



# **The Path to Justice in a Court-Based Drug treatment court program**

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**2013**

*The views expressed herein are solely those of the authors and do not necessarily reflect those of the Department of Justice Canada.*



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ISBN 978-1-100-22460-2

Cat. No. J2-379/2013E-PDF

## 1. Introduction

Research has shown that people who graduate from drug treatment court programs are less likely to re-offend.<sup>1</sup> However, the proportion of participants in drug treatment court programs who graduate is typically low. Only about 10% of all participants graduate from the Ottawa drug treatment court program which was the subject of this study.<sup>2</sup> Clearly, the low success rate diminishes the potential impact of drug treatment court programs. Therefore, an important policy issue is why some people graduate from the program while others do not. Any measures that could increase the number of people who graduate would improve the effectiveness of drug treatment court programs.

This study takes an access to justice approach in attempting to understand why some treatment court program participants successfully complete the program while others do not. The basic methodology used in this study is adapted from an approach developed to study access to justice by measuring the cost and quality of approaches to resolve legal problems and disputes. The approach was originally designed to measure how well different approaches to resolving disputes in civil law provide access to justice for the users. The basic idea is that people want to achieve justice when they engage in any problem solving strategy, with justice defined as a fair process and a just outcome at reasonable or acceptable cost.

Any problem-solving mechanism is a *path to justice*. A path to justice is, simply, an approach people employ to achieve an outcome to a legal problem. The path to justice metaphor can be applied to processes to resolve many types of problems or disputes, for example, an unfair dismissal from employment or a criminal procedure for the victim of a robbery or an assault.<sup>3</sup> In this study, the drug treatment court program is a path to justice, chosen by the individual as an alternative to the regular criminal court process.

The indicators of justice used to measure this or, in theory, any path to justice represent different dimensions of justice that were drawn from a review of the literature carried out by Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution (TISCO).<sup>4</sup> An important feature of this approach is that the quality of the drug treatment court program is measured from the point of view of the individuals experiencing the process, not from the point of view of the system.<sup>5</sup> This reflects the underlying perspective that while justice is often said to be

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<sup>1</sup> Julian M. Summers, Lauren Currie, Akm Moniruzzaman, Faith Eiboff and Michelle Paterson, Drug Treatment Court of Vancouver: An Empirical Evaluation of Recidivism, *International Journal of Drug Policy*, 23 (2012) 393 – 400; J Latimer, K. Morton-Bourgon and J.A. Chrétian, A Meta-Analytic Evaluation of Drug Treatment Courts: Do They Reduce Recidivism, Department of Justice, Ottawa, 2007

<sup>2</sup> Program statistics

<sup>3</sup> Martin Gramatikov, Maurits Barendrecht, Malini Laxminarian, Jin Ho Verdonschot, Laura Klaming and Cory van Zeeland, A Handbook for Measuring the Costs and Quality of Access to Justice, TISCO, 2009, p. 24

<sup>4</sup> *Ibid.*, pp. 29 - 39

<sup>5</sup> Martin Gramatikov et al (2009). A Handbook for Measuring the Cost and Quality of Access to Justice. Apeldorn/ Antwerpen/ Portland :Maklu & Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems: , p. 27

administered, it is also a feeling. If a process is felt to be fair it is more likely to have a positive impact on the individuals experiencing it.<sup>6</sup>

Participant's views are measured specifically in terms of dimensions of justice, not whether they are "satisfied" in a general way with aspects of the program. It is assumed that everyone has a commonsense view of what justice is, reflecting the importance of justice as a fundamental cultural value. Therefore, people will have an intuitive sense of whether their experience in the drug treatment court program represents justice. To the extent that participants perceive their experience in the program as reflecting this sense of justice, in theory, they should be more successful in the program. The program is providing them with access to justice. This has significant implications for the development and delivery of drug treatment court programs.

