

The Home Office is expanding the use of Drug Treatment and Testing Orders because it says they're a success. But, asks **Alex Stevens**, where are the facts to back this up?

Once more into the breach

HERE'S a question. If the government is so keen on evidence-based policy, why is it doubling the number of DTTOs? Home Secretary David Blunkett has said: "Research evidence is central to development and evaluation of policy". But our international review on drug treatment, published last summer, shows the evidence in this area is not strong enough to justify rapid expansion of coercive approaches to treatment.

Alongside European colleagues, we have collected and analysed research published in English, French, German, Dutch and Italian. This research has often been referred to by politicians as supporting the use of DTTOs, but we found that this is a misinterpretation of evidence which is itself often flawed.

FAVOURABLE CONCLUSIONS

Early American attempts at using the legal system to force drug users into treatment were pretty disastrous. There were cases of occasional users of marijuana being confined in psychiatric hospitals and coming out with opiate addictions. The system for compulsory treatment in New York in the 1960s has been described as a huge waste of time and resources, with no positive effects. These examples have largely been ignored by advocates of the DTTO, who prefer to use the American drug courts as their model. America is a land of great opportunity for psychological researchers and positive evaluations of drug courts are not hard to find. Unfortunately, some of their findings do not stand up to scrutiny.

Many evaluations of drug courts report that the programme reduces crime and drug use by participants. A good example is the evaluation by Dr Roger Peters of the Escambia drug court in Florida. Peters reports that drug court graduates were arrested at a third of the rate of a matched sample of probationers. However, in common with other researchers, he reaches his favourable conclusion by excluding people who participated, but did not graduate in the drug court programme. If these people are included, then drug court participants had an arrest rate that was 18% higher than the comparison group.

This kind of selective use of evidence has led

Judge Morris Hoffmann to describe the expansion of drug courts in the USA as a "scandal". Dr Stephen Belenko, who has carried out the most thorough survey of drug court results, writes that, although drug courts are popular with the agencies involved, the long term effects on crime and other outcomes are unclear. There is good evidence of reductions in crime during the programme, but he suggests "straight diversion may be less expensive and intrusive for low-risk offenders and achieve similar outcomes as drug courts".

LEGAL PRESSURE

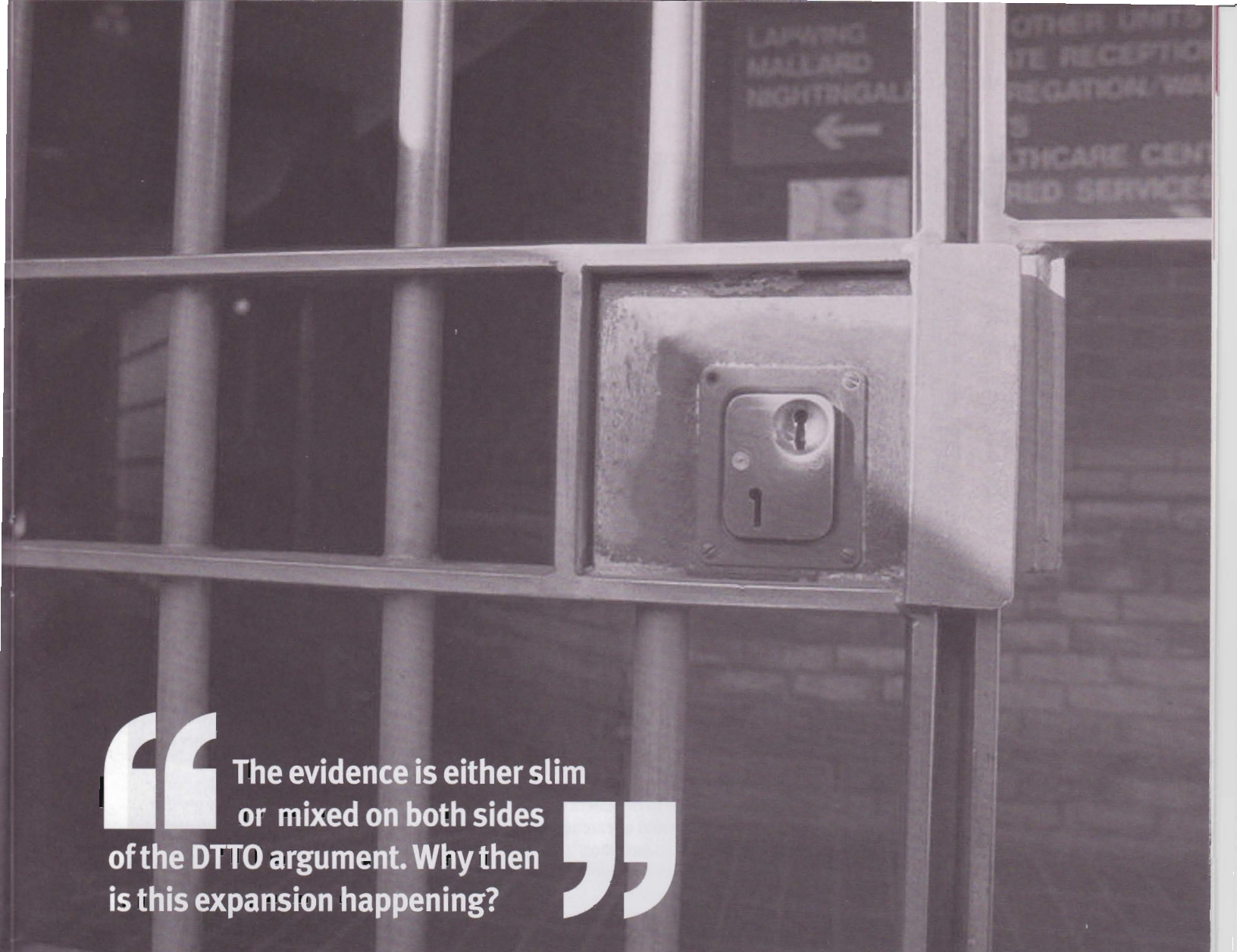
Other countries provide even less encouraging examples than the USA. Germany has a long-established system for "therapy instead of punishment". Existing research on this system suggests legal pressure can have a negative impact on the prospect of successfully completing treatment and increases the chance of relapse. More recent Dutch attempts to introduce coercion through the 'Early Intervention Approach' failed to get anywhere near the targeted numbers of people into treatment and had little effect on the criminality of those that it did. The Dutch government has now introduced a more restrictive system of 'Judicial Treatment of Addicts', but is carrying out a six-year pilot study before it decides whether to expand it.

This offers an interesting contrast to the pilot evaluation of DTTOs in England and Wales which was carried out by our partners at South Bank University. The evaluators wrote that that all three pilot sites struggled to implement the DTTO and that only one site had created a viable programme. A large proportion of orders were revoked and there was a high rate of positive drug tests.

IGNORED FINDINGS

The decision to roll out the DTTO was taken before the evaluation was complete and the Home Office ignored these findings when publicising the research. Their press release focused instead on the reductions in crime among those people who did stay on the programme, echoing the partial presentation of the drug court results that inspired the DTTO. The two-year follow-up figures for the pilots were recently released showing an

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unimpressive 80% reconviction rate. The resulting press release still claimed that DTTOs cut crime. This skewing of the research suggests that what we are seeing is not evidence-based policy, but what Professor Gerry Stimson of Imperial College would call “policy-based evidence”.

The evidence is either slim or mixed on both sides of the DTTO argument. Why then is this expansion happening? At least three explanations are possible. The first is that it is a response to high demand with referrals outstripping the ability of services to deliver DTTOs. But there is a shortage across the range of drug treatment services. Why focus resources on the comparatively expensive DTTO?

The second possible explanation is that we can't wait for the evidence to try a solution to the pressing problem of highly criminal drug users. But there are problems with it. For example, we do not need DTTOs to get prolific criminals into treatment. In the National Treatment Outcome Research Study (NTORS), 753 clients reported committing over 17,000 crimes in the 90 days before treatment entry, and 10 per cent of the clients committed 76 per cent of these crimes. This was before the DTTO existed. NTORS and many other studies have shown that voluntary treatment has a significant effect on crime, without the extra expense and inter-agency issues associated with DTTOs.

MARRIAGE OF CONVENIENCE

A third possible explanation is that DTTOs represent a convenient marriage of the interests of the government and drug treatment agencies. Both want to increase the amount of money being spent on treatment, but the government does not want to be seen to be coddling criminals. So the Home Office and the drugs field have cooperated in producing a solution, even in the absence of supportive evidence. The criminologist David Garland, has recently suggested that evidence is pretty much irrelevant to crime policy: what matters is not whether a policy reduces crime, but whether it serves the interests of powerful groups.

Several evaluations of DTTOs are in progress, including our own, and we will know over the next two or three years whether the evidence will support the order. We are carrying out comparable research in five other European countries, which will help us to judge whether legal coercion, or the particular form it takes in the DTTO, can be successful. In the meanwhile, we can ponder why it makes sense now to expand DTTOs, instead of focusing resources on reducing waiting lists and improving the quality of existing treatment systems. ■

● The full versions and a summary of the international literature reviews are available at <http://www.kent.ac.uk/eiss/projects/qct%20europe/>.