

## ***BIBLIOGRAPHY***



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## ***APPENDIX A. PLANNING AND OPERATIONAL STRUCTURES***

- i The Working Group on a Courts Commission
- ii The Drug Court Planning Committee
- iii The Drug Court Steering Committee



### The Working Group on a Courts Commission

**Mrs Justice Susan Denham**  
Judge of the Supreme Court

**Mr Justice Robert Barr**  
Judge of the High Court

**Mrs Justice Catherine McGuinness**  
Judge of the High Court

**His Honour Judge Esmond Smyth**  
Judge of the Circuit Court

**Judge Peter Smithwick**  
President of the District Court

**Mr Justice Anthony J Hederman**  
President of the Law Reform Commission

**Mr Ken Murphy**  
Director General of the Law Society

**Mr John McMenamin**  
Senior Counsel, Chairman of the Bar Council

**Mr Ken Wright**  
Management Consultant

**Mr John Rogers**  
Senior Counsel

**Ms Róisín McDermott**  
Chairwoman of Women's Aid

**Mr Kevin Duffy**  
Deputy Chairman of the Labour Court

**Mr Caoimhín Ó hUiginn**  
Department of Justice

**Mr Cormac Cronin**  
Department of Finance

**Ms Caitlín Ní Fhlaitheartaigh**  
Attorney General's Office

#### SECRETARIAT

**Ms Marie Ryan**  
Department of Justice

## The Drug Court Planning Committee

**Judge Desmond Hogan**

Judge of the District Court

*Chairman*

**Judge Gerard Haughton**

Judge of the District Court

*Vice Chairman*

**The Hon. Mr Justice Robert Barr**

Judge of the High Court

**His Honour Judge Kieran O'Connor**

Judge of the Circuit Court

**Mr PJ Fitzpatrick**

Chief Executive Officer, The Courts Service

**Ms Eimear Fisher**

Department of Justice, Equality and Law Reform

**Mr Camillus Hogan**

Department of Education and Science

**Mr Ray Henry**

Department of Tourism, Sport and Recreation

**Mr Jimmy Duggan**

Department of Health and Children

**Mr Ernie Hanahoe**

The Law Society

**Mr Patrick Gageby SC**

The Bar Council

**Mr Christopher O'Toole**

Office of the Attorney General

**Mr John Corcoran**

Office of the Chief State Solicitor

**Mr Barry Donoghue**

Office of the Director of Public Prosecutions

**Mr Tom O'Dwyer**

Southern Health Board

**Mr Pat McLoughlin**

Eastern Health Board

**Chief Superintendent Edward Rock**

An Garda Síochána

**Mr Ciaran Kennedy**

Probation and Welfare Service

**Mr Gerard Walker**

FAS

**Ms Anna Quigley**

Dublin CityWide Drug Crisis Campaign

**Mr Diarmaid MacDiarmada**

Chief Clerk, Dublin Metropolitan District Court

**Ms Elizabeth Hughes**

District Court Clerk, Dublin Metropolitan District Court

**Mr Noel McNaboe**

Deputy Chief Clerk, Dublin Metropolitan District Court

*Secretary*

**SECRETARIAT**

**Mr Shay Keary**

Dublin Metropolitan District Court



## The Drug Court Steering Committee

**Judge Gerard Haughton**

The District Court

*Chair*

**Supt Tom Davitt**

An Garda Siochana

**Mr John Cronin**

Dept. of Justice, Equality and Law Reform

**Mr Tommy Larkin**

UISCE

**Judge Miriam Malone**

The District Court

**Judge James Scally**

The District Court

**Ms Julie Cruikshank**

North Inner City Drugs Task Force

**Ms Isabel Sommerville**

Area Operations Manager

**Ms Anna Quigley**

Dublin City Wide Drug Crisis Campaign

**Mr Michael E Hanahoe**

Michael E Hanahoe Solicitors & Co

**Ms Claire Galligan**

Office of the Chief State Solicitor

**Judge David Anderson**

The District Court

**Judge Mary Collins**

The District Court

**Mr Stephen Falvey**

Dept. of Education & Science

**Mr Vivian Gerian**

Probation & Welfare Service

**Mr Diarmaid MacDiarmada**

The Courts Service

**Mr Noel McNaboe**

The Courts Service

*Secretary*

## ***APPENDIX B. BASELINE AND MONITORING QUESTIONNAIRES***



## COURTS SERVICE

### DRUG COURT PARTICIPANT INFORMATION QUESTIONNAIRE

#### EDUCATIONAL / VOCATIONAL

### POINTS TO NOTE

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## A. SOCIO-DEMOGRAPHIC INFORMATION

### 1. EDUCATION – HIGHEST LEVEL REACHED: (PLEASE TICK ONE BOX ONLY)

- Never went to school ☐ 1  
 Primary level ☐ 2  
 Secondary level – Completed Junior Certificate ☐ 3  
 Secondary level – Completed Leaving Certificate ☐ 4  
 Adult Education (VTOS) ☐ 5  
 NCVA Level 1 ☐ 6  
 NCVA Level 2 ☐ 7  
 NCVA Foundation Level ☐ 8  
  
 Third Level (PLC, Institute of Technology, University) ☐ 9  
 Still in full-time education ☐ 10  
 Other ☐ 11

If other, please state: \_\_\_\_\_

### 2. AGE LEFT SCHOOL (PRIMARY OR SECONDARY): (PLEASE FILL IN THE AGE OR TICK ONE BOX ONLY)

Age: \_\_\_\_\_(years)

OR:

Still in School ☐ 1    Never went to school ☐ 2    Not Applicable ☐ 3

## **B. CRIMINAL HISTORY**

3. **PREVIOUSLY SENTENCED TO A SPECIAL SCHOOL**      **Yes**      ☐ <sup>1</sup>      **No**      ☐ <sup>2</sup>

*If yes, which Special School:* \_\_\_\_\_

*Total time spent in a Special School:* \_\_\_\_\_ *(indicate in years)*



*Specific conditions of Drug Court Programme:*

This image shows a blank sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

*Please state programmes suggested:*

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## COURTS SERVICE

### DRUG COURT PARTICIPANT

#### MONITORING QUESTIONNAIRE

#### 4TH QUARTER

1 NOVEMBER 2001 – 31 JANUARY 2002

#### EDUCATION

### POINTS TO NOTE

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand **CORNER OF EACH PAGE OF THE QUESTIONNAIRE.**
- ☐ Furthermore, the identification number used for this questionnaire **must** be the same as the identification number used in the initial baseline information questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## **A. REFERRAL PERIOD**

*This section refers to the time between a client being referred to the Drug Court and entering the Drug Court Programme (i.e. signing a treatment plan)*

1. **NUMBER OF APPOINTMENTS / MEETINGS WITH EDUCATION BEFORE ENTERING THE DRUG COURT PROGRAMME:** \_\_\_\_\_
  
2. **ESTIMATE THE TIME SPENT WITH / ON THE REFERRED CLIENT BEFORE ENTERING THE DRUG COURT PROGRAMME:**  
\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)



## B. DRUG COURT PROGRAMME PROGRESSION

*This section refers to the time after a participant has entered the Drug Court Programme (i.e. signed a treatment plan)*

1. **LIST EDUCATION PROGRAMMES BEING ATTENDED AS PART OF THE DRUG COURT PROGRAMME AND INDICATE WHETHER THE PROGRAMME IS FULL OR PART TIME AND SPECIFIC TO THE DRUG COURT:**

PROGRAMME:	Specific to the Drug Court?	Full or Part Time?	No. classes attended / should have attended	Phase entered.

4. **INDICATE THE NUMBER OF CLASSES ATTENDED IN THE FOLLOWING LOCATIONS, IN EACH PHASE, IN THE 4<sup>TH</sup> QUARTER:**

	PHASE 1:	PHASE 2:	PHASE 3:
<b>PATHWAYS:</b>			
<b>PARNELL ADULT ED CENTRE:</b>			
<b>FAS:</b>			
<b>VEC – PLC:</b>			
<b>VEC – VTOS:</b>			
<b>CERT:</b>			

5. **PLEASE RATE THE OVERALL ATTENDANCE OF THE PARTICIPANT AT PROGRAMMES RECOMMENDED BY THE EDUCATION OFFICER<sup>1</sup> IN THE 4<sup>TH</sup> QUARTER:**

<b>PHASE 1:</b>	<b>Poor</b>	<input type="checkbox"/> <sup>1</sup>	<b>Fair</b>	<input type="checkbox"/> <sup>2</sup>	<b>Good</b>	<input type="checkbox"/> <sup>3</sup>	<b>Very Good</b>	<input type="checkbox"/> <sup>4</sup>
<b>PHASE 2:</b>	<b>Poor</b>	<input type="checkbox"/> <sup>1</sup>	<b>Fair</b>	<input type="checkbox"/> <sup>2</sup>	<b>Good</b>	<input type="checkbox"/> <sup>3</sup>	<b>Very Good</b>	<input type="checkbox"/> <sup>4</sup>
<b>PHASE 3:</b>	<b>Poor</b>	<input type="checkbox"/> <sup>1</sup>	<b>Fair</b>	<input type="checkbox"/> <sup>2</sup>	<b>Good</b>	<input type="checkbox"/> <sup>3</sup>	<b>Very Good</b>	<input type="checkbox"/> <sup>4</sup>

<sup>1</sup> Poor = Attended < 25% of classes. Fair = Attended 25 – 49% of classes. Good = Attended 50 – 74% classes. Very good = Attended 75 – 100% of classes.

6. **NUMBER OF APPOINTMENTS / MEETINGS WITH EDUCATION IN THE 4<sup>TH</sup> QUARTER:** (N/A WHEN NOT YET ENTERED THAT PHASE)

PHASE 1: \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

PHASE 2: \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

PHASE 3: \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

7. **FAILED TO ATTEND ANY APPOINTMENTS IN THE 4<sup>TH</sup> QUARTER:** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*If yes, how many appointments were not attended? (N/A WHEN NOT YET ENTERED THAT PHASE)*

PHASE 1: \_\_\_\_\_

PHASE 2: \_\_\_\_\_

PHASE 3: \_\_\_\_\_

8. **ESTIMATE THE TIME SPENT WITH / ON THE PARTICIPANT IN THE 4<sup>TH</sup> QUARTER:**

PHASE 1: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 2: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 3: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

**DATE QUESTIONNAIRE WAS COMPLETED:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**ADMINISTRATION - EDUCATION****1. APPROXIMATE % OF WEEKLY TIME SPENT IN THE FOLLOWING, AS REGARDS THE DRUG COURT?**

**ADMINISTRATION<sup>2</sup>:** \_\_\_\_\_ % / week

**INITIAL ASSESSMENT OF REFERRED PARTICIPANTS<sup>3</sup>:** \_\_\_\_\_ % / week

**MEETINGS ASSOCIATED WITH THE DRUG COURT<sup>4</sup>:** \_\_\_\_\_ % / week

**DIRECT CONTACT WITH DRUG COURT PARTICIPANTS:** \_\_\_\_\_ % / week

**PRE COURT, DRUG COURT AND TEAM MEETINGS<sup>5</sup>:** \_\_\_\_\_ % / week

**TOTAL** **100** % / week

**2. INDICATE THE NUMBER OF CLIENTS REFERRED TO THE DRUG COURT THAT THE EDUCATION OFFICER HAS MET WITH? \_\_\_\_\_**

**3. INDICATE THE NUMBER OF APPOINTMENTS THE EDUCATION OFFICER HAS HAD WITH REFERRED CLIENTS (I.E. NON DRUG COURT PARTICIPANTS) \_\_\_\_\_**

**4. ESTIMATE THE TIME SPENT WITH / ON REFERRED CLIENTS TO DATE:**

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

<sup>2</sup> Administration includes preparing files, writing reports, completing evaluation questionnaires etc.