This study does not attempt to compare the cost and quality of the justice provided by different approaches such as the therapeutic approach compared with the regular court process. From a policy perspective, there was no interest in comparing the regular criminal court versus the therapeutic process. For purposes of this study the low success rate of individuals completing the program is the policy problem, not whether a therapeutic court/treatment process serves people better than the regular criminal court process. Therefore, this research compares the perceptions of drug court participants who graduated from the program with those who were discharged before completing it on measures of access to justice representing the extent to which the drug treatment court program provided them with a fair and just process.<sup>7</sup>

## 2. Methodology

The research was carried out at the Ottawa Drug Treatment Court (ODTC) and the Rideauwood Addiction Family Services Centre in Ottawa. The Ottawa drug treatment court program is relatively small with about 30 active participants at any given time. The small size made the Ottawa court an ideal location for research which was, in effect, an experiment to adapt the TISCO methodology that, as indicated above, had initially been designed to measure the quality of civil dispute resolution approaches to a criminal law context. Another difference from the original methodology is that the TISCO method was designed to compare different approaches to resolving a type of dispute. This study experiments with a very different application of the methodology comparing two groups of participants within the same program.

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<sup>6</sup> This represents the basic perspective in Tom R. Tyler (2006) *Why People Obey the Law*, Princeton University Press that people obey the law because they believe it is legitimate rather than out of fear. Preliminary evaluation results of the Dutch Informal Pro-Active Approach Model (IPAM) for resolving disputes between citizens and government and designed on the basis of the Tyler principle showed that people accept the outcome as legitimate even if it not be the result they originally expected because the legitimacy and fairness of the process. This is based on preliminary results presented at the Innovating Justice Forum 2012, Hague Institute for the Internationalization of Law, The Hague, April 2012 by Lynn Van Der Veldon, Ministry of the Interior and Kingdom Affairs, "The Informal Pro-Active Approach Model" and by Professor Alan Lind, Duke University "Subjective Justice".

<sup>7</sup> People charged with a drug offence are required to enter a guilty plea as a condition to enter the treatment program. Following successful completion of the program the individuals are sentenced, usually, to a short period of probation although people are sometimes sentenced to longer periods of probation if it is considered beneficial by the judge.

The TISCO methodology is built around three clusters of indicators: the cost of the process, the quality of the process and the quality of the outcome. The three main clusters include nine specific dimensions of justice. The specific dimensions used in this study are: restorative justice, interpersonal justice, informational justice, transparency, functionality, monetary cost, opportunity costs and intangible costs.<sup>8</sup> Table I shows the dimensions of justice that were used in this study.

**TABLE I: DIMENSIONS OF JUSTICE USED IN THE DRUG TREATMENT COURT RESEARCH**

<b>Cost of Justice</b>	
Monetary Costs	Out-of-pocket costs for transportation, lunches, clothes etc...
Opportunity Costs	Activities with either monetary or affective value that are foregone in order to participate in the treatment program, such as employment opportunity, family obligations etc.
Intangible Costs	Stress or other emotional costs such as loneliness, disappointment, hopelessness etc.
<b>Quality of the Procedure</b>	
Procedural Justice	Ability to express views during the process; views and feelings were considered during the process, able to influence the outcome, <sup>9</sup> process was based on accurate information; felt the process was fair; satisfied with the process
Interpersonal Justice	Treated in a polite and respectful manner by court officials and treatment personnel; court officials and treatment personnel did not make improper comments; court officials and treatment personnel did their best to produce a good outcome; court officials and treatment personnel were honest in their communication.
Informational Justice	Officials explained the process thoroughly; rights and options were explained clearly; understood all explanations and information; information was communicated in a timely manner; opportunities were provided to ask for clarification.
<b>Quality of the Outcome</b>	
Functionality	Did the outcome improve damaged relationships with significant others or are relationships improving at this point in the treatment process; did the outcome solve your problem or is it solving your problem at this point; was the outcome effective in ensuring that you will be able to avoid the behaviour that caused the problem or is it doing so to this point.
Transparency	Was it possible for you to compare your outcome with people in similar situations; did you receive a clear explanation of outcomes from court officials and treatment personnel; were you satisfied with

<sup>8</sup> One dimension in the original methodology, distributive justice, was not included because it was not applicable in the drug treatment context.

