

## 8.11 Drug court passes rare randomised trial

**Findings** The first randomised evaluation of a drug court outside the USA has confirmed that they reduce reoffending compared to normal adjudication. In such courts specialist judges determine and monitor the treatment of drug-related offenders and impose sanctions and rewards. The ethos is cooperation to secure the common objectives of rehabilitation and avoiding prison. Successful completion leads to discharge of the original offence.

**Three reports** assess a court which opened in 1999 in Sydney. Treatment started with detoxification in prison. When beds were short applicants were selected at random, producing 309 drug court participants and 191 controls returned for normal adjudication. Most had substantial criminal histories. New theft and drug prosecutions were tracked for between three and 20 months. By the end, 12 of the drug court sample had completed the programme, half remained in it, and 4 in 10 had been removed, disproportionately offenders with short (under six months) sentences hanging over them.

Despite more opportunity (they spent less of the follow-up in custody) drug court participants reoffended no more than controls, and when not in prison were significantly less likely to reoffend, especially with respect to the main targeted drug (heroin) and crime (shoplifting). After 300 'free' days 3% had been prosecuted for opiate use compared to 10% of controls. For shoplifting, over 250 days the figures were 9% and 20%. For theft in general differences were small. Fewer offences meant the drug court cost £1752 less than normal adjudication to achieve a day free of shoplifting prosecutions, £6778 less for opiate use. Gains were usually seen only in those who stayed on or completed the programme. They also substantially cut their (presumed drug-related) spending. Removed participants did no better and often worse than controls.

**In context Study 1** was driven to use a per day cost when the cost of the programme was more relevant. Prosecution as an indicator of recidivism leaves the study vulnerable to bias. Nevertheless the findings echo the mainly US evidence base and extend it to more serious offenders facing imprisonment. US studies indicate that relative to normal sentencing, drug use and recidivism are lower among drug court samples both during and (here the evidence is weaker) after the programme. Though of sufficient bulk to be persuasive, the quality of the evidence is poor with few randomised or long-term trials, and most studies are of new courts whose early outcomes may be atypical. A recent US study is the only other randomised comparison of an adult drug court versus normal adjudication. As in Sydney, the study effectively tested what happens when eligible offenders who would have opted for the drug court are instead normally processed. Again recidivism was reduced, in this case especially violent or sex offences. Within the range seen by drug courts (excludes the severely criminal) gains are concentrated among more serious offenders or those with at least a moderately high risk of recidivism. For socially integrated offenders, tight court control is unnecessary and even disruptive.

**Practice implications** As shown in Glasgow, with some important limitations drug courts can be implemented in the British system. It is important for courts to consistently deploy a range of rewards and sanctions short of termination, see offenders often enough to apply these swiftly in response to progress, have a strong and sure ultimate sanction, make these consequences clear to offenders, have rapid access to a range of treatments, and to maintain continuity in the judge dealing with the case. Willingness to continue despite initial offending makes the structure enforced by close monitoring a positive feature rather than one which leads most offenders to fail. Experience in Sydney led to additional recommendations to improve cost-effectiveness such as focusing on offenders facing longer sentences and an induction period to avoid later drop/throw-out.

**Featured studies** ① Lind B et al. *New South Wales drug court evaluation: cost-effectiveness* ② Freeman K. *[NSW] drug court evaluation: health, well-being and participant satisfaction* ③ Taplin S. *The [NSW] drug court evaluation: a process evaluation*. All NSW Bureau of Crime Statistics & Research, 2002. Copies: [Contacts or download from www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au).

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