Interagency cooperation: The key for the successful implementation of trial stage alternatives to incarceration for offenders with substance abuse issues. Lessons learned and the way forward

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Cyprus National Addictions Authority

• Supreme coordinating body in the country

• Policy and Monitoring Departments
  • Policy: Drafts, implements and monitors the NDS
  • Monitoring: Monitors the addiction phenomena
Drug addiction...

• Drug addiction is a multidimensional health disorder characterized by its chronic nature and relapse phases.
• The response to a health disorder requires treatment, social protection, NOT punishment and/or coercive sanctions
• Drug addiction is an unlucky course to the individual's personal story
• It is NOT a choice, it is not a criminal behavior, it is not a self immune disease
• Can you imagine punishing someone because he/she has a mental illness?
Treatment Vs. Punishment & Coercive Sanctions

• Addiction is a health disorder

• International Conventions & European Conventions

• Prevention & Treatment is the most cost-effective response
Treatment Vs. Punishment & Coercive Sanctions

- Social Cost of the illicit psychoactive substances Study (2020)
  - 1 Euros in prevention
  - 1.61 Euros in National Addictions Authority
  - 5.11 Euros in treatment centers
  - 8.77 Euros in loss of income
  - 57 Euros in law enforcement

Source: National Addictions Authority of Cyprus, 2020
Treatment Vs Punishment & Coercive Sanctions

Treatment is the most cost-effective response

Cost benefit ratio of various types of treatment interventions (investment: 1 unit)

- Θεραπεία στη Φυλακή: 8.87
- Επαγγελματική Συμβουλευτική: 5.28
- Θεραπευτικά Δικαστήρια: 2.83
- Θεραπεία στην Κοινότητα και στην Φυλακή: 2.69
- Θεραπεία στη Φυλακή: 1.91

In general,...

80% of the prison sentences are to individuals facing alcohol and drug abuse issues.

80% of the prison population is abusing alcohol or drugs.
In Cyprus,
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

**Scope of the Law**

To regulate the procedure for issuing a treatment order of the accused users or substance dependents in Treatment Centers.

**Field of application**

Substance users or abusers that appear before a District Court and did not yet receive a sentence.
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Institutions Involved

• District Courts
• Advisory Committee
• Treatment Centers
• Police
• The National Addictions Authority of Cyprus
### The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

<table>
<thead>
<tr>
<th>Who cannot apply for a treatment order:</th>
<th>When can an accuser apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Individuals that are accused for:</td>
<td>• At any stage of the judicial proceedings</td>
</tr>
<tr>
<td>• Possession of controlled drugs</td>
<td>• Prior to imposition of a penalty</td>
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<tr>
<td>with the intent to supply</td>
<td></td>
</tr>
<tr>
<td>• Importation of controlled drugs</td>
<td></td>
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<tr>
<td>and of sale</td>
<td></td>
</tr>
<tr>
<td>• Offenses that are punishable of</td>
<td></td>
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<tr>
<td>more than 10 years of imprisonment</td>
<td></td>
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</tbody>
</table>
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Followed procedure to the treatment order issuance

Diagram:

- Court
- Advisory Committee
- Treatment Center

Arrows indicate the flow of procedure from Court to Advisory Committee, then to Treatment Center, and back to Advisory Committee.
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Advisory Committee

• Appointed by the Council of Ministers for a period of three years
• Consists of:
  • A representative of the Attorney – General of the Republic, CHAIRMAN
  • An administrative officer of the Ministry of Health, MEMBER
  • A representative of the National Addiction Authority of Cyprus, MEMBER
• The decisions are taken by majority
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Responsibilities of the Advisory Committee

• Provides professional evaluation meaning “a scientifically reasoned report which refers to the psycho-social background of the person, the diagnostic assessment of his mental health, the treatment needs and the offence for which the person is accused”.

• Evaluates the accused, after a personal interview,
• Evaluates and requests treatment prolongation requests to the Court
• Submits progress reports to the Court every three months
• In cases of violation of the treatment contract the Committee informs the Police and the Court
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Responsibilities of the Treatment Centers

• To issue a treatment contract for the implementation of the treatment order (terms, rules, treatment plan)
• To submit a progress report to the Advisory Committee
• To accommodate individuals within 48 hours from the issue of the treatment order
• To submit a request to the Advisory Committee for the prolongation of treatment
• To inform the Advisory Committee in case the treatment contract has been violated
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The role of National Addictions Authority of Cyprus

• The development of the treatment centers registry
  • The treatment centers included in this registry should meet certain criteria

• Assigns its employees the administrative and secretarial duties of the Advisory Committee
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

The role of the National Addictions Authority appointed member of the Advisory Committee

1. Evaluation & Assessment
   • Receives requests of offenders for evaluation and assessment from ALL District Courts
   • Requests further necessary documents (indument, socioeconomic report, present status of offender, prior criminal record) from court and Police
   • Arrangement of evaluation appointments (psychiatric evaluation, addiction severity assessment)
   • Collects and forwards all evaluation reports to the Chairman and other members of the committee and arranges a personal interview appointment with the Advisory Committee
   • Arrangement of the intake evaluation of the treatment center according to the Committees decision and collection of the treatment centers report of acceptance
   • Drafts and submits the final professional evaluation report to the Court
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