<sup>3</sup> Initial assessment of referred participants includes all time spent with or on offenders referred to the Drug Court.

<sup>4</sup> Meetings associated with the Drug Court refers to management meetings, supervision and liaison with other agencies such as service providers, the community etc.

<sup>5</sup> Refers to time spent attending Pre-Court meetings, Drug Court hearing and Team meetings.



## COURTS SERVICE

### DRUG COURT PARTICIPANT INFORMATION QUESTIONNAIRE

### AN GARDA SIOCHANA

## POINTS TO NOTE

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## B. OFFENCE / REASON FOR COURT APPEARANCE

(PLEASE LIST ALL CHARGES BEING BROUGHT BEFORE THE OFFENDER AT THE TIME OF REFERRAL TO THE DRUG COURT. ALSO INDICATE THE NUMBER OF CHARGES BESIDE THE RELEVANT OFFENCE)

31. INDICATE THE NUMBER OF CHARGES AT THE TIME OF ENTERING THE DRUG COURT: \_\_\_\_\_

31.A CHARGE / PROSECUTION: NUMBER OF CHARGES:

Offence under Misuse of Drugs Act - Section 3 \_\_\_\_\_

Offence under Misuse of Drugs Act – Section 15 \_\_\_\_\_

Offence under Misuse of Drugs Act - Section 21 \_\_\_\_\_

Other offence under Misuse of Drugs Act \_\_\_\_\_

If other, please state: \_\_\_\_\_

Type of drug involved in the offence under Misuse of Drugs Act: \_\_\_\_\_

(Please indicate if not-applicable)

Larceny \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence against property \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence against the person \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Law (Sexual Offences) Act \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Justice (Public Order) Act \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Section 13 of the Criminal Justice Act, 1984 \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Other \_\_\_\_\_

If other, please state: \_\_\_\_\_

## C. CRIMINAL HISTORY

32. PREVIOUS CONVICTION(S): Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If yes, how many previous individual offences were you convicted of: \_\_\_\_\_

33. INDICATE THE NUMBER OF PREVIOUS CONVICTIONS BESIDE THE RELEVANT OFFENCE.

NUMBER OF CONVICTIONS:

Offence under Misuse of Drugs Act - Section 3 \_\_\_\_\_

Offence under Misuse of Drugs Act – Section 15 \_\_\_\_\_

Offence under Misuse of Drugs Act - Section 21 \_\_\_\_\_

Other offence under Misuse of Drugs Act \_\_\_\_\_

If other, please state: \_\_\_\_\_

Larceny \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence against property \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence against the person \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Law (Sexual Offences) Act \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Justice (Public Order) Act \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Section 13 of the Criminal Justice Act, 1984 \_\_\_\_\_

(Please indicate which section(s)) \_\_\_\_\_

Other \_\_\_\_\_

If other, please state: \_\_\_\_\_

\_\_\_\_\_

34. AGE OF FIRST CONVICTION: \_\_\_\_\_ (years)

35. ANY CRIMINAL CASE(S) PENDING? Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If yes, number of criminal cases pending: \_\_\_\_\_

## COURTS SERVICE

### DRUG COURT PARTICIPANT

#### MONITORING QUESTIONNAIRE

#### 4TH QUARTER

1 NOVEMBER 2001 – 31 JANUARY 2002

### AN GARDA SIOCHANA

## POINTS TO NOTE

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Furthermore, the identification number used for this questionnaire must be the same as the identification number used in the initial baseline information questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## A. REFERRAL PERIOD

*This section refers to the time between a client being referred to the Drug Court and entering the Drug Court Programme (i.e. signing a treatment plan)*

1. **ESTIMATE THE TIME SPENT WITH / ON THE REFERRED CLIENT BEFORE ENTERING THE DRUG COURT PROGRAMME (I.E. PREPARING FILES, CHECKING CRIMINAL CHARGES ETC.):**

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

2. **WAS THE PARTICIPANT ARRESTED WHILE IN THE ASSESSMENT PERIOD?**

Yes ☐<sup>1</sup> No ☐<sup>2</sup>

- 2.A **IF YES, HOW MANY TIMES:** \_\_\_\_\_

3. **NUMBER OF CHARGES PICKED UP WHILE IN THE ASSESSMENT PERIOD:** \_\_\_\_\_

- 3.A **DETAILS OF CHARGES:**

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## B. DRUG COURT PROGRAMME PROGRESSION

*This section refers to the time after a participant has entered the Drug Court Programme (i.e. signed a treatment plan)*

4. **NUMBER OF ARRESTS IN THE 4<sup>TH</sup> QUARTER OF THE DRUG COURT PROGRAMME:**  
(N/A when not yet entered that phase)

Phase 1: \_\_\_\_\_

Phase 2: \_\_\_\_\_

Phase 3: \_\_\_\_\_

5. **WERE ANY OF THE ARRESTS SELF-REPORTED BY THE PARTICIPANT?** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*If yes, how many arrests were self-reported:* \_\_\_\_\_

6. **NUMBER OF CHARGES IN THE 4<sup>TH</sup> QUARTER OF THE DRUG COURT PROGRAMME:**  
(Please indicate for each phase)

Phase 1: \_\_\_\_\_

Phase 2: \_\_\_\_\_

Phase 3: \_\_\_\_\_

7.a Where applicable please indicate the specific charge(s): Number of charges: Phase:

Offence under Misuse of Drugs Act - Section 3

Offence under Misuse of Drugs Act – Section 15

Offence under Misuse of Drugs Act - Section 21

Other offence under Misuse of Drugs Act

If other, please state: \_\_\_\_\_

Type of drug involved in the offence under Misuse of Drugs Act: \_\_\_\_\_

Number of charges:

Phase:

Larceny

(Please indicate which section(s)) \_\_\_\_\_

Offence against property

(Please indicate which section(s)) \_\_\_\_\_

Offence against the person

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Law (Sexual Offences) Act

(Please indicate which section(s)) \_\_\_\_\_

Offence under the Criminal Justice (Public Order) Act

(Please indicate which section(s)) \_\_\_\_\_

Other

If other, please state: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. NUMBER OF OUTSTANDING CHARGES IN THE 4<sup>TH</sup> QUARTER OF THE DRUG COURT PROGRAMME:

PHASE 1: \_\_\_\_\_

PHASE 2: \_\_\_\_\_

PHASE 3: \_\_\_\_\_

9. WERE CONDITIONS OF THE DRUG COURT BAIL BOND BROKEN IN THE 4<sup>TH</sup> QUARTER:

Yes ☐<sup>1</sup> No ☐<sup>2</sup>

9.A IF YES, ON HOW MANY OCCASIONS WHERE BAIL BOND CONDITIONS BROKEN? \_\_\_\_\_

10. WAS ANY DIRECT SANCTION IMPOSED AS A RESULT OF BREAKING CONDITIONS OF THE DRUG COURT BAIL BOND IN THE 4<sup>TH</sup> QUARTER? Yes ☐<sup>1</sup> No ☐<sup>2</sup>

11. WAS BAIL REVOKED IN THE 4<sup>TH</sup> QUARTER? Yes ☐<sup>1</sup> No ☐<sup>2</sup>

IF YES, HOW MANY TIMES? PHASE 1: \_\_\_\_\_

PHASE 2: \_\_\_\_\_

PHASE 3: \_\_\_\_\_

11.A INDICATE THE TIME SPENT IN CUSTODY IN THE 4<sup>TH</sup> QUARTER:

PHASE 1: \_\_\_\_\_ (DAYS) OR \_\_\_\_\_ (WEEKS)

PHASE 2: \_\_\_\_\_ (DAYS) OR \_\_\_\_\_ (WEEKS)

PHASE 3: \_\_\_\_\_ (DAYS) OR \_\_\_\_\_ (WEEKS)

12. NUMBER OF BENCH WARRANTS ISSUED AS A RESULT OF FAILED DRUG COURT APPEARANCE(S) IN 4<sup>TH</sup> QUARTER: (N/A when not yet in that phase)

PHASE 1: \_\_\_\_\_

PHASE 2: \_\_\_\_\_

PHASE 3: \_\_\_\_\_

13. ESTIMATE THE TIME SPENT WITH / ON THE PARTICIPANT IN THE 4<sup>TH</sup> QUARTER:

PHASE 1: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 2: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 3: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

DATE QUESTIONNAIRE WAS COMPLETED: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**ADMINISTRATION – AN GARDA SIOCHANA****1. APPROXIMATE % OF WEEKLY TIME SPENT IN THE FOLLOWING, AS REGARDS THE DRUG COURT?**

**ADMINISTRATION<sup>6</sup>:** \_\_\_\_\_ % / week

**INITIAL ASSESSMENT OF REFERRED PARTICIPANTS<sup>7</sup>:** \_\_\_\_\_ % / week

**MEETINGS ASSOCIATED WITH THE DRUG COURT<sup>8</sup>:** \_\_\_\_\_ % / week

**DIRECT CONTACT WITH DRUG COURT PARTICIPANTS:** \_\_\_\_\_ % / week

**PRE COURT, DRUG COURT AND TEAM MEETINGS<sup>9</sup>:** \_\_\_\_\_ % / week

**TOTAL** **100** **% / week**

**2. INDICATE THE NUMBER OF CLIENTS REFERRED TO THE DRUG COURT THAT THE GARDAI HAVE CONDUCTED WORK FOR AS REGARDS THE DRUG COURT? \_\_\_\_\_****3. ESTIMATE THE TIME SPENT WITH / ON REFERRED CLIENTS TO DATE:**

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

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<sup>6</sup> Administration includes preparing files, writing reports, completing evaluation questionnaires etc.

<sup>7</sup> Initial assessment of referred participants includes all time spent with or on offenders referred to the Drug Court.

<sup>8</sup> Meetings associated with the Drug Court refers to management meetings, supervision and liaison with other agencies such as service providers, the community etc.

<sup>9</sup> Refers to time spent attending Pre-Court meetings, Drug Court hearing and Team meetings.

