

Editorial DEPP:

Drug experienced young people in contact with the Criminal Justice System. Understanding the challenges and working towards solutions.

Authors:

Vibeke A. Frank, Sara Rolando, Betsy Thom, Franca Beccaria, Karen Duke & Maria Dich Herold

The focus of this collection of papers is on young people (age 14-25) who are drug experienced *and* are in contact with the Criminal Justice System (CJS). In general, research tends to focus on either young people's drug use *or* offending; equally, we see a tendency within policy and service responses to focus on interventions aimed either at drug use or at offending but rarely addressing complex problems that may include drug use *and* offending (Herold, Rand & Frank, 2019). By drawing on young peoples' own perspectives and experiences and focusing on multiple problem areas at the same time, this collection presents findings that complement and augment the existing literature by:

- a) providing an account of young people's own perspectives and experiences of their drug use and offending trajectories and the experienced relationship between these trajectories;
- b) describing young people's own perspectives and experiences of different kinds of drug and/or offending reducing initiatives they have participated in and what they appreciate and/or find difficult in these institutional arrangements;
- c) showing how professionals engage with this group of young people, and how young people themselves consider engagement in services offered to them; and finally,
- d) highlighting the unintended consequences for young people of the application of prohibitive drug policies and of involvement in the criminal justice system.

The four papers in this collection are based on research from the EU funded EPPIC project (Exchanging Prevention practices on Polydrug use among youth In Criminal justice systems). The project ran from January 2017 – February 2020 and took up the challenge of investigating how drug experienced young people involved in offending are dealt with in the legal, health and welfare systems in six EU countries (Poland, Italy, Denmark, UK, Germany, Austria) focusing on their own experiences and perspectives on this.¹

¹ The project 768162/EPPIC, which has received funding from the European Union's Health Programme (2014-2020). The content of this editorial represents the views of the authors only and is their sole responsibility; it cannot be considered to reflect the views of the European Commission and/or the Consumers, Health, Agriculture and Food Executive Agency or any other body of the European Union. The European Commission and the Agency do not accept any responsibility for use that may be made of the information it contains. See also www.eppic-project.eu.

The EPPIC Project

The three objectives of the EPPIC project were:

- To gather knowledge, exchange best practice and identify transferable innovations and principles of good practice on interventions to prevent illicit drug use, the development of polydrug use, and use of 'new' psychoactive substances' (NPS) among young people in touch with the criminal justice system (CJS);
- To develop a set of guidelines/ principles/ tools adapted to the development of initiatives aimed at the target group based on the European Drug Prevention Quality Standards;
- To initiate a European knowledge exchange network for practitioners and stakeholders working with young people in the CJS.

An important background for the study was that, although 'vulnerable groups' (which include drug experienced young people and those in the criminal justice system) have been highlighted as a priority in many national drug policies, there was no indication that the provision of bespoke interventions had necessarily increased as a result of this attention (EMCDDA, 2008; see also Brotherhood, Atkinson, Bates, et al., 2013). From a scoping of interventions available in the six partner countries at the beginning of the EPPIC project, it was confirmed that there were very few evaluated projects and few interventions designed specifically for drug experienced young people in the CJS in all six EU countries. Furthermore, few projects were delivered as national programmes; many were local projects provided by charities or third sector services and subject to variable and precarious funding (Moskalewicz, Dąbrowska & Pisarska, 2018). Rather, initiatives targeting this group of young people were more often part of services aimed at a wider group of drug experienced (young) people or of (young) people in general in the CJS. Those reported in the scoping survey and in the literature were based in both community and in prison settings and varied from highly innovative projects, to more traditional initiatives based on psychological interventions such as cognitive behavioural therapy (for details see Moskalewicz, Dąbrowska & Pisarska, 2018; Herold & Frank, 2018).

The initial scoping work and interviews with key informants in the six countries also drew attention to the use of the concept 'prevention' in relation to our target group of young people. It was clear that, for this target group, 'prevention' had to be framed broadly. The reasons are aptly conveyed in the words of one professional who commented:

Some of them have been smoking weed since they were 12 years old ... we do work with ones who are 15, they are already 2.5 years down the line,... so I think prevention may be too late then. It's more about damage limitation... (Substance use worker, UK)

Thus, the EPPIC project worked with a broad definition where prevention interventions were framed very widely to include primary prevention aiming to prevent or delay onset of use, through to preventing the development of more harmful patterns of use, treatment, and harm reduction.

