

PROJECT ALTERNATIVE

**PROMOTING ALTERNATIVE TO IMPRISONMENT
FOR DRUG OFFENDERS**



GUIDE MANUAL



Preface

The problem of prisons in every country of the world represents one of the main unsolved issue of humankind.

In no field of human action, modern times can be compared with the Middle Age. Except for prisons: detention conditions of inmates are comparable with the ones in use in the past centuries, even in countries that consider themselves champions of human rights.

Without mentioning the aberrations of Abù Graib and Guantanamo, there's not a big difference between some Italians security cells, criminal mental hospitals, prisons and the detention conditions in Castel Sant'Angelo as represented in the third act of the opera Tosca.

Given the above and without considering the issue of torture, which in many parts of the world still do not arouse popular rejection and repulsion, as if it was something unavoidable, all those who strive for preventing incarceration, especially for ill persons, or for shortening the duration of detention facilitating the release, do a deserving work enhancing the community well-being.

If we consider that one third of prisoners all over the world are imprisoned for crimes related to the use of drugs, so that the disease adds up with an environment that exalts stigmatization and discrimination, all those who in their work are committed to find alternatives to detention for drug-using offenders, are even more meritorious.

The project described in the following pages and whose title is not by chance "Alternative", wants to be like an headlight on the attempts, successes, difficulties and also contradictions of those who every day works in silence and often experiencing discrimination, for avoiding the prison to a great number of persons with a disease, thus improving the general condition of civil society. At least in Europe, which is or should be, the heart of civilization.

Dr. Massimo Barra

Chairman of Red Cross/Red Crescent
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Introduction

Background

This publication has been developed in the framework of the Project ALTERNATIVE – “Promoting alternatives to imprisonment for drug offenders”, co-funded by the European Commission under the Criminal Justice Programme 2008-2013 and implemented by the Foundation Villa Maraini (project leader) and four associated partners: Association Gruppo Abele (Italy), Sananim (Czech Republic), French Red Cross (France) and Portuguese Red Cross (Portugal).

The general aim of the project was to promote and increase the adoption of alternatives to imprisonment for drug offenders, showing the benefits of such approaches in reducing prison overcrowding, preventing re-offending and generally improving detention conditions.

To this aim, the project’s specific objectives were:

1. improving mutual knowledge of EU countries’ legal and judicial systems and facilitate networking, cooperation and the exchange of information and best practices;
2. reinforcing collaboration among criminal justice agencies, civil society organizations and health and social services;
3. strengthening and support the implementation of treatment alternatives for drug offenders;
4. increasing public knowledge and information on the advantages of alternatives to imprisonment for some specific groups of inmates.

Drug offenders make up a large proportion of the prison population in most countries, even if many of them are not major players in the drugs trade and are often addicted to drugs themselves. For this reason, treatment alternatives to imprisonment have received increasing political support in the last years across Europe, in line with all the major international conventions and guidelines such as the UN Standard Minimum Rules for Non-Custodial Measures and the 1988 UN Convention against Illicit Traffic of Drugs.

Nevertheless, the number of drug offenders going in and out of the criminal justice system without having access to adequate treatment is growing in many countries, leading to severe prisons overcrowding that make it impossible to deliver UN-defined minimum standards of detention and respect of prisoners dignity and human rights.

The main reasons for a still limited use of alternatives to imprisonment are difficulties in networking and coordination among criminal justice agencies and health and social community services, as well as the general public scepticism toward this form of punishment.

In consideration of this, the project has targeted also criminal justice officers and treatment and social services providers, with the aim to increase knowledge about the advantages of alternatives to imprisonment for some specific groups of inmates and make networking and collaboration among them more efficient and effective.



Scope and purpose

This publication has been developed on the basis of the experience acquired by all the partner organizations during the implementation of the project ALTERNATIVE. It has to be intended as a collection of best practices and lessons learned that may help other organizations willing to develop and carry on similar programmes in their own countries. The recommendations presented in this manual were collected through a self-evaluation process undertaken by the participating organizations, during which they were requested to think about and reflect on what worked and what didn't work so well during the planning and implementation of supporting activities for drug-using offenders both inside and outside prison.

The manual is structured in five chapters, according to the project objectives and implementing phases.

- The **first chapter** is related to the collection of baseline data on the prison situation and judicial system on alternatives to imprisonment in use in the partner countries, and to the development of common procedural protocols and working tools.
- The **second chapter** is about the networking and capacity building activities conducted with criminal justice agencies, health and treatment services, penitentiary institutions, and includes recommendations on how to involve and improve collaboration among all these actors.
- The **third chapter** is dedicated to the description of the supporting activities for drug offenders carried out inside prison and in community-based treatment services for those benefiting of alternative measures to detention. Examples of good practices, as well as main problems and challenges of these interventions are included in this section.
- The **fourth chapter** presents the advocacy actions conducted among relevant stakeholders and the general population, in order to increase public knowledge and raise awareness about the shortcomings and costs of imprisonment and the advantages of alternative measures for some specific groups of inmates.
- Finally, the **last chapter** presents the conclusions that can be drawn from the previous sections, indicating some core principles and recommendations for future actions in the field of alternative measures to imprisonment for drug-using offenders.

We hope that this manual will represent a useful tool for other professionals and organizations working or willing to work with drug offenders. Our aim is to improve knowledge and strengthen skills of programme managers and planners, health care service providers, prison administrators and workers, criminal justice officers about the use of alternatives to imprisonment for drug-using inmates, in order to make these measures more effective and contribute to improve the detention conditions of drug-addicted offenders and other inmates.



Chapter 1

To improve mutual knowledge of EU countries legal and judicial systems and facilitate networking, cooperation and exchange of information and best practices

1.1 Comparison of the judicial system on alternative measures in the partner countries

Collection of baseline information: methods and tools

For the development of any kind of project in the field of criminal justice it is fundamental to have a clear picture and understanding of the legislative system in use in the country. The baseline information to be collected should include an analysis of the national legislation and criminal justice system, as well as a mapping of all the institutions involved in the practical implementation of the laws.

This is particularly important for programmes focused on alternative measures to imprisonment, since the understanding of such term and its consequent practical use are very different from country to country. An alternative to imprisonment is any kind of punishment or treatment other than time in prison or jail that can be given to a person who is convicted of committing a crime.

For drug-using offenders, the alternatives to detention normally have a drug-related treatment component. A therapeutic programme undertaken under a judicial context - i.e. an alternative measure specially designed for drug abusing offenders - can be designated as quasi coerced treatment. It consists in a treatment that, once “obtained the consent of the person concerned, is ordered, motivated and/or supervised by public authority. In this case we have a treatment that is not purely coercive, but has at its foundation a compulsory component capable of determining the person to consent to their own treatment or else to keep it or restart it.” (1)

Alternative measures can be used at all phases of the criminal justice system:

- *Pre-trial phase: custody and pre-trial detention can be suspended for treatment*
- *Trial phase: the sentence can be fully or partly suspended to allow the offender to access a*

(1) - Moraes Rocha, João Luís, “Portugal. Alternatives measures to imprisonment and quasi coerced treatment - a new paradigm” in Expert Forum on Criminal Justice. National Experiences with quasi coerced treatment of drug offenders. Overview of Work undertaken 2007-2010 and relevant contributions, Group Pompidou - Council of Europe, 2010, p. 22.



treatment programme

- *Post-trial phase: after serving part of the sentence, inmates can obtain early or conditional release in order to enter a community-based treatment programme*

In the framework of the Project ALTERNATIVE, the collected baseline information included the following data:

1) National legislation:

- Existing alternative measures to imprisonment
- People who can benefit from these measures
- Specific regulations for drug offenders (meaning drug or alcohol using inmates)
- Procedures for the practical use/application of alternative measures
- Funding sources
- Regional differences (if applied)

2) Prison population:

- General number of inmates
- Number/percentage of drug users (including alcohol users)
- Epidemiological situation (HIV prevalence, HCV prevalence, etc.)

3) Social and health services for drug offenders at local level:

- Treatment centres for drug users
- Typology of other services for drug users
- Number and typology of services accepting drug offenders

4) Specific problems and needs

- Procedural problems (timing, bureaucracy, etc.)
- Communication problems (among the various actors involved)
- Logistical problems (lack of services/places for drug offenders)
- Needs of drug offenders
- Needs of prison staff
- Needs of criminal justice agencies (probation officers, judges, lawyers, prosecutors)
- Needs of health and treatment services

For collecting all this information, both indirect and direct sources must be used. Examples of indirect sources are official statistics, reports, studies and researches from national or local institutions; direct sources include key-informant interviews, administration of questionnaires



among specific target groups, focus group discussions. The sources could include local police stations, local courts, judges and magistrates, local branches of probation services or other bodies responsible for supervising non-custodial sanctions, prison administrations, guards, offenders, and NGOs working on criminal justice issues.

The gathering of information from a wide range of sources is essential to understand the obstacles to the practical implementation of certain legislation, the problems encountered in different parts of the country and by different levels of criminal justice authorities, and the level of community involvement in different settings. This information can be used to identify good practices that may be expanded, and to decide the priority areas upon which technical assistance should focus.

The use of both kind of sources has its advantages and disadvantages. Referring to indirect sources, the main difficulty can be the lack of up-to-date and reliable data at national level, due to inadequate data collection systems or low interest of governments in keeping regular statistics on the prison population. In particular, it can be very difficult to find official data on number and typology of offenders in alternative measures to detention, due to the complex and very often not structured legislative framework regulating the use of such measures. Moreover, some countries such as Czech Republic lack of specific laws on the use of alternative measures, even if they are contemplated in the penal code.

For these reasons, it could be very useful to combine the review of official documents with other sources of information, such as local and national experts that can act as key informants, as well as representatives of the target groups. Within the project ALTERNATIVE, interviews and questionnaires were conducted with representatives of criminal justice agencies, detention facilities, health and treatment centres for drug addicted, inmates.

The personal approach with relevant experts and stakeholders represents and added value which can bring several advantages to the project, not only in terms of new acquired information and knowledge, but also in terms of technical support and fruitful collaboration throughout the project implementation.

On the other side, the organization of such meetings can be quite difficult and time-consuming, because of the lack of interest of many public officials in collaborating with non-governmental organizations or because of some resistance in providing information on a sensitive topic such as prison management.

In Portugal for example, it was necessary to organize a great number of meetings to ensure the stakeholders engagement in the project. The level of interest was quite variable, with a good feedback from the social and health sectors and from public prosecutors and judges. As for lawyers and criminal justice agencies, they manifested a moderate interest on the matter, that was translated in a limited engagement in the project.



As for the involvement of prison staff and inmates, it is of course an advantage to have already trustful and long-lasting relations with these target groups; otherwise, to get the permission to access prison can require a long procedure and the information collected can result not reliable or adequate.

Indeed, for Villa Maraini, Gruppo Abele and Sananim it was very easy to interview inmates and prison staff, since they have been working in prison since many years.

On the contrary, the French Red Cross and Portuguese Red Cross had to wait several months before obtaining the authorization to interview the inmates.

The French Red Cross (Centre Pierre Nicole) is involved since several years in the implementation of alternative measures to imprisonment but until now, had no intervention inside prison setting. Thus, collecting information and advices on alternative measures inside prison with stakeholders and prisoners required the building of network with justice and health partners.

Similarly, the Portuguese Red Cross had no intervention in the selected prisons, so the necessary partnerships, at institutional and operational level, had to be build up from scratch. Even if all official permissions from the Ministry of Justice to work inside the penitentiary institutions were obtained with relative simplicity, the process of convincing the prison boards to start the activities was quite harder. The reason was not their skepticism toward the work of community-based organizations inside prison, on the contrary they were quite open to it. The problem was that the drug related issues are still a taboo in the Portuguese penitentiary system, even though drug related crimes, directly or indirectly, are one of the main causes of imprisonment in the country. It seemed that the simple mention of the word “drug” in the meetings with the prison boards created an uncomfortable environment, almost hostile, whereas the prison staff turn extremely defensive. Therefore, as the project addresses explicitly and specifically drug offenders, the prison boards and staff were quite reluctant in accepting the proposed activities.

Most surprising was the fact that inmates themselves suffer from the same prejudice, meaning that they also were not very receptive to activities explicitly directed to drug addicts and users. To cope with these difficulties, the Portuguese Red Cross decided to adjust the intervention strategy, changing not only the designation of the activities but also their typology, in order to reach out a larger number of participants without changing the project objectives.



Description of the legislation on AM and related administrative procedures in each partner country

The analysis of the baseline data collected by each project partner has put in evidence the fact that even if the criminal justice systems in use in European Member States is quite similar, there are still several discrepancies regarding the legal framework on alternative measures to imprisonment for drug offenders.

In particular, the differences concern the profile of the offender who could be eligible for alternatives, the type of offences and upper limit of prison sentences to which alternatives can be introduced, the procedures for requesting and benefit of alternative measures, and the actors involved in this procedure.

Here is an overview of the major alternative measures for drug offenders in use in the project partner countries:

Italy

The main kind of alternative measures are:

- *Probation to social services*: it can be given to offenders with a sentence of max 3 years or 4 years in case of drug or alcohol users. The judge decides the methods and places for probation.
- *Probation to therapeutic community*: it is a measure specific for drug users with a sentence not longer than 4 years. It is granted no more than 2 times per person.
- *House arrest/Custody*: pre- or post-trial measure, that obliges the person to not leave his house or a care and treatment centre in case of health problem, such as for example drug addiction.
- *Home detention*: custodial alternative measure (after definitive sentence) for sentence up to 2 years.

The procedure for the implementation of alternative measures for drug addicts is quite complex and involve several actors.

The request must be done directly by the offender, upon presentation of a certification of drug addiction released by the health service (SERT) inside prison or outside. This certification goes to the Court of surveillance, that decide if approve it or not.

The main problems are that many detainees do not declare to be drug users, or the urine analysis are clean so the SERT do not give the certification, and that the evaluation of the Court of surveillance is sometimes done on old documents, so the request is rejected for fact that are not actual anymore.

In 2012, the number of drug offenders in alternative measures was 6.241 (13,6% of the total).



France:

The French law makes a distinction between the “treatment obligation” and the “treatment injunction”.

The “treatment obligation” means the obligation of the pre- or post-sentenced person to provide proof of his/her medical treatment directly to the judge or designated probation officer. The patient choose by himself the doctor or professional for the compulsory treatment.