The role of the National Addictions Authority appointed member of the Advisory Committee

2. Issuance of the Treatment Order
   • Follows up with the court to find out whether an order was issued
   • Receives, and if necessary, forwards the order issued to the treatment center
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

The role of the National Addiction Authority appointed member of the Advisory Committee

3. When the Treatment Order is issued
   • Collects progress reports from the treatment center and forwards the reports to the Court.
   • Receives treatment contract violation from the treatment center
   • Informs the Court and Police of the treatment order violation
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

• It is noted that what the last four slides described, meaning the general management of the process, is solely the responsibility of one member of the Advisory Committee.
The Treatment of Accused Users or Substance Dependents
Laws of 2016 & 2017

Number of requests by age group
2018-2021
The Treatment of Accused Users or Substance Dependents Laws of 2016 &2017

Number of requests by type of offence 2018-2021

- Ενατίον της δημόσιας τάξης
- Εναντίον άσκησης νόμιμης εξουσίας
- Που παραβλάπτουν το κοινό
- Εναντίον περιουσίας
- Πλαστογραφία, νομισματοκοπία, παραχάραξη, πλαστοπροσωπεία κλπ
- Απόπειρα και συνωμοσία για διάπραξη εγκλημάτων
- Ναρκωτικά
- Οδήγηση κάτω υπό την επήρρεια
- Τροχαίο
- Κατά οικογένειας
- Εναντίον περιουσίας και εναντίον προσώπου
- Εναντίον άσκησης νόμιμης εξουσίας και ναρκωτικά
- Εναντίον προσώπων και εναντίον περιουσίας
- Εναντίον της δημόσιας τάξης
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Real life example – the case of Alex

- EuropASI Feedback Report
- Psychiatric Evaluation Results
- Court Order for Inpatient treatment
- Order Violation
- New evaluation request
- New Court Order for Outpatient Treatment
- Successful completion
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & Challenges
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & Challenges

1. District Courts

a) Incomplete applications
Must be accompanied by the indictment and the contact information of the applicant

b) Tied deadlines
The process takes at least 30 working days to be completed

c) Failure to provide feedback to the Committee with regards to the decision of the Court
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Barriers & Challenges

2. Mental Health Services

a) Addiction Severity Assessment & psychiatric evaluation
   • Limited availability of appointments
   • Delays in sending the reports to the Advisory Committee
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & Challenges

3. Prison Department

a) Most applicants are detained in prison until their application is examined.

- **Difficulties in transferring applicants** to the evaluation sites

- **Appointment cancellations** due to unexpected circumstances such as illness (i.e., covid) of the applicant or disciplinary isolation in prison. Results: delays and further paperwork.
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & Challenges

4. Advisory Committee

All applicants must be interviewed by the Committee

The psychiatric evaluation and the addiction severity assessment report must be sent to the Advisory Committee before the applicants' personal interview with the Committee.

a) Delays in receiving the evaluation reports

b) Incomplete and/or missing application information from the Courts or the evaluation reports.

c) Difficulties in arranging the personal interview with the applicant due to difficulties observed in transferring them at the Committees office.
Barriers & challenges

5. Treatment Centers
   • Capacity
   • Availability
   • Types of treatment
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & challenges

6. Police

In the case of an order violation the police should arrest the applicant and bring him before the Court

- **Long delays in arresting the applicant**, up to months, resulting in a breach of the process, spreading the message that they can get away with violating the rules and maybe in the meantime committing more crimes
The Treatment of Accused Users or Substance Dependents Laws of 2016 & 2017

Barriers & challenges

7. National Addictions Authority of Cyprus
   • Limited resources
What can we do to improve the process and increase the number of individuals benefiting from those alternatives?
Applying alternative measures to incarceration

- Limit stigma accompanying substance abuse disorders
- Emphasize the need for applying alternative measures to punishment
- Improve interagency cooperation
The Treatment of Accused Users or Substance Dependents Laws of 2016 &2017

Suggestions

• Improving interagency cooperation:
  • Creation of a multidisciplinary team with representatives from all agencies involved
  • Monthly meetings to discuss and resolve problems
  • Provide feedback on the course of the cases/ applicants’ treatment
  • Share success stories of applicants
  • Provide training opportunities
Exercise – Developing empathy & Awareness

Training workshops for correctional & police officers

Andreas
• 18 years old
• He lives with his mother
• High school drop out at the age of 15
• Began the use of cannabis at the age of 16
• Began the use of cocaine at the age of 17
• Uses crystal meth periodically
• Prosecuted and will appear before the court for two cases, one for possession of controlled substances and one for stealing money from a vehicle.

What should Andrea's sentence be?
Exercise – Developing empathy & Awareness

More background information on Andreas...

- Health – His mother has serious health issues
- Work/Financial – His mother receives the minimum guaranteed allowance from the state
- Family – His parents divorced when he was 11 years old. He lost his older brother in a traffic accident two years ago.
- Mental health – His brothers' death was a traumatic event for himself as well as for his mother. His mother is in depression since then.
- Legal – He has no prior criminal record
Concluding remarks

• Implementing alternative measures to punishment benefits the person and the community

• Treatment, rehabilitation and social integration interventions decrease the revolving door phenomenon and recidivism.
Thank you for your attention

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