



IRCP

Institute for International Research on Criminal Policy
Ghent University

Drug Treatment Court, Vilnius, 2011/10/22

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)

N° of cases	
Cases without treatment programme	132
76 default - 26 excluded by court - 12 refusal defendant	
Cases with treatment programme	148
91 closed cases (41 adherence to conditions) - 57 current cases	
total	280

- > 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?