The “treatment injunction” is distinguished by the fact that the judge designates a doctor who will act as a link between the judicial authority and the treatment centre which the offender is attending.

The consent of the sentenced person is not required either for the treatment obligation or the treatment injunction.

The French laws include different compulsory treatment options for alcohol/drug offenders. Two may be real alternatives to trial but can be pronounced at any step (pre or post-trial):

- *Treatment injunction* (Injonction thérapeutique): it was initially the only specific measure for drug users (since the Law of 1970, modified in 2007), mainly a pre-trial sentence, but now can be used also after trial, mainly for 1st offence. People have to start a follow-up in care center. According to the 1970 Law, the offender had in fact the choice to decide an “injunction thérapeutique” if he was a drug user (he was then a patient and treatment control was under the responsibility of a sanitary officer) or to continue with the Justice (he was then a drug offender and had to face a sentence). Since 2007, a “relay doctor” make the link between Justice and the health professional in charge of the follow-up through the treatment injunction.
- *Sensitization course*: alternative to trial or complementary to trial, information on illicit drugs, mostly for cannabis users.

Other compulsory treatment measures are not real alternative measures per se, but are usually complementary to alternatives to imprisonment, such as:

- *Care obligation* (*Obligation de soins*): it can be used both in pre- and post- trial stages. The offender is obliged to compulsory treatment for drug or alcohol addiction (he has to justify with the probation officer of a regular follow-up).

Then, there are several alternative measures to imprisonment, which are not specific for drug offenders, but are used for different kind of offences:

- *Electronic Monitoring Bracelet*: home detention with the possibility to live at home and to continue working. Measure mainly associated with treatment obligation for drug/alcohol offenders. It’s used like a post trial measure.
- *Semi-liberty/Early release* (*Semi liberté*): people are under the responsibility of the prison, they are free in the day but they have to come back every night in jail. This kind of alternative is mainly pronounced for people having a job outside, or involved in job research.
- *Probation to social services* (*Placement extérieur*): people are under the responsibility of a care



center, mainly a therapeutic community. In this case, criminal justice agencies pay a “daily cost” to the community.

- Conditional release/Parole (Liberté conditionnelle): an alternative only for inmates already in prison, to finish their sentence outside. It’s a provisional release with condition for the prisoner decided by the judge (eg. work, house, compulsory treatment...). There’s an obligation to meet the probation service regularly.

When these alternative measures concern alcohol or drug offenders, they are usually associated with one or more compulsory treatment options: treatment injunction, treatment obligation, sensitization course.

For the bracelet, semi liberty and probation to social services, drug offenders can ask directly after trial before going to prison, if they have a sentence up to 2 years (or 1 year if they are recidivist). For sentence longer than 2 years, they have to wait one half of the sentence (or 2/3 for recidivism).

In France, approximately 20% of the general population of offenders are in alternative: 80% of them with electronic bracelet; 10% under placement on probation with social/health services (placement extérieur) ; and 10% in “semi liberté” centre.

Portugal:

In 1999 the Portuguese Government adopted the National Strategy for Combating Drugs, which represented a turning point on the Portuguese approach to drug policy, introducing several innovative aspects, namely regarding the promotion of alternative measures to imprisonment.

This policy approach was concretized in the so called “Decriminalization Act”, Law nr. 30 / 2000 of the 29th November, which established the decriminalization of consumption, acquisition and possession for personal use, provided that the quantity involved does not exceed that necessary for the average individual consumption for ten days. Exceeding such amount, the individual will commit a crime to be punished according to the criminal justice system.

Since the enforcement of this Law, when police identify someone with the possession of small quantities of illicit substances, the person is sent to a specific non judicial service called Commission for Dissuasion of Drug Addiction (regional entities). The Commissions will evaluate the addiction status of the person, apply an administrative sanction, and if necessary refer him or her to therapeutic services, without any obligation from the subject to actually engage in therapy.

Only if drug abusing offenders are engaged in criminal matters and then, subject to penal measures such as imprisonment, they can benefit from compulsory treatment alternatives: this process is referred as “quasi coerced treatment” as defined above.

“Quasi coerced treatment” through the suspension of the sentence is the main typology of alternative measure applied to drug offenders. In particular, the quasi-coerced treatment has



some structural features:

- The consent of the person to undergo a treatment;
- The inclusion of treatment into different forms of alternative measures to imprisonment (probation / parole system);
- The ultimate goal of such measure is the reintegration of offenders in the society;
- The maximum length of sentence for the committed crime can never exceed 5 years in prison.

Such measure can be applied in three different procedural stages, contingent to a set of conditions regarding the circumstances of the crime and the profile of the offender:

1. *Pre-trial phase*: the public prosecutor can order a suspension of the judicial process, imposing a supervision of the offender (in this case the completion of a treatment programme in a therapeutic community). If the offender fulfils the imposed obligations, the judicial process will be archived; if at any stage the subject fails to comply, the process will proceed to a court sentence.
2. *Post-trial phase*: the court suspends the prison sentence, demanding that the subject follows a determined treatment; the procedure is similar to the one described above.
3. *In the sentence execution phase*: in this situation the offender has the right (given a set of conditions regarding the crime, his penalty length, his profile and behaviour in prison) to ask to the execution court (court that monitors the offender while he's executing his prison sentence) to finish sentence in a treatment centre (parole system). According with different sentence lengths, this can be asked at 1/2 , 2/3 or 5/6 of the total prison time.

In 2011, 907 drug users were in probation and others in other measures, for a total of 1397 over 2041 (68,5%).

Czech Republic:

The Czech law does not provide for an exhaustive list of probation measures which can be imposed by the judge to a sentenced person. Therefore, it is at the sole discretion of the judge to determine any obligation or restriction deemed necessary, depending on each case, including drug- or alcohol-addicted offenders.

According to national legislation, the main alternative measures are:

- *Conditional release*: the court may conditionally suspend execution of a sentence of imprisonment not exceeding 3 years. The court may impose adequate restrictions and duties to the person, such as to undergo a treatment programme for drug- or alcohol- addiction.
- *Suspension of sentence*: the court may conditionally suspend execution of a sentence of imprisonment not exceeding 3 years, but ordering the supervision of the offender by an officer of the Probation and Mediation Service or imposing some restrictions or obligations (such as a treatment programme for drug- or alcohol- addiction). The court shall prescribe a probationary period for 1 - 5 years.



- *Obligation to carry out community service*: consists in a duty of an offender to perform services in the prescribed extent for publically beneficial purposes.
- *Home detention* (introduced in 2010): the court may impose a sentence of house confinement for up to two years. If considered necessary, the judge can impose to the offender, for the duration of the home detention, appropriate obligations, such as to undergo a treatment programme for drug- or alcohol-addiction.
- *Educational measures*: it is mainly for young offenders and consist in supervision by a probation officers and education obligation.
- *Protective therapy* (mainly for drug users): it can be ordered if the offender has committed a crime in a state of insanity or under the influence of drugs. The measure consists in the obligation to undergo a therapeutic programme in a drug addiction treatment centre or psychiatric clinic, both in residential or ambulatory services, for a period not exceeding two years.

The main justice agency for alternative measures is the Probation and Mediation Service.

The social and health services in Prague range from 35 to 39 (including drop-in, residential communities, etc.). All of them can accept DOs in A.M., but the main problem is funding, because normally state funds are just for 1 year.

The protective therapy can be offered by all drug outpatient ambulatory facilities registered as health service, while the community service can be offered by all drop-in centres and 2 outreach programmes.

Strengths and weaknesses of the judicial system in the partner countries

The analysis and comparison of the criminal justice system and legal framework on alternative measures in use in the partner countries has allowed to identify some major strengths and weaknesses which are common to all the involved countries and that should be taken into consideration by policy-makers and legislators for adapting a reform of the judicial system.

The main strength of all these legal systems is of course, the fact that they contemplate the use of several alternative measures to imprisonment for drug offenders. This indicates that the governments recognize the fact that treating offenders for their addiction is more effective than processing and eventually punishing them through the criminal justice system, as recommended by all international conventions and guidelines. To this regard, the reform of the justice system which is under discussion in Czech Republic, France and Italy pays particular attention to the promotion of alternative measures to detention, with the objective of avoiding imprisonment for a part of offenders population. In France for example, alternative measures should be automatically pronounced for sentences up to 2 years of prison (but not in recidivism case).



On the other side, several weaknesses have been identified in the current systems in use in all the partner countries.

First of all, the procedure for the request and admission to alternative measures is too long and complex. In Italy it can take up to 1 year, due to the fact that there are too many actors involved: the drug addiction centre inside prison, the probation office, the court of surveillance, the therapeutic community. Moreover, there is a lack of standard criteria for the approval of requests by the Court of surveillance, and very poor cooperation and exchange of information between the judges and the health services.

These problems are common to all the partner countries. In Czech Republic, there is a complete lack of communication among judges, prison officers, health and social services. Most of the times, the judges take a decision without knowing anything about the needs of the offender or about the available services in the community for alternative measures to detention. So, it can happen that people in treatment receive a final sentence and must go back to prison without the possibility to complete their therapeutic programme.

In France, many inmates have referred to be not informed about the possible alternatives and the procedure for request. This is due to the limited resources of the probation services inside prison. Social workers in charge of the implementation of alternatives measures for prisoners already incarcerated are penitentiary officers (SPIP: Service Pénitentiaire d'Insertion et Probation). One SPIP has between 80 and 100 cases to manage, therefore the procedure can be very long. Moreover, these social workers inside prison do not have links with social and health services outside, so they do not know where to refer drug offenders for a treatment programme.

To cope with this situation, since 2013 the Ministry of Health has funded in all prisons the intervention of a social worker from a specialized addiction centre in the community. These social workers from these specialized centres will only work on continuity of care for drug offenders after release, but their presence should facilitate the relation and communication between prison and community services for drug users.

Another problem common to almost all the partner countries is the lack of dedicated services for drug offenders. In France, there are only 4 drug abuse treatment centres dedicated by the Ministry of Justice to work with drug offenders in alternative measures, for a total of 50 places in all the country. Of these centres, a very few benefit from complementary funding from the Ministry of Justice for implementing alternative measures. The "Centre Pierre Nicole" managed by the French Red Cross is one of the most important in France and get funding for up to 1400 nights per year.

In Italy, the places reserved for drug offenders in therapeutic communities generally correspond to around 20% of the total (up to 3 places). This is due to many reasons: organizational problems linked to the specific condition and obligations of drug offenders (limited freedom, requirement



of dedicated staff, etc.); difficulties in the treatment process, due to low motivation toward treatment, poor adherence to the treatment programme and to the rules of a therapeutic community, need to work on violent and criminal behaviours; financial constraints due to delays in the reimbursement of costs by the public services.

The economic crisis has even worsened the situation, since the lack of financial resources of public health institutions has led to a drastic reduction of the number of drug offenders in probation to therapeutic communities and social services, with a consequent closure of many community services.

1.2 Use of common procedural protocols

Description of the protocols

The development of procedural protocols primarily aims to lay down specific rules for the implementation of activities and ensure that all the project partners follow a common strategy and collect the same data.

To this aim, the identification of common needs and available resources of the partner countries is of major importance, since they represent the ground on which the protocols must be developed.

Referring to actions in the field of criminal justice, the protocols must align with the national judicial system, but at the same time, can serve to propose more efficient procedures and communication strategies among all the involved agencies and institutions. In particular for projects focused on alternative measures to imprisonment, the protocols should aim to facilitate the access of offenders to these measures, indicating the selection criteria of eligible individuals, and proposing more effective networking and communication procedures among all the involved actors.

The procedural protocols used in the project ALTERNATIVE included the following components:

1. Supporting activities inside prisons for potential beneficiaries of alternative measures
2. Alternative treatment programmes for eligible drug offenders
3. Networking and capacity building activities for all the agencies and institutions involved
4. Data collection and monitoring

The conduction of activities with inmates inside prison aimed to identify people with drug addiction problems, provide them with information about the existing alternative measures and the various treatment programmes available in the community, and act as a link between inmates and external health and social services.

They included both individual counselling and group sessions, according to national rules and



agreements taken with the prison administration.

These activities were used also to prepare the potential beneficiaries of alternative measures to an involvement in a treatment programme, explaining in details the proposed therapeutic plan and the rules and conditions of drug abuse treatment communities. This is extremely important, since one of the criteria of eligibility of drug offenders to alternative measures should be the motivation to undergo a drug addiction treatment programme. To this regard, the protocol included the following specific criteria for the selection of drug offenders:

- Drug/alcohol addiction diagnosis (made by an health specialist)
- Juridical eligibility (criminal carrier, kind and duration of the sentence, recidivism)
- Motivation toward treatment for drug addiction
- Authorization of the relevant criminal justice agencies
- Social situation assessment (housing resources, family)
- Medical diagnosis (psychiatric evaluation, dual diagnosis)
- Psychological profile (no violent behaviours)

For the selected drug offenders, the protocol contemplated the referral to treatment centres managed by the project partners or by other local organizations, providing different kind of therapeutic programme (residential, semi-residential and ambulatory).

Moreover, these treatment programmes included also the work with families, in the form of individual counselling and group sessions, and where possible, the provision of legal assistance to the offenders and their families on pending trials or other legal issues.

Another important component of the protocol used in the project ALTERNATIVE referred to networking and capacity building activities targeting all the agencies and institutions involved in the provision of alternative measures for drug offenders.

These activities included training courses and seminars for prison staff, criminal justice officers, health and social workers from prisons and treatment centres, in order to improve knowledge on juridical and treatment aspects of alternative measures for drug offenders, propose the developed protocols and reinforce collaboration and networking.

In particular, the training for prison staff focused on drug addiction and related problems, those with criminal justice agencies on drug addiction treatment programmes, and those with health and treatment services on alternative measures for drug offenders and working methodology with this specific group.

When developing project common protocols and procedures, particular attention should be given to the arrangements of common tools for data collection and record-keeping, so that data are similar in each country where the project is implemented and are compatible.

To this regard, it is fundamental to include in procedural protocols a clear definition of the target



group, in order to avoid discrepancy and incompatibility of data.

Within ALTERNATIVE, the protocol included a description of quantitative and qualitative indicators to be used for monitoring and assessing the achievement of project objectives, as well as the methods for collecting the required data.

