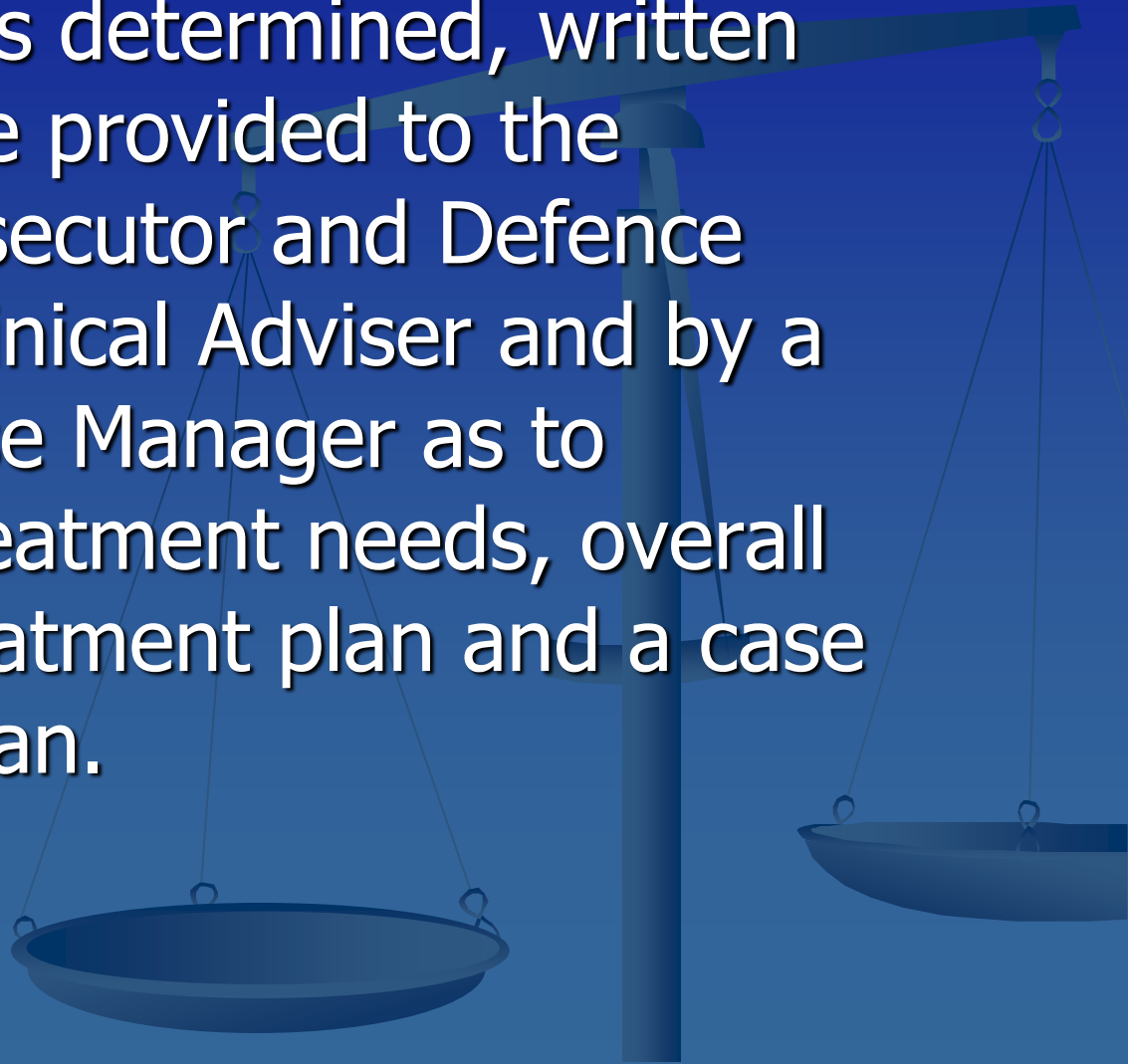
Eligible Types of Offending

- The offending is not limited to drug offences.
- The offending may include multiple burglaries, aggravated burglaries, thefts, multiple frauds and deceptions, drug trafficking (low level), repeated drink driving, driving while disqualified, and related offences.



