



Study on alternatives to coercive sanctions as response to drug law offences and drug- related crimes

Appendix A

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Appendix A

Questionnaire to be completed by Member State
experts

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Thank you again for agreeing to complete this questionnaire as part of the study on alternatives to coercive sanctions.

Before completing this questionnaire **please read the accompanying guidance**. The guidance includes a definition of 'alternatives to coercive sanctions' and instructions for completing the questionnaire.

Please complete this questionnaire in as much detail as you can. Please do not hesitate to contact the research team if you have any questions (acs@rand.org).

Please complete the following tables:

Member State to which this questionnaire relates	
Name of Member State expert	

Individuals interviewed during completion of this questionnaire (see Section E of the Guidance)

Interviewee 1	Role and area of expertise	<i>EXAMPLE: Probation officer. Expertise in supervising offenders undertaking drug treatment during probation in the community</i>
	Date interviewed	<i>25 May 2015</i>
Interviewee 2	Role and area of expertise	
	Date interviewed	
Interviewee 3	Role and area of expertise	
	Date interviewed	
Interviewee 4	Role and area of expertise	
	Date interviewed	
Interviewee 5	Role and area of expertise	
	Date interviewed	
Interviewee 6	Role and area of expertise	
	Date interviewed	

	Date interviewed	
Interviewee 7	Role and area of expertise	
	Date interviewed	
Interviewee 8	Role and area of expertise	
	Date interviewed	

List of the alternatives to coercive sanctions in your country

Please list in Table 1.1 all alternatives to coercive sanctions that are currently available in your country and indicate point in the criminal justice system at which these alternatives can be applied. Further details about each alternative are requested in Section 2. Please refer to Section F of the guidance.

Table 1.1: List of alternatives to coercive sanctions available in your country

	Name of alternative in your own language	Name of alternative in English	Stage of the criminal justice system that the alternative is applied (see Guidance Section B)				
			<i>Investigation/ Prosecution</i>	<i>At court</i>	<i>Sentence</i>	<i>Execution of sentence</i>	<i>Other (please explain)</i>
Alternative 1.	<i>EXAMPLE: Condena condicional</i>	<i>Probation</i>			✓		
Alternative 2.							
Alternative 3.							
Alternative 4.							
Alternative 5.							
Alternative 6.							
Alternative 7.							
Alternative 8.							
Alternative 9.							
Alternative 10.							

Alternative 11.							
Alternative 12.							
Alternative 13.							
Alternative 14.							
Alternative 15.							
Alternative 16.							
Alternative 17.							
Alternative 18.							
Alternative 19.							
Alternative 20.							

Description of the alternatives to coercive sanctions in your country

Please answer the following questions with regard to each alternative listed in Table 1.1. Please add a separate page for each alternative. Please refer to Section G of the guidance.

ALTERNATIVE 1

- 2.1 Please provide a brief description of the alternative (e.g. 'The Drug Treatment Order is made by a court and requires the offender to undertake drug testing and attend treatment appointments in the community. It is supervised by the probation service'.)
- 2.2 When was the alternative introduced? (Year in which the alternative was made available)
- 2.3 What law or guideline regulates this alternative? (e.g. name of the statute/ legislation/ rules outlining or creating this sanction)
- 2.4 Is this sanction available in all states/ provinces of your country? If not, please provide further details. (If the law on this sanction is very different in different states/ provinces, please contact the evaluation team to discuss whether to fill out a separate page of the questionnaire for each state.)
- 2.5 Who decides to offer this alternative to the offender? (e.g. police / judge / prosecutor etc.)
- 2.6 Does the law / guidance on this alternative specify any of the following? (If so, please provide details including the source of the information.)
 - a) The objective of the alternative (e.g. to reduce drug use, encourage abstinence, reduce reoffending etc.)
 - b) Offences for which this alternative is available (e.g. is the alternative only available for certain types of offences or for a first offence?)
 - c) The setting in which this alternative should be applied (e.g. in the community, residential)
 - d) Type of offender/ recipient to whom this alternative should be applied (e.g. first time offender, persistent offender, offenders with particularly serious drug use problems etc.)
 - e) Rules regarding how to decide if this alternative is appropriate (e.g. is there a requirement for a clinical or expert assessment of an offender's drug use problems before this alternative can be used?)
 - f) The maximum or minimum length of this alternative (i.e. the maximum or minimum length that can be imposed by law, in months, weeks, years.)
 - g) The conditions that can be attached to this alternative (e.g. not to reoffend, to attend appointments with a probation officer, to pass drug tests, to undertake treatment etc.)