Common Reporting forms were developed and used by all the partners for recording the inmates contacted in prison (including those selected and those not selected for alternative measures) and the drug offenders referred to and involved in treatment programmes (see Annex I. and II.)

As defined in the protocol, the project target group included the following typology of drug offenders:

- those waiting for the sentence
- those already serving a sentence in prison
- those in probation to social service or in home arrest
- those just released from prison

Positive and negative aspects of having common procedural protocols

As said above, procedural protocols referred to actions in the field of criminal justice must be necessary in line with the national judicial system and legal framework; therefore, it is highly recommended to involve representatives of justice agencies and institutions in the development of such protocols. National and local experts can provide technical advices and useful recommendations that can bring added value to the project and increase its impact on the target groups.

An example of this is the case of the French Red Cross, which developed the protocol in consultation with judges, probation officers and prison workers, and according to their recommendations decided to focus the work with offenders still awaiting for sentence and with inmates in two Paris prisons. The protocol allowed representatives of the drug treatment centre to get the authorization to go inside prisons and probation offices to talk with the inmates face to face or in group sessions, together with probation officers. The fact that representatives of these institutions were informed about the project and actively involved in the definition of the protocol has contributed to raise their interest toward the proposed action and the possibility of introducing a new service for inmates with drug addiction problems.

Similarly, at the beginning of the project the Portuguese Red Cross had several consultations with the National Association of Portuguese Judges, the Lawyers Bar Association, the Portuguese Judges Trade Union, the Ministry of Justice, and the National Public Prosecutors Body, and of course the Ministry of Health Drug Addiction Agency. On the basis of their needs they decided to organize a national seminar on alternative measures for drug offenders bringing together legal officers (judges, lawyers and prosecutors) and health professionals (from drug treatment services).



For planning the activities inside prison, it is of course necessary to consult the prison staff, in particular the educators and health workers, and if possible, it is recommended to involve them also in the conduction of such activities. Gruppo Abele, for example, organized group sessions inside the Turin prison in collaboration with the educators and the health workers who deal with drug addicted prisoners, as well as with the social workers of the probation office.

For organizations having a long working experience in prison and well-established cooperation with the prison administration, such as the case of Villa Maraini, Gruppo Abele and Sananim, the development of procedural protocols does not represent a big problem.

On the contrary, organizations with limited experience in working with inmates can encounter some difficulties in approaching prison representatives for proposing the conduction of activities inside prison. In this case, it can help to propose actions which are innovative and which target groups of inmates who are not involved in any other activity managed by the prison staff.

The Portuguese Red Cross, for example, encountered some resistance from the prison administrators to the proposed protocol, but at the end they got their authorization and support because they proposed to carry out activities in sections where no other services or programmes were provided (e.g. young inmates and newly arrived area), and instead of addressing activities directly to drug offenders and drug users, those were presented as activities destined to the general inmate population.

Moreover, the involvement in the project of partner organizations with different level of experience and know-how has represented a benefit, since the competencies and knowledge of the more-experienced organizations have been used by the other partners in the development of protocols and have helped in solving problems and constraints.

In conclusion, our experience show that the development of a common methodology to be used by different organizations in different countries is a challenging work, requiring flexibility and adaptation to local contexts and needs; but it represents an effective tool to improve mutual knowledge and facilitate networking and cooperation at international and local level.

The development of common procedural protocols gives the possibility to exchange information on the judicial system and administrative procedures in use in different EU countries, to analyse common aspects and differences, as well as main strengths and weakness, and to propose more effective procedures based on identified best practices.



Chapter 2

To reinforce collaboration among criminal justice agencies, civil society organizations and health and social services, in order to improve detention conditions of drug-addicted offenders and other inmates

2.1 Information and coordination meetings

Who to involve and how to ensure participation

As explained in the previous chapter, a main component of the project ALTERNATIVE consisted in networking and capacity building activities for all the agencies and institutions involved in the provision of alternative measures for drug offenders.

Aim of these actions was to reinforce and facilitate cooperation among the various subjects and at the same time, to promote a wider and more efficient use of alternative measures for drug offenders.

According to the findings of the baseline assessment conducted in all the partner countries at the beginning of the project, one of the main reason for a still limited and not effective use of alternative measures is the lack of cooperation and exchange of information among criminal justice agencies, prisons and health facilities. This brings to delays in administrative procedures, to judges' decisions that do not respond to the real needs of offenders and consequently, to an high number of failures and revocations.

On the contrary, our experience shows that when the collaboration among the various institutions is well-functioning, the procedure for admission to non-custodial measures runs smoothly and the rate of successful results is higher.

In order to facilitate networking, the first thing to do is to ensure that the right agencies are involved and that they have a clear information and understanding of their own role and that of others.



Talking about a project focused on alternative measures to detention, the main institutions to get in contact with are criminal justice agencies such as the Department of Penitentiary Administration of the Ministry of Justice, the Probation Office, judges and prosecutors associations. To this regards, it is recommended to have a good knowledge of the judicial system in use in the country, in order to focus on those institutions that have a direct role in the administrative process of authorization of alternative measures.

In Italy, for example, the application of alternative measures is managed by local probation offices of the Ministry of Justice, the so-called “Uffici locali per l’Esecuzione Penale Esterna” (U.E.P.E.). Their role is to act as a link between judiciary authorities and health and social services, coordinating and monitoring the implementation of the measures in community centres.

Therefore, the Italian partners of the project ALTERNATIVE involved first of all these institutions, carrying out informative meetings about the project and proposing new forms of cooperation.

The Portuguese Red Cross, on the other side, dedicated more efforts to the involvement of national associations of judges, lawyers and prosecutors, due to the fact that the government was undergoing a reform of the judicial system aiming to harmonize penal and social rehabilitation scope of sentencing (2). Consequently, it was more strategic to engage institutions that were actively involved in this reforming process and could promote the use of therapeutic approach in the implementation of alternative measures for drug offenders.

To this aim, they proposed to judges to conduct study visits in prisons and in therapeutic centres for drug addicts, in order to get a better understanding of the detention conditions of inmates and of the available treatment programmes for drug offenders.

Moreover, they actively involved judges and prosecutors in the organization of a national seminar on alternative measures for drug offenders, which brought together representatives of the Ministry of Justice and other criminal justice agencies with health professionals from the Ministry of Health and drug addiction services.

This is a good example of the strategy to be used to engage public institutions and motivate them toward partnerships and networking with other subjects. It is important to acknowledge the expertise and technical know-how that each institution has in its specific field of activity and demonstrate the added-value that the sharing of this expertise with other actors can bring to the direct beneficiaries and to the whole community.

At the same time, it is useful to be open to the possible requests of our counterparts, trying to take into account and respond to their needs.

Sananim, for example, after several meetings with the Justice Academy in Prague (the office who coordinate the educational activities for prosecutors and judges), received from them the request to conduct a seminar on drug addiction for judges and prosecutors. They accepted and after the organization of this seminar the judges agreed to have regular consultations with them for advice on the management of difficult and sensitive cases.



Besides criminal justice agencies, a main role in the application of alternative measures for drug offenders is played by drug addiction centres, both inside prison and in the community.

Generally, the first ones are in charge of making an assessment of the inmates and release a drug addiction certificate that gives the possibility to benefit of an alternative measure.

The treatment centres in the community are responsible for the management of drug offenders in probation measure, planning and supervising their therapeutic process.

Therefore, the networking and exchange of information between these health services and the above mentioned criminal justice agencies is fundamental in order to ensure a positive result of the sentenced alternative measure.

One of the problems identified in almost all the partner countries is the limited number of treatment centres available for drug offenders. This is mainly due to organizational problems, since many services think that working with this specific group requires more resources, more staff, different rules and therapeutic plans.

For this reason, within the project ALTERNATIVE several meetings have been held with representatives of drug treatment centres, aimed to provide reliable information about existing alternative measures for drug-addicted inmates and about the work methodology with this specific target group. Moreover, a useful way to motivate health services to get involved in such programmes is to explain that it can represent an additional source of funding, since normally the costs for drug offenders in alternative measures are covered by the Ministry of Justice.

This is the case of France, where the new reform of the judicial system foresees an increase in the number of inmates in alternative measures, particularly referring to drug users. Therefore, the Ministry of Justice may assign more funds for therapeutic communities accepting drug offenders, since at the moment there are only four treatment centres officially identified to work with people in non-custodial measures, even if many others are occasionally involved in alternative measures.

According to our experience, a good practice in the organization of such meetings is to put together health services and criminal justice agencies, in order to facilitate discussion and exchange of information. For therapeutic communities, it can represent an opportunity to explain their work with drug offenders and increase knowledge and confidence of criminal justice agencies toward their role in reducing criminal behaviours and relapsing of offenders.

In addition, these activities can encourage an open discussion and analysis of problems and difficulties in the current procedures for alternative measures, and promote joint solutions and new forms of cooperation.

Examples of this are the national seminars organized by Villa Maraini and the Portuguese Red Cross in the framework of the project ALTERNATIVE. They were attended by representatives of therapeutic communities, prison health services, probation offices and other criminal justice agencies; the heterogeneity of the audience represented the added-value of these events, since it allowed to present and analyse bureaucratic and administrative constraints encountered by all



the services involved in alternative measures for drug offenders, and to propose more effective protocols and network strategies.

Main outcomes of such meetings

The project ALTERNATIVE represents a good example of the benefits that information and coordination meetings with criminal justice agencies, prisons and health services can bring to the practical application of alternative measures for drug-using inmates.

All the partner organizations have reported positive changes in the general approach of all the institutions toward the use of such measures, in terms of better collaboration and understanding of the importance of these actions.

As said above, the conduction of information meetings with probation officers, judges and prosecutors has allowed them to improve knowledge about the work done by civil society organizations with drug offenders, both inside prison and in treatment centres. This has contributed to reinforce confidence of justice officers toward the advantages of using alternative measures to detention for drug addicted inmates and toward the need of increasing networking and collaboration with them.

In Turin, for example, after the conduction of meetings with the probation office and the Court of Surveillance, it was decided to carry on with the organization of periodic coordination meetings among probation officers, prosecutors and representatives of therapeutic communities, in order to share information and collaborate in the management of difficult cases. There was a general spirit of cooperation: the judge said to the other participants that “every of these services can contribute to the final result and evaluation of each case”.

In Prague, Sananim was requested to define clear selection criteria for the referral of drug offenders to treatment programmes, in order to help criminal justice agencies to assign inmates in alternative measures to the right health service. A medical doctor from Sananim has developed a questionnaire for assessing the drug addiction condition of inmates and the eligibility to alternative measures in treatment centres. The questionnaire includes different criteria, such as housing situation, family anamnesis, drug history, health condition; it has been disseminated among prison staff and criminal justice agencies, with the aim to standardize the process of selection and referral of drug offenders to treatment centres.

In France and Portugal, the networking activities conducted in the framework of the project ALTERNATIVE have led to the starting of new services for drug-using inmates inside prisons. The French Red Cross has been authorized to work with detainees in two prisons of Paris to promote alternative measures. Every week, a social worker of the therapeutic centre “Pierre



Nicole” meets inmates with drug addiction problem, to explain them the therapeutic programme and the community rules of the centre, and also to better assess the drug addiction condition of the person. They started to conduct also meetings with drug offenders in the probation offices for those still awaiting for sentence or already sentenced, but seeking for alternatives measures instead of incarceration.

The proposal of conducting such activities has received full support and approval by criminal justice officers, because they are perfectly in line with the new reform plan of the justice system, which aims to increase the use of alternative measures to detention. This reform also aims to improve cooperation between community care system for drug users and justice services, through the work in prisons of a social worker from drug treatment centres, who will evaluate the inmates eligible for alternative measures and prepare with them a treatment plan. The Centre Pierre Nicole recruited a social worker in the prison of Fleury Mérogis in February 2014.

The national seminar on alternative measures for drug offenders organized by the Portuguese Red Cross, as well as the intensive networking activity conducted with criminal justice agencies, has allowed to start new activities for young drug offenders in two prisons.

The most relevant element of these activities is that they are conducted in cooperation with drug treatment centres and other civil society organizations. This has facilitated the creation of a referral network for drug offenders in alternative measures, allowing a direct link between prisons and therapeutic communities.

1. Seminar in Rome





2.2 Capacity building activities

Adaptation of the content to local training needs

The project ALTERNATIVE has been an opportunity to integrate networking with training activities. Aim of this action was to create an inter-disciplinary training time in which to discuss specific aspects of detention, alternative measure opportunities, drugs and addiction, and at the same time to strengthen collaboration among the different services involved.

The first step was to identify specific training needs of the various agencies and services involved in the project in each partner country. This allowed to plan training activities according to specific national situations and particular requests of the target groups.

During the baseline data collection, time was dedicated to collect opinions about positive and critical aspects of the current application of alternative measures for drug offenders, to assess and identify specific training needs, and to define the training content on the basis of these needs.

The training activities were addressed to all services and agencies working in the field of alternative measures: probation offices and criminal justice agencies, health and social services, treatment centres and therapeutic communities. In Portugal and Italy there has been also the opportunity to actively involve judges of the Court of Surveillance and lawyers in the seminars. All the partners organized mixed and inter-disciplinary seminars to facilitate integration and debate between different agencies and professionals.

In Turin, Gruppo Abele invited also people in alternative measures to talk about their experience, in order to offer participants an occasion to listen the real story of those who directly benefit from these measures.

In general, the content of the training included drug addiction and related topics, treatment programmes and approaches (how to deal with multi-problematic cases, how to build a therapeutic alliance with the patient, how to increase poor motivation toward treatment, etc.), juridical aspects (better knowledge of the law, clarification of the bureaucratic procedure, tasks and obligations).

In particular, the training activities for prison staff focused on the link between drug addiction and prison, with the aim to sensitize security guards to look at this problem with a “multi-disciplinary” perspective, and help them to manage addiction dynamics inside prison. Therefore, training included information on: drugs, overdose prevention, alternative measures for drug offenders, possible supporting activities inside prison.

These seminars worked particularly well in Italy and in Czech Republic: in Rome, Turin and Prague there was positive feedback and active participation of prison staff. This was probably due to a long-lasting cooperation with local prisons: the action was realized in close cooperation with the Prison Health Service.