To increase understanding of young drug experienced people's pathways through the CJS and to identify critical issues in service provision, we interviewed 198 young people age 14-25 and 68 professionals across the six countries. All countries used the same interview guides and coding frameworks, developed in cooperation between the EPPIC partners. Theoretical approaches and specific details of data collection and analysis are described in each of the papers in this issue. Despite differences in policies, welfare services and drug use trends across countries, the interviews with both young people and professionals allowed us to explore similarities as well as differences in perspectives and experiences (for further information see Moskalewicz, Dąbrowska & Pisarska, 2018; Rolando & Beccaria, 2019; Herold & Frank, 2018). The four papers in this issue focus on similarities rather than differences between country samples as this emerged most strongly from interviews with the young people. The focus on similarities allowed us to examine the shared experiences and perspectives of the young people, despite structural and policy differences that do exist between the participating countries.

The findings from the research are reported in a series of national and cross-national reports (available on the EPPIC website <http://eppic-project.eu/>) and in published papers. In addition, insights from the research together with documentary analysis, provided the basis for the development of the EPPIC "Quality Standards for interventions aimed at drug experienced young people in contact with criminal justice systems" (Graf & Stöver, 2019).² The ten quality standards, which were discussed with professionals in each country to assess their acceptability and transferability, were aimed primarily at professionals initiating or delivering services; but they are also of interest to service commissioners and policy makers, since it is evident that the issues addressed by the EPPIC project are not resolvable by single interventions, but must be tackled by appropriate and integrated policies.

The EPPIC samples of young people and professionals

At the time of the interview, all young interviewees were involved either in prison or secure services or in community-based services. Interventions included prison based drug treatment and pre-treatment programmes, interventions in other secure settings (detention centres and secure settings for youth), community drug treatment programmes, and other forms of community based prevention or treatment interventions that included, but was not restricted to, reduction of drug use. The interviews adopted the trajectory approach (Hser, Longshire & Anglin, 2007) to investigate the young people's experiences with drugs over their life course and their perceptions of factors affecting their use of substances and their offending behaviours.

² The Quality Standards are available on <http://www.eppic-project.eu/wp-content/uploads/2020/01/Handbook-on-Quality-Standards-2.pdf>

Our sample was mainly male (79%) and more than one third were immigrants or second generation immigrants. Young interviewees' experiences with drugs ranged from those who had only smoked cannabis to those who had engaged in polydrug use to those who were 'at risk' of, or had already become involved in, harmful practices, including injecting. Most young people had committed more than one offence. Penalties were related to a broad variety of offences – from possession of drugs up to attempted murder or violence resulting in death, as well as burglary, drug dealing and trafficking; but only a minority of penalties were directly drug-related. Regarding social contexts and economic situations, the sample was very diversified, including (a minority of) young people who had grown up in relatively wealthy families and (a majority of) young people with highly challenging life trajectories. Many were affected by a broad range of problems including problematic relationships with parents, abandonment, trauma, violence and mental health problems (see also Beccaria & Rolando, 2019; Rolando & Beccaria, 2019; Gleeson, Duke & Thom, 2019; Duke, Gleeson, Dąbrowska, et al., 2020).

The professionals we interviewed, individually or in focus groups, worked in initiatives targeting the above mentioned group of young people, although often they were part of services aimed at a wider group of drug experienced young people or young people in the CJS. The professionals had varied backgrounds in social work, psychology, youth work, medicine, drug specific education, and some had 'lived experience' of drug use and/or the criminal justice system. In the interviews, we asked the professionals for: a description of the service and the overall approach to the intervention with young people; the wider structures and systems that impacted on service delivery; a description of the target group and how (why) that may have changed over recent years; as well as perceptions and experiences of providing interventions for this target group – what was seen to 'work' and 'not work'. The interview schedule was open with key areas for questioning and relevant probes sketched out for flexible use by the interviewers. As reported elsewhere (Herold, Rand & Frank, 2019; Duke, Thom & Gleeson, 2020), professionals interviewed for EPPIC worked within systems and structures which were often challenging and which made it difficult to respond effectively to young people affected by multiple complex problems. In particular, professionals recounted the difficulties they faced in providing appropriate responses while working within criminal justice settings and stressed the importance of finding ways to engage young people in the interventions and services on offer.

