



Brussels, 27 June 2011
HIV/ AIDS Civil Society Forum

EU Policy on Drug Demand Reduction in Prisons



European Commission
Justice

Projects in Criminal Justice System (1)

Drug Prevention and Information Programme

- Funding for treatment/ harm reduction projects in prison settings, including those targeting repeating drug offenders with addiction and other mental health programmes as well as young people

DPIP Projects in Criminal Justice System (2)

“Through care services for prisoners with problematic drug use”

- **Coordinated by:** Birmingham City University – Morag McDonald
- **Duration:** 29/12/2008 – 28/12/2011; Budget € 508.000 (80% EC)
- **Objective:** development of a standard evaluation tool for the evaluation of through care programmes (continuity of care pre-detention, during detention and post-detention), with specific emphasis on women, young prisoners and migrants
- **Expected results:** identification of purpose and added value of post-release programmes and their implementation in multidisciplinary settings

DPIP Projects in Criminal Justice System (3)

“Health Promotion for Young Prisoners” (HPYP)

- **Coordinated by:** Wissenschaftliches Institut der Artzte Deutschlands (WIAD) – Dr. Caren Weilandt
- **Duration:** 01/04/2010–31/03/2013; Budget € 624.970 (EC 80%)
- **Objective:** Development and implementation of health promotion toolkit for vulnerable young people in prison, targeting infectious diseases, sexual and mental health as well as prevention and treatment of drug use
- **Expected result:** toolkit will be universal and transferable to prison settings in several Member States and contribute to prevention and reduction of (drug-related) health problems of young people in prison settings

DPIP Projects in Criminal Justice System (4)

“Access to harm reduction and continuity of care for drug users in custody”

- **Coordinated by:** Compass UK – Services to tackle Problem Drug Use – Mark Jones
- **Duration:** 01/02/2011 – 31/01/2013; Budget € 502.294 (EC 80%)
- **Objective:** contribute to the knowledge on and practical implementation of harm reduction services for drug users within the criminal justice system
- **Expected results:** development of recommendations for legislative and regulatory frameworks regarding prison health in Europe, the removal of barriers in implementation, raising awareness

Projects in Criminal Justice System (5)

Drug Prevention and Information Programme

- Next Call ... fall 2011 (possibly combined call with 2012)

EU Policy and Prisons – Draft CR 2007

Impact assessment identified key problems:

- 600.000 prisoners in EU on any given day; drug use overrepresented in prisons population; drug use first initiated in prison for large numbers of prisoners, injecting drug use often initiated whilst in prison
- Drug users return to society – most drug offenders spend relatively short period in prison → risk of spread to society
- Disproportionate number of drug overdose deaths after release

EU Treaty allows further action because:

- High level of human health protection needs to be ensured as fundamental principle in all EU policies and activities
- Health and safety of prison staff
- General cooperation on health services

EU Drugs Action Plan 2005-2008

Report of the final evaluation (2009)

- Principle of equivalence of health care (incl. demand reduction) between prison and the community and the continuity of services for released prisoners with drug problems is broadly acknowledged in most Member States
- *But:* drug services in prison and in other detention settings need to be improved so as to prevent and reduce the spread of infectious diseases and drug-related deaths, in particular on release from prison

EU Policy and Prisons..

- Lisbon Treaty has strengthened complementary role of EU policy in the field of health, in particular in regards to monitoring, development of guidelines and best-practices (Art. 168, sub 5)
- Prison policy strongly embedded in national criminal justice policies; fragmented coordination of services
- Commission initiative for Council Recommendation on health promotion in prison settings has not materialised to date (2007-2008)

EU Drugs Action Plan 2009-2012

Actions 16, 21 and 22

- (16) Increase use of, monitor implementation and further develop effective alternatives to prison for drug using offenders
- (21) Develop and implement prevention, treatment, harm reduction and rehabilitation services (on release) for people in prison, equivalent to services in the community. Particular emphasis on follow-up care upon release from prison
- (22) MS to endorse and implement in prison settings indicators to monitor drug use, drug-related health problems and drug services. Commission and EMCDDA to present a methodological framework (monitoring protocol for prisons)

Planned activities on prisons

- **EMCDDA**
 - EMCDDA to put new efforts into development of information and data on drug-related prison health situation
 - Monitoring strategy for prison-health issues by end of 2012
- **Commission**
 - Uncertain if Council Recommendation on drug-related prison health issues will emerge
 - Internal difficulties continue to exist:
 - Political 'unattractiveness'
 - Opposition to COM launching recommendations on issues MS are competent in

Green paper on detention (1)

- **DG Justice launched Green Paper**
 - “Strengthening mutual trust in the European judicial area – A Green Paper on the application of EU criminal justice legislation in the field of detention” (*COM(2011) 327 final – 14.6.2011*)
 - Public Consultation with deadline 30 November 2011, focusing on – inter alia:
 - Improvement of EU instruments such as European Arrest Warrant, and aims to help building trust, etc
 - Make these instruments run smoothly, minimum standard of protection for individual rights will be beneficial, as well as respect for human rights and the abolition of unacceptable detention conditions

Green paper on detention (2)

- Question 8: ***Alternative measures to detention of children***
 - Are there any specific alternative measures to detention that could be developed in respect of children?
- Question 9: ***Monitoring of detention conditions***
 - How could monitoring of detention conditions by the Member States be better promoted? How could the EU encourage prison administrations to network and establish best practice?
- Question 10: ***Detention standards***
 - How could the work of the Council of Europe and that of Member States be better promoted as they endeavor to put good detention standards into practice

EU Policy and Prisons

Other recent developments

- Commission initiative on building an EU consensus on developing minimum quality standards in demand reduction (*Action 19 EU drugs action plan*)
- Council Resolution 2010 – suggesting the implementation of Council of Europe Prison Rules
- EP Resolution on human and fundamental rights (2011)
- Council of Europe – suggestion to add prisoners rights to European Convention on Human Rights