<sup>9</sup> For example, did the participants feel that they had an opportunity to tell their side of the story, at court or at the treatment centre, did the participants feel that court officials and treatment personnel listened to their point of view before decisions were made, etc.

the explanations you received.
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Data were gathered over a 14-month period from June 2011 to August 2012 by means of a series of semi-structured interviews with each ODTC client who agreed to participate in the research. A total of 35 individuals participated in this study, including 8 former ODTC participants who attended the program between January 2010 and May 2011. Participation was voluntary and involved participating in a maximum of four in-person interviews. The interviews were approximately 30 to 45 minutes in length. Respondents were asked to make assessments of aspects of the program using closed questions in which respondents indicated agreement on a 5-point Likert scale. These questions were indicators of the various access to justice dimensions, for example the restorative justice aspect of outcomes or the transparency of the process. The individual indicators were averaged to produce overall indexes for the main dimensions of justice. Information about time spent and monetary costs were recorded directly. In order to provide in-depth and contextual information respondents were also encouraged to elaborate on their feelings about particular aspects of the program.

The original plan was for all individuals to be interviewed four times during the course of the study; first upon entering the program, after they had been in the program for about four months, again at about the seven-month point and a final time when they either graduated or were discharged from the program. However, it was not always possible to carry out two interviews between the initial and final ones for people who were discharged because of the short length of time in the program. Only three participants were interviewed twice between the first and last interviews. The scores for these individuals were combined. Therefore, for purposes of presenting the data, three interviews are reported. The interviews were mainly carried out at Rideauwood Addiction and Family Services, scheduled at a time when the ODTC participant was there for their individual counseling. Occasionally, interviews were carried out at the court building for the convenience of ODTC participants or, out of necessity, at the court remand facility when lapses in participant's abstention resulted in their having been arrested.

## 2.1 The Ottawa Drug Treatment Court Program

The Ottawa Drug Treatment Court is a non-adversarial, court-monitored drug treatment court program. After a screening process, offenders whose offences are driven by a substance addiction are admitted to the treatment court program. This 9-12 month long program requires that each individual's progress is monitored by a judge and by the drug treatment team in weekly pre-court meetings and regular court appearances. During the weekly court appearances, a judge actively supervises the individual offender's progress and provides sanctions for non-compliance. A legal aid lawyer and a special public prosecutor are assigned to the drug court on a continuous basis. They are not the same lawyers who would have initially dealt with the offenders in the regular criminal courts before the individuals began the drug treatment court program.

Results of this study are specific to the ODTC and cannot be generalized to any other Drug Treatment Court Program in Canada. Data gathered for this study are based on ODTC participants’ perceptions, such that it may be limited by memory and attention bias.<sup>10</sup>

### 3. Results: Assessments of the Quality of Justice by Individuals Graduating and Discharged From the Program

Overall, program participants gave high ratings to the ODTC, whether they graduated or were discharged from the program. Table II below shows the summary scores on each of the seven dimensions of access to justice. The scores represent points along a 5-point scale where 1 is the lowest and 5 the highest and where 2.5 would be the mid-point. The lowest scores (2.81 and 2.62) are above the 2.5 level, and about half the scores are in the 4.0 to 5.0 range. The sample size in the following analyses varies from five to 14, depending on the type of participant and the order of the interview.

**TABLE II: SUMMARY SCORES FOR ACCESS TO JUSTICE INDICATORS; GRADUATED AND DISCHARGED DTC PARTICIPANTS<sup>11</sup>**

	Baseline Interviews		Mid-Point Interviews		Final Interviews	
	Graduated (n=5)	Discharged (n=14)	Graduated (n=5)	Discharged (n=5)	Graduated (n=8)	Discharged (n=10)
Procedural Justice	4.15	4.31	4.45	3.73	3.89	3.37
Restorative Justice	4.44	4.06	4.50	3.00	3.83	2.83
Interpersonal Justice	4.51	4.42	4.78	4.57	4.39	4.31
Informational Justice	4.25	4.18	4.97	4.52	4.37	4.19
Functionality of Outcome	4.63	4.08	4.63	4.33	3.79	2.94
Transparency of Outcome	3.58	4.00	4.25	3.56	3.67	2.81
Intangible Costs	2.88	3.15	3.51	3.24	3.50	2.62
Average Scores	4.07	4.03	4.44	3.85	3.92	3.30

The comparative scores of graduates and discharged participants are pertinent for this study because we want to determine if scores relating to perceptions of justice relate to success. On average the scores for participants who graduate are higher for each set of interviews compared