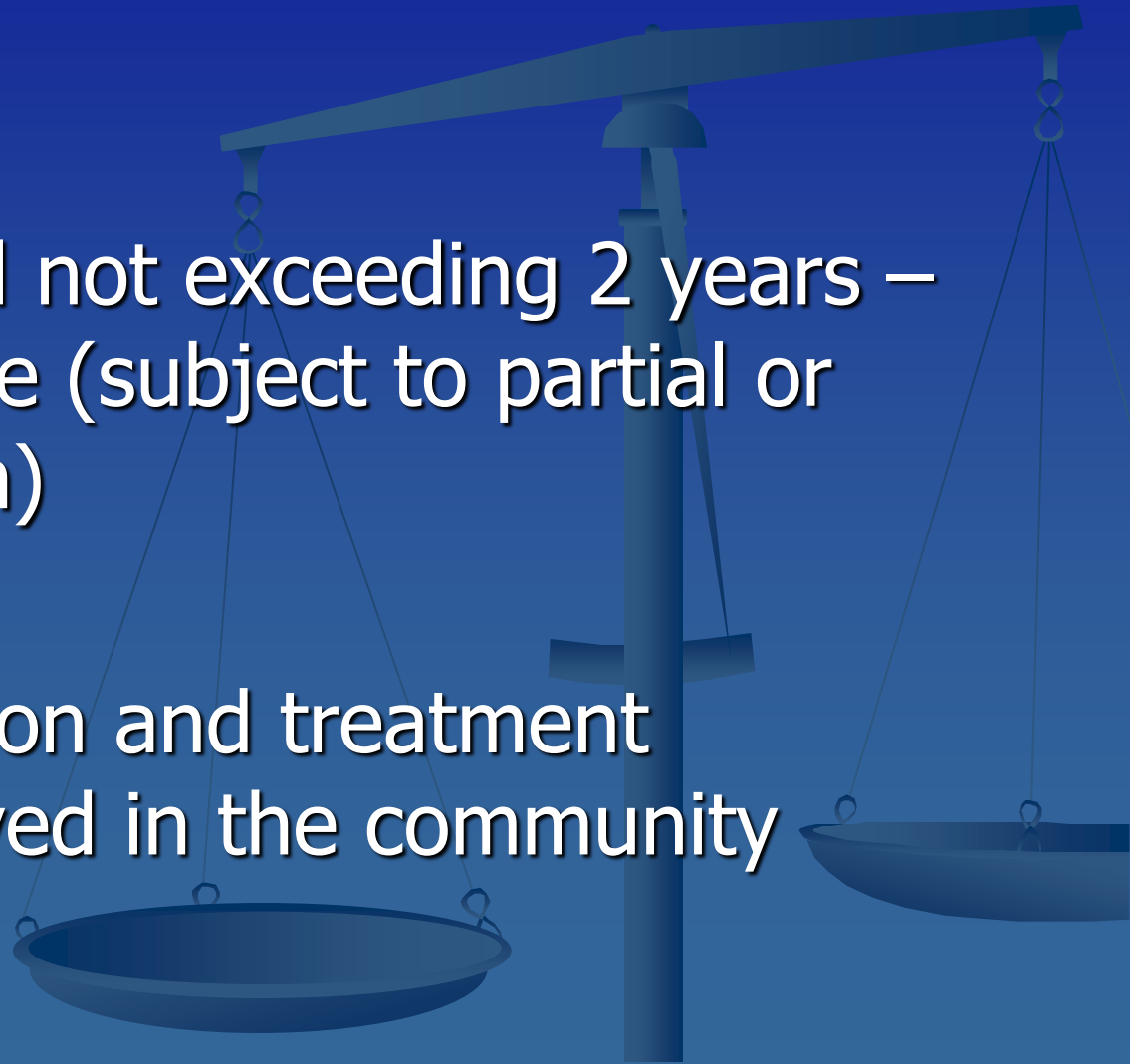
ASSESSMENT

- Once eligibility is determined, written assessments are provided to the Magistrate, Prosecutor and Defence Counsel by a Clinical Adviser and by a Supervisory Case Manager as to dependence, treatment needs, overall suitability, a treatment plan and a case management plan.