In France and Portugal, the project partners experienced more problems in planning training activities inside prison because of the lack of interest of the prison staff (sometimes a heavy refusal) in this kind of action.

On the other side, the training organized for justice and probation officers as well as health and treatment service providers focused more on the specificity of drug abuse treatment for people involved in the criminal justice system. This included the discussion of problematic aspects of the therapeutic process, such as management of conflicts and relation dynamics, compatibility of community rules with the prison experience, absence or lack of real motivation toward treatment, combination of legal and security obligations with treatment needs.

The adaptation of the content to the local situation allowed trainers to concentrate their attention to specific problems. In Portugal and Czech Republic, seminars have been the opportunity to raise awareness about alternative measures, to talk about the situation of drug users in prison, to spread European best practices, to start a debate on these topics including both institutional and practical aspects.

In Italy and France, training time encouraged the promotion of networking, in order to improve cooperation between justice agencies and treatment services and try to find common solutions for improving the current application of alternative measures.

A positive outcome of the alternative measures for drug offenders depend on this integration, so the training makes it possible to focus on really important practices (sharing information, meetings, continuous communication, etc.).

Main outcome of such activities

Generally, all the partners agree that the conduction of training activities contributed to positive changes in the approach of the involved agencies toward the use of alternatives to imprisonment for drug offenders. These activities made participants think about the value of a constant integration between disciplinary obligations and therapeutic needs of the individual.

Working together is not an automatic process, all the services have to take care of it. Through the participation in joint training and seminars, each agency had a better understanding of the kind of work carried out with drug offenders by other services.

This has made possible to work for a progressive convergence of theories, practices and methods, which has brought to an improvement of collaboration and exchange of information among prison, criminal justice agencies and health services.

A particular attention has been dedicated to communication, in order to ensure a constant exchange of information between services regarding the therapeutic process of people in alternative measures.



For example, in Turin the training activities included also the presentation of case studies: the training group had to define common criteria for the monitoring and assessment of the proposed case. This activity was very useful to promote the use of a common language and a common way of thinking when evaluating the requests for alternatives as well as the treatment outcomes. The importance of such approach was recognized by all the participants at the training, and as a result of this activity it was agreed to organize periodic meeting with all the involved services, in order to discuss about difficult cases or main problems in the management of drug offenders in alternative measures.

In the country where this was possible, it is really useful to involve judges and representatives of the Court of Surveillance to sensitize them about these measures and to debate about benefits and limits of their implementation.

This is a very important aspect, due to the fact that normally judges do not have a good understanding of drug addiction and treatment programmes: an improvement of their knowledge about these topics allow them to make better evaluation of each single case (in particular in critical situation like relapses or problems in compliance) and not only to follow subjective criteria. Therefore, the project ALTERNATIVE promoted a dialogue between health, social services and the magistracy: in Turin, a judge said “it’s true, we as judges give or cancel these measures, but our decision doesn’t work without your opinion and evaluation”.

Also the organization of training and meetings in prison has positive outcome, since it helps prison staff in having more confidence and skills in dealing with drug-using inmates.

These activities give to penitentiary agents the opportunity to talk about all the problems related to drug addiction that they encounter every day when dealing with drug-using inmates (crisis, withdrawal symptoms, aggressiveness). Discussing these topics with trainers and other professionals working inside prison or in community-based treatment centres (educators, doctors, psychologists, etc.) allows them to get new information and find new approaches and working practices that could respond to the health needs of inmates, ensuring at the same time the respect of security for the prison staff and the other inmates.

In Prague, for example, very often prison guards asked for questions about drugs and addiction treatment, in particular about the withdrawal symptoms and drug therapy options.

It came out that they thought that inmates exaggerated the power of withdrawal symptoms in order to get more medicines or other benefits. So, after obtaining detailed information about the topic, they changed attitudes and this brought to a general reduction of tensions between inmates and guards.

To this regard, the combination of theoretical lessons with practical examples and case studies is very useful, since it facilitates a better understanding of the content and promotes the “learning from experience” approach.



2. Training activities in Turin





Chapter 3

To strengthen and support the implementation of alternative measures to imprisonment for drug offenders

3.1 Activities in prison

Description of activities and data on participants

It has been widely assessed and demonstrated that the organization of different kind of activities in prison has a positive impact on the physical and mental health of inmates.

People in prison are there primarily for rehabilitation, which varies according to the nature of the offender and the type of offence committed. Therefore, the activities offered in prison should be adapted to the specific needs of inmates, ranging from educational and vocational training to learn skills for use outside the prison, to psychological and medical support, dealing with various problems that they may experience.

Referring to drug offenders, meaning with this term inmates presenting an addictive behaviour to drugs or alcohol, the activities offered in prison should primarily aim to provide treatment and care for their addiction. This include both pharmacological and psychological support, as well as assistance in developing a personal treatment plan.

For countries that foresee alternative measures to detention for drug addicted inmates, the conduction of activities inside prison represents a key tool for promoting and improving the use of such measures. These activities can serve to identify people with drug addiction problems and provide them with information about existing alternative measures and the various treatment programmes available in the community, thus facilitating the link between inmates and external health and social services.

Within the project ALTERNATIVE, the following activities have been carried out in prison:

- Individual and/or group counselling conducted with inmates with drug addiction problems, aimed to verify the eligibility for alternative measures, assess the motivation toward treatment, and assist in the definition of a therapeutic plan. These meetings served also to provide information about the existing alternative measures for drug offenders and the various treatment programmes available in the community.



- Group activities such as sport and recreational activities, aimed to promote discussion and socialization, to reinforce personal and life skills, as well as communication and team work capacities.
- Thematic groups conducted with all inmates, aimed to provide information about various health issues such as drug addiction, infectious diseases (HIV, HBV, HCV, TB, etc.), risk behaviours and harm reduction.

In Rome, Villa Maraini has worked in four penitentiaries: Regina Coeli, Rebibbia, Rebibbia 3^a Casa, Rebibbia Nuovo Complesso. Regina Coeli and Rebibbia Nuovo Complesso are the biggest and most important prisons in Rome, with a capacity of 641 and 1235 detainees respectively.

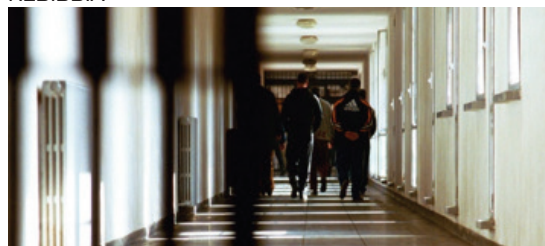
All these four institutions have a section for drug-using inmates and a drug addiction health service for the provision for opioid substitution therapy.

A total of 247 interventions have been conducted by the staff of Villa Maraini, of which 75 individual counselling and 172 group sessions. The topics of these groups have been legal advice on how to benefit of alternative measures, prevention of re-offending, health risk reduction and drug treatment programmes. Some sessions specifically focused on health issues, such as drug addiction and harm reduction, prevention of infectious diseases (HIV, HBV, HCV, TB, etc.), overdose prevention and management.

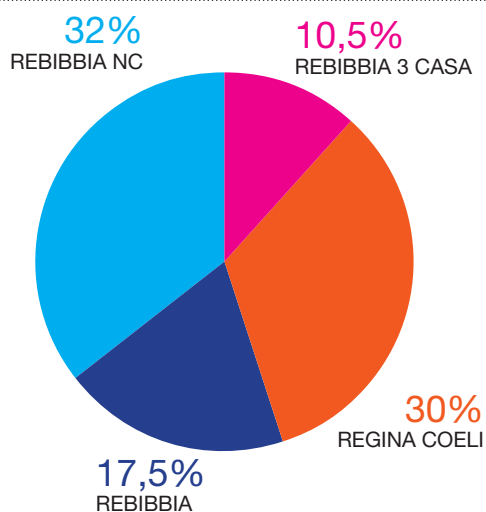
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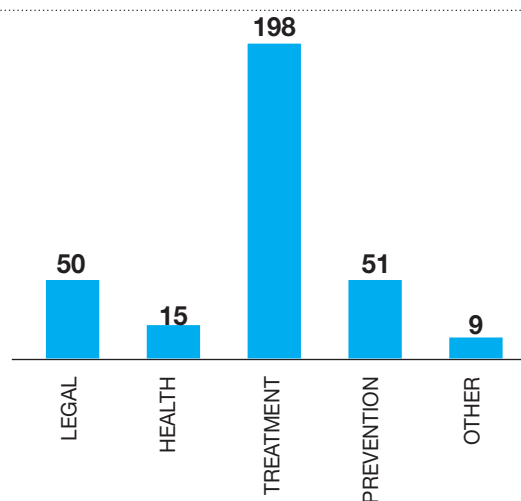
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INTERVENTIONS



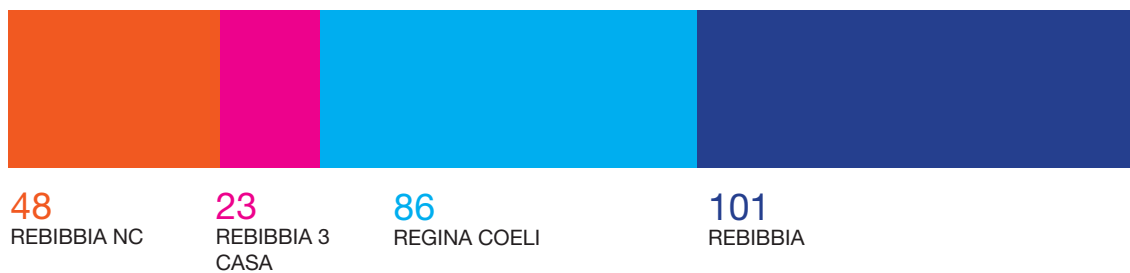
TOPICS





The number of inmates met in the four prisons has been 257, for a total number of presences/participations at both individual and group sessions of 1420.

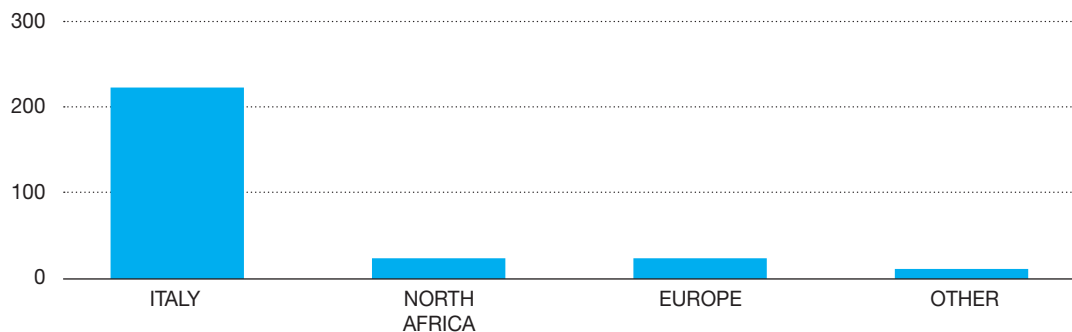
NUMBER OF INMATES: TOTAL 257



Almost of the inmates met were eligible for alternative measures (205 persons) and interested in starting a treatment programme (237 persons).

The nationality was very heterogeneous, with a majority of Italians, and some foreigners from mainly North-Africa and Eastern Europe.

NATIONALITY



In Turin, the Association Gruppo Abele has conducted activities in the section for “just arrived” inmates of the penitentiary institution “Lorusso e Cotugno”, as suggested by the Director and the health and social workers of the prison. Due to the quick turnover of inmates, this section does not provide any kind of social or vocational activity, therefore, Gruppo Abele has thought to organize a cine-forum, in order to offer inmates a recreational activity and at the same time, an occasion to socialize with other detainees and talk with a specialist such as psychologist or social worker. During these meetings, inmates have been provided with information about alternative measures and available treatment programmes, legal advices and individual counselling on request, for those interested in defining a treatment plan.

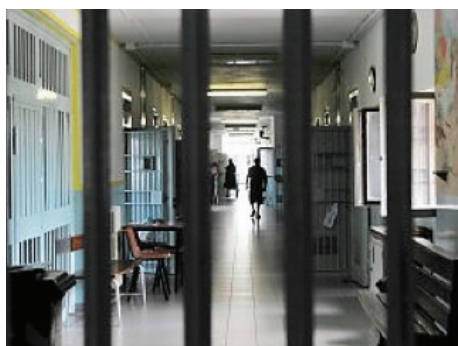
A total of 40 sessions have been conducted, with an average number of 14/15 participants

per group. They were selected by the prison drug addiction service, so that the percentage of eligibility to alternative measures was 95%.

The number of inmates met has been 197, of which:

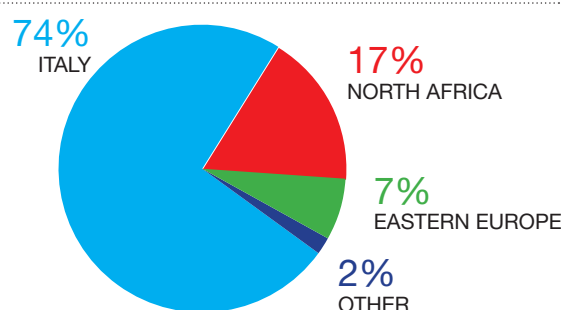
- 176 participated at group activities, for a total of 617 attendances
- 21 were provided with individual counselling, for a total of 105 attendances

The 74% of inmates were Italians; the age was heterogeneous, with the majority from 30 to 45 years old.

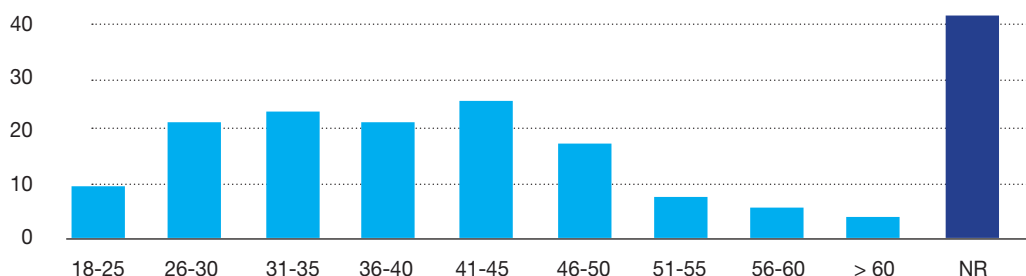


TURIN PRISON

NATIONALITY



AGE OF INMATES



In France, the French Red Cross has carried out both individual counselling and group activities in 4 prisons in the suburb of Paris (Fresnes, Fleury-Mérogis, Nanterre, la Santé), as well as in the probation service offices in Paris.