The four papers

The four papers in this collection, each in its own way, add to the existing literature on the relationship between drug use and offending trajectories, user perspectives on drug reducing interventions, young peoples' possibilities for agency, and unintended consequences of drug policies.

In the available literature on drug use and/or offending, adolescence and young adulthood are

considered important periods for initiation into substance use and for use to become established patterns of behaviour (Stockings, Hall, Lynskey, et al., 2016). This is also a period when young people are considered at risk of becoming involved in criminal activities and when substance use and offending are likely to co-exist and reinforce one another (Hunter, Miles, Pedersen, et al., 2014). While most young people naturally grow out of offending during their early twenties (Farrington, Loeber & Howell, 2012) and many young adults age out of drug taking (Williams, 2016), it is also considered important in many countries to prevent both initiation into drug use and offending, as well as to prevent these behaviours becoming established (Degenhardt, Stockings, Patton, et al., 2016). However, we know little about how drug use and offending trajectories are intersected, and whether this combination has an impact on, or impedes normal life transition processes, resulting in failure to interrupt drug use and offending trajectories (Best, Irving & Albertson, 2017).

The first paper in this Issue by Rolando, Asmussen Frank, Duke, et al. (2020) provides new insights into the long-standing debate about drugs and offending among young people (see e.g. Bennett & Holloway, 2009), elaborating on the role of different types of drugs, economic factors, and cultural contexts in shaping the relationship between drug use and offending. On the one hand, the paper underlines how economic inequalities still play a crucial role in explaining both behaviours and their relationship. On the other hand, it suggests that the feeling of social exclusion as defined by Seddon (2006), that in certain cases may lead to offending behaviours and drug misuse, does not necessarily result from a condition of poverty in the strict sense. Rather it originates from frustration, deriving from living in a consumer society that fuels desires for money while providing scarce opportunities for economic success and social recognition (cf. Irwin-Rogers, 2019; Young, 2003). The paper also highlights how many young people's experiences with the CJS arise from the contradictions inherent to living in western societies where drug use is, to a certain extent, normalized (as emphasized by Measham & Shiner, 2009; Coomber, Moyle & South, 2016), but still prohibited and punished.

Frank, Thom & Herold (2020) examine young people's perspectives on drug reducing interventions. The authors argue that there is a lack of *young* peoples' perspectives both in the literature on users' perspectives on drug reducing interventions and in the literature on participation in several services at the same time. While most literature focuses on user perspectives on one service, e.g. methadone treatment, the EPPIC project aimed to examine interviewees' experiences with participation in different kinds of social, health and drug reducing interventions at the same time. In their paper, Frank et al. show that the young people place importance on *how* interventions are delivered by professionals, rather than what kind of intervention they participate in. While this has also been pointed out in other studies (e.g. Neale, 1998; Dahl, 2007), the EPPIC target group's participation in several interventions at the same time, also reveals that it is difficult for them to

navigate in what they refer to as the 'system', especially since the CJS and drug reducing interventions construct different kinds of 'problems' (offending and drug use), bestowing on young people different 'problem identities' that are dealt with very differently in the CJS and in drug reducing interventions, respectively. It is argued that intersectorial cooperation has become extremely important although working collaboratively is not without certain challenges, as Herold, Rand & Frank (2019) have shown elsewhere.

Participation in drug and offending reducing interventions thus construct particular problem identities and frame problems and solutions in particular ways (Duke, Thom & Gleeson, 2020; MacGregor & Thom, 2020). But polices and institutional practices also frame whether young people are to be considered as 'active agents' or as largely 'passive recipient of services' (Dunne, Bishop, Avery, et al., 2017). In their paper, Duke, Gleeson, Dąbrowska, et al. (2020) show how engagement of young people in drug and offending reducing interventions is possible and desired by both professionals and young people, but also how the criminal justice context presents challenges to successful engagement. The paper describes key 'techniques of engagement' which include the development of good relationships based on trust and respect, the use of harm reduction approaches, and recognising young people's desire for autonomy by involving them, as far as possible, in decision making and goal setting. Duke Gleeson, Dąbrowska, et al. (2020) show how accounts of both young people and professionals highlight the difficulty of combining an 'offender management' approach (Smith & Grey, 2019) with a 'children and young people first' approach (Case & Haines, 2015) and the authors conclude that practitioners need to be able to work flexibly, guided by their own experience and expertise in order to achieve positive engagement with young people.

