Special Session of the United Nations General Assembly on the world drug problem

New York, 18 April 2016

Establishing evidence-based criteria for the assessment of substance use disorders
to support the criminal justice system in the sentencing and application of
alternative measures to prison
Side Event organized by the UNICRI

Therapeutic Communities and alternative to prison
A Promising Practice

Distinguished Delegates and Civil Society Colleagues,

This is a joint presentation on behalf of the San Patrignano Foundation and Papa Giovanni XXIII. They are both therapeutic communities originally from Italy, but with an international outreach, and we share a common goal of raising awareness, promoting and implementing alternatives measures for drug addicts who committed offences related to their drug abuse problem.

We would like to thank UNICRI for organizing this event and for inviting us. Alternative measures to incarceration are an issue that is particularly close to our heart and we have been passionately involved in it, counting on decades of dedicated work and expertise.

Papa Giovanni XXIII operates in 18 therapeutic centers in Italy hosting 80 people on probation and has branches in Latin America, Albania and Croatia. It offers opportunities for alternative sentencing according to country legislation. It provides support to people exiting prison, hosting them in homeless houses and reuniting families in transition.

According to the Italian Drug Law, San Patrignano also welcome offenders in alternative setting from prison, offering a real option for treatment, recovery and social integration, providing support, education, job trainings and life skills, without any religious, ideological of social discrimination and completely free of charge. In the last year, San Patrignano followed 458 court trials and took care of: 49 residents in house arrest, 123 people on probation, 18 residents in house detention. All in all, in 2015 San Patrignano substituted 114 years of prison thanks to its work and save 4 million euro for the Italian state.

Art. 90 and 94 DPR 309/90 of the Italian drug law, dealing respectively with the suspension of the detention and probation for special cases offer drug addicts and alcoholics the option to seek treatment and exit prison on probation with the purpose of
solving their addiction problem.

A joint effort of the social health services and treatment centers or communities is requested to produce evidence of addiction, and support the judge in allowing the probation upon request and consensus of the addict.

The time they spend on probation, fully substitutes the period of detention and the ex-addicts and ex-offenders upon completion of the total length of the due period could start their social reintegration. This measure not only provides a viable option to the offenders to change their life-path, but also constitutes a concrete effort in reducing further recidivism in criminal behavior associated with addiction. It is truly an inspirational legislation and it is worthy to mention that it allows opportunity to change a life path for good.

We all know how difficult it is for prison setting to fulfill the educative purpose as intended in Art 17 of the Italian Constitution. Much beyond the good intention, prison becomes a school of violence, enhancing criminality, violating human dignity and fuelling recidivism both in drug addiction and crime. The Italian data are showing that 7 persons over 10 go back to prison after being released. It is clear that other measures, including appropriate treatment and social reintegration are needed. Social reintegration programme should include housing; jobs and family support, and are also crucial in reducing recidivism and promoting effective re-socialization.

The reason why we can reach the above mentioned goals lies on TC’ intrinsic factor. In fact, Therapeutic Community (TC) for rehabilitation of drug users faces drug problem at its root causes. Drug is a surrogate of a need of relationship. This is the reason why TC is an holistic answer to drug problem: because TC provides a new model of relationship to people addicted by drugs.

We would also flag the importance of taking care of children and youth. They are fragile population who need our utmost respect and attention. We need to think at them, while deliberating on legislation and implementation, evaluating which kind of effects them might have on the youngest, their healthy growth and future well-being.

Another theme we would like to highlight is the necessity to abolish the death penalty. Prison is not the solution, nor the capital punishment. We advocate for the moratorium and for more compassionate and effective legislations that provide opportunities to save lives investing in prevention from the use and abuse of substances. Finally we reiterate our positive message of change, empowerment and ultimately of trust in human beings. Everyone deserves a better chance in life and real opportunities.

Thank you for your attention,

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