- h) The definition of compliance with the alternative or what constitutes breach of the alternative (*e.g. the alternative is breached if there are three positive drug tests, or if the offender does not attend treatment sessions.*)
 - i) The action that should be taken if this alternative is breached or not complied with (*e.g. what happens if the conditions you have described in 2(h) are met – is the offender prosecuted for the breach, is a sentence of imprisonment given instead, or in the case of an alternative applied by police or prosecutors, is the offender prosecuted for the original offence?*)
- 2.7 Does the offender have the right to refuse this alternative? If so, what happens if the offender refuses the alternative? (*e.g. is the alternative voluntary?*)
- 2.8 Who delivers or supervises this alternative and who monitors compliance? (*e.g. health care services, probation officers, medical professionals, non-governmental organisations.*)

ALTERNATIVE 2

[Repeat questions 2.1-2.8]

ALTERNATIVE 3

[Repeat questions 2.1-2.8]

Please repeat question 2.1-2.8 for all alternatives listed in Table 1.1

Statistics about the use of alternatives to coercive sanctions in your country

This section requests data about the use of alternatives to coercive sanctions. Please refer to Section H of the Guidance.

The research team anticipate that these data will not be available in every Member State. We encourage experts to provide all possible data that are available. If national data are not available please provide regional/local data. Please enter the data below in the questionnaire or attach tables/spreadsheets separately.

Please provide all the sources/ references for all data provided.

- 3.1 Please provided data on the number of times each alternative listed in Table 1.1 has been used, if possible broken down by year for a period of 5 years.¹ *(If possible we would like to understand the trend in the use of each alternative over time. Please enter the data below or attach tables/ spreadsheets separately)*
- 3.2 For each alternative described in Table 1.1, please provide data on the proportion commenced which are successfully completed, if possible broken down by year for a period of 5 years. *(e.g. any information available as to drop-out rates or completion rates. Please say how 'successful completion' is defined).*

EXAMPLE: Answer to question 3.1 and 3.2 for UK Drug Treatment and Testing orders in England and Wales

Year	Number of orders (question 3.1)	Number successfully completed (question 3.2)
2006/7	15,799	37% completed
2007/8	17,000	30%
2008/9	21,000	35%
2009/10	16,000	20%
20010/11	17,000	30%

Source: National sentencing statistics from Ministry of Justice. Available at: www.abcdefgh.com

- 3.3 For each alternative described in Table 1.1, please provide any available data on the offence types for which the alternative has been used. If possible broken down by year for a period of 5 years. *(e.g. drug-related crimes, violence, theft)*
- 3.4 For each alternative described in Table 1.1, please provide data on the characteristics of the suspects/ offenders who have received each alternative. If possible broken down by year for a period of 5 years. *(e.g. any information about the nature of their drug problem, age, gender, offending history etc.)*

¹ Please provide data for the most recent 5 years that are available. For example: 2009-2013 or 2008-2012. **Please refer to Section H of the Guidance.**

EXAMPLE: Answer to question 3.4 for UK Drug Treatment and Testing orders issued 2012-2013 in Scotland – number of men and women receiving DTTOs

Total number of DTTOs issued 2012-3	Males	Females
620	497	123

Source: Criminal Justice Social Work Statistics Tables for Drug Treatment and Testing Orders Orders by Community Justice Authority and Local Authority Areas, 2004-05 to 2013-14 Available at <http://www.gov.scot/Publications/2014/05/4795/6>

EXAMPLE: Answer to question 3.4 for UK Drug Treatment and Testing orders issued 2012-2013 in Scotland – age of people receiving DTTOs

Age	16-17	18-20	21-25	26-30	31-40	Over 40
Number of DTTOs	1	13	72	142	284	108

Source: Criminal Justice Social Work Statistics Tables for Drug Treatment and Testing Orders Orders by Community Justice Authority and Local Authority Areas, 2004-05 to 2013-14 Available at <http://www.gov.scot/Publications/2014/05/4795/6>

EXAMPLE: Answer to question 3.4 for UK Drug Treatment and Testing orders issued 2012-2013 in Scotland – employment status of people receiving DTTOs

Employment status	Full Time Education	Employed / Self Employed	Unemployed	Government Sponsored Training Scheme	Economically inactive ⁽³⁾	Other	Not known
Number of DTTOs	2	18	343	0	166	63	28

Source: Criminal Justice Social Work Statistics Tables for Drug Treatment and Testing Orders Orders by Community Justice Authority and Local Authority Areas, 2004-05 to 2013-14 Available at <http://www.gov.scot/Publications/2014/05/4795/6>

3.5 For each source of statistics you have used to answer questions 3.1, 3.2, 3.3 and 3.4, please provide the following details: *(the aim of this question is to help the research team understand and assess the quality, reliability and completeness of the available statistics in your country, and the main gaps/limitations of available statistics)*

Name of data (dataset)	EXAMPLE:	Source 2	Source 3
	National sentencing statistics		