<sup>10</sup> Attention bias occurs because people who are part of a study are usually aware of their involvement, and as a result of the attention received may give more favorable responses or perform better than people who are unaware of the study. Memory bias can be a problem if outcomes being measured require that subjects recall past events. Often a person recalls positive events more than negative ones. Alternatively, certain subjects may be questioned more vigorously than others, thereby improving their recollections. See Steven J. Robbins and Robin N. Ehrman, *The Role of Attention Bias in Substance Abuse*, Behavioral and Cognitive Neuroscience Review, Vol. 3, No. 4, 2004, pp. 243-260. Attention bias is similar to a Hawthorne effect; see: John R.P. French, *Field Experiments: Changing Group Productivity*, in James G. Miller (ed.), *Experiments in Social Process: A Symposium on Social Psychology*, McGraw-Hill, 1950, p. 82.

<sup>11</sup> For definitions see Table I.

with people who were discharged before completing the program. Further, the average scores for the discharged group decline with each interview. The average score for the graduates increases between interviews one and two. For graduates, the average score for interview three declines from the second interview but still remains higher than the average score for those who were discharged.

Other cost indicators were measured in addition to intangible costs as defined above. These were opportunity costs, time spent traveling and out-of-pocket expenses. Opportunity costs were measured on a 5-point scale in the same way the other dimensions of justice were measured. Time spent traveling was measured in minutes per week and expenses were measured in dollars per month. Table III summarizes these results. The sample size in the following analyses varies from five to 14, depending on the type of participant and the order of the interview.

**TABLE III: TIME, MONETARY AND OPPORTUNITY COSTS**

	Average Time/Week			Average Cost/Month			Opportunity Costs		
	Interview Order								
	1	2	3	1	2	3	1	2	3
Discharged	102	124	128	\$23	\$32	\$27	1.68	1.30	2.40
Graduate	133	168	128	\$98	\$63	\$67	1.70	1.33	1.85

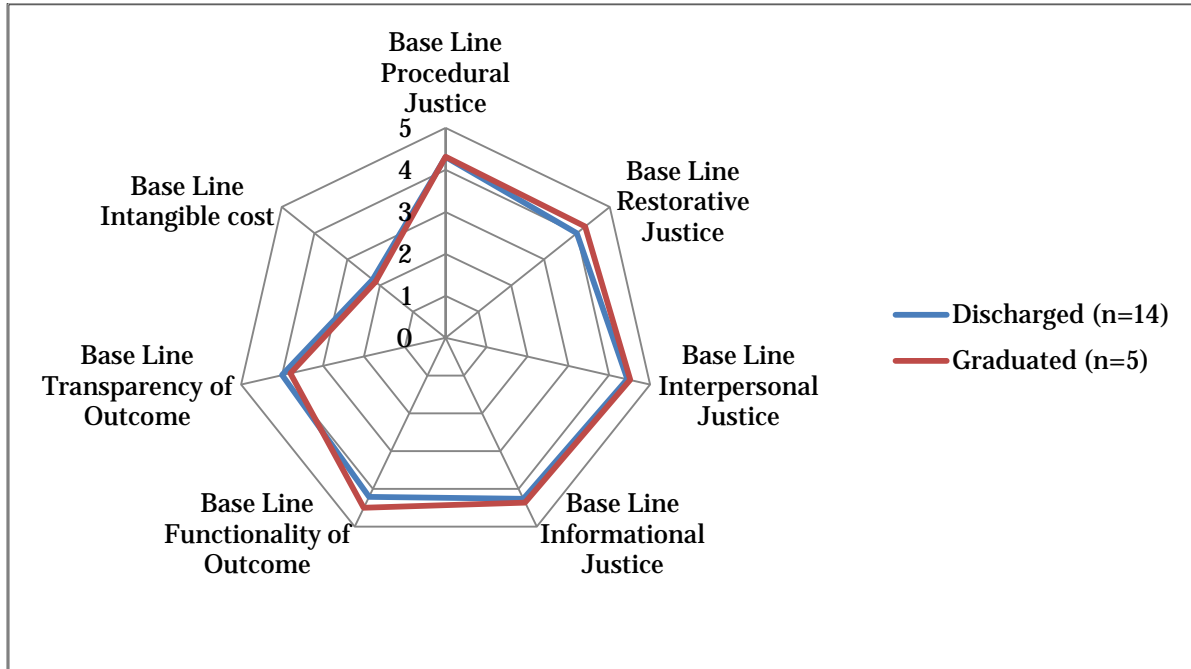
Time spent travelling to the court once a week and to a treatment-related activity once or twice a week was higher for graduates at the first two interviews but by the third interview it evened out. Graduates spent more money per month on program-related personal expenses than discharged participants across all three interviews.

On the final interviews graduates rated lost opportunity costs (for example, foregone opportunities for employment) much lower than discharged participants, 1.85 versus 2.40, respectively (the higher the score the greater the perception of lost opportunity). Perceived opportunity costs had increased significantly between the first and last interviews during their involvement with the program. Opportunity costs for graduates followed the same pattern as for individuals who were discharged from the program. However, by the final interview perceived opportunity costs were much lower for graduates. Graduates started out at the same level as people who were discharged from the program. However, over the course of the program graduates' assessments of opportunity costs diminished.

The three spider graphs below illustrate the pattern of change over the course of peoples' participation in the drug treatment court program in assessments of the quality of justice comparing people who graduated with those who were discharged from the program. At the beginning (the first interview) graduates rate the quality of justice of the program at about the same levels as people who are eventually discharged. However, the gap between the two groups widens continuously at interviews two and three representing the period during which they are in the program. The first interview analysis is based on all participating graduates and discharged individuals; due to attrition the sample size decreases in the following interviews.



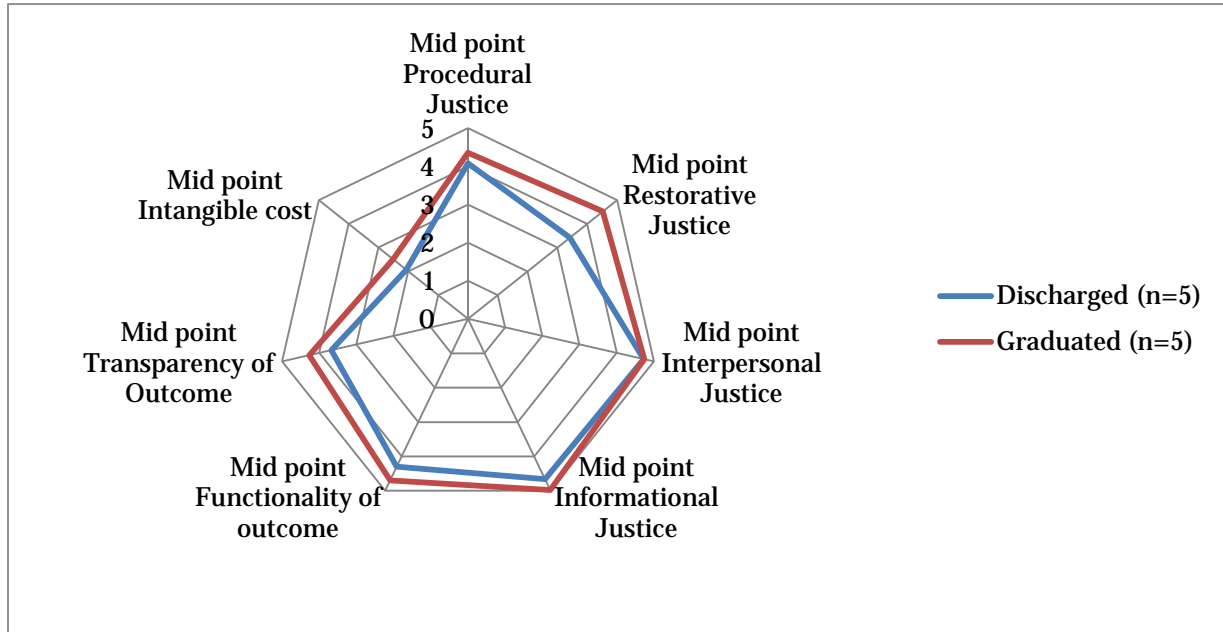
**FIGURE I: SEVEN DIMENSIONS OF ACCESS TO JUSTICE COMPARING GRADUATES AND DISCHARGED PARTICIPANTS: INTERVIEW I**



Interview 1 analyses are based on 14 discharged participants and five graduates. Graduates start out rating the quality of justice somewhat lower than those who are eventually discharged (see Figure I). For graduates the scores are about the same on informational and interpersonal justice, they are higher on restorative justice and functionality of outcome and lower on three measures: procedural justice, intangible costs and transparency of outcomes.