Importantly, both Frank, Thom & Herold (2020) and Duke, Gleeson, Dąbrowska, et al. (2020) in their papers emphasize the need to consider what constitutes appropriate intervention approaches for young people with intersecting drug use and offending trajectories. These are important insights to take into account when developing and initiating new interventions or assessing already existing interventions (see also Duke, Thom & Gleeson, 2020, Herold, Rand & Frank, 2019). As noted above, insights from the research have also informed development of the quality standards.

The final paper, by Moskalewicz, Dąbrowska, Herold, et al. (2020), examines young people's perspectives and experiences of the unintended consequences of prohibitive drug policies and of their involvement in the criminal justice system. Based on Baert (1991), the authors distinguish three levels of unintended side effects: individual (e.g. health risks), impact on social relations (e.g. stigmatisation of drug users), and systemic affecting institutions (e.g. by resulting in inadequate treatment modalities). Across the six countries, the young people reported numerous physical and mental health problems, negative – and sometimes degrading - experiences with the police, the traumatic effects of being 'locked up', and the long-term consequences on employment opportunities and relationships

with other people. Furthermore, imprisonment was reported to incur a risk of exposure to criminal networks and increased stigmatisation; effective engagement in treatment and preventive services was reported as compromised by the often non-voluntary nature of participation in the interventions. The authors argue against the use of criminal procedures as a first option when dealing with young people and suggest that more opportunities should be provided to divert young people out of the criminal justice system and to offer support for building social, economic and cultural capital.

In conclusion

This collection has focused on a neglected area of research, the perspectives and experiences of drug experienced young people who are also involved in the criminal justice system and the perspectives and experiences of professionals delivering services for young people. The papers in this volume reflect the basic premises underpinning the EPPIC study – that the prevention of drug use and prevention of involvement in the criminal justice system needs to take account of the complex interaction between multiple factors at macro, meso and micro levels. Through the eyes of the young people and professionals interviewed for the research, we gathered information on how wider social conditions and norms, organisational structures and service delivery factors interacted with perceptions of personal needs and personal conditions to present opportunities for positive change or challenges and negative experiences of being in receipt of drug interventions within criminal justice contexts.

The papers highlight the importance of structural and cultural factors at the macro level, illustrating how wider social systems operate to facilitate or hinder prevention and intervention efforts. For instance, young people live in a consumerist society that fosters material and self-fulfillment aspirations; but for some young people the opportunities to achieve their aspirations are lacking or restricted. This can result in involvement in other, more 'risky', activities both in pursuit of economic and material advantage and of 'respect' and social standing within their own groups. Addressing the impact of macro level influences on young people's behaviour has implications for service provision and for professionals trying to build relationships with young people. Importantly, interviewees' accounts have shown the challenges of delivering interventions within the criminal justice context and the risks of increasing stigmatisation, marginalisation and social exclusion, as well as increasing the possibility of future involvement in criminal networks

At the meso level of organisational delivery of interventions, problems arise from organisational structures and delivery systems and from the restrictions professionals face in trying to deliver flexible interventions suited to their young clients. The need to include harm reduction approaches and the importance of fostering engagement in interventions emerged as key issues. For the young people, dealing with 'the system' posed major problems and the research highlighted the

importance of holistic models of care that encourage integrated service provision and, ideally, include mechanisms to assist young people 'navigate' their way through the system to find the support they need at the time they need it.