## COURTS SERVICE

### DRUG COURT PARTICIPANT INFORMATION QUESTIONNAIRE

#### HEALTH / TREATMENT

#### POINTS TO NOTE:

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O'Connor

## A. DRUG USE HISTORY

17. AGE FIRST STARTING DRINKING ALCOHOL: \_\_\_\_\_(years)

18. AGE FIRST USED ANY DRUG (EXCLUDING ALCOHOL): \_\_\_\_\_(years)

19. FIRST DRUG USED: \_\_\_\_\_

20. MAIN DRUG OF MISUSE: \_\_\_\_\_

20A AGE FIRST USED MAIN DRUG: \_\_\_\_\_(YEARS)

20B DURATION OF REGULAR USE OF MAIN DRUG: \_\_\_\_\_ (MONTHS) \_\_\_\_\_ (YEARS)

20C ROUTE OF ADMINISTRATION OF MAIN DRUG: (TICK ALL THAT APPLY)

Inject	<input type="checkbox"/> 1	Smoke	<input type="checkbox"/> 2	Sniff	<input type="checkbox"/> 3
Snort	<input type="checkbox"/> 4	Eat / Drink	<input type="checkbox"/> 5	Skin popping	<input type="checkbox"/> 6
Other	<input type="checkbox"/> 7				

If other, please state: \_\_\_\_\_

20D FREQUENCY OF USE IN PAST MONTH OF MAIN DRUG: (TICK ONE BOX ONLY)

Daily	<input type="checkbox"/> 1	2-6 days per week	<input type="checkbox"/> 2	Once a week or less	<input type="checkbox"/> 3
No use in the past month	<input type="checkbox"/> 4	Don't know	<input type="checkbox"/> 5		

21. Other Drug Use: (List all other drugs used excluding main drug)

Drug Type	Route of administration	Frequency of use in past month	Age when first used	Duration of regular use	When did you last use?
	1 = Inject 2 = Smoke 3 = Sniff 4 = Snort 5 = Eat / drink	1 = Daily 2 = 2-6 days / week 3 = Once a week 4 = No use in past month	(years)	Indicate in (months or years)	Indicate in (days or months)

**22. RISK BEHAVIOUR:**

*Ever injected?* Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*Age first injected: \_\_\_\_\_ (years)*

*Injected in the past month?* Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*Ever Shared injecting equipment / works<sup>10</sup> / gear?* Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*Shared injecting equipment / works / gear in the past month?* Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

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<sup>10</sup> Includes spoons etc.



## A.1 MEDICAL HISTORY

23. CURRENTLY RECEIVING PRESCRIBED MEDICATION? Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

24. HAVE YOU EVER RECEIVED TREATMENT FOR MENTAL / PSYCHIATRIC / EMOTIONAL PROBLEMS?<sup>11</sup>

(TICK ONE BOX ONLY)

Yes – received treatment in the past ☐ <sup>1</sup> Yes – currently receiving treatment ☐ <sup>2</sup>

No – have never received treatment ☐ <sup>3</sup>

<sup>11</sup> Question 24 is included on the basis that previous evaluations show that offenders with multiple problems (HIV and mental health problems) are much more likely to fail to complete a Drug Court Programme.

Ref: Bean, P. (1996) *America's drug courts: A new development in criminal justice*. Criminal Law Review, pp. 718-21.



## B. TREATMENT HISTORY

25. RECEIVING TREATMENT FOR PROBLEM DRUG USE AT THE TIME OF ENTERING THE DRUG COURT?

Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

26. EVER BEEN TREATED FOR PROBLEM DRUG USE?

Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If yes, type of treatment received: (TICK ALL THAT APPLY)

Needle exchange programme	<input type="checkbox"/> 1	Therapeutic community	<input type="checkbox"/> 2
Methadone maintenance	<input type="checkbox"/> 3	Low threshold methadone service/mobile bus	<input type="checkbox"/> 4
Naltrexone maintenance	<input type="checkbox"/> 5	Lofexidine detoxification	<input type="checkbox"/> 6
Short term detoxification	<input type="checkbox"/> 7	In-patient detoxification unit	<input type="checkbox"/> 8
Counselling	<input type="checkbox"/> 9	Other	<input type="checkbox"/> 10

If other, please state: \_\_\_\_\_

27. AGE FIRST RECEIVED TREATMENT FOR DRUG USE: \_\_\_\_\_ (years) or Not applicable

☐

28. EVER BEEN TREATED FOR DRUG USE IN DETENTION / PRISON?

Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If yes, type of treatment received: (TICK ALL THAT APPLY)

Short term detoxification	<input type="checkbox"/> 1	Methadone maintenance	<input type="checkbox"/> 2
Advice / Counselling	<input type="checkbox"/> 3	Other	<input type="checkbox"/> 4

If other, please state: \_\_\_\_\_

29. SERVICES ATTENDED IN THE LAST 12 MONTHS: (TICK ALL THAT APPLY)

Needle exchange programme	<input type="checkbox"/> 1	Therapeutic community	<input type="checkbox"/> 2
Methadone maintenance	<input type="checkbox"/> 3	Low threshold methadone service/mobile bus	<input type="checkbox"/> 4
Naltrexone maintenance	<input type="checkbox"/> 5	Lofexidine detoxification	<input type="checkbox"/> 6
Short term detoxification	<input type="checkbox"/> 7	In-patient detoxification unit	<input type="checkbox"/> 8
Counselling	<input type="checkbox"/> 9	Other	<input type="checkbox"/> 10

If other, please state: \_\_\_\_\_



## COURTS SERVICE

### DRUG COURT PARTICIPANT

#### MONITORING QUESTIONNAIRE

#### 4TH QUARTER

1 NOVEMBER 2001 – 31 JANUARY 2002

#### HEALTH / TREATMENT

### POINTS TO NOTE

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Furthermore, the identification number used for this questionnaire **must** be the same as the identification number used in the initial baseline information questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## **A. REFERRAL PERIOD**

*This section refers to the time between a client being referred to the Drug Court and entering the Drug Court Programme (i.e. signing a treatment plan)*

1. **NUMBER OF APPOINTMENTS / MEETINGS WITH DRUG COURT LIAISON NURSE BEFORE ENTERING THE DRUG COURT PROGRAMME:** \_\_\_\_\_
  
2. **ESTIMATE THE TIME SPENT WITH / ON THE REFERRED CLIENT BEFORE ENTERING THE DRUG COURT PROGRAMME:**  
\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

## B. DRUG COURT PROGRAMME PROGRESSION

This section refers to the time after a participant has entered the Drug Court Programme (i.e. signed a treatment plan)

### 3. NUMBER OF APPOINTMENTS / MEETINGS WITH THE FOLLOWING, IN THE 4<sup>TH</sup> QUARTER:

(N/A WHEN NOT YET ENTERED THAT PHASE)

	PHASE 1 PER WEEK / OVERALL	PHASE 2 PER WEEK / OVERALL	PHASE 3 PER WEEK / OVERALL
DRUG COURT NURSE:	_____ / _____	_____ / _____	_____ / _____
CLINIC (CITY CLINIC):	_____ / _____	_____ / _____	_____ / _____
G.P.	_____ / _____	_____ / _____	_____ / _____
COUNSELLOR	_____ / _____	_____ / _____	_____ / _____
OTHER	_____ / _____	_____ / _____	_____ / _____

If other, please state:

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### 4. ESTIMATE THE TIME SPENT BY THE DRUG COURT LIAISON NURSE WITH / ON THE PARTICIPANT IN THE 4<sup>TH</sup> QUARTER:

PHASE 1: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 2: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 3: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

### 5. FAILED TO ATTEND ANY APPOINTMENTS IN THE 4<sup>TH</sup> QUARTER: Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

#### 5.A If yes, how many appointments were not attended? (N/A WHEN NOT YET ENTERED THAT PHASE)

	PHASE 1	PHASE 2	PHASE 2
DRUG COURT NURSE:	_____ (OVERALL)	_____ (OVERALL)	_____ (OVERALL)
CLINIC (CITY CLINIC):	_____ (OVERALL)	_____ (OVERALL)	_____ (OVERALL)
G.P.	_____ (OVERALL)	_____ (OVERALL)	_____ (OVERALL)
COUNSELLOR	_____ (OVERALL)	_____ (OVERALL)	_____ (OVERALL)
Other	_____ (overall)	_____ (overall)	_____ (overall)

If other, please state:

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6. **URINALYSIS IN THE 4TH QUARTER:** (N/A when not yet in that phase)

	<b>PER WEEK</b>	<b>TOTAL</b>	<b>REFUSED</b>	<b>CLEAN (OPIATE –VE)</b>	<b>CLEAN (COMPLETELY)</b>
<b>PHASE 1:</b>					
<b>PHASE 2:</b>					
<b>PHASE 3:</b>					

7. **RANDOM URINALYSIS IN THE 4TH QUARTER:** (N/A when not yet in that phase)

	<b>REQUESTED</b>	<b>REFUSED</b>	<b>CLEAN (OPIATE –VE)</b>	<b>CLEAN (COMPLETELY)</b>
<b>PHASE 1:</b>				
<b>PHASE 2:</b>				
<b>PHASE 3:</b>				

8. **NUMBER OF RELAPSES:** (N/A when not yet in that phase)

**PHASE 1:** \_\_\_\_\_

**PHASE 2:** \_\_\_\_\_

**PHASE 3:** \_\_\_\_\_

**INDICATE THE DRUG / SUBSTANCE INVOLVED FOR EACH RELAPSE:**

**DRUG / SUBSTANCE:**

**NUMBER OF RELAPSES:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. **WERE ANY OF THE RELAPSES SELF REPORTED?**

**Yes**

☐ <sup>1</sup>

**No**

☐ <sup>2</sup>

**If yes, please indicate how many incidences were self-reported:** \_\_\_\_\_



**10. ABSENT FROM TREATMENT AT ANY STAGE OF THE DRUG COURT PROGRAMME?**

Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If YES, FOR HOW LONG? \_\_\_\_\_ (DAYS) \_\_\_\_\_ (WEEKS)

REASON FOR BEING ABSENT FROM TREATMENT:

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**11. VIRAL STATUS (ONLY ANSWER IF NOT ALREADY ANSWERED IN PREVIOUS MONITORING QUESTIONNAIRE):**

**11.A EVER HAD A BLOOD TEST FOR HIV?** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

If yes, what was the result?

Positive (infected) ☐ <sup>1</sup> Negative (not infected) ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

**11.B EVER HAD A BLOOD TEST FOR HEPATITIS B?** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

If yes, what was the result?

Positive (infected) ☐ <sup>1</sup> Negative (not infected) ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

**11.C EVER HAD A BLOOD TEST FOR HEPATITIS C?** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

If yes, what was the result?

Positive (infected) ☐ <sup>1</sup> Negative (not infected) ☐ <sup>2</sup> Don't know ☐ <sup>3</sup>

DATE QUESTIONNAIRE WAS COMPLETED: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## ADMINISTRATION - HEALTH

1. APPROXIMATE % OF WEEKLY TIME SPENT IN THE FOLLOWING, AS REGARDS THE DRUG COURT?

ADMINISTRATION<sup>12</sup>: \_\_\_\_\_ % / week

INITIAL ASSESSMENT OF REFERRED PARTICIPANTS<sup>13</sup>: \_\_\_\_\_ % / week

MEETINGS ASSOCIATED WITH THE DRUG COURT<sup>14</sup>: \_\_\_\_\_ % / week

DIRECT CONTACT WITH DRUG COURT PARTICIPANTS: \_\_\_\_\_ % / week

PRE COURT, DRUG COURT AND TEAM MEETINGS<sup>15</sup>: \_\_\_\_\_ % / week

TOTAL 100 % / week

2. INDICATE THE NUMBER OF CLIENTS REFERRED TO THE DRUG COURT THAT THE DRUG COURT LIAISON NURSE HAS MET WITH? \_\_\_\_\_

3. OF THE OFFENDERS THAT WERE REFERRED TO THE DRUG COURT, HOW MANY UNDERWENT A PRELIMINARY HEALTH ASSESSMENT? \_\_\_\_\_

4. INDICATE THE NUMBER OF APPOINTMENTS THE DRUG COURT LIAISON NURSE HAS HAD WITH REFERRED CLIENTS (I.E. NON DRUG COURT PARTICIPANTS) \_\_\_\_\_

5. ESTIMATE THE TIME SPENT WITH / ON REFERRED CLIENTS TO DATE:

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

<sup>12</sup> Administration includes preparing files, writing reports, completing evaluation questionnaires etc.