Who collects these data?	<i>Ministry of Justice</i>		
How are the data collected?	<i>From records from all courts in England, Wales and Northern Ireland about sentences handed-out</i>		
How frequently are these data collected?	<i>Yearly</i>		
What definitions, counting rules etc. are used to compile these data?	<i>They include the sentences as recorded in the court information system.</i>		
What are the main limitations of the data?	<i>They do not include xxx, they do not indicate the type of offence for which the alternative was imposed</i>		

1.6 Please provide any other relevant data or statistics about alternatives to coercive sanctions in your country. *(Please describe below or attach tables, spreadsheets or reports separately)*

How alternatives to coercive sanctions are used in practice in your country

Please respond to these questions for each of the alternatives listed in Table 1.1. Please add a separate page for each alternative. Please refer to Section I of the Guidance.

Please explain your answers in as much detail as possible.

When answering please indicate whether this is your view or the view of interviewees (please indicate the type of interviewee when referring to interview material).

Wherever possible please provide evidence to support your response.

ALTERNATIVE 1

- 3.6 With reference to any statistics provided in response to question 3.1 please discuss the frequency of use of this alternative. *(e.g. in practice, is this alternative widely used or not?)*
- 3.7 Based on your own knowledge and interviews with experts, why is this alternative used (or not used) in practice? *(e.g. why do police, prosecutors, judges or others like or not like to use this alternative?)*
- 3.8 If applicable, to what extent is this alternative used instead of prison or other punishment? *(e.g. is the alternative given instead of a prison sentence, or is the alternative used for offenders who would not be eligible for a prison sentence?)*
- 3.9 If applicable, with reference to your answer to question 2.8, please describe the role of the agency that supervises and monitors compliance with this alternative *(e.g. probation service, police, judge. How much contact do they have with an offender? What is their role/ main activities?)*
- 3.10 If applicable, with reference to your answer to question 2.6(f) what is the typical length of this alternative, as ordered by the court/ prosecutor etc.? *(Please answer referring to the intended length of the alternative – i.e. how long the alternative should last if fully complied with)*
- 1.7 If applicable, with reference to any statistics provided in response to question 3.2, to what extent is this alternative usually complied with, what proportion tend to be breached/ not completed? *(e.g. is it common that offenders complete the full duration of the alternative? Do offenders 'drop out'? What are the main reasons for non-compliance?)*
- 3.11 If applicable, with reference to your answer to question 4.5 and 4.6, what is the typical length of this alternative, in practice, if it is breached? *(Please answer referring to the length of time for which offenders typically comply with this alternative in practice)*
- 3.12 With reference to your answer to 2.6 (h) and (i), what happens in practice if this alternative is not complied with or completed? *(Please describe how non-*

compliance or breach is dealt in practice. Please comment on whether those monitoring compliance have discretion to assess compliance/ breach.)

- 3.13 Who pays for the treatment provided (if any) under this alternative? *(e.g. health system or criminal justice system.)*
- 3.14 What types of treatment are available (if any) under this alternative? *(e.g. opiate substitution, counselling etc. If possible, please comment on the range and nature of treatments available, and their quality.)*
- 3.15 Based on your own knowledge and interviews with experts what are the advantages and disadvantages, in practice, to this alternative?
- 3.16 Please provide any other comments regarding use in practice of this alternative.

ALTERNATIVE 2

[repeat questions 4.1 – 4.12]

ALTERNATIVE 3

[repeat questions 4.1 – 4.12]

Please complete questions 4.1 – 4.11 for all alternatives listed in Table 1.1.

Research and evaluation into the effectiveness of alternatives to coercive sanctions conducted in your country or in your language

Please provide details of studies, research or evaluations conducted in your country or in your language into the effectiveness and cost effectiveness of alternatives to coercive sanctions.

Instructions are provided in the guidance about what kinds of studies to include. Please refer to Section J of the Guidance.

Please attach copies of the studies in English (if an English version is available), or in their original language.

Table 5.1: Reports studies into alternatives to coercive sanctions available in your country

	Title	Copy attached to completed questionnaire Y/N
Study 1	<i>EXAMPLE</i> <i>Twisting Arms Or A Helping Hand? Assessing the Impact of 'Coerced' and Comparable 'Voluntary' Drug Treatment Options</i>	Y
Study 2		
Study 3		
etc...		

