



# Traffic Offenders Intervention Program (TOIP) NSW



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**TOIP**

Traffic Offenders Intervention Program

In New South Wales, if you commit a driving offence such as driving under the influence or dangerous driving, you may be required to undertake the **Traffic Offenders Intervention Program**.



## Traffic Offenders Intervention Program (TOIP) in New South Wales

The Traffic Offenders Intervention Program (TOIP) in New South Wales is an educational program designed to reduce the incidence of traffic offences such as drink or drug driving, speeding, and other safety-related offences.

The TOIP has two main objectives:

- to provide the offender with the information and skills they need to change their driving behaviour and their attitude towards driving
- to develop safer driving behaviour.

Ultimately, the TOIP aims to help traffic offenders realise the seriousness of their conduct, and to understand the obligations that come with sharing the road with others. It educates the offender as to the potential consequences to individuals and the community, and provides the offender with the skills they need and strategies they can use to avoid committing further traffic offences.



## Participating in the TOIP in New South Wales

The TOIP in New South Wales is administered through the Local Court. If you have committed a traffic offence and you wish to participate in the TOIP, your lawyer can make an application to the Court on your behalf. In some cases, the Court will refer you to the TOIP even where no application has been made.

You must complete a course which has been approved for the program and which is included in the [TOIP register](#). Courses are offered in numerous locations across New South Wales. In areas where no approved course exists, a non-approved course may be taken into account by the Court. The Court will determine the appropriateness of a non-approved course when you make your application for referral to the program.

You must enrol in your chosen course prior to attending or your attendance may not be accepted or recorded. If you are referred to the TOIP, your case will be adjourned until you have had sufficient time to complete the course. Only then will the Court impose a sentence for your offence.



## Reasons to participate in the TOIP in New South Wales



Participation in the TOIP will usually be credited to you when the Court is determining an appropriate sentence because:

- it is considered to be a penalty in itself
- it demonstrates a degree of remorse for your actions, and
- offenders who participate in the program are considered less likely to commit further offences.

In cases of high-range drink driving, according to the [Guideline Judgment](#) of the NSW Court of Criminal Appeal, the Court may consider participation in an education program a reason for a reduction in any disqualification period or fine.

In addition, participation in the course will help you to become a better driver. It will also provide you with the tools and strategies you need to avoid committing another traffic offence.



## Approved TOIP courses

Which TOIP course you attend will depend upon your location and the availability of courses. Approved courses are currently provided by:

- [PCYC](#)
- [Road Sense](#)
- [SAVE Traffic Offender Intervention Program](#)
- [SMART Driver](#)
- [Traffic Offenders Program](#)
- [Traffic Offenders Rehabilitation Program](#)
- [Hastings Macleay Traffic Offenders Course](#)

The duration of the [approved TOIP courses](#) varies across providers. Some providers offer a number of options of varying duration. Some courses can be completed over 1 or 2 full days while others require a commitment of a couple of hours one evening per week for 6 to 8 weeks.

You should speak with your lawyer regarding which course might be best for you.



## Eligibility for the TOIP in New South Wales

Some providers will allow anyone to attend a TOIP course, while others will only enrol a person who has been referred by the Court. A course will be most appropriate for someone who:

- has committed a traffic offence
- has not been sentenced for the offence
- wants to participate in the course.



## ➤ Course details

The topics covered in a TOIP course vary across providers. Generally, though, they will include information about:

- dangerous road use
- drink and drug driving
- emergency services
- legal consequences
- effect on road trauma victims and their families
- ways to improve driver behaviour.

The cost associated with attending an approved TOIP course varies but generally ranges from \$150 to \$200.



## ➤ Legislation

The TOIP has been enacted through Part 4 of Chapter 7 of the [Criminal Procedure Act 1986](#) and the details are found in Part 8 of the [Criminal Procedure Regulation 2010](#).

## ➤ What now?

Traffic offences are treated seriously by the Court. Our lawyers can help you through the entire process, apply for a referral to a TOIP course, and make sure your participation is recognised when you are sentenced for the offence.



## Remember, you are NOT alone!

Where you go from here depends on your own situation. Everyone has their own individual priorities and demands on their life that they need to deal with.

This information guide points you in the right direction as to what options might be available to get the outcome that you need—options that many of our clients are not aware of before talking to us.

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When you call the hotline you will speak directly with a lawyer. Your conversation will be treated with the strictest of confidentiality and sensitivity. At the end of the call you will have some clarity on the steps you need to take next and how you can have the best chance at an outcome that will ensure you will attend Court armed with knowledge and support.

Scan this QR code to find more details about Traffic Law:

