DRUG COURT OF NEW SOUTH WALES

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| ***Policy 13*** | **Travel by participants** |
| ***Commenced*** | **November 2017** |

# **1. PURPOSES OF POLICY**

* The Drug Court accepts that allowing a participant to travel intrastate, or even interstate, in some circumstances can be important in the achievement of rehabilitation. The Drug Court may, for example, grant travel permission for a participant to attend a funeral, visit a sick relative, or collect a child from another location.
* Similarly, allowing a participant to visit a close relative or someone who is very significant in their life who is in gaol may also assist in achieving rehabilitation.

# **2. DEFINITIONS**

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| ***Act*** | means the Drug Court Act 1998 |
| ***Case Manager*** | means a Community Corrections officer assigned to a participant |
| ***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 a Drug Court judge, the Registrar, the solicitor from the Legal Aid NSW, the solicitor from the Office of the Director of Public Prosecutions, the Police Prosecutor, the Community Corrections co-ordinator and the Clinical Nurse Consultant who are attached to the Drug Court, and/or the alternates for each. |
| ***Participant*** | means a “drug offender” as defined in the Drug Court Act 1998 |

# **3. POLICY**

***Travel***

3.1 Any travel outside the Sydney Metropolitan area must be approved by the Drug Court in advance, even if no overnight stay is required.

3.2 Each individual trip requires specific approval. Approval will depend upon the current stability of the participant, the importance or validity of the purpose of the trip, an assessment of the difficulty involved in the planned travel, and whether adequate and proper arrangements can be put in place.

3.3 The participant is to complete the Drug Court’s *“Travel Check List”* and discuss the details with his or her Case Manager. The Travel Check List addresses such issues as travel times and mode of travel, urinalysis arrangements, contact addresses and phone numbers, and any pharmacotherapy arrangements required.

3.4 Participants considering any interstate or intrastate travel should not purchase plane or other tickets prior to approval being discussed with the Drug Court.

3.5 Interstate travel will only be approved in exceptional circumstances, and overseas travel will not be approved.

## *Gaol visits*

4.1 The Drug Court accepts that it may be appropriate for a participant to be allowed to visit a person who is in a NSW gaol. The prisoner to be visited must be a close relative or a person who is significant in the participant’s life.

4.2 The participant will be required to complete the *“Travel Check List”* referred to above if the visit is interstate or in a regional location.

4.3 The Drug Court may support, or not oppose, the participant visiting a prisoner, however such approval does not in any way indicate that the Governor of the Corrective Centre will or should approve the visit.

4.4 The participant will be required to provide his or her Case Manager with the details of the prisoner to be visited. The Case Manager will then contact the Governor of the Corrective Centre and advise the Governor of the Drug Court’s support for the visit, and of the participant’s progress on the Drug Court program.

4.5 The Drug Court may decide to support a gaol visit as a “once only” visit, or express support for ongoing visits. The Drug Court can withdraw support for gaol visits at any time.

* 1. The Drug Court will not approve any visits to a gaol interstate.