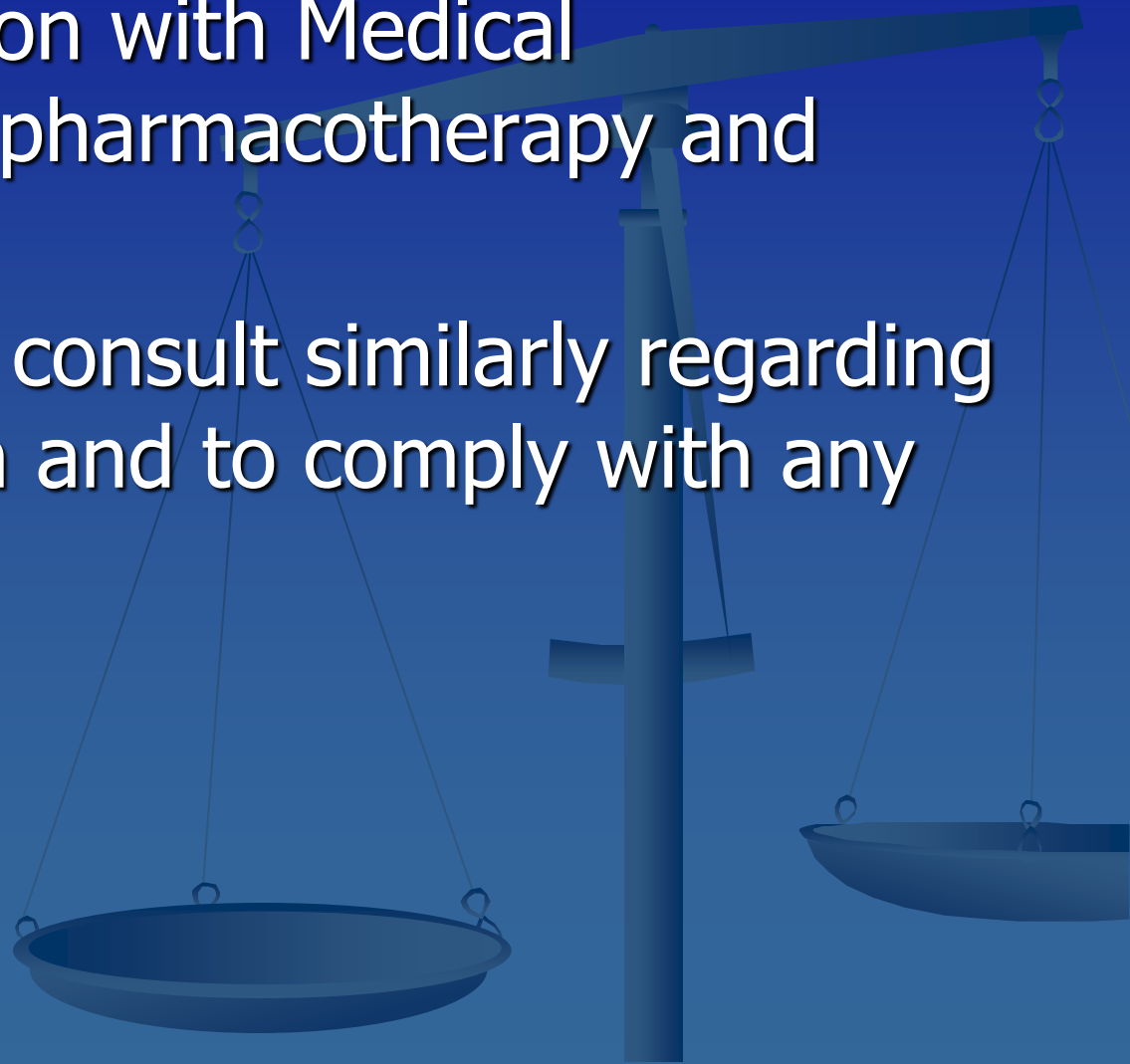
Components of the D.T.O.

- 2-part Order
- Custodial period not exceeding 2 years – held in abeyance (subject to partial or whole activation)
- 2 year supervision and treatment component served in the community