<sup>13</sup> Initial assessment of referred participants includes all time spent with or on offenders referred to the Drug Court.

<sup>14</sup> Meetings associated with the Drug Court refers to management meetings, supervision and liaison with other agencies such as service providers, the community etc.

<sup>15</sup> Refers to time spent attending Pre-Court meetings, Drug Court hearing and Team meetings.





## COURTS SERVICE

### DRUG COURT PARTICIPANT INFORMATION QUESTIONNAIRE

### PROBATION AND WELFARE

#### POINTS TO NOTE:

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- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## A. SOCIO-DEMOGRAPHIC INFORMATION

(PLEASE TICK THE RELEVANT BOX)

1. GENDER: Male ☐ <sup>1</sup> Female ☐ <sup>2</sup>

2. AGE: \_\_\_\_\_ (years)

3. DATE OF BIRTH:   /   /

4. MARITAL STATUS: (PLEASE TICK ONE BOX ONLY)

Single ☐ <sup>1</sup> Married ☐ <sup>2</sup> Separated ☐ <sup>3</sup>  
Divorced ☐ <sup>4</sup>

5. CHILDREN: Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

If yes, how many children? \_\_\_\_\_

6. CURRENT LIVING STATUS: (PLEASE TICK ONE BOX ONLY)

Alone ☐ <sup>1</sup> Parents / Family ☐ <sup>2</sup> Alone with children ☐ <sup>3</sup>  
Partner ☐ <sup>4</sup> Partner and Children ☐ <sup>5</sup> Institution ☐ <sup>6</sup>  
Friends ☐ <sup>7</sup> Temporary / Homeless ☐ <sup>8</sup> Other ☐ <sup>9</sup>

If other, please state: \_\_\_\_\_

7. LIVING WITH DRUG USER(S): Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

8. NATIONALITY: IRISH ☐ <sup>1</sup> OTHER ☐ <sup>2</sup>

If other, please state: \_\_\_\_\_

9. **CURRENT EMPLOYMENT STATUS: (PLEASE TICK ONE BOX ONLY)**

*In paid employment* ☐ <sup>1</sup> *Unemployed* ☐ <sup>2</sup>

*Full time student* ☐ <sup>3</sup> *Retired / Receiving DPMA16 / Invalidity pension* ☐ <sup>4</sup>

*FÁS / Training course (part-time)* ☐ <sup>5</sup> *Work in the home full-time* ☐ <sup>6</sup>

*Other* ☐ <sup>7</sup>

*If other, please state:* \_\_\_\_\_

10. **ENTITLED TO SOCIAL WELFARE BENEFITS(S):** **Yes** ☐ <sup>1</sup> **No** ☐ <sup>2</sup>

10.A **CLAIMING SOCIAL WELFARE BENEFITS** **Yes** ☐ <sup>1</sup> **No** ☐ <sup>2</sup>

*If yes, please state which:*

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<sup>16</sup> DPMA - Disabled Persons Mobility Assistance

**C. CRIMINAL HISTORY**

11. **PREVIOUS ARREST(S):** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*If yes, please indicate how many times. (Please tick one box only)*

1 – 5 times ☐ <sup>1</sup> 5 – 9 times ☐ <sup>2</sup> 10 or more ☐ <sup>3</sup>

12. **PREVIOUS DETENTION / IMPRISONMENT:** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*If yes, total time spent in detention / prison in the past five years: \_\_\_\_\_  
(Specify in days, months or years)*

13. **PREVIOUSLY SENTENCED TO A SPECIAL SCHOOL?** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*If yes, which Special School: \_\_\_\_\_*

*Total time spent in a Special School: \_\_\_\_\_ (indicate in months or years)*

14. **PREVIOUS PROBATION SUPERVISION:** Yes ☐ <sup>1</sup> No ☐ <sup>2</sup>

*Please specify the type and number of Probation Supervision: Number of Orders:*

*(TICK ALL THAT APPLY)*

<i>Probation order</i>	<input type="checkbox"/> <sup>1</sup>	_____
<i>Community service order</i>	<input type="checkbox"/> <sup>2</sup>	_____
<i>Supervision during deferment</i>	<input type="checkbox"/> <sup>3</sup>	_____
<i>Supervised temporary release</i>	<input type="checkbox"/> <sup>4</sup>	_____
<i>Supervised release on licence from Special School</i>	<input type="checkbox"/> <sup>5</sup>	_____
<i>Supervision under a recognisance under the Misuse of Drugs Act</i>	<input type="checkbox"/> <sup>6</sup>	_____

15. **RISK ASSESSMENT (LSI – R)** Score: \_\_\_\_\_

## D. DRUG COURT PROGRAMME

## 16. SOCIAL / PERSONAL AND BEHAVIOURAL

**Specific conditions of Drug Court Programme:**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

***Please state programmes suggested:***

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

## COURTS SERVICE

### DRUG COURT PARTICIPANT

#### MONITORING QUESTIONNAIRE

#### 4TH QUARTER

1 NOVEMBER 2001 – 31 JANUARY 2002

#### PROBATION AND WELFARE

#### POINTS TO NOTE:

- ☐ It is not necessary for the identity of the Drug Court participants to be disclosed to the consultants. To ensure anonymity, an identification number will be used for each participant. This should be inserted in the top right hand corner of each page of the questionnaire.
- ☐ Furthermore, the identification number used for this questionnaire must be the same as the identification number used in the initial baseline information questionnaire.
- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor .

## A. SOCIO-DEMOGRAPHIC INFORMATION

(PLEASE TICK THE RELEVANT BOX)

### 1. Current Living Status: (Please tick one box only)

Alone	<input type="checkbox"/> 1	Parents / Family	<input type="checkbox"/> 2	Alone with children	<input type="checkbox"/> 3
Partner	<input type="checkbox"/> 4	Partner and Children	<input type="checkbox"/> 5	Institution	<input type="checkbox"/> 6
Friends	<input type="checkbox"/> 7	Temporary / Homeless	<input type="checkbox"/> 8	Other	<input type="checkbox"/> 9

If other, please state: \_\_\_\_\_

### 2. LIVING WITH DRUG USER(S):      Yes      ☐ 1      No      ☐ 2

### 3. CURRENT EMPLOYMENT STATUS: (PLEASE TICK ONE BOX ONLY)

In paid employment	<input type="checkbox"/> 1	Unemployed	<input type="checkbox"/> 2
Full time student	<input type="checkbox"/> 3	Retired / Receiving DPMA17 / Invalidity pension	<input type="checkbox"/> 4
FÁS / Training course (part-time)	<input type="checkbox"/> 5	Work in the home full-time	<input type="checkbox"/> 6
Other	<input type="checkbox"/> 7		

If other, please state: \_\_\_\_\_

### 4. CLAIMING SOCIAL WELFARE PAYMENT(S):      Yes      ☐ 1      No      ☐ 2

<sup>17</sup> DPMA - Disabled Persons Mobility Assistance

**B. REFERRAL PERIOD**

*This section refers to the time between a client being referred to the Drug Court and entering the Drug Court Programme (i.e. signing a treatment plan)*

5. **DATE REFERRED TO THE DRUG COURT PROGRAMME:**        \_\_\_\_/\_\_\_\_/\_\_\_\_

6. **NUMBER OF DRUG COURT APPEARANCES BEFORE ENTERING THE DRUG COURT PROGRAMME:**

\_\_\_\_\_

7. **NUMBER OF APPOINTMENTS WITH PROBATION AND WELFARE BEFORE ENTERING THE DRUG COURT PROGRAMME:** \_\_\_\_\_

8. **ESTIMATE THE TIME SPENT WITH / ON THE REFERRED CLIENT BEFORE ENTERING THE DRUG COURT PROGRAMME:**

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

9. **DATE ENTERED THE DRUG COURT PROGRAMME:**        \_\_\_\_/\_\_\_\_/\_\_\_\_  
(i.e. became a Drug Court participant)

10. **WAS THE TIME BETWEEN BEING REFERRED TO THE DRUG COURT AND ENTERING THE DRUG COURT PROGRAMME DUE TO:**  
(PLEASE TICK ALL THAT APPLY)

**Initial Health Assessment**        ☐ <sup>1</sup>        **Waiting on Criminal Charges to be cleared**        ☐ <sup>2</sup>

**Other**        ☐ <sup>3</sup>

**If other, please state:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## C. DRUG COURT PROGRAMME PROGRESSION

*This section refers to the time after a participant has entered the Drug Court Programme (i.e. signed a treatment plan)*

### 11. CURRENT STATUS WITHIN THE DRUG COURT PROGRAMME: (TICK ONE BOX ONLY)

- In Phase 1* ☐ <sup>1</sup> *Completed Phase 1 / In Phase 2* ☐ <sup>2</sup>
- Completed Phase 2 / In Phase 3* ☐ <sup>3</sup> *Completed Phase 3* ☐ <sup>4</sup>
- Terminated from the Programme* ☐ <sup>5</sup>

### 11.A IF TERMINATED FROM THE PROGRAMME, PLEASE INDICATE THE PHASE AND THE DATE OF TERMINATION:

*Which Phase:* \_\_\_\_\_

*Date of Termination:*        /   /

### 12. LENGTH OF TIME WITHIN EACH PHASE: (N/A when not yet in that phase)

*PHASE 1:* \_\_\_\_\_

*PHASE 2:* \_\_\_\_\_

*PHASE 3:* \_\_\_\_\_

### 13. NUMBER OF DRUG COURT APPEARANCES IN 4<sup>TH</sup> QUARTER:

(N/A when not yet in that phase)

*PHASE 1:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

*PHASE 2:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

*PHASE 3:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

### 14. NUMBER OF FAILED DRUG COURT APPEARANCES IN 4<sup>TH</sup> QUARTER:

(N/A when not yet in that phase)

*PHASE 1:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

*PHASE 2:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)

*PHASE 3:* \_\_\_\_\_ (weekly) AND \_\_\_\_\_ (overall)



**15. NUMBER OF APPOINTMENTS / MEETINGS WITH PROBATION AND WELFARE IN 4<sup>TH</sup> QUARTER:**

PHASE 1: \_\_\_\_\_ (PER WEEK) OR \_\_\_\_\_ (OVERALL)

PHASE 2: \_\_\_\_\_ (PER WEEK) OR \_\_\_\_\_ (OVERALL)

PHASE 3: \_\_\_\_\_ (PER WEEK) OR \_\_\_\_\_ (OVERALL)

**16. ESTIMATE THE TIME SPENT WITH / ON THE PARTICIPANT IN 4<sup>TH</sup> QUARTER:**

PHASE 1: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 2: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

PHASE 3: \_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

**17. PLEASE INDICATE ANY PARTICULAR PROBLEMS WHICH REQUIRED EXTRA TIME TO BE SPENT WITH THE PARTICIPANT (E.G. ACCOMODATION PROBLEMS, SOCIAL WELFARE ETC.):**