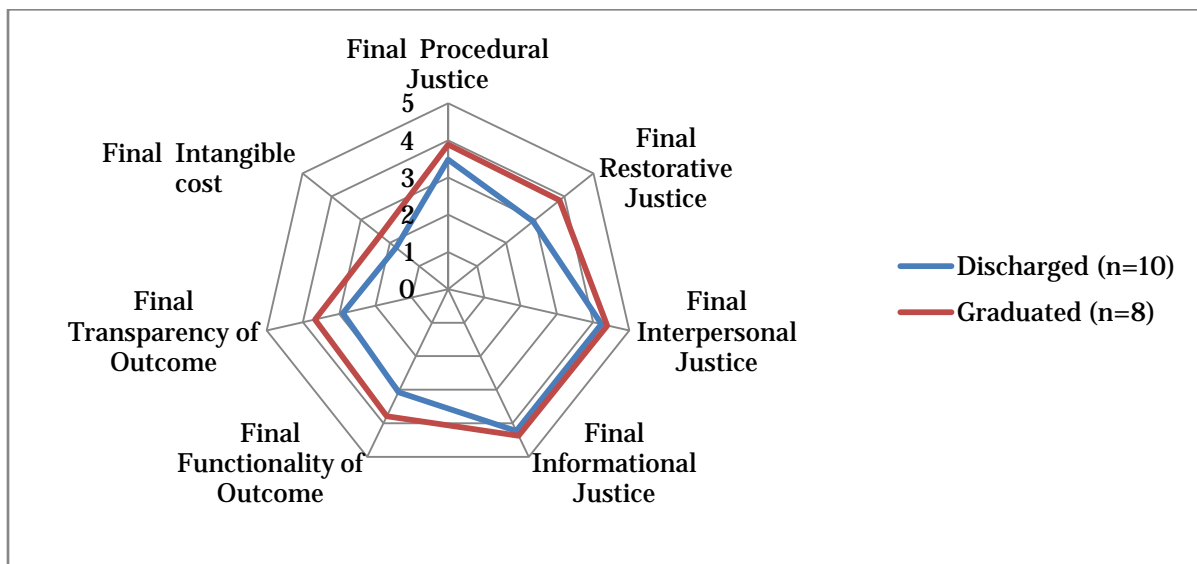
However, approximately four months later, at the second interview (based on five discharged participants and five graduates), participants who will eventually graduate rate the quality of justice higher on all seven dimensions (See Figure II).

**FIGURE II: SEVEN DIMENSIONS OF ACCESS TO JUSTICE FOR GRADUATES AND DISCHARGED PARTICIPANTS, INTERVIEW II**



Based on the final interviews, conducted about two to three weeks after the individuals graduated from the program, graduates (n=8) rate the quality of justice even more positively on functionality, transparency and intangible costs compared with people who were discharged (n=10). See Figure III. Graduates are somewhat stronger on procedural and restorative justice. Both graduates and discharged individuals score slightly stronger and are similar on interpersonal justice in the third interview.