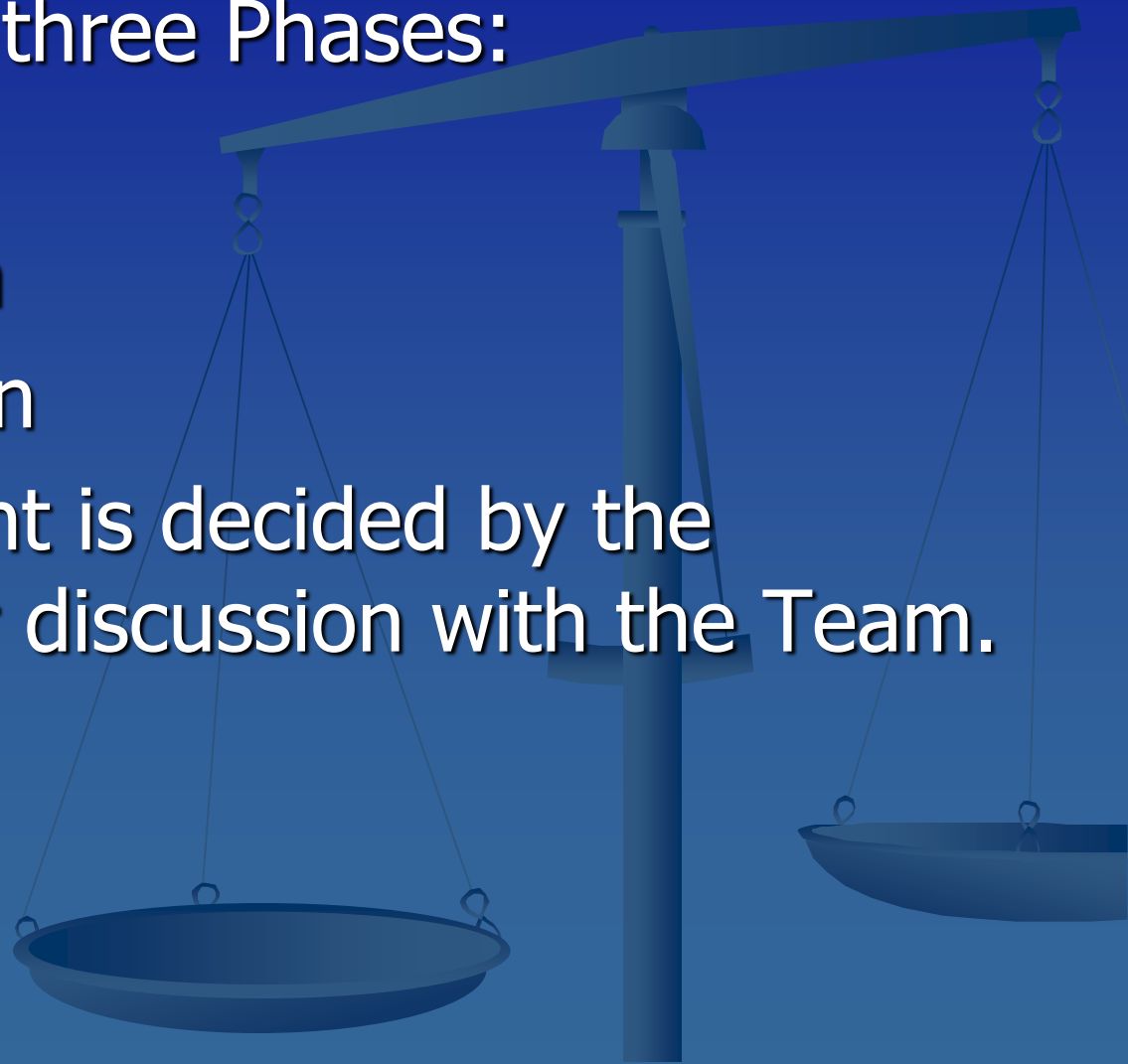
Treatment Approach

- Close consultation with Medical Practitioners re pharmacotherapy and other meds.
- Requirement to consult similarly regarding mental ill-health and to comply with any scripts.

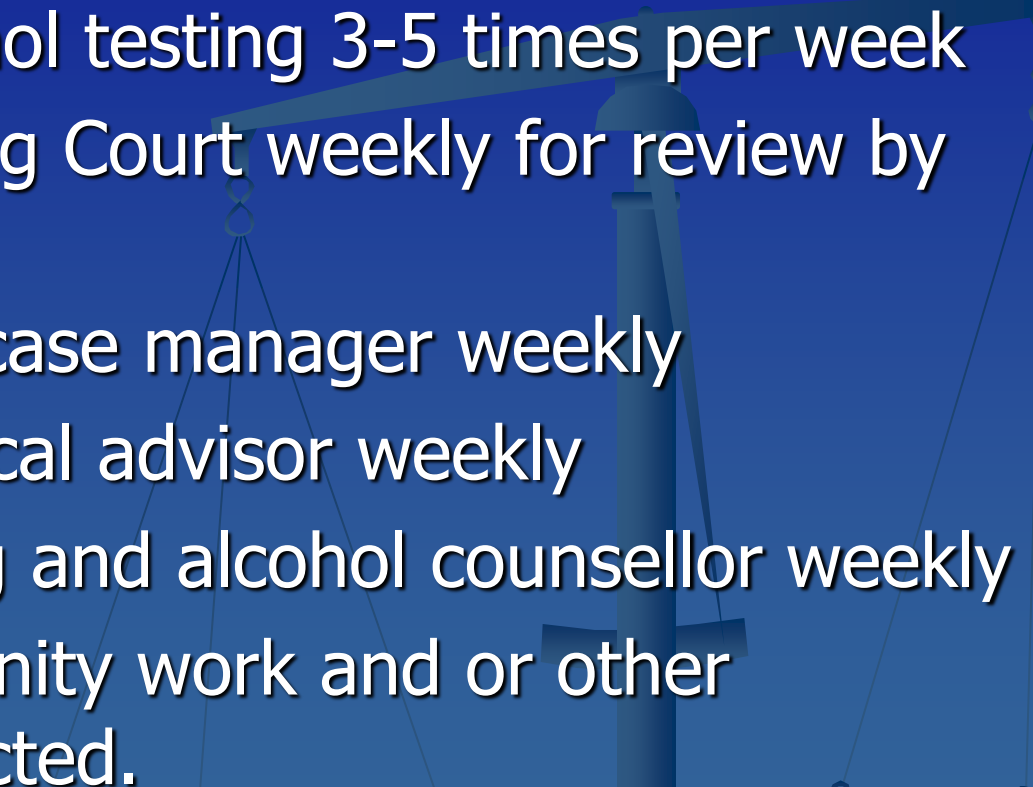


Three Phases

- The D.T.O. has three Phases:
- 1. Stabilisation
- 2. Consolidation
- 3. Re-integration
- Phase movement is decided by the Magistrate after discussion with the Team.