3.17 Please describe the steps you took to identify the studies listed in Table 5.1 (*e.g. interviews with academics, searching databases and websites*)

3.18 For each study in Table 5.1 please provide the following information, listed in Table 5.2:

Table 5.2: description of studies in your country or in your language

	Question	Description	Study 1	Study 2	Study 3	<i>Please add extra columns/pages for all studies in Table 5.1</i>
5.2.1	Author(s)	<i>Please list all the authors</i>	EXAMPLE: TIM MCSWEENEY, ALEX STEVENS, NEIL HUNT and PAUL J. TURNBULL			
5.2.2	Date	<i>Please state when the study was published</i>	2007			
5.2.3	Type of publication	<i>Book, chapter, journal article, report etc.</i>	Journal article			
5.2.4	Journal name, volume, issue and pages	<i>For journal articles only</i>	British Journal of Criminology			
5.2.5	Publisher and publication place	<i>For books and book chapters</i>	Not applicable			
5.2.6	URL and DOI	<i>If available</i>	http://bjc.oxfordjournals.org/content/47/3/470.a bstract			
5.2.7	Overview	<i>Description of what is the study about</i>	Presents an evaluation of quasi-compulsory drug treatment (QCT) options for drug-dependent offenders in England			
5.2.8	Language	<i>What language is the study published in</i>	English			
5.2.9	What alternative to coercive sanction is the focus of the study	<i>Which of the alternatives listed in table 1 does this study look into?</i>	Drug Treatment and Testing Orders			

5.2.10	Research questions	<i>What is the research question the study aims to answer? Or what are the hypotheses the study aims to test?</i>	<i>'To test the hypotheses that the QCT group show reductions in drug use and offending behaviours, and improvements in health and social functioning; (2) that the comparison group (of people undergoing comparable drug treatment without QCT—the 'voluntary' group) show reductions in drug use and offending behaviours, and improvements in health and social functioning; (3) that if other factors are statistically controlled, the QCT group has better retention than the comparison group and different drug use and offending outcomes than the comparison group.</i>			
5.2.11	Methods and data sources	<i>What data collection approaches / research methods were used</i> <i>What sources of information did the study draw on?</i>				
5.2.12	Research design	<i>Was the research experimental, quasi-experimental, observational, prospective/retrospective, case study etc.?</i>	<i>Compared the QCT group to a group of treatment 'volunteers'</i>			
5.2.13	Control/comparison group	<i>Was there a control group? If so, was the control group similar to the experimental group?</i>	Yes			
5.2.14	Length of follow-up	<i>For how long did the study follow offenders after the alternative sanction was completed?</i>				
5.2.15	Did the study look at reoffending rates	<i>Does the study look at whether the alternative had an impact on reoffending? If so, what</i>	<i>Yes, reported number of days involved in criminal activity used</i>			

		<i>measure of reoffending does it use?</i>				
5.2.16	If yes, what was the finding	<i>If the study looked at reoffending, did it find the alternative had an impact?</i>	<i>Drug treatment that is motivated, ordered or supervised by the criminal justice system does not have significantly superior retention or different outcomes to 'voluntary' treatment when other factors are statistically controlled (treatment reduced reoffending for both groups)</i>			
5.2.17	Did the study look at drug use	<i>Does the study look at whether the alternative had an impact on drug use? If so, did it use any test of drug use?</i>	<i>Self-reported, no test used</i>			
5.2.18	If yes, what was the finding	<i>If the study looked at drug use, did it find the alternative had an impact?</i>	<i>Considerable and sustained reductions in reported substance use, injecting risk</i>			
5.2.19	Other outcomes	<i>Did the study look at impacts on offender health, homelessness, employment etc.?</i>	<i>Reintegration</i>			
5.2.20	If yes, what were the findings	<i>If so, what impacts (if any) did the study find on these other outcomes</i>	<i>Levels of satisfaction with current living arrangements grew steadily; the quality of respondents' personal relationships improved over the eighteen-month period</i>			
5.2.21	Sample size	<i>How many cases or subjects were included? If applicable please provide numbers in the treatment and control groups?</i>	<i>A random quantitative sample of 157 people who entered community-based drug treatment at one of ten research sites across London and Kent between June 2003 and January 2004, eighty-nine (57 per cent) of them having done so as part of a court order</i>			
5.2.22	Summary of findings	<i>Summarise the answer to the research question, or whether the hypothesis was proved/ disproved</i>				

5.2.23	Limitations	<i>Please list problems with the study, in particular in relation to sample size, design, bias, validity etc.</i>				
5.2.24	Other comments	<i>Please make any other relevant observations to help the research team understand the contribution this study makes</i>				

- 3.19 In your view, and that of interviewees, how would you describe the evidence base on alternatives to coercive sanctions in your country? *(e.g. how much research, overall, has been conducted? Is there an interest in your country in understanding whether and when alternatives to coercive sanctions are effective? How much attention is paid to research evidence from other countries?)*

SECTION 6

Other comments

Please refer to section J of the guidance

- 3.20 Please provide any other information or view regarding alternatives to coercive sanctions in your country that you think is relevant to the study. *(Please distinguish your own views from those of interviewees).*

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