Drug Treatment Court
The Belgian experience

Freya Vander Laenen

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Drug Treatment Court, structure

› 1. Background
› 2. Method
› 3. Results
› 4. Discussion
1. Background

› In general: alternatives for imprisonment of offenders with problem drug use at different levels CJS ⤷ ~ criminal response does not tackle root of problem, treatment + rehabilitation does
  › (Belenko & Peugh, 1999; Belenko, 2001; Hough, 2004; Stevens et al., 2003; Stevens et al., 2005; De Ruyver et al., 2007)

› At level of sentencing: proliferation of mental health courts & DTC’s + effective elements
  › (Belenko, 1998, Heale & Lang, 2001; Gottfredson et al., 2006; Brown, 2010; Shaffer, 2011)
Belgium (Ghent)

May 2008:
- Pilot project DTC at sentencing level

Aim DTC: centralize all drug-related cases of problem drug users who also committed drug-related crime

Public prosecutor’s office and judges (2 DTC-judges) specialised in drug issues
  - + ‘liaison’ present (= social worker – from treatment) = link between justice and drug treatment services
    - Case management techniques: inform, assist, refer

Procedure
  - DTC-client develops - adjustable - treatment programme ~ specific needs (drug issue & all relevant life domains) – with liaison
  - Follow-up by DTC: [every 2 weeks – once a month] during 6-10 months
Court case file information (SCP, 2011)

<table>
<thead>
<tr>
<th>Nº of cases</th>
<th></th>
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<tbody>
<tr>
<td>Cases without treatment programme</td>
<td>132</td>
</tr>
<tr>
<td>76 default - 26 excluded by court – 12 refusal defendant</td>
<td></td>
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<tr>
<td>Cases with treatment programme</td>
<td>148</td>
</tr>
<tr>
<td>91 closed cases (41 adherence to conditions) – 57 current cases</td>
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<tr>
<td>total</td>
<td>280</td>
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- Profile DTC-clients (cf. Brown, 2010)
  - male-female ratio: 4/1
  - 83 % 21 < ... < 41 – 44,6 % 21 < ... 31
  - 78 % previous judicial disposition
2. Method

› Context
  › Policy-driven study: Minister of Justice
  › Multidisciplinary team: IRCP, Department of Criminology + Department of Orthopedagogics (Ghent University)

› Process evaluation (May 2008 – July 2010)
  › Identify strengths, weaknesses + essential conditions (‘how does it work?’)
    › ≠ effect study (what works)–comparison with traditional dispositions
  › Experiences & perspectives professionals + DTC-clients

› Multi-method
  › Literature review
  › Interviews professionals (N = 30); interviews DTC-clients (N=18)
  › File study (1/3 of DTC-clients with treatment programme, N= 114)
  › Focus group with professionals (N=12)
3. Results

Strengths

- Overall, professionals are satisfied about
  - their role within DTC
  - positive impact on relationship CJS - treatment services
- In general, DTC-clients hold favourable view as well
  - opportunity to get their lives back on track
  - Emphasize interactive nature of DTC
  - Appreciate humanity of judge
  - Liaison = key, in particular relationship of mutual trust
    (advise, equality – look for solutions)
Strengths (2)

› Liaison = cornerstone of + essential condition for DTC
  › Important link justice department – (drug) treatment services
  › Ensures imposition & follow-up of conditions is adjusted to possibilities of client or treatment services
    › ~ individual treatment programme – tailored to needs of client > drug issue (Wenzel et al., 2001) + adjustable
    › ~ take into account reality of drug use & possibility relapse
      › Noncompliance is expected -> not necessarily an immediate application traditional dispositions (Hiller et al., 2010)
Strengths (3)

- Attention is paid to complexity of clients’ problems ⇔ relative success DTC-clients
  - (A case study of treatment files)
  - Treatment programme covers multiple aspects of life
    - ~ complex problems: problems with illicit drugs & alcohol + 85,7 % psychiatric problems (Freeman, 2003; <-> Brown, 2010); 82,9 % debts; 68,6 % unemployment (! Brown, 2010); 60 % administrative problems
      - ⇔ (drug) treatment and counselling
      - ⇔ diminish problems, contribute to social reintegration (and could lead to a reduced sentence) (Makkai, 2002)
  - Results: 1/3 initiated DTC programmes have positive outcome (cf. 30-70%, Brown, 2010)
Weaknesses

› Description of tasks of liaisons not sufficiently clear for professionals
  › Differences liaisons – social workers from justice department? ~ many care providers do not (yet) consider liaisons to be care providers
  › Professional secrecy liaisons?
    › Lack of trust treatment services
› Case load of liaisons (during treatment programme) > 30
Weaknesses (2)

- Drop-out is substantial (2/3), although not equal to failed trajectory (Vanderplasschen et al., 2011) ~ psychiatric problems?
- DTC – unintentionally – further pressurizes capacity of treatment services
  - waiting lists, might hamper referral of DTC-clients of the DTC project <-> speedy and efficient referral procedure
  - Justice-clients = privileged clients?
4. Discussion

› Essential conditions for extending DTC project to other court districts
  
  › Treatment offer
    
    › availability & accessibility treatment network = important precondition adequate referrals justice -> (drug) treatment
    
    › Districts with limited (drug) treatment offer unable to handle additional influx DTC clients ⇒ *first* expand existing treatment offer *before* DTC project
      
      › But: will justice department take this into consideration ~ pressure on prison system?

› Budget
  
  › DTC = labour-intensive (75 cases/judge/two weeks, Kleiman & Heusler, 2011)
    
    › Feasibility of expansion? (without selection bias? Wolf et al., 2011)
Discussion (2)

- New project, new professional
  - existing professionals: resistance/threatened
    - In general: more (clear) communication, in particular ~ role liaisons
  - Treatment services: professional secrecy
    - ~ communication beyond management level
    - ~ communication beyond start of DTC
  - Probation officers: established position
    - ~ 40% of DTC-clients have a judicial status (mostly probation or conditional release)
    - ~ actively involve social workers of justice in DTC project
    - their attendance during hearings of DTC would stimulate cooperation with liaisons + would avoid overlap in assistance DTC-client
Discussion (3)

› Professional secrecy of liaison is key, in particular in judicial context (↔ ‘double agents’, Castellano, 2011)
  › For DTC-clients
  › For cooperation with treatment services

› Future research
  › DTC labour-intensive, is it cost-effective in the long run?
  › Comparison of DTC with traditional alternatives (probation) & prison sentence
  › Long-term effects
    › drug use and crime ↘, ↞ other aspects of life?