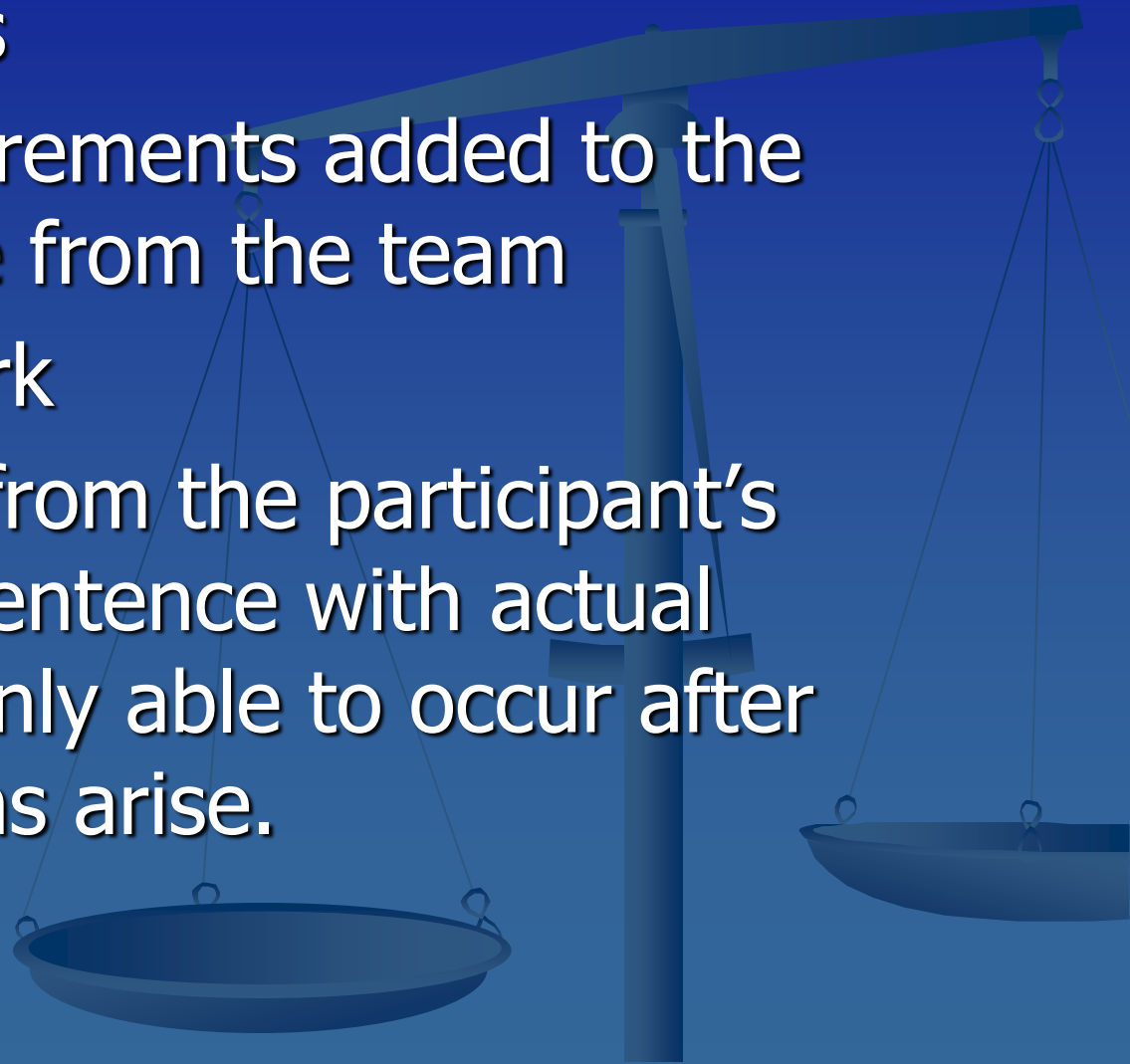


Monitoring Compliance

- Drug and or alcohol testing 3-5 times per week
 - Attending the Drug Court weekly for review by the Magistrate
 - Supervision with case manager weekly
 - Meeting with clinical advisor weekly
 - Meeting with drug and alcohol counsellor weekly
 - Attending community work and or other treatment as directed.
- 

Types of Sanctions

- Verbal warnings
- Additional requirements added to the Order on advice from the team
- Community Work
- Activated days from the participant's imprisonment sentence with actual imprisonment only able to occur after seven activations arise.



