**TREATMENT AND CARE FOR PEOPLE WITH DRUG USE DISORDERS IN CONTACT WITH THE CRIMINAL JUSTICE SYSTEM: ALTERNATIVES TO CONVICTION OR PUNISHMENT**

**INTRODUCTION**

The Treatment and Care of People with Drug Use Disorders in Contact with the Criminal Justice System initiative, supported by the United Nations Commission on Narcotic Drugs (UNODC) and the World Health Organization (WHO), is a joint programme under the theme of drug demand reduction and drug treatment. It focuses on the prevention, treatment, and care of people with drug use disorders in contact with the criminal justice system.

**WHY CONSIDER TREATMENT AS AN ALTERNATIVE TO CONVICTION OR PUNISHMENT?**

The initiative suggests five rationales that are listed below:

1. **Rationale 1.** Drug use disorders are in contact with the criminal justice system and many of them have a history of drug use (disorders). Drug use, including the use of heroin and injecting drug use, are common in many prisons. Some people who are involved in the criminal justice system have a history of drug use (disorders). Drug use is a health concern that is driven by drug use and drug use disorders as an underlying factor.

2. **Rationale 2.** People with drug use disorders may be involved in different types of offences. They may engage in possession, purchase or cultivation of drugs for non-medical personal consumption, drug supply-related offences and other kinds of ‘crime’ that offend against that state’s penal laws. People with drug use disorders may be involved in the criminal justice system as a result of drug-related drug use or other drug-related criminal activity.

3. **Rationale 3.** People with drug use disorders may be involved in drug-related drug use or other drug-related criminal activity.

4. **Rationale 4.** People with drug use disorders may be involved in drug-related drug use or other drug-related criminal activity.

5. **Rationale 5.** People with drug use disorders may be involved in drug-related drug use or other drug-related criminal activity.

**HOW TO IMPLEMENT?**

From the health perspective, alternative strategies depend on a network of accessible, evidence-based treatment services in the community, in line with the International Standards for the Treatment of Drug Use Disorders.

**SEVEN PRINCIPLES**

1. **1.** Drug use disorders are a public concern requiring responses that are health-focused, individualized, and drug-focused. Provisions for drug use disorders should not be penalized on account of their drug use disorder.

2. **2.** The use of alternatives to conviction or punishment should respect the informed consent of the offender.

3. **3.** The implementation of alternative to conviction or punishment should respect the informed consent of the offender.

4. **4.** Alternatives to conviction or punishment should be implemented in appropriate cases of a minor nature, based on the international drug control conventions.

5. **5.** Alternative measures to conviction or punishment may be used in cases of drug consumption-related offences and other cases of drug trafficking of a minor nature.

6. **6.** Alternative measures to conviction or punishment may be used in cases of drug consumption-related offences and other cases of drug trafficking of a minor nature.

7. **7.** Alternative measures to conviction or punishment may be used in cases of drug consumption-related offences and other cases of drug trafficking of a minor nature.

**HEALTH FOR JUSTICE – JUSTICE FOR HEALTH**

**EXAMPLES OF SUPPORTING HEALTH/JUSTICE EXCHANGE AT COUNTRY LEVEL**

UNODC set up a series of workshops on the role of the health and justice sectors in China, Europe, and Russia to discuss non-custodial measures at different stages of criminal justice proceedings. This is in line with the African Union Action Plan on Drug Control (2013–2017), which promotes the scale-up of evidence-based treatment services to address the health and social impact of drug use in Member States and programmes for drug users in conflict with the law, especially by prison overcrowding and related drug use.

Since 2017, UNODC and WHO have been working together on the treatment and care of people with drug use disorders in contact with the criminal justice system. Discussions with local policymakers focused on implementing United Nations standards and norms, both in the legal and health sectors, to inform the revision of the Côte d’Ivoire law towards a health-focused approach to reduce prison overcrowding by providing for and applying non-custodial measures at different stages of criminal justice proceedings.

In 2018, UNODC organized a workshop in Kenya for justice and health-care practitioners to promote treatment and care as alternatives to conviction or punishment for people with drug use disorders in contact with the criminal justice system. Health-care professionals and justice practitioners worked together to develop a framework for treatment and care as alternatives to conviction or punishment.

**CONCLUSIONS**

Investing in treatment as an alternative to conviction or punishment has been found to be an effective public health and public safety strategy. Merging from a coercive to a cohesive approach requires the involvement of all relevant stakeholders including close collaboration among the health, social and justice sectors as well as a concerted investment in evidence-based treatment services in the community.

The provision of treatment as an alternative to conviction or punishment can be implemented at all stages of the criminal justice process (arrest, trial, post-trial) in line with the international conventions and other relevant legal documents (United Nations High Commissioner for Human Rights, 2013) as well as in coordination with international standards for the treatment of drug use disorders. The approach is being applied in countries with different legal systems and socioeconomic contexts.