At the individual, micro level, the research confirms that the majority of this target group are dealing with multiple, complex problems and that drug use cannot be addressed in isolation from other issues. Mental health, economic deprivation, family disruption and separation from family, educational exclusion and homelessness were some of the many problems related to drug using and offending trajectories. Changes in thinking about 'best practice' in how young people are dealt with in the criminal justice system (e.g. Case & Haines, 2015; Schlesinger, 2018) have resulted in some countries trying to reduce the numbers of young people held in prison or secure services. The findings from the EPPIC study indicate that moves towards diversion out of the criminal justice system would address some of the problems experienced in delivering and receiving drug interventions. Whether these young people should be within the criminal justice systems at all, and how to address the detrimental effects of the criminal justice context on prevention efforts and on young people's pathways through and out of problem drug use, has emerged from the EPPIC research as a major issue for policy and practice.

References

Baert, P. (1991). Unintended consequences: a typology and examples. *International Sociology*, 6(2), 201-210.

Beccaria, F., & Rolando, S. (2019). The role of critical moments in young offenders' drug-using trajectories. *Drugs and Alcohol Today*, 19(3), 197-207 DOI: <https://doi.org/10.1108/DAT-12-2018-0073>.

Bennett, T., & Holloway, K. (2009). The causal connection between drug misuse and crime. *The British Journal of Criminology*, 49(4), 513-531.

Best, D., Irving, J., & Albertson, K. (2017). Recovery and desistance: what the emerging recovery movement in the alcohol and drug area can learn from models of desistance from offending. *Addiction Research & Theory*, 25(1), 1-10.

Brotherhood, A., Atkinson, A., Bates, G., and Sumnall, H. (2013) *Adolescents as customers of addiction. ALICE RAP Deliverable 16.1, Work Package 16*. Liverpool: Centre for Public Health. <https://www.gov.scot/publications/works-drug-education-prevention/pages/9/>

Case, S. & Haines, K. (2015). Children First, Offenders Second: The Centrality of Engagement in Positive Youth Justice. *The Howard Journal* 54(2), 157-175.

Coomber, R., Moyle, L., & South, N. (2016). The normalisation of drug supply: The social supply of drugs as the “other side” of the history of normalisation. *Drugs: Education, Prevention and Policy*, 23(3), 255-263.

Dahl, H. V. (2007). The methadone game: Control strategies and responses. In J. Fountain & D. J. Korf (Eds.), *Drugs in society: European perspectives* (pp. 102–115). Radcliffe Publishing Ltd.

Degenhardt, L. Stockings, E., Patton, G., Hall, W.D., & Lynskey, M. (2016). The increasing global health priority of substance use in young people. *Lancet Psychiatry*, 3: 251-264.

Duke, K., Thom, B. & Gleeson, H. (2020). Framing 'drug prevention' for young people in contact with the criminal justice system in England: views from practitioners in the field. *Journal of Youth Studies*, 23(4), 511-529.

Duke, K., H., Gleeson, K., Dąbrowska, Herold, M. & Rolando, S. (2020). The engagement of young people in drug interventions in coercive contexts: findings from a cross-national European study. (This volume). <https://doi.org/10.1080/09687637.2020.1763917>

Dunne, T., Bishop L., Avery, S. & Darcy, S. (2017). A review of effective youth engagement strategies for mental health and substance use intervention. *Journal of Adolescent Mental Health*, 60: 487-512.

EMCDDA (2008). *Drugs and Vulnerable Groups of Young People* Lisbon: EMCDDA. http://www.emcdda.europa.eu/publications/selected-issues/vulnerable-young_en

Farrington, D. P., Loeber, R., Howell, J. C. (2012). Young Adult Offenders. The Need for More Effective Legislative Options and Justice Processing. *Criminology and Public Policy*, 11, 729- 750.

Frank, V.A., Thom, B. & Herold, M.D. (2020). “Some of us need to be taken care of”: young adults’ perspectives on support and help in drug reducing interventions in coercive contexts in Denmark and the UK. *Drugs: Education, Prevention and Policy* (this volume). <https://doi.org/10.1080/09687637.2020.1771285>

Gleeson, H., Duke, K. & Thom, B. (2019). Challenges to providing culturally sensitive drug interventions for black and Asian minority ethnic (BAME) groups within UK youth justice systems. *Drugs and Alcohol Today*, 19(3): 172-181.

Graf, N. & Stöver, H. (2019). Critical reflection on quality standards within drug demand reduction. *Drugs and Alcohol Today*, 19(3): 182-188.