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**18. FAILED TO ATTEND ANY APPOINTMENTS IN 4<sup>TH</sup> QUARTER:      Yes    ☐<sup>1</sup>      No    ☐<sup>2</sup>**

***If yes, how many appointments were not attended?***

PHASE 1: \_\_\_\_\_

PHASE 2: \_\_\_\_\_

PHASE 3: \_\_\_\_\_

19. LIST THE NATURE AND NUMBER OF INCENTIVES RECEIVED IN 4TH QUARTER AND INDICATE WHICH PHASE OF THE DRUG COURT PROGRAMME (E.G. RELAXED CURFEW, REDUCED COURT APPEARANCES ETC.):

NATURE OF THE INCENTIVES:	NUMBER:	PHASE:

20. LIST THE NATURE AND NUMBER OF SANCTIONS RECEIVED IN 4TH QUARTER AND INDICATE WHICH PHASE OF THE DRUG COURT PROGRAMME (E.G. CURFEW, CUSTODY ETC.):

NATURE OF THE SANCTIONS:	NUMBER:	PHASE:

DATE QUESTIONNAIRE WAS COMPLETED: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## ADMINISTRATION – PROBATION AND WELFARE

**1. APPROXIMATE % OF WEEKLY TIME SPENT IN THE FOLLOWING, AS REGARDS THE DRUG COURT?**

**ADMINISTRATION<sup>18</sup>:** \_\_\_\_\_ % / week

**INITIAL ASSESSMENT OF REFERRED PARTICIPANTS<sup>19</sup>:** \_\_\_\_\_ % / week

**MEETINGS ASSOCIATED WITH THE DRUG COURT<sup>20</sup>:** \_\_\_\_\_ % / week

**DIRECT CONTACT WITH DRUG COURT PARTICIPANTS:** \_\_\_\_\_ % / week

**PRE COURT, DRUG COURT AND TEAM MEETINGS<sup>21</sup>:** \_\_\_\_\_ % / week

**TOTAL** **100** % / week

**2. INDICATE THE NUMBER OF CLIENTS REFERRED TO THE DRUG COURT THAT PROBATION AND WELFARE HAS MET WITH? \_\_\_\_\_**

**3. INDICATE THE NUMBER OF APPOINTMENTS PROBATION AND WELFARE HAS HAD WITH REFERRED CLIENTS (I.E. NON DRUG COURT PARTICIPANTS) \_\_\_\_\_**

**4. ESTIMATE THE TIME SPENT WITH / ON REFERRED CLIENTS TO DATE:**

\_\_\_\_\_ (INDICATE IN HOURS OR DAYS)

<sup>18</sup> Administration includes preparing files, writing reports, completing evaluation questionnaires etc.

<sup>19</sup> Initial assessment of referred participants includes all time spent with or on offenders referred to the Drug Court.

<sup>20</sup> Meetings associated with the Drug Court refers to management meetings, supervision and liaison with other agencies such as service providers, the community etc.

<sup>21</sup> Refers to time spent attending Pre-Court meetings, Drug Court hearing and Team meetings.



**COURTS SERVICE**

**DRUG COURT PARTICIPANT**

**MONITORING  
QUESTIONNAIRE**

**4TH QUARTER**

**1 NOVEMBER 2001 – 31 JANUARY 2002**

**COURTS SERVICE**

**DRUG COURT  
CO-ORDINATOR**

**POINTS TO NOTE:**

- ☐ Please ensure that all questions are answered correctly, by following the instructions as necessary.
  
- ☐ Any query on any matter contained in the questionnaire can be directed to Karen O' Regan or Annemarie O' Connor

## ADMINISTRATION – COURTS SERVICE

1. PLEASE COMPLETE THE NUMBER OF PARTICIPANT AND NON-PARTICIPANT (REFERRAL) DRUG COURT APPEARANCES PER MONTH.

	NON-PARTICIPANT APPEARANCES	PARTICIPANT APPEARANCES
NOVEMBER 2001	_____	_____
DECEMBER 2001	_____	_____
JANUARY 2002	_____	_____

2. APPROXIMATE % OF WEEKLY TIME SPENT IN THE FOLLOWING, AS REGARDS THE DRUG COURT?

ADMINISTRATION<sup>22</sup>: \_\_\_\_\_ % /  
week

MEETINGS ASSOCIATED WITH THE DRUG COURT<sup>23</sup>: \_\_\_\_\_ % /  
week

PRE COURT, DRUG COURT AND TEAM MEETINGS<sup>24</sup>: \_\_\_\_\_ % /  
week

TOTAL 100 % /  
week

DATE QUESTIONNAIRE WAS COMPLETED: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

<sup>22</sup> Administration includes preparing files, writing reports, completing evaluation questionnaires etc.

<sup>23</sup> Meetings associated with the Drug Court refers to management meetings, supervision and liaison with other agencies such as service providers, the community etc.

<sup>24</sup> Refers to time spent attending Pre-Court meetings, Drug Court hearing and Team meetings.



## ***APPENDIX C. INFORMATION ON COMPARABLE OFFENDERS***



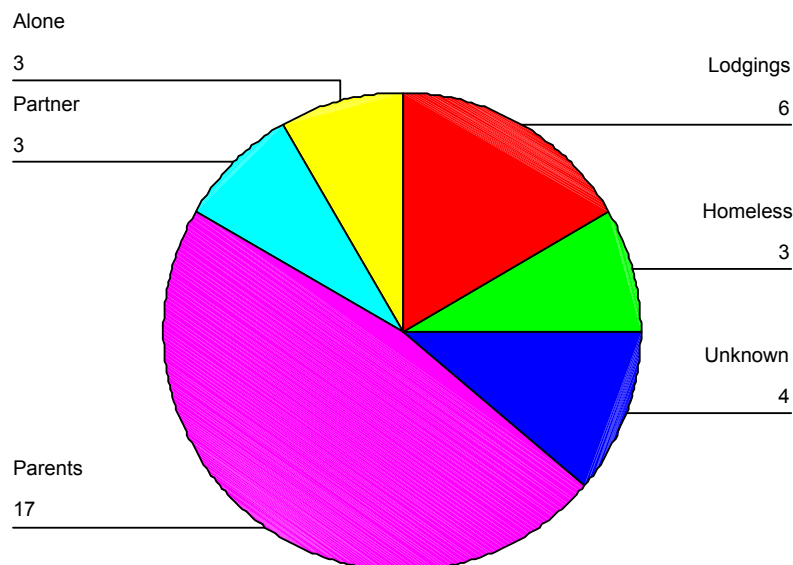
### Sample of Comparable Offenders / “Control Group”

As previously outlined, there were significant limitations on the selection and use of an appropriate control group within the Drug Court evaluation. It was not, for example, possible, to adopt the NSW approach where the control was comprised of offenders who were not accepted to the Drug Court because no suitable treatment was available on the day. Instead the control group is comprised of a matching group of 37 offenders resident in the South Inner City selected from the Garda Pulse system. Where possible, basic socio-demographic information was matched with the client group to ensure that a similar profile of offenders was selected.

As with the Drug Court participants, three quarters of offenders within the control group are male, two thirds are single and over half of the group are known to be unemployed. Information as regards the employment status of the remainder of the group was unknown. In terms of living status, again the majority were living with parents. Six of the offenders are living in lodgings, while 3 are homeless or using emergency accommodation. This is illustrated in Figure G.1.

Due to the constraints of the data protection legislation it was not possible to find out anything about the addiction/treatment status of the offenders. The only variable that can be examined is offending behaviour.

**Figure G.1 –Residency Status of Control Group**





### Control Group – Rate of Offending

The rate of offending by the control group was monitored from the same period as that of the participants in the Drug Court Programme. Information presented here was retrieved from the Pulse System and the Courts Service System. Codes were assigned to ensure the anonymity of the offenders at all times.

The limitations of the information must again be reiterated, particularly in terms of the quality of information used to compare offending behaviour. Of the 36 offenders in the control group, no information was registered on the Courts system for 9 offenders. A further 3 offenders did not have an ID code on the CCTS and therefore, information such as court appearances and charges were not available for these either. Whereas it is possible that the offenders for which there was no information, simply did not offend within that particular year, it is also possible that their offences were not captured. It is also possible that the information may have been recorded in other Court systems such as Kilmainham or Dun Laoighre. Furthermore, as Pulse is still a relatively new system in many jurisdictions, there may be information relating to offending that occurred in the initial stage of 2001 which is not captured here.

Bearing in mind these limitations, the findings presented here should be interpreted with caution.

For the purpose of the calculations, the 3 offenders who were not registered on the CCTS, were excluded. Therefore all estimates are based on the offending behaviour for 33 offenders from the 01/02/01 to 31/01/02.

**Table G.1 Recidivism Control group (%)**

KEY INDICATOR	CONTROL GROUP %
% with new Charges	82
% with Custody imposed	39
% with new Convictions	42

The majority of the offenders in the control group picked up new charges within the monitoring period. Furthermore, 40 per cent had been convicted, the majority of which had spent time in custody. Time spent in custody, outlined in Table G.2 does not relate to the sentence actually imposed by the Judge as many of the offenders will have appealed their sentence, or even been released early on good behaviour.

**Table G.2 Indicators of Recidivism (Average) Control Group**

KEY INDICATOR	CONTROL GROUP
Average number of charges per participant <sup>25</sup>	11
Average number of convictions per participant <sup>26</sup>	4
Average number of court appearances per participant	11
Average time spent in custody	37 days Min of 1 day, Max of 108 days.

### Comparison with Drug Court Participants

There are a number of significant differences that apply to the control group:

- ❑ The time during which the offending of the control group was monitored was exactly 1 year for each of the offenders. As the Drug Court participants entered the Programme at different stages of the year this is not an exact matching of cases. For example the average time monitored for each participant was 6.7 months, i.e. almost half of the time monitored for the control group.
- ❑ The Drug Court participants are under intense supervision for their period within the Drug Court Programme. Therefore, it is highly likely that the offences recorded account for all, if not the vast majority, of the offences committed by that group within this particular period. The control group, when not in custody, would not have been subject to intensive supervision, and therefore it is **unlikely** in their case that the number of offences recorded accounts for their total offending behaviour.
- ❑ The evaluators have no information as to whether any of the offenders in the control group were in treatment. Therefore, where offending behaviour may be low, this cannot be attributed to any particular factors, such as treatment.

**Table G. 3 Recidivism Drug Court Participants vs. Control**

KEY INDICATOR	DRUG COURT PARTICIPANTS (AVERAGE 6.7 MONTHS EACH)	CONTROL GROUP (12 MONTHS) EACH)
% with new Charges	50	82
% with Custody imposed	33	39
% with new Convictions	n/a*	42

\*Non applicable – too short a time frame in which to measure number convictions.

The aggregated findings do not indicate a significant difference in time spent in custody, however it should be noted that a significant amount of this time accrued to 2 early participants on the programme who were later terminated.

<sup>25</sup> Calculation = Total number of charges / Number of offenders that had charges.

<sup>26</sup> Calculation = Total number of convictions / Number of offenders with convictions.

**Table G.4 Indicators of Recidivism (Average) Participants vs. Control Group**

KEY INDICATOR	DRUG COURT PARTICIPANTS (AV. 6.7 MONTHS EACH)	CONTROL GROUP (12 MONTHS EACH)
Average number of charges per participant	4	11
Average number of convictions per participant	n/a	4
Average number of court appearances per participant	n/a	11
Average time spent in custody	31 days Min	37 days Min of 1 day, Max of 108 days.