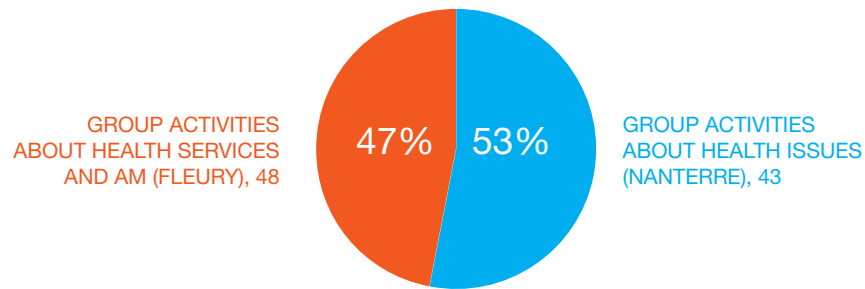
The group activities involved 91 inmates and were divided in two different typology:

- Informative sessions about alternative measures and health and treatment services in the community, conducted in the prison of Fleury. These groups were held by: 1 social worker of the probation service, 1 social worker or psychologist of the prison health service, and 1 social worker of Pierre Nicole's therapeutic centre. 6 groups were carried out for a total of 48 inmates. Of them, 11 asked for a treatment alternative measure after the participation at these groups)



- Thematic groups about health issues conducted in the prison of Nanterre (6 sessions).

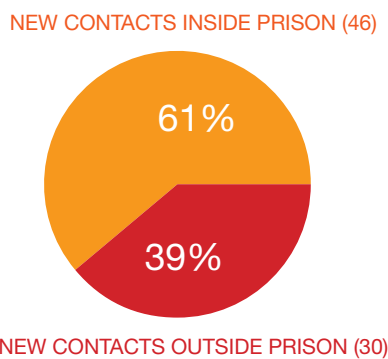
NUMBER OF PARTICIPANTS IN GROUP ACTIVITIES



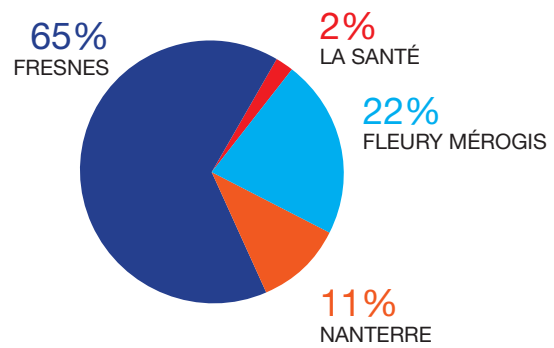
Individual meetings with inmates were carried out in all the four prisons and the probation offices. They aimed to help offenders to define the treatment plan and to improve the link between prison services and community-based centres.

A total of 96 meetings were conducted with 76 new inmates.

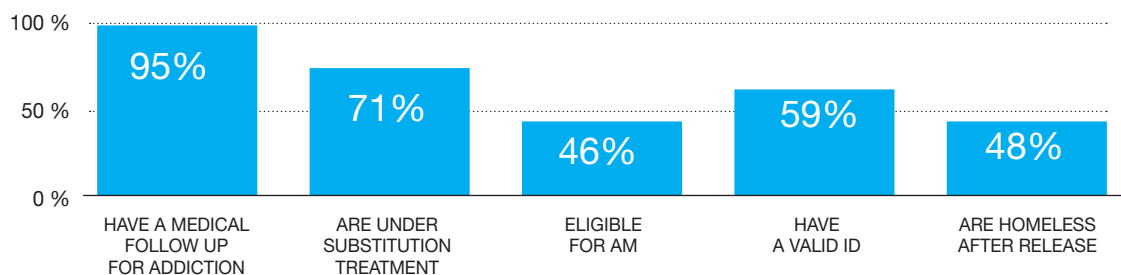
NUMBER OF CONTACTS



INDIVIDUAL MEETINGS IN PRISON



The average age of inmates met inside prison was 40 years old. Some other characteristics are indicated in the graphic below.



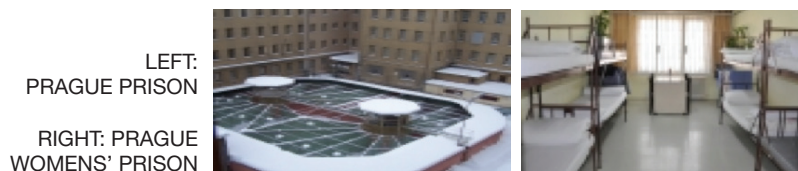
Sananim has worked in two penitentiaries: custody prison “Praha Ruzyne”, and women prison “Svetla nad Sazavou”. In the first prison they worked with one group of inmates, while in the second prison with two groups. The inmates participating in group activities came from different wings of the prison; therefore, they were very heterogeneous in terms of age, state of addiction and criminal career.

Before enrolling in the group, an individual interview was conducted with suitable offenders, in order to get basic information about the person and assess his/her interest in joining the group.

Aims of the group activities were mainly to provide assistance to offenders close to release, making a link between them and community health and social services (hospitals, therapeutic communities, contact centres, night shelters, etc.), and improving their skills and information on how to meet basic needs, such as the provision of social benefits, preparation for job search, etc.

In total, 117 groups were conducted. The number of inmates met was 75, for a total of 802 attendances to the groups.

The average age of participants was 34 for women and 36 for men. They were all Czech and the percentage of those eligible for alternative measures was 32%. Some other basic characteristics of inmates are indicated in the tables below.



Type of offence	Males - distribution	Females - distribution
property crime	44 %	46 %
drug crimes	13%	24%
violent crimes	18%	3%
combination	12%	24%
other	13%	3%

No. of imprisonments	1	2	3	4	5+
Females - distribution	46%	32%	11%	7%	4%
Males - distribution	13%	50%	19%	12%	6%

The Portuguese Red Cross implemented supporting activities with inmates in two prisons of the Lisbon metropolitan area: Lisbon and Sintra. The main criteria that guided the choice of these institutions were the high concentration of potential project beneficiaries (drug user/addict offenders) and the geographical proximity to the Red Cross Headquarters.

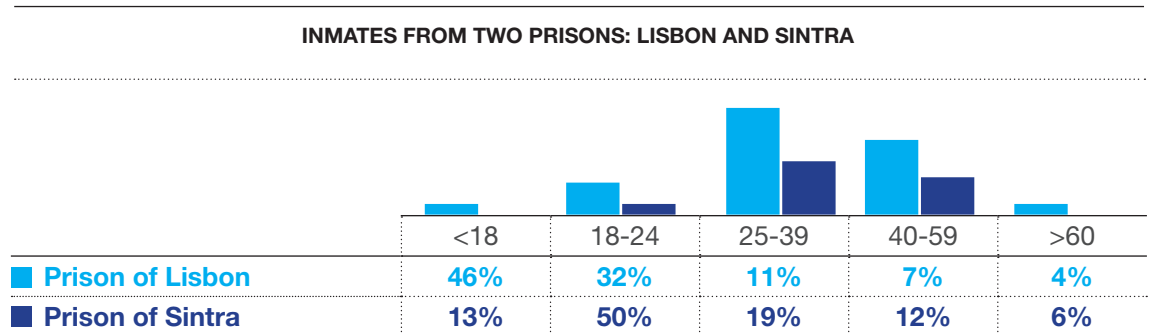
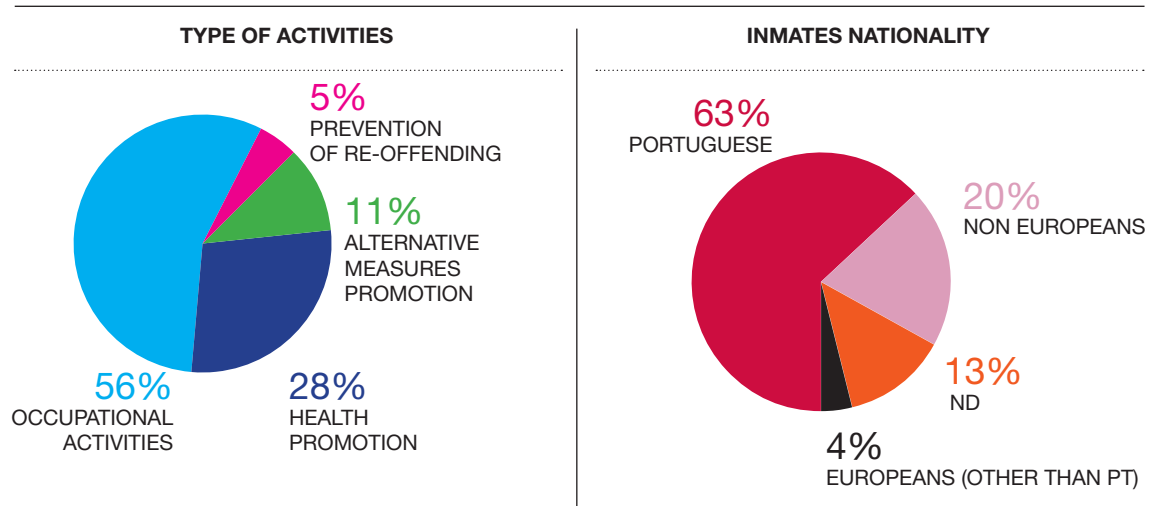
The activities can be divided in four main categories:

1. Health Promotion: awareness raising sessions about addiction, drugs and their effects, prevention of infectious diseases and risk behaviours
2. Occupational activities: sport activities (social inclusive street football), creative writing, farming
3. Alternative measures promotion: informative sessions about existing alternative measures,



- therapeutic programmes for drug offenders, legal criteria of eligibility
- Prevention of re-offending: support in job searching and social reintegration targeted at inmates close to release from prison, who successfully fulfilled the 18-months programme provided in the drug free wing.

In total, 54 interventions were conducted in the two prisons. They reached 495 inmates, for a total of 705 attendances. Below are some graphics with the main data about interventions and inmates:



LISBON PRISON



Best practices and recommendations

It is clear that the organization of activities inside prison depends first of all by the willingness of the prison staff, including in this term the administrators, the security guards, the social and health workers. Their support and collaboration is fundamental to ensure the good functioning and result of any kind of activity carried out with inmates.

Our experience shows that the cooperation of prison staff rely on the level of trust and confidence they have toward our work with offenders. Therefore, it is very important not only to inform them about goals and objectives of our activities, but also try to involve them in the planning and implementation of these activities.

Taking into account the specificity of detention institutions, security guards can support in the logistic organization of activities, providing adequate premises and equipment, when needed. Moreover, they can assist in the selection of participants, so to ensure that the proposed activities reach the right target group.

In the same way, social and health workers can recommend to inmates with additive behaviours the participation in activities specifically focused on drug addiction, and can provide useful advice on the specific needs of these inmates.

In Turin, for example, prisoners attended the group sessions and individual consultations conducted by Gruppo Abele upon their own request or upon request of the prison health service and the treatment staff. Moreover, the educators and social and health workers who deal with drug addicted inmates were involved in the conduction of these activities, and this collaboration highly contributed to the positive results of the action.

For example, this allowed to make a strategic schedule of the interventions, avoiding overlapping with other activities offered by the prison. So, the inmates were divided in two groups: one composed of drug offenders, which attended the sessions carried out by Gruppo Abele; one with the other inmates, which participated at recreational activities conducted by the prison staff.

According to the experience of Sananim, a key tool for effective collaboration with prison staff as well as inmates, is the definition of clear rules for the conduction of groups and individual counselling (time, confidentiality, what shall be reported to prison staff, etc.).

For the French Red Cross, it was very useful the great support of the prison probation service. After the several meetings with the probation service administration, they did their best to facilitate the work inside and outside prison, providing them with a room for activities, organizing the recruitment of inmates, coordinating with social workers and health services.

The probation service from the Prison of Fleury Merogis organized a debriefing session after every group support trying to identify what worked well and what did not work, to make better content for the next group. Even if the preparation process was very long, they finally showed a



lot of commitment in these activities and asked to the French RC to continue them after the end of the project.

On the contrary, the Portuguese Red Cross encountered some difficulties in the organization of activities in prison, due to many reasons, among which the lack of good cooperation of the prison administration. Since they just started to work in these prisons, they had to gain the trust of prison workers first; so, at the beginning they were still considered 'under control'. Only the prison staff decided which inmates had to participate at their activities; for individual counselling, a set of legal and regulatory rules made it impossible to ensure the respect of privacy and confidentiality, thus affecting the quality of the work.

Moreover, they were asked by the prison staff to not publicize their activities as specifically related to drug addiction, since drug addiction treatment, as well as any other health intervention inside prison is an exclusive competence of the prison itself, meaning that private organizations cannot provide any kind of such services inside walls.

In addition, drug-using inmates are highly discriminated by guards and staff. Most surprising is the fact that inmates themselves suffer from the same prejudice, meaning that they also are not very receptive to activities explicitly directed to drug addicts. The cause is that the participation in such activities can expose them to discriminative attitudes from the other inmates. For this reason, the Portuguese Red Cross was obliged to adjust the intervention strategy, proposing different kind of interventions such as sport, painting and vocational workshops.

Nevertheless, this turned out to be a good compromise, since it made possible to provide inmates with new services and gain the trust of prison workers, respecting the rules, both implicit and explicit, of the prison setting.

This is a good example of how much flexibility is fundamental in this kind of programmes. Prisons are a 'special' environment, with their own rules and structure; who comes from outside has to adapt to these rules and functioning, having the capacity to organize and adjust the work on the basis of different needs and situations.

Besides the collaboration of prison staff, it is extremely important to get also the support of the same inmates.

As experienced by the staff of Villa Maraini, the 'oldest' inmates can help to publicize the activities among other detainees, and motivate people to participate. If they recognize the value of these interventions and the professionalism of the staff who conduct such activities, they are ready to act as "peer educators" among other prisoners, explaining the benefits and important support that they can receive participating at these group sessions.