Herold, M.D., Rand, C. & Frank, V.A. (2019). Enactments of a “holistic approach” in two Danish welfare institutions accommodating young adults with offending behavior and drug use experiences. *Drugs and Alcohol Today*, 19(3): 208-219.

Herold, M.D. & Frank, V.A. (2018) *Descriptions of Innovative approaches including professionals' and young people's perceptions and narratives.* <https://www.eppic-project.eu/wp-content/uploads/2018/05/WP5-CROSS-NATIONAL-REPORT.pdf>

Hser, Y., Longshore, D. & Anglin, M.D. (2007). The life course perspective on drug use. A conceptual framework for understanding drug use trajectories, *Evaluation Review*, 31 (6), 515-547

Hunter, S. B., Miles, J. N., Pedersen, E. R., Ewing, B. A., & D'Amico, E. J. (2014). Temporal associations between substance use and delinquency among youth with a first time offense. *Addictive behaviors*, 39(6), 1081-1086.

Irwin-Rogers, K. (2019). Illicit Drug Markets, Consumer Capitalism and the Rise of Social Media: A Toxic Trap for Young People. *Critical Criminology*, 27, 591-610.

Measham, F., & Shiner, M. (2009). The legacy of ‘normalisation’: The role of classical and contemporary criminological theory in understanding young people's drug use. *International journal of drug policy*, 20(6), 502-508.

Moskalewicz, J.; Dąbrowska, K.; Herold, M.D.; Beccaria, F.; Rolando, S.; Herring, R.; Thom, B.; Kahlert, R.; Stummvoll, G.; Moazen, B.; Stöver, H.; Pisarska, A. (2020). Unintended Side-effects of Drug Policies among Young Drug Users in Contact with Criminal Justice Systems

Moskalewicz, J., Dąbrowska, K. & Pisarska, A. (2018) *Drug prevention interventions for young people in the criminal justice system in six European countries: The current situation.* https://www.eppic-project.eu/wp-content/uploads/2018/05/EPPIC_cross-national_15.02.18_final.pdf

MacGregor, S. & Thom, B. (eds.) (2020) *Risk and Substance Use. Framing Dangerous People and Dangerous Places*. Routledge: Abingdon.

Neale, J. (1998). Drug users' views of drug service providers. *Health & Social Care in the Community*, 6(5), 308–317. <https://doi.org/10.1046/j.1365-2524.1998.00140.x>

Rolando, S., Frank, V.A. Duke, K., Kahlert, R., Pisarska, A., Graf, N. & Beccaria, F. (2020). 'I like money, I like many things'. The relationship between drugs and crime from the perspective of young people in contact with criminal justice systems. *Drugs: Education, Prevention and Policy* (this volume), <https://doi.org/10.1080/09687637.2020.1754339>

Rolando, S. & Beccaria, F. (2019). *Young people's narratives: Drug use and criminal involvement trajectories*. (https://www.eppic-project.eu/wp-content/uploads/2019/03/WP5_Cross-national-report-on-trajectories_def.pdf)

Schlesinger, T. (2018). Decriminalizing Racialized Youth through Juvenile Diversion. *The Future of Children*, 28(1): 59-82.

Seddon, T. (2006). Drugs, crime and social exclusion: social context and social theory in British drugs-crime research. *British Journal of Criminology*, 46(4), 680-703.

Smith, R., & Gray, P. (2019). The changing shape of youth justice: Models of practice. *Criminology & Criminal Justice*, 19(5), 554–571. <https://doi.org/10.1177/1748895818781199>.

Stockings, E., Hall, W.D., Lynskey, M., Morely, K.I., Reavley, N., Strang, J., Patton, G., and Degenhardt, L. (2016) Prevention, early intervention, harm reduction and treatment of substance use in young people *The Lancet Psychiatry*, 3, 280-296.

Williams, L. (2016) Muddy waters?: Reassessing the dimensions of the normalisation thesis in twenty-first century Britain, *Drugs: Education, Prevention and Policy*, 23 (3), 190-201.

Young, J. (2003). Merton with energy, Katz with structure: The sociology of vindictiveness and the criminology of transgression. *Theoretical Criminology*, 7(3), 389-411