

# Drug and alcohol diversion programs

## What are drug and alcohol diversion programs

Drug and alcohol diversion programs are available for eligible people appearing in the Magistrate or Children's Court who identify drug and/or alcohol use as a contributing factor to the offences they have been charged with.

The drug and alcohol diversion programs available are:

- » Drug and Alcohol Assessment Referral Program (DAAR)
- » Illicit Drugs Court Diversion Program (CDP)

The programs provide education and information through a 60–90 minute course about the harmful use of drugs and/or alcohol so you can better understand the relationship between your substance use and the offences you have been charged with.

If the Court agrees to place you on either of the Drug and Alcohol Diversion Programs for your charges, a conviction will not be recorded for those charges.

However, if you do not participate in the program as required, you will be brought back to Court to be dealt with for breaching the order and this could involve the recording of a conviction.

## How to access drug and alcohol diversion programs

To access a diversion program, you must complete the *Drug and Alcohol Diversion Referral Form* before Court. The form is available from the Court registry.

The Court registry will check the form has all information needed, and if you would like the session to take place in person, or through a telephone appointment with a session provider.

Your eligibility will be discussed in court and the Magistrate will make the final decision to order a program or not as part of a sentence or bail undertaking.



## DAAR program eligibility

DAAR is an early intervention program for adult defendants (18 years and over). It provides information and education about the use of drugs and alcohol and access to further treatment.

There are no charges that exclude someone from participating in a DAAR course.

### Considerations

- » You are appearing before the Magistrates Court.
- » You have or intend to plead guilty to all offences related to the program you are applying for.
- » You acknowledge a relationship between your drug and/or alcohol use and your charges.
- » You can only complete two DAAR courses as a bail condition within a five year period.
- » You may complete an unlimited number of DAAR courses as a recognisance order.
- » If you are charged with, or have a history of, offences of a sexual or violent nature, you will complete the DAAR course by telephone.

## CDP eligibility

CDP is an early intervention program for adults and children who plead guilty to eligible illicit drug offences. It provides information and education about the use of drugs and access to further treatment.

### Relevant charges

You must be charged with at least one of the following:

- » Possessing dangerous drugs.
- » Possessing things for use in connection with a drug offence.
- » Possessing utensils for use in connection with a drug offence.
- » Failing to take reasonable care of hypodermic syringe or needle.
- » Failing to dispose of a hypodermic syringe or needle.

### Considerations

- » You must plead guilty to all offences related to the program you are applying for.
- » You can only do two CDP programs in a lifetime. This may be two ordered CDPs OR one 'subsequent' Police Drug Diversion Program, plus an ordered CDP.
- » You must not have pending charges or convictions for offences of a sexual nature; involving violence or drug offences dealt with on indictment (as defined in s15E of the *Penalties and Sentences Act 1992*). If you do have these pending charges or convictions, you may still be eligible for DAAR.



If you would like further information, please contact Referral and Support Services:

P: (07) 3738 7100 | E: [Courtdiversion@justice.qld.gov.au](mailto:Courtdiversion@justice.qld.gov.au) | or scan the QR code

[www.courts.qld.gov.au/services/court-programs/drugalcohol](http://www.courts.qld.gov.au/services/court-programs/drugalcohol)



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