



Drug Court Policy 11

Employment

Table of Contents

1	Purpose	2
2	Definitions	2
3	Scope	2
4	Policy statement.....	2
5	Working out of area.....	3
6	Related legislation/regulation and other documents.....	4
7	Document information.....	4
8	Version and review details	4

This policy is to be read in conjunction with Drug Court Policy 7 – Program goals and measures and Policy 13 – Travel by participants.

1 Purpose

The purpose of this policy is:

- To clarify the circumstances under which participants can enter paid employment.

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.
Participant	means a person dealt with under sections 7(2) and (3) of the Act.
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 employment of participants of the Drug Court of New South Wales program.

4 Policy statement

- 4.1 As part of its role in facilitating the reintegration of offenders into the community, the Court encourages the participant to make every effort to achieve financial, social and domestic stability. Refer to Drug Court Policy

7 – Program goals and measures. The Court encourages participants to gain qualifications that may lead to worthwhile employment, or, if fully engaged in child care, to increase their parenting, living and social skills. When ready, participants will be encouraged to move into paid employment, particularly if the employment is likely to lead to long-term employment.

- 4.2 The Court will aim to protect the public from harm while people participating in the Drug Court program are out of prison on conditional release. The Court recognises that there may be a legitimate concerns that some participants could pose unacceptable risks in employment. While all potential employers have the opportunity to thoroughly check the backgrounds of job applicants, it may not be reasonable to expect that all employers, especially small businesses, have the resources to do that. Therefore, the Court has a role in overseeing the employment arrangements for participants.
- 4.3 The Court also understands that many people in the community have prejudices against people who are substance dependant or who have a history of criminal offending, so the Court will work to ensure that prejudice of this nature does not jeopardise the rehabilitation of participants.
- 4.4 It is part of the role of the Community Corrections officer to supervise participants –
- To ensure compliance within the treatment plan.
 - To promote reintegration into the community.
- 4.5 Therefore it is a condition of the program, and included in the undertaking, that Drug Court participants will seek permission from the Court before any paid employment is undertaken. The Court follows recommendation from the Community Corrections officer when considering supporting the approval for work.
- 4.6 The Community Corrections officer will then supervise that employment as it would for other offenders who are on conditional release from prison, (e.g., ICO or parole). The extent to which this supervision will involve liaising with an employer will depend on the judgment of that service in the individual case, and in accordance with the Community Corrections policy.

5 Working out of area

- 5.1 Any requests by participant's made in accordance with section 4.5 that involve working outside of the Drug Court catchment area must be considered in accordance with Drug Court Policy 13 Travel by participants. Any work requests requiring overnight stays outside the participant's

Drug Court catchment area must comply with the conditions set out in section 4.2.3 of Drug Court Policy 5 Accommodation for participants.

6 Related legislation/regulation and other documents

- Drug Court Policy 7 – Program goals and measures
- Drug Court Policy 13 – Travel by participants

7 Document information

Document name	Drug Court Policy 11 - Employment
Applies to	All Drug Courts of New South Wales
Policy administrator	Senior Judge of the Drug Court of NSW
Approval	Senior Judge Mottley, October 2024

8 Version and review details

Version	Effective date	Reason for amendment	Due for review
1	03/10/2024	Policy reviewed, updated and re-formatted.	03/10/2026