## ***APPENDIX D. DETAILED TEAM ROLES***



### **Role of the Drug Court Coordinator**

- ☐ To represent the Courts Service and report on developments to the Service.
- ☐ To be involved in the general administration of the project.
- ☐ To chair team meetings and facilitate team reviews and team building exercises.
- ☐ To communicate with other courts and organisations as regards any enquires on the Drug Court.
- ☐ Facilitate visits by court staff and judges from other jurisdictions.
- ☐ Maintain the Drug Curt database when transferred from the evaluators.
- ☐ Secretary to the Drug Court Planning Committee and the Steering Committee.

### **Liaison Guards within the Drug Court**

- ☐ Bring participants in custody before the Drug Court.
- ☐ Assess the participant for suitability for the programme.
- ☐ Inform the Drug Court team as to the suitability of the participant.
- ☐ Provide professional advice to the team in terms of policing and criminal procedures.
- ☐ Inform members of An Garda Siochana and victims of crime as to present position of cases (while within the Drug Court).
- ☐ Execute bench warrants issued in the Drug Court with no undue delay.
- ☐ Establish what a participant has been involved in since his/her last Drug Court appearance and report back to Drug Court.
- ☐ Monitor the adherence of participants in relation to court orders and conditions of bail and report back to Drug Court.
- ☐ Report and inform Drug Court team of activities of participants while on Drug Court bail.
- ☐ Create and maintain participant records.
- ☐ Appear in Drug Court on behalf of prosecuting members in a similar role to court presenter and in position of liaison guard.
- ☐ Carry out enquiries for the Drug Court team and the Drug Court Judge.
- ☐ Provide support and assistance where possible to Drug Court participants.
- ☐ Bring participants in custody from the Drug Court to a place of detention.
- ☐ Present orientation groups.
- ☐ Attend Drug Court team meetings and provide input.
- ☐ Assist in information day presentations.

### **The Main Role of the Drug Court Liaison Nurse, within the Drug Court is to:**

- ☐ Complete the initial assessment and refer the client to the GP for assessment of the drug history, in order to determine which treatment option is the most appropriate.



- ☐ Coordinate information and results required by the care team to compile a comprehensive and accurate report to the Drug Court Judge regarding whether the client is suitable for treatment.
- ☐ Ensure reports and results are available for the client's initial appearance in the Drug Court and thereafter for the regular 'Report back Appearances', which will be on going for the duration of the programme.
- ☐ Be responsible for continual supervision of the client's progress from entry to the Drug Court programme to graduation, acting as the main point of contact for the client and the Drug Court.
- ☐ Act as a source of expertise which the Drug Court Judge may utilise to interpret information in relation to the clients' progress and treatment throughout the programme.
- ☐ Foster links with other relevant services and act as a source of referral (i.e. social services and rehabilitation/integration management team) to ensure that clients' specific needs are catered for.
- ☐ Participate in the development of an individualised care plan as part of the care team, (with an emphasis on reduction/cessation of drug use, at risk behaviour and criminal activity).
- ☐ Assist in the development and organisation of specific programs and educational sessions, both group and individual, involving participation from the multidisciplinary team and the probation services to promote health and to assist in personal development.
- ☐ Inform the care team of any improvement or deterioration in the client's progress or health. Advocate on the client's behalf to the care team and/or Drug Court Judge.
- ☐ Act as a source of expertise and information to colleagues on both teams by being aware of 'best practice', recent research and new developments in the treatment of addiction and being familiar with the procedures within the judicial system, which will then be reflected in performance.
- ☐ Maintain confidentiality at all times on matters relating to the clients and their families.
- ☐ Work as part of a multidisciplinary team to facilitate positive outcomes for the client.
- ☐ Participate and assist in setting and maintaining standards and the implementation of policies.
- ☐ Obtain supervised urine from female clients' while in the Drug Court/Report Back Appearance, when required by the Judge.
- ☐ Undertake any other duties as may be assigned by the Consultant Psychiatrist and/or Senior Nurse Manager.
- ☐ Provide an efficient, effective and quality service respecting clients' needs.
- ☐ Demonstrate managerial, organisational, interpersonal and communication skills.
- ☐ Develop and manage a referral and follow up system.
- ☐ Be aware of relevant policies and procedures and collaborate with other health professionals and the judiciary to ensure that these are observed.
- ☐ Promote a safe environment for clients, families and staff.
- ☐ Participate in the audit of clinical care and the function of the Drug Court Liaison Nurse, compile statistics and submit reports as requested.

### **Nursing Assessment**

- ☐ Full medical health assessment, and formalise a treatment plan with the treatment team and the client. This is signed by the client before treatment commences.
- ☐ The initial interview by the Drug Court nurse covers client's personal life, housing situation family and community supports; drug history, drugs used, age commenced using drugs, when last used drugs.
- ☐ If the client is already in treatment these details are taken, including services and agencies in the community.
- ☐ Clinical checks – viral status, whether attending hospital, whether client has been in contact with the Drug Service, treatment clinic, needle exchange.
- ☐ Psychiatric history, referred to GP if appropriate. Full physical screening, urine screening, review of counselling, referral to other agencies including rehabilitation.
- ☐ If the client is in treatment the assessment is sent to the clinic or GP's surgery. If the client is not currently attending counselling this is offered to them.
- ☐ If appropriate they may also be referred to the rehabilitation services at the SAOL project, Soilse.

### **Treatment Option Offered**

- ☐ A range of treatments are offered including in patient detoxification, out patient detoxification and methadone and counselling.
- ☐ The GP's offers care in relation to the client's addiction and general health.
- ☐ The nursing service offers viral screening, vaccinations Hep A/B, wound dressing, advice on health issues, family planning and safe sex. There is also a midwife available to clients.
- ☐ The pharmacy service dispenses medication, gives advice and information on drugs being dispensed.
- ☐ The counselling service offers a range of supports including assisting in detoxification for clients in the out patient setting.
- ☐ A supervised urine screening service is provided. Clients are normally screened twice weekly.
- ☐ A broad menu of holistic services are offered both residential, day including tailor made community models.
- ☐ The psychiatrist provides specialist advice and psychiatric assessment for clients with dual diagnosis.
- ☐ A Community Welfare Officer is available to advise on housing issues and welfare matters.
- ☐ Family support are offered to the clients through the Talbot Centre and the treatment clinic.

### **Role of the Education Coordinator**

- ☐ Provide Educational / Career Guidance to each of the drug court participants.
- ☐ Assess participants previous educational participation.
- ☐ Assess and anticipate educational needs in conjunction with the DC team.

- ☐ Develop and provide appropriate educational programmes specific to the participants needs eg Transition programme (where this cannot be provided within the community).
- ☐ Place participants in education / training programmes appropriate to their education / training needs when they are stable enough.
- ☐ Liaise on clients / courts behalf with agencies eg FAS, CERT and Community Projects in conjunction with the DC team.
- ☐ Provide support to the agencies in working with participant.
- ☐ Report to the team on participants progress within appropriate agency.
- ☐ Provide ongoing guidance and supportive motivational interviews to the participant throughout the three phases.
- ☐ Work with the Drug Court team in developing programmes suitable for the participant.
- ☐ Refer to educational psychologist if further assessment is required or requested by the team.
- ☐ Where a client is attending a rehabilitation programme e.g. Soilse etc, liaise with the education co-ordinator / career guidance personnel re: student progress.
- ☐ Promotion of awareness and understanding of working with drug – using / recovering clients within CDVEC and centres where CDVEC personnel work.
- ☐ Management and administration of the teaching team involved with the Drug Court Programme.

#### **Role of the Assistant Education Coordinator**

- ☐ To cover pre-court and court meetings when co-ordinator is unavailable.
- ☐ To attend three way meetings when co-ordinator is not available.
- ☐ Facilitate and co-ordinate Skills course.
- ☐ Cover administration and organisation of timetable / classes where appropriate.
- ☐ Attend drug court staff meetings.
- ☐ Work to maximise drug abusing offenders' motivation to change, and specifically to engage with drug treatment.
- ☐ Be the community based case manager on behalf of the Drug Court.
- ☐ Facilitate interventions and treatment progression routes with and on behalf of the offender.
- ☐ Co-ordinate the management of lapse and relapse where these occur in the course of the Drug Court programme.
- ☐ Link on behalf of the Drug Court with the community it serves.
- ☐ Link with Probation Service and other appropriate programmes and resources for the enhancement of the Drug Court Programme and the benefit of programme participants.

#### **Role of the Probation and Welfare Service Officers**



The Probation and Welfare Service allocated a Senior Probation and Welfare Officer<sup>27</sup> (part-time) and two Probation and Welfare Officers (full-time) to the Drug Court Team. Their primary role is to:

- ☐ Be at the centre of the justice system, the offender and drug treatment
- ☐ Work to maximise drug abusing offenders' motivation to change, and specifically to engage with drug treatment.
- ☐ Be the community based case manager on behalf of the Drug Court.
- ☐ Facilitate interventions and treatment progression routes with and on behalf of the offender.
- ☐ Co-ordinate the management of lapse and relapse where these occur in the course of the Drug Court programme.
- ☐ Link on behalf of the Drug Court with the community it serves.
- ☐ Link with Probation Service and other appropriate programmes and resources for the enhancement of the Drug Court Programme and the benefit of programme participants.

### **Role of the Community Welfare Officer**

Taking a holistic approach, the Community Welfare Officer provides advice, information and practical assistance where appropriate, on welfare issues, to the participants of the court. The welfare officer will sometimes act as an advocate for the participant with other service providers/agencies. In cases involving participants who are homeless, the welfare officer will act as a link to accommodation providers, both emergency and long-term.

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<sup>27</sup> The Senior Probation and Welfare Officer is also a member of the Drug Court Steering Committee.

## ***APPENDIX E. IRISH DRUG LEGISLATION***



- ❑ The **Poisons (Ireland) Act, 1870** controls the sale of scheduled poisons, including opium, morphine, cocaine, heroin, and preparations containing these drugs
- ❑ The **Pharmacy Act (Ireland), 1875** confines the sale of scheduled substances to authorized persons *i.e.* registered pharmaceutical chemists.
- ❑ The **Probation of Offenders Act, 1907** provides for the majority of non custodial sanctions available to the courts.
- ❑ The **Medical Preparations (Control of Sale) Regulations, 1966** regulates the sale of amphetamines and their analogues, barbiturates and tranquilisers, limiting them to prescription only.
- ❑ The **Medical Preparations (Control of Amphetamines) Regulations 1969 and 1970** the manufacture, sale and distribution of amphetamines and preparations containing amphetamines and their derivatives are prohibited.
- ❑ The **Misuse of Drugs Acts, 1977 and 1984** and the Regulations made there under are the main laws regulating drugs in Ireland. They include controls relating to cultivation, licensing, possession, administration, supply, record-keeping, prescription-writing, destruction and safe custody. They also establish the offences and penalties. The Misuse of Drugs Act, 1977 (Controlled Drugs) Declaration Order, 1984 extend the list of substances, products and preparations to be controlled for the purposes of the Misuse of Drugs Act, 1977. In 1984 the Criminal Justice Act, 1984 widened the scope of the criminal law and procedures to deal more effectively with serious crime, including serious offences under the Misuse of Drugs Acts. The Misuse of Drugs Regulations, 1988 sets out the arrangement to facilitate the licence control over the lawful production, supply, importation and exportation of the drugs to which the Misuse of Drugs Acts 1977 and 1984, apply. In November 1993 a new text was introduced to control precursors and essential chemicals, the Misuse of Drugs (Scheduled Substances) Regulations, 1993. With these acts Ireland meets with the obligations relevant to the control of precursors, under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988, and under EC Directives 92/109 and EC Regulation 3677/90. The Regulations control production, supply, importation, exportation and possession of the precursor substances.