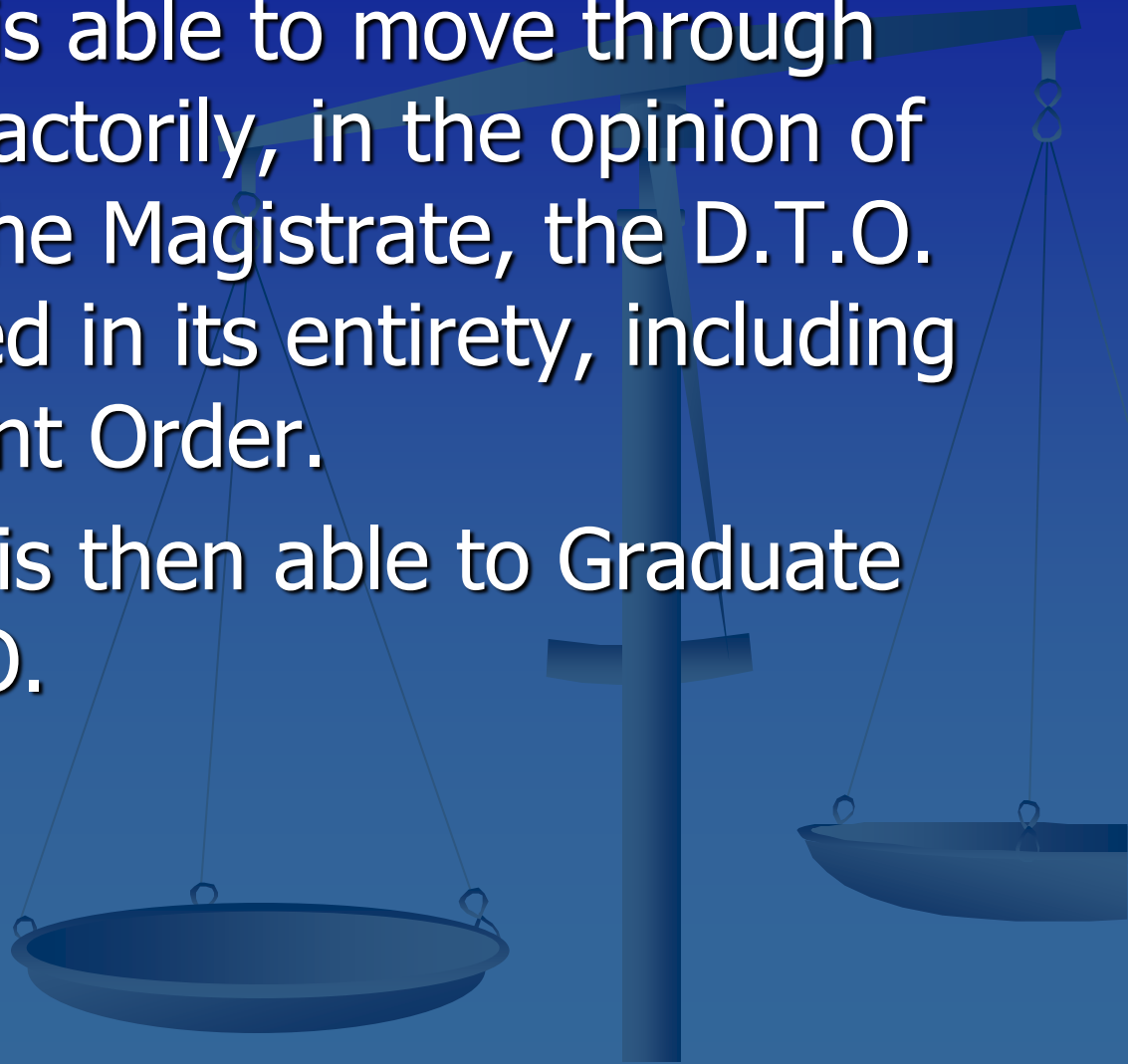
Types of Rewards

- Praise
- Clapping
- Phase attainment certificate given with photo and handshake at the Bench
- Reduction in Court attendance
- Food vouchers
- Game tickets
- Permission to go on holiday