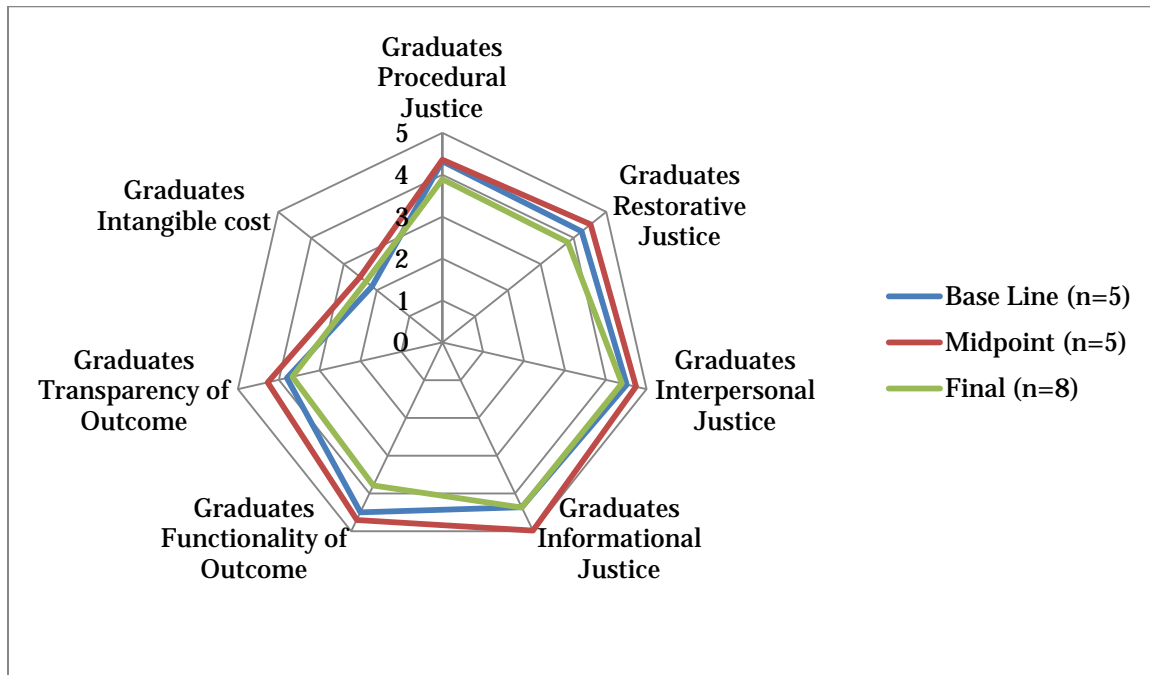
**FIGURE III: SEVEN DIMENSIONS OF ACCESS TO JUSTICE FOR GRADUATES AND DISCHARGED PARTICIPANTS, INTERVIEW III**



Overall, looking at the data across the three successive interviews, graduates demonstrate a stronger sense of justice related to their experience in the program compared with individuals who are discharged before graduating. The decline for graduates at the third interview may be attributable to their having been out of the program and having to face the realities of post-program adjustment.

The following two spider graphs organize the data somewhat differently, showing scores for all three interviews on the same graph for discharged and graduated participants, rather than separately for each interview.

FIGURE IV: SEVEN DIMENSIONS OF ACCESS TO JUSTICE, THREE INTERVIEWS, GRADUATES



The spider graph for graduates shows that the mid-interview scores are higher than the base-line scores with the exception of functionality and restorative justice. The final interview scores fall below the baseline levels for functionality of outcome, procedural justice, interpersonal justice and restorative justice. They increase slightly on informational justice and transparency of outcomes. The final interview score is about the same as the mid-point interview for intangible costs (see Figure IV).

Figure V shows that for discharged participants declines in access to justice scores are consistent across the three interviews. One minor exception is that scores are the same for information justice for the base-line and final interviews.