For Sananim, a good practice is to let the clients choose a topic that is important for them and would like to discuss in group sessions. For example, one inmate found out to be HCV positive



and asked for specific information on this infection; in this occasion, they involved other inmates who were HCV positive and could share their knowledge. The relevance of the topic is very important for group dynamics and for increasing motivation of inmates to actively engage in it.

In addition, it is also very useful to give inmates some responsibilities inside the group, such as for example to keep the “group recording”, signing the names of participants, the topics that were discussed and those that were skipped, etc.

According to the experience of Sananim, this task increases the feeling of adherence to the group and contribute to improve self-esteem and sense of responsibility, which are essential skills once released from prison.

Main outcomes of conducting activities in prison

Despite the difficulties that can be encountered in the planning and implementation of activities with inmates inside prison, the outcomes of these interventions are significant and can have a positive impact on the life of inmates, both inside prison and outside.

According to our experience, the work of civil society organizations inside detention institutions contribute to raise the awareness of prison staff about the needs of detainees and about the importance of offering services that try to meet these needs.

Referring to drug offenders, a better understanding of their specific condition can bring prison workers, in particular guards, to change their attitudes toward this group and reduce discriminative behaviours.

To this regard, it is very relevant not only to explain objectives and methodology of the interventions that we want to carry out, but also to provide prison staff with specific training on drug addiction and related problems.

In addition, an improved understanding of the objectives of conducting supporting activities for drug-using inmates contribute to improve collaboration inside prison, facilitating the communication and exchange of information among health professionals, social workers, educators and prison probation officers.

As for inmates, our experience shows that the participation in psychological or recreational group activities represent for many of them an opportunity of interaction and confrontation with others, that can help to adapt and conform to prison rules. As reported by Villa Maraini, this is particularly important for people at their first incarceration; these groups can be an occasion for an open discussion about practical problems of cohabitation with other inmates and can really help to find solutions and a common understanding.

The project ALTERNATIVE has also demonstrated that the conduction of supporting activities



for drug-addicted offenders in prison is a crucial tool for the promotion and improved quality of alternative measures to detention for this group of inmates.

Through the participation at informative and counselling sessions, inmates acquire reliable information about available alternative measures and procedures for accessing them, but at the same time, they are given realistic expectations about the possibility to benefit of such measures. The consultations with psychologists or other professionals from drug addiction centres help inmates in the definition of the most appropriate therapeutic plan and in the choice of the right treatment service in the community where to be referred.

At the same time, it gives the possibility to treatment providers to know the person, make a direct diagnosis of his physical and mental condition and evaluate if it fits with the proposed therapeutic plan. To this regard, it is very important to provide a clear description of the drug abuse treatment process, explaining rules and methods of work of therapeutic communities. This contributes to assess the motivation of offenders toward treatment and prepare them to a possible engagement in a therapeutic programme.

In addition, another outcome of working with drug-using offenders in prison is the facilitation of links between them and the community health and social services.

The number of external organizations that work inside prison are very limited in all the countries involved in the project ALTERNATIVE; therefore, it is very difficult for inmates to get in contact with health and social services outside prison where they could be referred for alternatives to imprisonment, or for aftercare once released.

In France for example, the jointly conduction of groups with professionals from the probation services, health services and treatment centre was very effective, since inmates had the possibility to receive information about the health-care system and the programme offered by residential therapeutic communities, and on the other hand, received information on how to request for alternative measures from the probation officer. Those interested in starting a treatment programme had the opportunity to meet with a social worker from Pierre Nicole centre to define an individual therapeutic plan.

Similarly, Sananim not only provided inmates with a map of health and social services which could be useful for them after release, but also worked on their motivation toward aftercare and assisted in the 'pre-negotiation' with services where they were referred to.

Having more knowledge about the various drug addiction treatment possibilities and the benefits of being treated, increase inmates's self-confidence and health-seeking behaviours, thus making their access to alternative measures a real opportunity for change and care.

3.2 Alternative treatment programmes for drug offenders

Description of activities and data on participants

Scientific research shows that treatment can help many drug using offenders to change their attitudes and beliefs, avoid relapse and successfully remove themselves from a life of substance use and crime. Effective treatment decreases future drug use and drug-related criminal behaviours, and can improve a person's relationship with his or her family.

It is also demonstrated that drug treatment offered in dedicated community-based centres is more effective than that offered in prison.

In consideration of the above, the project ALTERNATIVE has promoted the referral of drug addicted inmates to treatment centres outside prison.

The programmes offered to drug offenders in alternative measures have included residential, semi-residential and outpatient treatment.

In Rome, a total of 28 drug offenders have been referred to the treatment services managed by Villa Maraini Foundation, in particular:

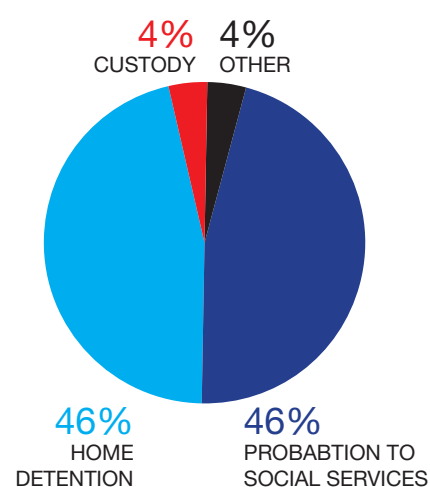
- 18 persons have entered the residential therapeutic community
- 3 persons have entered the semi-residential community
- 5 persons have entered the day centre
- 2 persons have been enrolled in the outpatient treatment programme

As for the typology of alternative measure, the majority of these offenders were in probation to health/social services (13) and home detention (13). Only two persons had different kind of non-custodial sanctions. According to the kind of measure, they were referred to different services.



THERAPEUTIC COMMUNITY OF VILLA MARAINI

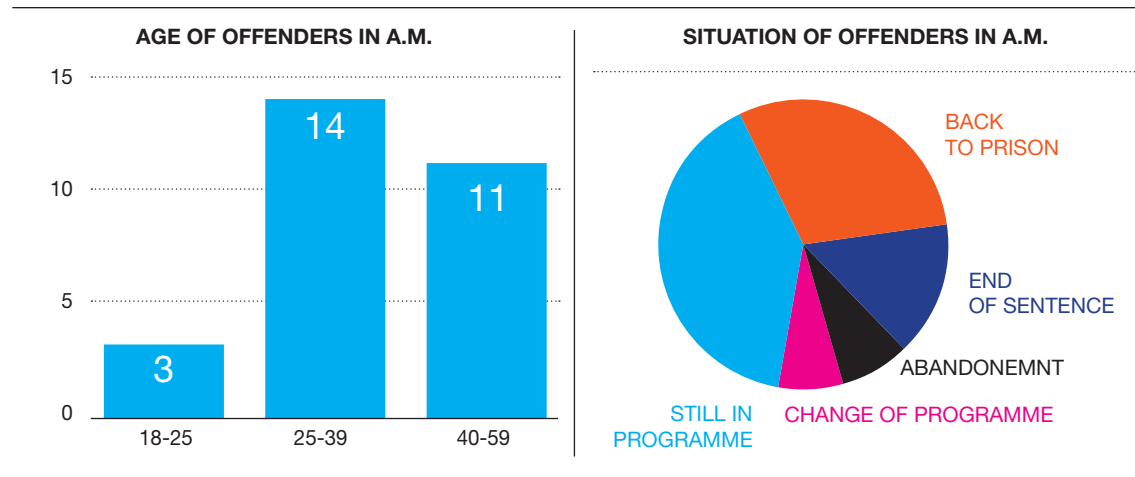
KIND OF ALTERNATIVE MEASURES





Kind of AM Kind of service	Probabtion to social services	Home detention	Custody	Other	Total
Outpatient	1	1	14		2
Residential community	9	8		1	18
Semi-residential community/ day centre	3	4	1		8
total					28

All the offenders in alternatives were male and Italians, except for one Nigerian and two Tunisian. The average age was 37,8% (the youngest was 22; the oldest was 59).

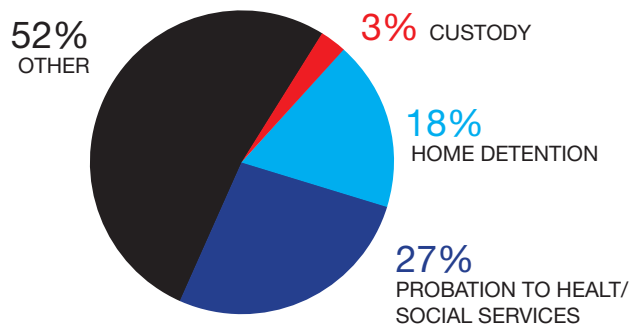


In Turin, Gruppo Abele accepted in its centres 33 drug offenders in alternative measures, exactly:

- 17 persons in the outpatient treatment programme
- 14 persons in the residential therapeutic communities
- 2 in the daily centre

The typology of alternative measures granted to these clients included probation to health/social services (27%), home detention (18%), custody (3%) and other measures such as obligation to report on a daily basis to the police, suspended or deferred sentence, etc. (52%).

KIND OF ALTERNATIVE MEASURES





Kind of AM Kind of service	Custody	Home detention	Other	Probation to health/ social service	Total
Outpatient	1	1	14	2	17
Residential community		5	3	5	14
Semi-residential community/ day centre					2
total	1	6	17		33

The table below shows how the outpatient programmes were preferred by the youngest offenders, while the oldest ones were referred to residential and semi-residential communities.

Age	Outpatient	Residential community	Semi-residential community	Total
18-25	4			4
26-30	3			3
31-35	1	4		5
36-40	1	1		2
41-45	1		2	3
46-50	4	4		8
51-55	1	3		4
56-60		1		1
>>60	2	1		3
Total	17	14	2	33

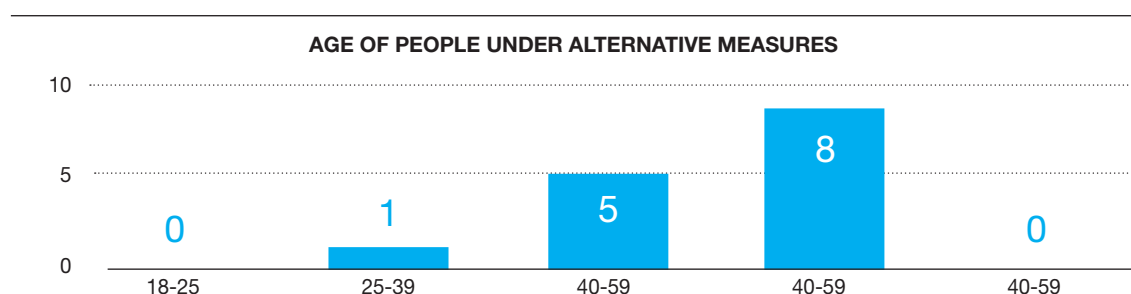
The 88% of the offenders in alternatives were Italians and male.

In France, 14 drug-using offenders started a treatment programme as alternative to detention in the residential services of Pierre Nicole:

- 13 in probation to the therapeutic community of Pierre Nicole
- 1 with bracelet in the therapeutic apartment

Of these offenders, 9 came from prison and 4 from the probation services in the community. They were all French, except one who was Moroccan.

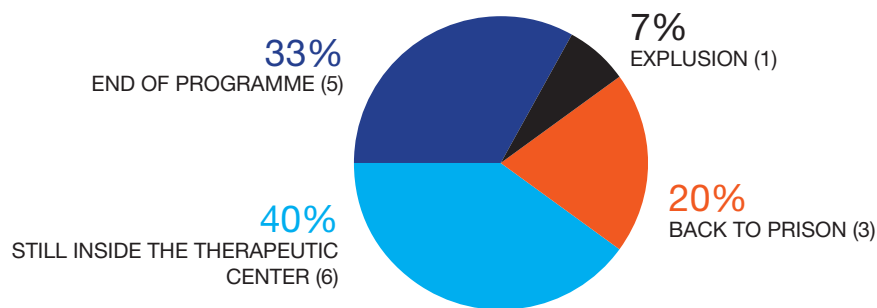
The average age was 39,8 (the youngest was 22; the oldest was 54).





At the end of the project ALTERNATIVE, the situation of offenders in alternative measures was the following:

SITUATION OF OFFENDERS IN ALTERNATIVE MEASURES



In Prague, due to the fact that officially alternative measures for drug offenders are still not used in the country, Sananim is working with drug users with a long criminal and detention history, who enter their therapeutic community once they are released from prison.

Within the project ALTERNATIVE, they have accepted a total of 69 persons in two residential therapeutic communities, divided as follows:

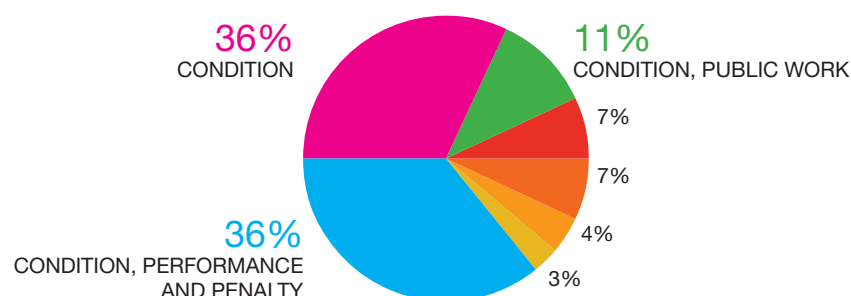
Therapeutic community Nêmcice	clients	nationality
Men	23	100% Czech
Women	5	100% Czech
Total	28	

Therapeutic community Karlov	clients	nationality
Juveniles, young adults		100% Czech
Men	22	
Women	4	
Mothers and pregnant women	15	100% Czech
Total	41	

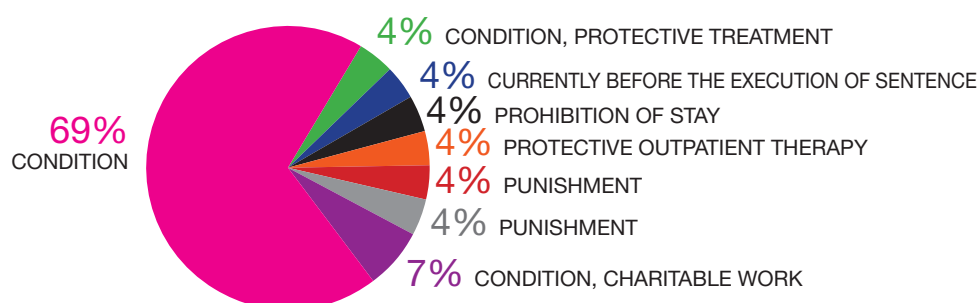


The average age of clients in community Nêmcice was 35,57, while in the community Karlov 23. As for the kind of non-custodial sanctions sentenced to these clients, the majority were under conditional suspension of the sentence.