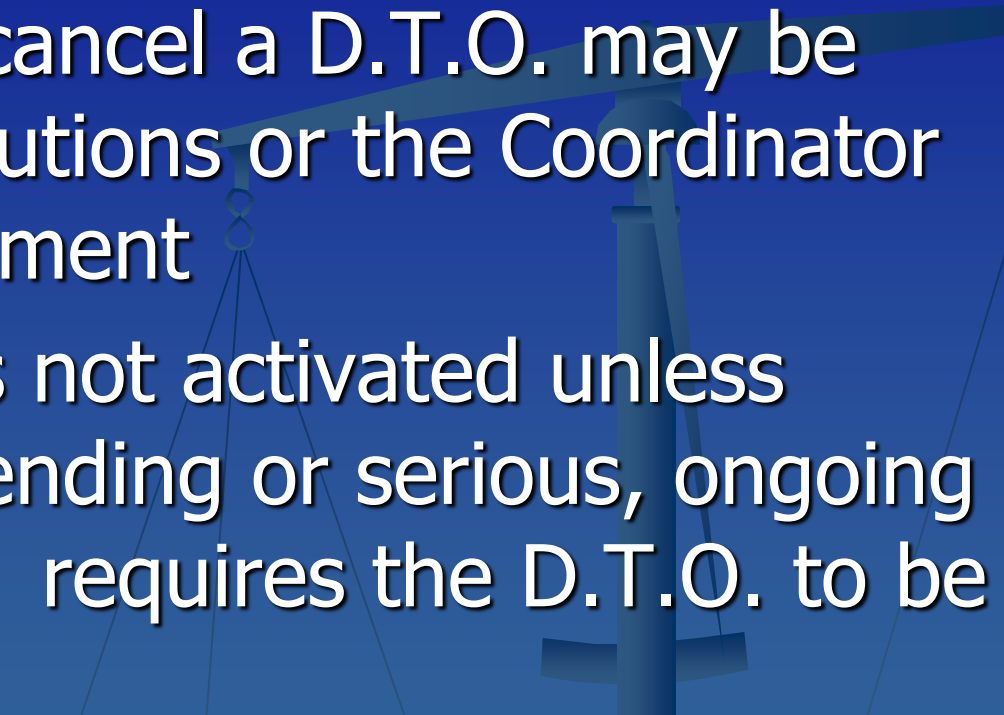


Cancellation as Reward - Graduation

- If a participant is able to move through the Order satisfactorily, in the opinion of the Team and the Magistrate, the D.T.O. may be cancelled in its entirety, including the imprisonment Order.
- The participant is then able to Graduate from their D.T.O.