❑ ***Order of Recognisance (Misuse of Drugs Act, 1997, Section 28, as amended by the Misuse of Drugs Act, 1984):***

The recognisance order requires the accused to undergo treatment and /or a course to deal with their drug addiction, either in residential or community setting.

Section 28 of the Misuse of Drugs Act, 1977 as amended by the Misuse of Drugs Act, 1984, Section 14 stated that:

“28 (1) (a) Where a person is convicted of an offence under Section 3 of this Act, other than a first or second offence in relation to which a penalty may be imposed under Section 27 (1)(a) of this Act, or an offence under Section 15 or 16 of this Act, or of attempting to commit any such offence, if having regard to the circumstances of the case, the court considers it appropriate so to do, the court may redeem the person for such period as it considers necessary for the purpose of this section (being a period not exceeding eight days in the case of a remand in custody), and request a health board, probation and welfare officer or other body or person, considered by the court to be appropriate, to –

- (1) cause to be furnished to the court a medical report in writing on the convicted person together with such recommendations (if any) as to medical treatment which the person making the report considers appropriate to the needs, arising because of his being dependent on drugs, of the convicted person, and
- (2) furnish to the court a report in writing as to the vocational and educational circumstances and social background of the convicted person together with such recommendations (if any) as to care which the body or person making the report considers appropriate to the said needs.

Furthermore, the Section continues with:

- (2) Having considered the reports furnished pursuant to subsection (1) of this section, the court shall, if in its opinion the welfare of the convicted person warrants its doing so, instead of imposing a penalty under Section 27 of this Act, but subject to subsection (8) of this section either –
  - (a) permit the person concerned to enter into recognisance containing such of the following conditions as the court considers appropriate having regard to the circumstances of the case and the welfare of the person, namely –
    - (1) a condition that the person concerned be placed under the supervision of such body (including a health board) or person as may be named in the order and during a period specified in the order,
    - (1a) in case the person concerned is placed under such supervision, a condition requiring such person, at the place at which he normally resides or at such other place as may be specified in the order and during such period and at such intervals as shall be so specified, to receive visits from and permit visits by –
      - (1) in case such person is placed under the supervision of a body, an officer of that body,
      - (2) in case such person is placed under the supervision of a person, that person,
    - (2) a condition requiring such person to undergo medical treatment recommended in the report,
    - (3) a condition requiring such person for such treatment to attend or remain in a hospital, clinic or other place specified in the order for a period so specified,

- (4) a condition requiring the person to attend a specified course of education, instruction or training, being a course which, if undergone by such person, would, in the opinion of the court, improve his vocational or social circumstances, facilitate his social rehabilitation or reduce the likelihood of his committing a further offence under this Act, or
- (b) order that the person be detained in custody in a designated custodial treatment centre for a period not exceeding the maximum period of imprisonment which the court may impose in respect of the offence to which the conviction relates, of one year, whichever is the shortest.”

- ❑ The **Criminal Justice Act, 1994** provided for the seizure and confiscation of assets derived from the proceeds of drug trafficking and other offences. The Act contains provisions related to money laundering and allows for international co-operation in respect of certain criminal law enforcement procedures, the forfeiture of property used in the commission of crime, and related matters.
- ❑ The **Criminal Justice (Drug Trafficking) Act, 1996** permits the detention of a person suspected of having committed a drug trafficking offence for up to a maximum of seven days.
- ❑ The **Criminal Justice Act, 1999** amends the **Misuse of Drugs Act, 1977** to provide for a new drug related offence. The new section (15A) creates a new offence related to the possession of drugs, with a value of IR£10 000/ €12,700 or more, for the purpose of sale or supply. A person found guilty of such an offence may be imprisoned for up to life and be subject to an unlimited fine. The Act also provides for a mandatory minimum sentence of ten years in prison.
- ❑ In 2000 new regulations (Customs-free Airport (Extension of Laws) Regulations, 2000) were introduced to extend drug controls under the Misuse of Drugs Acts, 1977 and 1984, and the Irish Medicines Board Act, 1995, to include the Customs free area at Shannon airport. This instrument extends the import/export controls under the Misuse of Drugs Acts, 1977 and 1984 to this area. It also allows Irish Medicines Board to inspect any company within the customs free area at the Customs Free Airport.

### Drug use and possession

Drug use, as such, is not a specific crime under Irish law except for certain activities relating to prepared opium, that is opium specifically prepared for smoking. In fact only the use of prepared opium, the frequenting of premises used for the use of prepared opium and the possession of utensils used for smoking prepared opium are prohibited.

Possession of any controlled drug, without due authorisation, is an offence under Section 3 of the Misuse of Drugs Act 1977. The legislation makes a distinction between possession for personal use and possession for sale or supply. Penalties for possession depend on the type of the substance (cannabis or other drugs) and on the penal proceedings *i.e.* whether a summary conviction or a conviction on indictment. Penalties for unlawful possession for the purpose of sale or supply range from imprisonment for up to 1 year and/or a fine on summary conviction, or up to imprisonment for life and or/an unlimited fine on conviction on indictment.

Possession of cannabis and cannabis resin is considered in a different way to other drugs. Possession of cannabis or cannabis resin for personal use is punishable by a fine on first or second conviction. From a third offence onwards, possession for personal use of cannabis or cannabis resin incurs a fine and/or a term of imprisonment up to 1 year, on summary conviction and imprisonment for up to 3 years and/or a fine on conviction on indictment. Possession in any other case incurs a penalty of imprisonment for up to 1 year and/or a fine on summary conviction and up to 7 years imprisonment on conviction on indictment.

### Trafficking and drug related crime

As regards drug trafficking, the law establishes different penalties according to the type of offender, the type of drugs and the quantity. Possession for sale or supply attracts penalties up to life imprisonment. See also the above reference to Section 15(A) of Misuse of Drugs Act, 1977, as inserted by Part II of the Criminal Justice Act, 1999, in relation to possession of drugs for sale or supply with a value of IR£10 000/ €12 700 or more. Other relevant legislation includes the Justice Act, 1994 (criminalising money laundering related to drugs) and the freezing and forfeiture of the proceeds of crime under the Proceeds of Crime Act, 1996.

### Prosecution and judicial practice

The Irish criminal justice system is an adversarial system in which the onus of proving guilt rests on the prosecutor. The proceedings for drug related cases (such as for all the other offences) are dealt on a summary basis or on indictment. A summary offence is a minor offence chargeable by way of a summons, tried before a Judge of a District Court. The District Court can impose a fine, one of a range of non-custodial sanctions or a prison sentence. Generally, the maximum term of imprisonment which may be imposed by the District Court for any one offence is 12 months, though in certain circumstances a consecutive sentence can extend the aggregate term to two years. The indictment proceeding is followed in all more serious (drug) cases. Therefore, drug related crimes considered too serious for the District Court are referred to the Criminal Courts. Here the defendant is entitled to a trial by jury.

### Non-custodial options include:

- ❑ Probation Order (Probation of Offenders Act, 1907) – this is to secure the rehabilitation of the offender, to protect the public and to prevent the offender from committing further offences. It is used, for drug users where conditions may *inter alia*, include attendance for treatment and the provision of urine for analysis. This is the preferred procedure in the District Court when dealing with drug users.
- ❑ Supervision during deferment of penalty / Intensive Supervised Probation (Suspended Sentence). This facility was designed to increase restraints on offenders in the community. Offenders are required to report for frequent urine testing. The type and levels of demand placed on offenders differ enormously by jurisdiction.

- ❑ Order of Recognisance (Misuse of Drugs Act, 1977, Section 28 as amended by the Misuse of Drugs Act, 1984) – This is an order requiring an offender to undergo treatment for drug addiction in a residential centre or in the community. This is an important non-custodial option for drug users. However, in practice this Order is not generally used by the courts since the provision of a statutory place of treatment has always been problematic.
- ❑ Community Service Orders (Criminal Justice Act, 1983) require offenders to perform unpaid work for between 40 and 240 hours. There is a perceived lack of suitability of community service for offenders with addictions (Final Report of The Expert Group on The Probation and Welfare Services, 1999). This can be due to the unstable nature of drug addicts.
- ❑ A fine has statutory limits, fixed for a particular offence. The money goes to Central Funds and if unpaid can be enforced by committal to prison.
- ❑ A Compensation Order has a specific statutory format as laid out in the Criminal Justice Act, 1993 and is related to the wrong done. The money goes to the victim rather than to Central Funds.
- ❑ Discharge under the Probation of Offenders Act, 1907, (Section 1) where a decision is made not to proceed to convict.
- ❑ The Misuse of Drugs (Supervision of Prescriptions and Supply of Methadone) Regulations, 1998 lays down the rules concerning the prescription of specified controlled substances, mainly methadone, by medical practitioners. The name, address and date of birth of a person participating in a programme of treatment involving the use of such controlled drugs together with the name of the prescribing practitioner and the dispensing pharmacist must be notified to the Eastern Health Board. A Drug Treatment Card, which is valid for periods up to one year only, may be issued by a Health Board in respect of a person seeking treatment on a methadone programme. As from 1 October 1998 medical practitioners may not issue prescriptions for these controlled substances other than to a person who has been issued a drug treatment card. Pharmacists, or 'person keeping open shop for the dispensing or compounding of medical prescriptions', may not supply the specified drugs to anyone other than a person to whom a treatment card has been issued, and must forward a record of all prescriptions to the Minister for Health & Children. The regulations do not apply to prescriptions issued in a hospital, for administration in the hospital, or to a prescription issued for the treatment of a person for purposes other than for opiate dependence.

### Money laundering and confiscation

- ❑ The Criminal Justice Act, 1994 criminalises money laundering related to drugs or other criminal activity, regulating the obligations to report on suspicious operation to a range of persons or bodies carrying out certain activities.
- ❑ Under the Criminal Assets Bureau Act, 1996 the Criminal Assets Bureau was established on a statutory footing with powers to focus on the illegally acquired assets of criminals involved in serious crime. The aims of the Bureau are to identify the criminally acquired assets of persons and to take the appropriate action to deny such people of these assets. This action is taken particularly through the application of the Proceeds of Crime Act, 1996. The Proceeds of Crime Act, 1996 provides for the freezing and forfeiture of the proceeds of crime. This legislation complements the confiscation provisions of the Criminal Justice Act, 1994.

Source: [http://eldd.emcdda.org/databases/eldd\\_news.cfm](http://eldd.emcdda.org/databases/eldd_news.cfm) and Lucy Dillon and Eimear Farrell in *Law Enforcement, Diversion to Treatment, Alternatives to Prison* in Reitox National Report 1999.