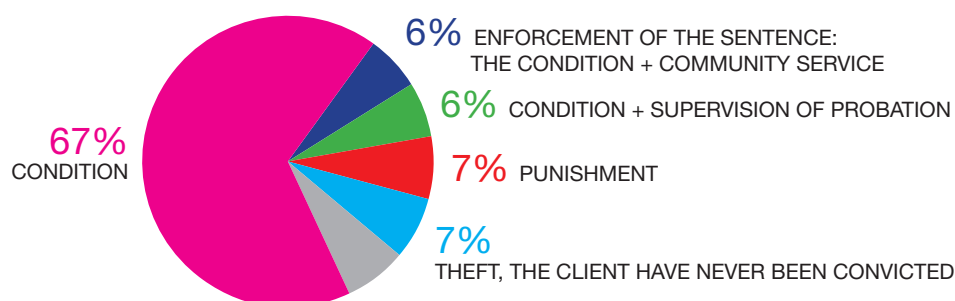
KIND OF SANCTIONS/TC NÊMCIČE ALTERNATIVE MEASURES



KIND OF SANCTIONS/TC KARLOV: JUVENILES, YOUNG ADULTS



KIND OF SANCTIONS/TC KARLOV: MOTHERS AND PREGNANT WOMEN



Some drug offenders have been referred also to other treatment centres, due to the lack of enough places available or in case of individuals with special needs. For the French Red Cross, the referral to other therapeutic communities has been a way to improve networking and to engage more centres in working with drug offenders in alternative measures.



All these programmes follow the traditional therapeutic community philosophy and structure, which includes pharmacological and psychological therapy in a highly structured and supervised environment. The treatment plan aims not only to the recovery from drug addiction, but also to the social rehabilitation and reintegration of the individual. This is achieved through the use of behavioural therapy to help participants learn positive personal and coping skills, social values and behaviours, and motivational enhancement toward treatment and life change.

Best practices and recommendations

The treatment programmes provided to drug offenders within the project ALTERNATIVE have attempted to incorporate three fundamental components of effective treatment: a high level of structure, a period of intervention long enough to produce behavioural changes, and flexibility. However, the effectiveness of drug treatment depends on both the individual and the programme, and on whether interventions and treatment services are available and appropriate for the individual's needs.

Our experience confirms that what works best for drug offenders is the provision of a comprehensive and well-structured treatment, which aims at reducing both drug abuse and criminal recidivism. This implies the integration of psychological interventions to support the change of addictive and criminal behaviours, pharmacological therapies to facilitate abstinence and normalize brain function, social reintegration activities such as work with family, vocational skills training, housing and job searching support.

Indeed, very often drug abusing offenders have problems in other areas, which may include family difficulties, limited social skills, educational and employment problems, mental health disorders, infectious diseases, and other medical issues. Treatment should take these problems into account, because they can increase the risk of drug relapse and criminal recidivism if left unaddressed.

In the same way, continuity of care is essential for drug abusers re-entering the community. Offenders who start prison-based treatment and continue it in community-based services have the best outcomes. Treatment in prison or jail can begin a process of therapeutic change, resulting in reduced drug use and addictive behaviours. Continuing drug abuse treatment in the community is essential to sustaining these gains. It helps the recently released offender deal with problems that become relevant after release, such as learning to handle situations that could lead to relapse, learning how to live drug-free in the community, and developing a drug-free peer support network.

In Prague, all the drug offenders involved in the project ALTERNATIVE have entered a residential therapeutic programme after or before (or in some exceptions in between) a period of detention in prison. After completing one year programme in the therapeutic community, they are referred to an



after-care centre for another 6-12 months. Otherwise, they can ask for individual psychotherapy offered by Sananim or others partners organisation. Moreover, Sananim also organises many after care leisure time activities that supports peer network and informal contacts among ex-clients. Many of the clients with criminal anamnesis who successfully completed the recovery process, passed through all these services.

Talking about drug users involved in the criminal justice system, treatment should target also factors that are associated with criminal behaviours. “Criminal thinking” is a combination of attitudes and beliefs that support and justified criminal lifestyles. This pattern of thinking often contributes to drug use and criminal actions; therefore, effective treatment should include specific interventions aimed at changing this pattern of thinking, through the building of new personal and social skills.

As demonstrated by the project ALTERNATIVE, one of the main reasons of treatment failure for drug offenders is the difficulty or incapacity to respect the rules of therapeutic communities, which imply the respect of others, sense of responsibility, team work.

That is why it is extremely important to inform inmates, before referring to a residential treatment programme, about the true difficulty of integration in this type of structure.

One of our main goal should be to best avoid the failure of these kind of programme, because it can be sometimes very hard to recover from it.

It is obvious that the process of changing ways of thinking and lifestyles is very difficult and requires time. Consequently, treatment programmes must be long enough to produce stable behavioural changes, according to individual’s needs and capacity to respond effectively to the proposed treatment approaches.

Tailoring services to fit the needs of the individual is an important part of effective drug abuse treatment for criminal justice populations. Individuals differ in terms of age, gender, ethnicity and culture, problem severity, recovery stage, and level of supervision needed. Individuals also respond differently to different treatment approaches and treatment providers. Over time, various combinations of treatment services may be required; therefore, one of the goals of treatment planning is to match evidence-based interventions to individual needs at each stage of drug treatment.

At this regard, our experience shows that even if residential treatment is the most appropriate programme for drug offenders in alternative measures, in some cases the use of semi-residential or outpatient treatment can be more effective.

This is the case of persons who have a solid family who can support them, or a job. As for legal requirements, normally the non-residential treatment programme is accorded to offenders at their first incarceration or who have a sentence not exceeding 6 years.

Within the project ALTERNATIVE, for example, Villa Maraini accepted 2 persons in the outpatient



programme and 5 persons in the day centre and 3 persons in the semi-residential community. In Turin, for the first time Gruppo Abele accepted two persons in alternative measures (one in probation to social service, one in home detention) in the daily centre. This experience was very successful, thanks also to the good cooperation with the justice officers and the health services.

Of course, the definition of a treatment plan for drug abusing offenders is made more complicated by the juridical obligations imposed by the criminal justice system.

In the majority of cases, alternative measures are granted only for residential treatment programmes, due to the belief that this kind of services can guarantee more control and supervision over the offender and then, can have the best outcomes.

Consequently, very often the requests for alternative measure in semi-residential or outpatient treatment service are rejected by judges, because considered too bland and ineffective.

This is mainly due to the lack of adequate knowledge of criminal justice officers about the characteristics of drug addiction and related therapeutic approaches, which leads to different evaluation criteria of both the requests and outcomes of treatment programmes for drug using offenders.

A better coordination between drug addiction services and criminal justice agencies could help to overcome these obstacles. Treatment providers should collaborate with criminal justice staff to evaluate each individual's treatment plan and ensure that it meets correctional supervision requirements, as well as the person's needs, which may include housing, medical and social support, vocational and employment assistance.

Regular exchange of information between treatment providers and courts or probation officers is important to ensure that the therapeutic process is monitored and evaluated in the right way. For drug offenders, a poor engagement or adherence to treatment can imply the revocation of the alternative measure by the judge; therefore, the management of unsuccessful cases or problematic situations can be very difficult for treatment providers, if there isn't a common understanding of the problem with justice officers and the possibility to have an open discussion and evaluation of each individual case.

A problem common to all the countries involved in the project ALTERNATIVE is the gap between the length of judicial procedures and the therapeutic needs of the person. The time for criminal justice agencies to release the authorization to alternative measures for drug abusing offenders can take several months. But in the meantime, the severity of the drug addiction problem can change and consequently, the approved treatment plan cannot be adequate anymore. In addition, it can occur that offenders referred to a community-based treatment centre receive a definitive custodial sentence that obliges them to come back to prison and interrupt the programme.

The collaboration of drug addiction services with criminal justice agencies is fundamental in such cases and can contribute to find solutions that take into account first of all the needs of the individuals.



3.3 Activities with family members

Description of activities

As said above, one of the factors that contribute to the effectiveness of drug abuse treatment is the provision of comprehensive care, meaning a set of interventions that combine physical and psychological treatment with social rehabilitation and reintegration.

To this regard, in Rome, Turin and Prague the treatment programmes provided for drug offenders in alternative measures have included also the provision of supporting activities for family members. These interventions included individual consultations and group sessions, with the aim to help offenders to re-establish family links and thus, facilitate their social reintegration in the community.

These activities have both a psychological and educational component.

On one hand, they serve to support and assist parents and/or other family members to tackle with the drug addiction and criminal condition of their relatives, through the reinforcing of personal skills and the acknowledge of their own limits and resources. This helps families to make a critical analysis of their situation, in order to adopt different behaviours and coping strategies.

On the other hand, these activities can have an informative role, aiming at providing information about the existing alternative measures for drug offenders and all the required legal and administrative procedures for accessing them. In case of young offenders, very often parents need professional advices about the legal and procedural consequences of the criminal action of their children, as well as more information about the effects of drugs and the characteristics of drug addiction.

Within the project ALTERNATIVE, the following activities have been carried out with families:

- In Rome, a total of 90 group sessions with family members of clients of residential community, semi-residential community and day centre (2 groups every month in each service)
- In Turin, 83 individual counselling, 24 group sessions and 19 information counselling, for a total of 126
- In Prague, 30 group sessions with family members of clients of the therapeutic community Nêmcice and 26 group sessions with family members of clients of the therapeutic community Karlov

Main advantages of working with family

The work with family members is a fundamental component of any drug abuse treatment programme. Addiction is a disease that affect the whole family: one family member addicted to drugs or alcohol means the whole family suffers. It has an impact on the stability of the home, the family's unity, mental health, physical health, finances, and overall family dynamics.

Without help, active addiction can totally disrupt family life and cause harmful effects that can last



a lifetime. Because of this, it is highly recommended that treatment programmes are designed to restore the whole family.

Referring in particular to drug addicts involved in the criminal justice system, it is obvious that the relationships with family members are even more complicated. During the period of incarceration offenders can totally lose contact with their families; therefore, the active engagement of family in any alternative treatment measures they could benefit, is essential for facilitating the social reintegration and rehabilitation of this specific target group.

Our experience shows that the involvement of families has a positive impact on the recovery process of drug offenders, since it contributes to increase their motivation and compliance to the therapeutic programme.

Particularly for adults offenders who have children, the rebuilding of family relationships represents a great stimulus toward a real change of lifestyles and behaviours, because it helps them to regain their parental role in the family.



Chapter 4

To increase public knowledge and information on the shortcomings and costs of imprisonment and the moral, practical and financial advantages of alternatives to it for some specific groups of inmates

4.1 Advocacy actions

Description of awareness-raising activities

Generally, the use of alternative measures to imprisonment is seen with a certain mistrust by the population and can lead to disapproval of the criminal justice system. This is due to the general public tendency toward punitive actions, as well as to inadequate knowledge about the costs of imprisonment and the advantages that alternative measures may hold.

Research has shown that while the public often appears to be highly punitive when asked about the punishment of offenders in general, it becomes significantly less severe when given more detailed information. ⁽³⁾

For this reason, public awareness raising and dissemination of information on matters relating to prisons are key tools to promote and develop support for justice reforms that contemplate a wider use of alternatives to detention.

This is an area where community-based organisations can play a critical role, mobilizing resources among civil society, and providing tangible examples of effective operational projects in this field.

Within the project ALTERNATIVE, various advocacy actions have been carried out in all the partner countries, ranging from the dissemination of informative material to the organization of conferences and seminars at local and national level.

In Italy, specific leaflets have been produced on the topic of alternative measures to imprisonment for drug offenders, which included data on the prison population, the costs spent for the upkeep of each prisoner and those spent for a person in a residential treatment centre, the advantages

(3) - "Handbook of basic principles and promising practices on Alternative to imprisonment", UNODC 2007



of using alternatives to detention and the main problems that limit their use in Italy. These leaflets have been widely disseminated among justice and health institutions involved in the application of alternative measures for drug-using offenders, as well as among the general population, with the aim to make the public aware and more informed about this issue.

In all the countries participating at the project, national conferences and seminars have been organized with the participation of criminal justice agencies, health services, penitentiary institutions, local and national public authorities.

The Portuguese Red Cross organized a national conference in the National Parliament facilities, in cooperation with the project Steering Committee which included representatives of the Ministry of Health and Ministry of Justice. The engagement of these institutions contributed to the wide participation of all relevant stakeholders to this event, including magistrates, judges, prosecutors, probation officers. Many therapeutic communities were also present, as well as civil society organizations and academic institutions active in drug and prison issues.

Besides these strategic target groups from the justice and health sectors, the conference also counted with the participation of some politicians from the Parliament and the Legislative Commission on Fundamental Rights and Freedoms.

The conference was very useful not only in terms of information sharing and awareness raising, but also as an opportunity for reinforcing networks and establishing new contacts. Bridging the gap among the justice and health sectors through an open dialog on common issues, was the main purpose of this event, which was undoubtedly achieved.

Indeed, the Steering Committee that collaborated to the organization of the conference is continuing its function of dissemination of information, advocacy and networking among public institutions and national authorities.

The French Red Cross held specific side events on alternative measures during the national conference on drug addiction organized by the French network of drug services.

In the same way, Sananim organized a national conference in cooperation with the Justice Academy, the Prison Service and the Ministry of Justice, and in occasion of the national meeting of NGOs platform, they organized a side event on the role of civil society organizations in the work in prisons.

The main goal was to show the effectiveness of treatment instead of imprisonment for drug-using offenders and support the implementation of alternative measures into practice. In the conference closing remark, judges clearly agreed with the opinion that legislation could be better and simpler in that topic.

Very effective was the contribution of an ex-client of the therapeutic community. This person was sentenced many times for drug-related crimes and spent six years in prison; he completed the



recovery process and now lives a normal drug-free life. During his intervention, he presented his own life story and compared the outcomes of all the years spent in prison with the results of one year in a treatment programme.