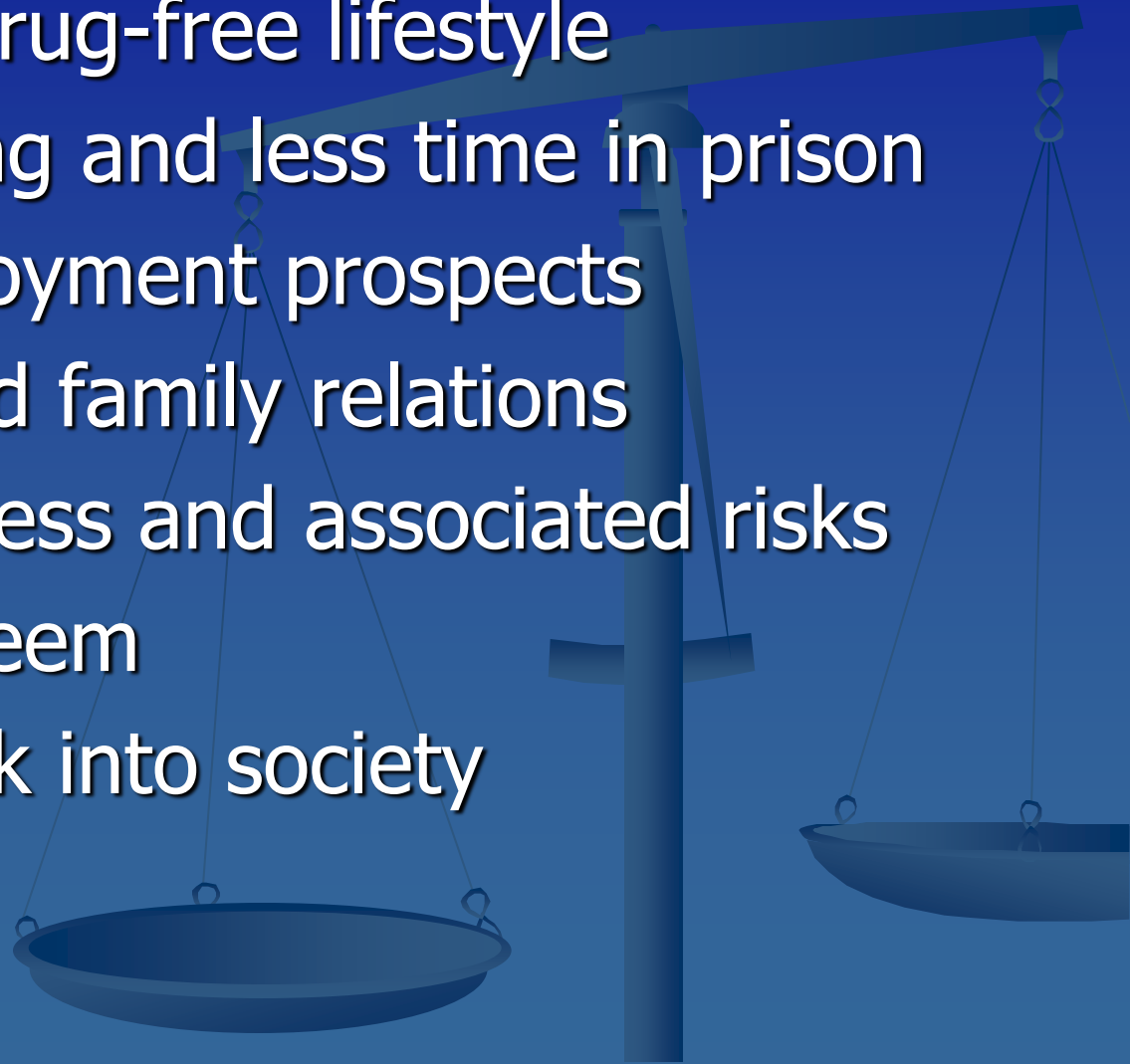


Cancellation of a D.T.O. – Non-Compliance

- Applications to cancel a D.T.O. may be made by Prosecutions or the Coordinator of Case Management
 - Imprisonment is not activated unless serious new offending or serious, ongoing non-compliance requires the D.T.O. to be cancelled.
- 

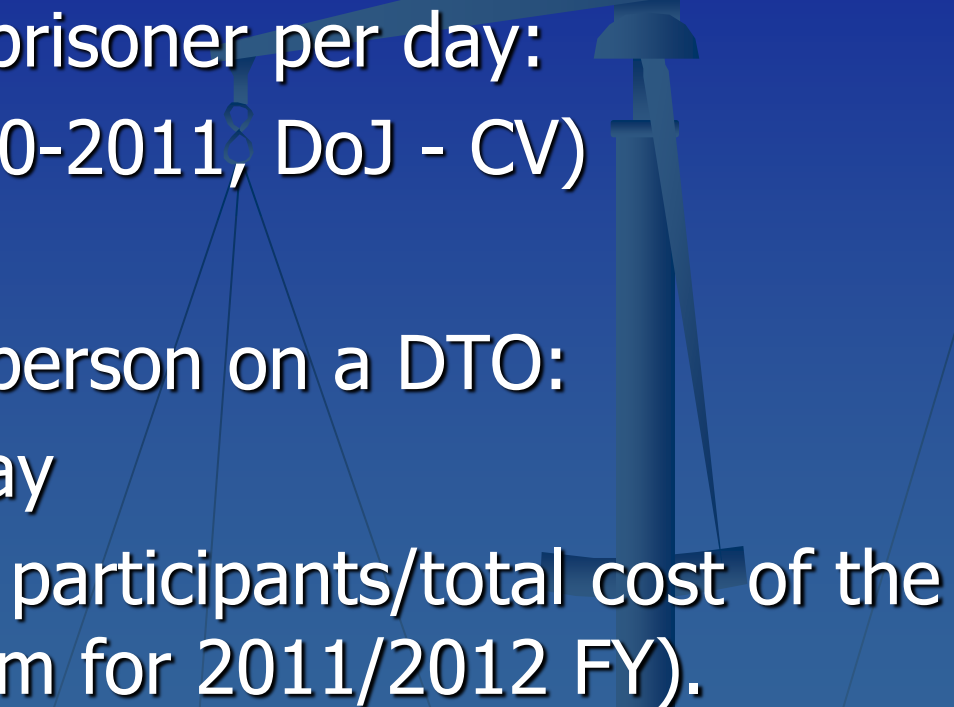
Benefits for the Participant

- Able to lead a drug-free lifestyle
- Less re-offending and less time in prison
- Improved employment prospects
- Better social and family relations
- Less homelessness and associated risks
- Greater self esteem
- Acceptance back into society



Benefits to the Victorian Community - Economics

- Average Cost per prisoner per day:
 - \$257.35 (2010-2011, DoJ - CV)
 - Average Cost per person on a DTO:
 - \$69.43 per day

(based on avg. 58 participants/total cost of the Drug Court program for 2011/2012 FY).
- 

Drug Court Achievements

- In 2011/2012 FY:
 - 43 Drug Treatment Orders were imposed
 - 40% of participants (24/60) fully graduated from the D.T.O., or completed in a positive way (i.e. were not resentenced or imprisoned).
 - Only 872 imprisonment days served on sanctions (as opposed to 21,900 that would have been served if D.T.O. did not exist - this would cost approx \$5,570,265)
 - based on avg. custodial component of 12 months per participant)
- 