## ***APPENDIX F. INFORMATION MEETINGS UNDERTAKEN***





From the outset, the Drug Court Team have endeavoured to increase awareness of the new Pilot Drug Court operating in Dublin. An information day was held in Store Street Garda Station on 27<sup>th</sup> February 2001 to which a wide range of agencies were invited, including staff of City Clinic. Attendance at this meeting was adversely affected by heavy snowfall. Individual team members had meetings with members of staff of treatment projects listed elsewhere under ancillary agencies and representatives of various organisations have been welcomed to attend pre-court meetings and to ask questions.

The Drug Court Team made presentations, at times with the Drug Court Judge, to groups including the following:

North Inner City Task Force
Coolmine Therapeutic Community
Soilse
Saol
PACE
Grange Community School
Court Staff
CDVEC Guidance Counsellors
PACE
Probation and Welfare Service Training Day
Trinity College Social Work Department
Bridge Project
City Clinic
ICON
Merchants Quay Project
Crinan Youth Project
Ana Liffey Project
Cuan Mhuire

## ***APPENDIX G. DRUG COURT PARTICIPANT INTERVIEW***



**Strictly Private and Confidential****DRUG COURT PARTICIPANT**

03 May 2001

Dear Drug Court participant,

**Voluntary meetings with the Evaluators of the Pilot Drug Court Programme**

As you are aware the first Irish Drug Court opened in Dublin in January 2001. In order to evaluate and assess the effectiveness and impact of the Irish Drug Court, Farrell Grant Sparks Consulting Ltd. and Dr. Michael Farrell were commissioned by the Courts Service to conduct an evaluation of the Pilot Drug Court Programme currently underway in the Dublin area.

Drug Court participants are an essential element of any Drug Court Programme and, therefore, the evaluators consider their opinion an important aspect of the Evaluation study. As a participant of the Irish Drug Court Programme, the evaluators are very interested in hearing what you think about a) the overall Drug Court Programme and b) the different aspects of the Drug Court Programme.

The evaluators would, therefore, like to invite you to meet with them, once in May 2001 and again in February 2002, in order to get an understanding of your opinions and views on the Drug Court Programme. As part of the evaluation framework in place, the evaluators intend to meet with approximately 10 Drug Court participants overall, both at the initial stage of the Drug Court Programme (May 2001) and again after approximately 10 months (February 2002).

It is important to realise that the evaluators are independent from the Drug Court, and therefore, all **meetings are entirely confidential** and will not be discussed with any member of the Drug Court Team or any other persons involved in the Drug Court Programme.

The following points are important to note:

- ☐ The meetings are **entirely voluntary**. They are **not part of your Drug Court Programme** and you do not have to take part if you do not want to.
- ☐ The meetings are **entirely confidential**. Notes taken during the meetings are for Farrell Grant Sparks' evaluation use only. The content of the meetings will not be discussed with the Drug Court Team, or any other persons involved in the Drug Court Programme.
- ☐ As the meetings are voluntary, you are **entitled to terminate (leave) the meeting at any time**. Similarly the evaluators are also entitled to terminate the meeting at any time if they so wish.
- ☐ The evaluators intend to meet with you in May 2001 and again in approximately 10 months *i.e.* February 2002.



- ☐ When completed, information collected from the meetings with Drug Court participants will be expressed in collective terms. This will ensure that the **views of individual participants**, expressed in the meetings, **will not be identified**.
- ☐ Each meeting will take place with 2 evaluators present and it is expected that meetings will take no longer than 1 hour.
- ☐ A list of the questions, which the evaluators are interested in asking you, is included with this letter. This ensures that you have time to think about the questions before the meeting. The list of questions can also help you in your decision to attend the meetings with the evaluators.

For your convenience, meetings with the evaluators can be arranged at a suitable time, preferably early May, and will take place in a room in the Richmond Courthouse. If you decide you would like to meet and discuss these questions with the evaluators, once in May 2001 and again February 2002, please inform the Drug Court Co-ordinator, Noel McNaboe at the Richmond Courthouse.

Yours sincerely,

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**KAREN O' REGAN**

**Consultant / Farrell Grant Sparks Consulting Ltd.**

## Proposed Meeting Schedule

### ***Drug Court Programme:***

- ☐ How did you hear about / find out about the Drug Court?
- ☐ Why did you choose to participate in the Drug Court instead of going through the normal Court system?
- ☐ Are you glad that you choose to participate in the Drug Court Programme?
- ☐ What do you **like** about the Drug Court Programme?
- ☐ What do you **dislike** about Drug Court Programme?
- ☐ Do you find the Drug Court Programme difficult?
- ☐ What would make the Drug Court Programme easier for you?

### ***Weekly meetings:***

- ☐ Do you think the meetings with the Treatment Nurse, Probation and Welfare officers and the Education officer are helping you?
- ☐ Do you think there are too many or too few meetings every week?
- ☐ Do you have any suggestions about any of the meetings?

### ***Drug Court Appearances:***

- ☐ Do you think it is a good idea that you appear before the Drug Court regularly?
- ☐ Do you find it difficult to attend the Drug Court? Why?
- ☐ Do you have any suggestions about the Drug Court?

### ***General:***

- ☐ Overall, do you have any other comments or suggestions you would like the evaluators to be aware of?

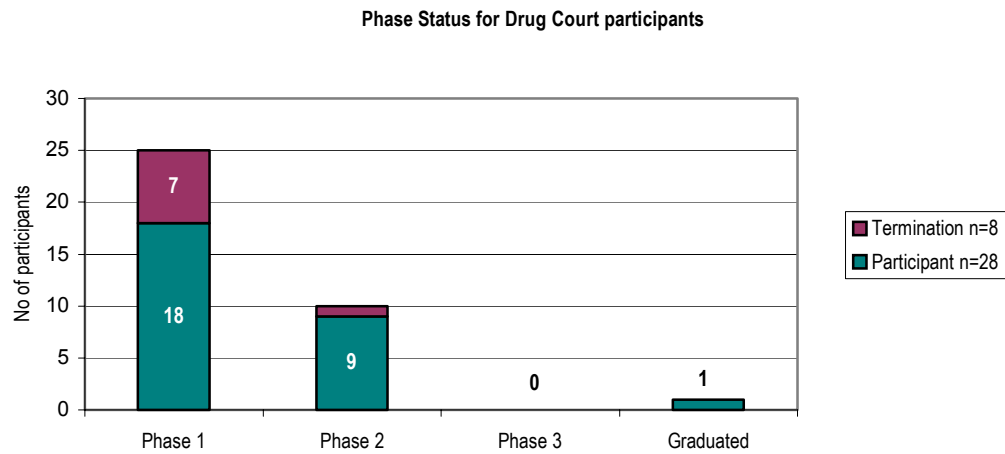
## ***APPENDIX H. PARTICIPANT PROGRESS UPDATE***



## PROFILE OF THE DRUG COURT PARTICIPANTS

### Phase Status of Drug Court Participants

Figure C.2 – Participant Status 30 April 02



## IMPACTS OF THE DRUG COURT PROGRAMME (RECIDIVISM)

TABLE C.1 RECIDIVISM/PROGRAMME COMPLIANCE

	% PARTICIPANTS				
	PERIOD 1 N=7	PERIOD 2 N=15	PERIOD 3 N=28	PERIOD 4 N=36	31/1/02 – 30/4/02
No. active participants	7	15	27	32	30
% Arrested	86	47	44	34	37
% with new Charges	86	33	41	31	23
% with Bail revoked	56	47	22	22	33

\*of the participants taken on before 31/1/02

### Number of bench warrants issued

TABLE C.2

	% PARTICIPANTS				
	PERIOD 1 N=7	PERIOD 2	PERIOD 3 N=28	PERIOD 4 N=36	31/1/02 – 30/4/02
No. active participants*	7	15	27	32	30
% issued with Bench Warrants	29	40	44	31	33
No. Bench Warrants Issued	2	8	16	12	16

\*of the participants taken on before 31/1/02

### Participants compliance

Table C.6 outlines in detail the offending behaviour of Drug Court participants since they joined the Drug Court Programme. For those in the Programme since the first Period, it is possible to track the progress and changes in offending behaviour as they progress through the Programme.



\*\* Plus 7 days in custody from another court

✓ indicates when a participant has progressed to Phase 2

Red indicates when a participant has been terminated from the Programme

JOINED DCP.	CLIENT CODE	QUARTER 1				QUARTER 2				QUARTER 3				QUARTER 4				FEB-APRIL			
		NO. ARREST	NO. CHARGE	TIMES BAIL REVOKED	CUSTODY	NO. ARREST	NO. CHARGE	TIMES BAIL REVOKED	CUSTODY	NO. ARREST	NO. CHARGE	TIMES BAIL REVOKED	CUSTODY	NO. ARREST	NO. CHARGE	TIMES BAIL REVOKED	CUSTODY	ARREST	CHARGE	BAIL REVOKED	CUSTODY
Q1 n = 7	1	2	2	1	7	2	2	2	10	3	3	1	43	2	3	2	40	-	-	-	-
	2	2	3	2	14	1	1	0	0	0	0	0	0	-	-	-	-	-	-	-	-
	4 ✓	1	1	2	21	0	0	0	0	0	0	0	0	0	0	2	12	1	2	1	14
	5	0	0	0	0	0	0	1	2	2	2	1	8	-	-	-	-	-	-	-	-
	7 ✓	2	4	1	7	0	0	0	7	0	0	0	0	0	0	0	0	1	-	-	-
	8	1	1	0	0	3	2	0	0	3	4	1	34	2	2	1	25	-	-	-	-
	9	7	14	2	14	1	1	2	7	-	-	-	-	-	-	-	-	-	-	-	-
Q2 n = 8	11	-	-	-	-	1	0	2	2	1	1	1	12	2	2	1	1	1	0	0	0
	17	-	-	-	-	0	0	2	9	1	0	1	24	2	0	1	21	0	0	1	2
	18	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	✓	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	19	-	-	-	-	0	0	0	0	1	2	0	0	2	2	0	0	0	0	0	0
	20	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	✓	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Q3 n = 13	23	-	-	-	-	1	0	1	7	2	2	1	6	-	-	-	-	-	-	-	-
	24	-	-	-	-	1	1	0	0	1	1	0	0	0	0	0	0	1	0	1	2
	26	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	✓	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	10	-	-	-	-	-	-	-	-	4	2	0	0	2	1	0	0	1	0	1	7
	25	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	1	1	0	0
	27	-	-	-	-	-	-	-	-	1	1	0	0	1	2	0	0	0	0	0	0
	28	-	-	-	-	-	-	-	-	1	2	0	0	1	2	0	0	0	0	0	0
	29	-	-	-	-	-	-	-	-	1	1	0	0	0	0	0	0	0	0	0	0
	30	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	3	0	0
	31	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	1	5
	32	-	-	-	-	-	-	-	-	0	0	0	0	4	7	1	15	3	6	0	0
Q4 n = 8	36	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	3	5	1	5
	37	-	-	-	-	-	-	-	-	0	0	0	0	2	2	0	34	2	0	1	7
	39	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0
	41	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0
	43	-	-	-	-	-	-	-	-	0	0	0	0	1	2	0	0	0	0	0	0
	35	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0
	42	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0
	44	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0
	46	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0
	47	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	1	1	2	9
Q4 n = 8	48	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0
	51	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	4	11	2	12
Q4 n = 8	52	-	-	-	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	1	2
	Total	15	25	8	63	10	7	10	51	21	21	6	127	21	25	8	148	19	29	12	65