The conference was very well received and evaluated and as a consequence of this event, Sananim received important requests of collaboration in from the Justice Academy and the prison service.

The mass media have a crucial role to play in informing the public about attitudes to imprisonment. Therefore, advocacy actions were conducted also among this target group.

Journalists and local and national media were invited to the conferences organized in the framework of the project, in order to ensure a wider coverage of the events and at the same time, to raise their awareness about the issue of alternatives to imprisonment.

In addition, articles about the project were published on local newspapers and magazines, with the objective to explain the advantages of using alternatives to imprisonment for some specific categories of inmates such as drug using offenders, and also to denounce the obstacles and difficulties encountered in particular by community-based treatment centres, at juridical, procedural and applicative level.

Gruppo Abele for example, wrote an article on a specialized magazine on addiction, explaining the goals, actions and main findings of the project ALTERNATIVE. This magazine is disseminated at national level among health departments and drug addiction centres, treatment and social services, penitentiary institutions and justice agencies.

The article focused in particular on the problems and limits in the current use of alternatives to detention for drug offenders, which were identified during the meetings and seminars with the various agencies involved in the project. Therefore, it represented a key tool for raising awareness about the issue and promote a reform of existing protocol and administrative procedures.

Since the findings of the baseline assessment conducted at the beginning of the project showed that in some countries drug offenders are not fully aware of the possibility they have to benefit of alternative measures, some advocacy actions were carried out also with inmates.

For example, the French Red Cross and Sananim developed specific informative material for inmates on existing alternatives to imprisonment and current drug treatment programmes available in community-based centres.

Sananim actively involved the same clients of the therapeutic community in the production of these leaflets, as part of their re-socialization work activities.

Additionally, a Good Practise Guide Manual was prepared and published in collaboration with the partner social services and judges. The Manual includes indication criteria for each typology of treatment, a description of different treatment programmes according to different client's needs



and situation and annex with addresses and contacts of relevant services.

It targets all agencies and services involved in the legal and treatment process of drug users in conflict with the law: social services, prisons, probation and mediation services, prosecutors and judges, treatment centres, psychiatric clinic and health centres.

Best practices and outcomes of advocacy actions

The experience gathered from the project ALTERNATIVE has confirmed the fact that both prison and drug abuse are still considered sensitive topics by the general population, as well as by representatives of public authorities and decision-makers.

When talking about drug abuse in the context of criminal justice system, it is evident that the prevalent position is indifference, unconcern or even contempt.

Consequently, to find a common consensus on policies and interventions in this field is very hard.

On the other hand, our experience shows that when people become aware of the moral, practical and financial advantages of using alternatives to detention for some groups of inmates such as drug-addicted offenders, their opinion on this issue can change.

For this reason, public education is of primary importance. It is essential to put the advantages of an overall strategy that uses alternatives to imprisonment at the forefront of public understanding, making the knowledge and evidence-based practices more widely available.

It has been scientifically demonstrated that drug-related treatment can be effective in breaking the vicious and costly circle of crime and drug use. In providing alternatives to imprisonment, governments have the potential to dramatically reduce the rate of offending in their country, which in turn reduces the prison population and the cost of detecting and punishing crime.

When planning and conducting advocacy actions, it is fundamental to bring to public attention all these motivations, in order to make clear the rationale that lays behind the support and promotion of alternative measures to detention.

To this regard, it is important to define which group of people we want to reach with our activities and according to the target, select the most appropriate message.

For example, if the advocacy actions are addressed to public authorities and decision-makers, the cost-effectiveness of these measures should be stressed.

The cost of imprisoning an individual is normally very high in almost all the countries. An increase in the number of prisoners requires an increase of expenditures by the criminal justice system.

In addition, when considering the cost of imprisonment, account needs to be taken not only of the actual funds spent on the upkeep of each prisoner, but also of the indirect costs, such as the social, economic and healthcare related costs, which are difficult to measure, but which are huge and long-term.



On the contrary, the cost of a person sentenced to non-custodial sanctions is significantly lower. For drug-using offenders, the possibility to receive adequate treatment outside prison can dramatically increase the likelihood of successful rehabilitation and reintegration into society, and thereby, contribute to reduce the number of prisoners and the costs for the state. This message can have a great impact on public authorities and motivate them toward a change of legislation and policies.

With reference to advocacy actions targeting the general population, the focus should be given on the role of alternative measures as a tool for facilitating the reintegration of drug offenders in the society and thus, reducing the rate of re-offending and criminality in the community.

Accurate information regarding drug and alcohol treatments should be more readily available to ensure wide spread public knowledge of rate of success and better public opinion on drug abuse treatment.

Moreover, these activities should serve to raise public awareness about the problem of drug abuse, explaining the close link between using drugs and committing crime and the difference between low-level drug offenders and those involved in large-scale drug trafficking, in order to reduce stigma and discrimination toward drug users.

Of course, the impact of advocacy actions depends also on the priorities of the political agenda in that specific time and on the level of interest that this specific topic can gain.

In our case, the timing for the implementation of the project ALTERNATIVE has been very favourable, since in all the countries involved in the project the reforming of criminal justice system is on the top of the political and public debate. The problems of prison overcrowding and worsening of detention condition require governments to make a wider use of non-custodial sanctions, having care at the same time to not produce disappointed reactions from the public opinion. The dissemination of evidence-based models and practices can be an effective tool to support and enable public debate about the rehabilitative purpose of criminal justice system, and may help to influence policy makers and the general population on the validity of such approaches.



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Conclusions

The general aim of the project ALTERNATIVE was to promote and increase the adoption of alternatives to imprisonment for drug offenders, showing the benefits of such approaches in reducing prison overcrowding, preventing re-offending and generally improving detention conditions.

To reach this aim, the project focused on the achievement of four specific objectives, identified as strategic in order to enhance and improve the use of alternative measures for drug-using inmates: 1) improving mutual knowledge of EU countries' legal and judicial systems and facilitate networking, cooperation and the exchange of information and best practices; 2) reinforcing collaboration among criminal justice agencies, civil society organizations and health and social services; 3) strengthening and support the implementation of treatment alternatives for drug offenders; 4) increasing public knowledge and information on the advantages of alternatives to imprisonment for some specific groups of inmates.

In this publication, we have given recommendations and examples of good practices based on our experience in developing and implementing interventions targeting drug offenders. In light of this, we can draw some conclusions and lessons learned.

Legal and procedural framework

The baseline data collection undertaken at the beginning of the project has confirmed that drug users constitute a large part of the prison population in all the countries involved in the project, contributing to prison overcrowding and worsening of detention condition.

Even if criminal justice systems foresee the use alternatives to imprisonment for drug offenders, community-based non-custodial alternatives are often overlooked in favour of incarceration. However, evidence demonstrates that punishment has an extremely limited impact upon deterring all types of illicit drug use, and that there is a high rate of relapse to drug use and recidivism among drug dependent individuals after they are released from prison, especially if there are no linkages to community services and continuum of care.

More often, the reasons for a limited use of alternative measures is not the lack of legislation, but procedural and structural problems that make judges reluctant to apply non-custodial options provided in existing legislation.

These problems are: (1) lack of standard criteria by judges and prosecutors in evaluation and approval of requests; (2) too long and complex bureaucratic procedure; (3) lack of organizational mechanism for cooperation and exchange of information between criminal justice agencies and health services; (4) lack of the necessary infrastructure and specialised community-services, (5) lack of adequate financial resources.



Establishing mechanisms of cooperation among criminal justice agencies, penitentiary institutions and health services can help to make the procedure for admission to alternative measures smoother and the rate of success higher.

Information and coordination meetings with criminal justice agencies contribute to improve their knowledge on the work done by civil society organizations with drug offenders and to reinforce confidence toward the advantages of using treatment as alternative to detention for drug-dependent inmates.

In the same way, networking and exchange of information among community-based treatment services can help motivate them to start work with drug offenders, both inside and outside prison.

At political level, reforms of the current legislation should be based on the principle of considering drug dependence as a health care problem, recognizing the diversity of people involved in the drugs trade and taking into account the vulnerability and social circumstances of a large majority of drug offenders.

Legislation should take account of the rehabilitative aim of punishment and provide for non-custodial measures and sanctions that respond to the treatment requirements of some offenders, such as those who have substance dependencies.

Investment in the provision of evidence-based and accessible drug addiction treatment in the community, provided by governmental and non-governmental health care services, should be increased, in order to ensure that those diverted from the criminal justice system receive effective treatment and care.

Supporting activities in prison

The conduction of supporting activities in prison represents a key tool for promoting the use of alternative measures for drug-addicted offenders, as well as for improving the detention condition of this group of inmates.

These activities can serve to identify people with drug addiction problems, provide them with information about existing alternative measures and the various treatment programmes available in the community, make a link between inmates and external health and social services.

For treatment service providers, the conduction of individual and group counselling with drug-using inmates has the advantage to facilitate their possible involvement in a therapeutic plan, for the following reasons:

- better assessment of the level of motivation toward treatment
- possibility to jointly develop a therapeutic plan according to the person's needs
- possibility to explain in details rules and obligations of the treatment programme
- direct knowledge of the person and his/her particular needs



The cooperation with prison staff is fundamental. It is very important not only to inform them about goals and objectives of our activities, but also to involve them in the planning and implementation of these activities.

Training on drug addiction should be conducted for educational and security prison staff, in order to improve their knowledge about the issue and take more into account the health and treatment requirements of drug-dependent inmates.

A better understanding of drug addiction as an health problem can bring prison workers, in particular guards, to change their attitudes toward this group, reducing discriminative behaviours.

In consideration of all this, measures should be taken to improve cooperation between prison and community-based organizations and encourage their access to prison to undertake activities with drug offenders, as well as with other inmates.

Drug treatment as alternative to imprisonment

Given the impact of drug-related crime on the growth of the prison population, and taking into account that policies which rely primarily on imprisonment have not been effective in changing the rate of recidivism among drug-using offenders, treatment as an alternative to incarceration should be considered as a key element of policies that aim to improve public health and safety while at the same time reducing imprisonment.

Evidence shows that treatment and care as alternative to imprisonment or commenced in prison followed by support and social reintegration after release, decrease the risk of relapse in drug use and re-incidence in crime, with significant benefits for individual health, as well as for public security and social savings.

The effectiveness of drug treatment depends on both the individual and the programme, and on whether interventions and treatment services are available and appropriate for the individual's needs. Ideally, treatment programmes should offer a comprehensive care, which implies the integration of psychological interventions, pharmacological therapies, social reintegration activities such as work with family, vocational skills training, housing and job searching support. Residential treatment has shown to be the most effective programme for drug offenders in alternative measures, even if for some individuals the use of semi-residential or outpatient treatment can be more appropriate.

Talking about drug users involved in the criminal justice system, particular attention should be given to factors that are associated with criminal behaviours. Treatment programmes should include specific interventions aimed at changing the criminal attitudes and pattern of thinking of drug-using offenders and at building new personal and social skills.



Although involved in treatment as an alternative to criminal justice sanctions, these programmes should not become a form of extrajudicial punishment, but should conform to the scientific evidence-based clinical guidelines and standard principles of health-care ethics. To this regards, treatment providers must collaborate with criminal justice staff to evaluate each individual's treatment plan and ensure that it meets both correctional supervision requirements and therapeutic needs.

Finally, the key requirement in drug treatment is that it should be voluntary. Depending on the way in which it is applied, treatment as an alternative to criminal justice sanctions should not violate the patient's right to accept or refuse it. Personal engagement and emotional involvement are essential in creating a therapeutic alliance.

Building a consensus to implement alternatives to prison

Public awareness raising and dissemination of information on matters relating to prisons are key tools to promote and develop support for justice reforms that contemplate a wider use of alternatives to detention.

Offering treatment as an alternative to incarceration is a highly cost-effective measure for society. Therefore, it is essential to put the advantages of an overall strategy that uses alternatives to imprisonment at the forefront of public understanding, making the knowledge and evidence-based practices more widely available.

When people are given clear information on who is imprisoned, the consequences of imprisonment and what the alternatives are, together with statistical data and research results that demonstrate that non-punitive responses to crime are often the best way to achieve the social reintegration of offenders and public safety, there is likely to be more understanding and support for initiatives that reduce the use of imprisonment.

For advocacy actions targeting public authorities and decision-makers, it is very important to stress the cost-effectiveness of this strategy, showing how higher the costs of imprisonment are compared to the costs of non-custodial measures.

Experience shows that developing a regime of alternatives to imprisonment within a consultative process that includes all relevant government agencies, criminal justice institutions and representatives of civil society generates commitment and support by all key actors and, consequently, sustainability.

For alternatives targeted at drug offenders, representatives of health and treatment centres should be involved in the consultative process, to increase public acceptance, understanding and real engagement.



**ANNEX I.
REPORTING FORM - ACTIVITIES IN PRISON**

DATE..... PRISON..... STAFF MEMBER.....

KIND OF SUPPORT <input type="radio"/> individual <input type="radio"/> group	TOPIC <input type="radio"/> legal, alternative measures <input type="radio"/> health, risk prevention and reduction <input type="radio"/> prevention of re-offending and re-use of drugs <input type="radio"/> treatment programmes <input type="radio"/> other
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Persons contacted / contacts section: male female

Name or code	New contact	Age	Nationality	Eligible for the project	Motivated to treatment

TOTAL

n. persons contacted	
n. new contacts	
n. persons eligible	
n. persons motivated to treatment	

**ANNEX II
REPORTING FORM - ALTERNATIVE TREATING PROGRAMMES**

List of persons in Alternative Measures from to

	Name or code (*)	Kind of AM (a) (*)	Kind of service (b) (*)	Starting date (*)	Date of leaving (*)	Reason for leaving (c)	Duration of AM	Age	Nationality	Gender

TOTAL n. persons:

LEGENDA:

- a) Kind of alternative measures
1. Home detention/bracelet
 2. Probation to health/social service
 3. Custody/parole
 4. Other

- b) Kind of service
1. Ambulatory
 2. Semi-residential community
 3. Residential community

- c) Reason for leaving
1. End of programme
 2. Expulsion
 3. Voluntary abandonment
 4. Back to prison
 5. End of sentence

(*) Required/compulsory information



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