**DRUG COURT OF NEW SOUTH WALES**

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| ***Policy Title #11*** | **Employment**  |
| Last Reviewed | November 2017 |

# 1. PURPOSES OF POLICY

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

# 2. DEFINITIONS

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| ***Act***  | means the Drug Court Act 1998 |
| ***Case manager***  | means a Community Corrections officer assigned to a participant. |
| ***Case management plan*** | means a plan for supervision of a participant by the Community Corrections Office. |
| ***Drug Court***  | means the Drug Court of N.S.W. |
| ***Drug Court program*** | means the conditions accepted by the participant and imposed by the Court under section 7(3)(a) of the Act. |
| ***Drug Court team*** | means 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 coordinator, the Clinical Nurse Consultant who are attached to the Drug Court, and/or the alternate for each. |
| ***COS***  | means the Community Offender Service. |
| ***Participant***  | means a “drug offender” as defined in the Drug Court Act 1998. |
| ***Treatment plan*** | means a plan for therapeutic intervention to address an participant’s drug dependency and related health needs. |
| ***Treatment provider***  | means a participant’s principal ongoing treatment provider. |

# 3. POLICY

3.1 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. *[see Policy #7 “Programs 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.

 3.2 The Court will seek to protect the public from harm while participants are on conditional liberty from prison. The Court is aware that there could be a legitimate concern that some Drug Court participants pose an unacceptable risk in employment. Whilst all potential employers have the opportunity to make diligent inquiries into the antecedents of applicants for employment, it may not be reasonable to expect that all employers, (for example small businesses) have the resources to do so. Accordingly the Court has a role in supervising employment arrangements.

3.3 The Court also understands that many people in the community have prejudices against people who are addicted to illicit drugs 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.

* 1. It is part of the role of the Community Corrections office to supervise participants –
1. to ensure containment and compliance within the treatment plan
2. to promote reintegration into the community

 Therefore it is a condition of the program, and included in the undertaking, that Drug Court participants will inform their Community Corrections officer before any paid employment is undertaken.

* 1. The Community Corrections office will then supervise that employment as it would for other offenders who are on conditional release from prison, (eg ICO or parole). The extent to which this supervision will involve liaison with an employer will depend on the judgment of that service in the individual case, and in accordance with the Community Corrections policy.

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