FIGURE V: SEVEN DIMENSIONS OF ACCESS TO JUSTICE, THREE INTERVIEWS, DISCHARGED

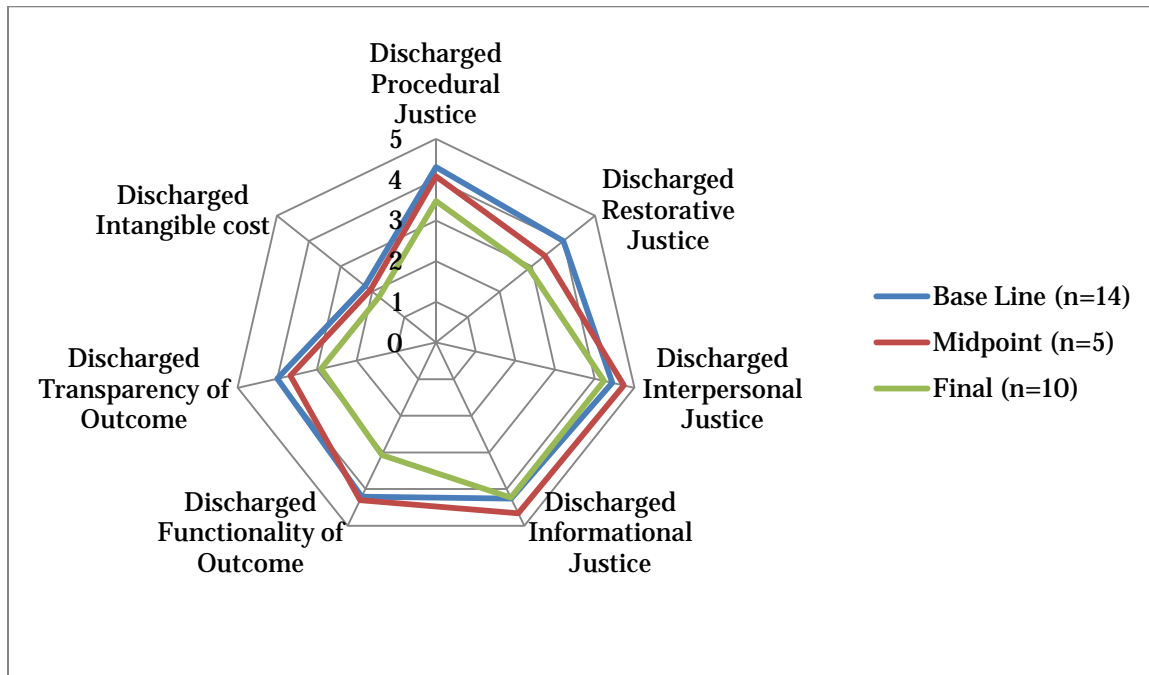


Table III summarizes the data shown in Figures IV and V. The averages for actual scores and cumulative totals for the differences between interviews 1 and 2 and interviews 2 and 3 show overall patterns similar to the previous analysis. Average scores drop consistently for discharged participants. The overall difference in scores between interviews 1 and 2 is -0.93. The cumulative difference between scores on interviews 2 and 3 accelerates to -3.58. The cumulative difference between interviews 1 and 3, representing the magnitude of the decline over the entire period in the program, is -5.13 for the individuals who were discharged from the program before completion.

For graduates the cumulative difference on scores between interviews 1 and 2 is +2.34 compared with -0.93 for the discharged group. The cumulative difference on scores between interviews 2 and 3 is about the same for both graduates and discharged individuals; -3.56 and -3.58, respectively. However, the overall cumulative difference in scores covering the entire program period (interviews 1 to 3) is much smaller for the graduates, -1.88 compared with discharged participants, -5.13. Clearly, the graduates rate their experience with respect to dimensions of justice much higher than discharged individuals. Declines are much less for graduates.

TABLE III: DETAILED DATA, SEVEN DIMENSIONS OF JUSTICE, DISCHARGED AND GRADUATE PARTICIPANTS

Dimensions of Justice	Discharged					
	Interview Order					
	1	2	2-1	3	3-2	1-3
Procedural	4.31	3.73	- 0.58	3.37	- 0.36	- 0.94
Restorative	4.06	3.00	- 0.94	2.83	- 0.17	- 1.23
Interpersonal	4.42	4.57	+ 0.15	4.31	- 0.26	- 0.11
Informational	4.18	4.52	+ 0.34	4.19	- 0.03	+ 0.01
Functionality	4.08	4.33	+ 0.25	2.94	- 1.39	- 1.14
Transparency	4.00	3.56	- 0.04	2.81	- 0.75	- 1.19
Intangible Cost	3.15	3.24	+ 0.11	2.62	- 0.62	- 0.53
Overall Average	X=4.02	X=3.85		X=3.30		
Cumulative Total			- 0.93		- 3.58	- 5.13
Dimensions of Justice	Graduated					
	1	2	2-1	3	3-2	1-3
	1	2	2-1	3	3-2	1-3
Procedural	4.15	4.45	+ 0.30	3.89	- 0.56	- 0.26
Restorative	4.44	4.50	+ 0.06	3.83	- 0.17	- 0.61
Interpersonal	4.51	4.78	+ 0.27	4.39	- 0.39	- 0.12
Informational	4.25	4.97	+ 0.72	4.37	- 0.40	+ 0.12
Functionality	4.63	4.63	0.0	3.79	- 0.84	- 0.84
Transparency	3.58	4.25	+ 0.67	3.67	- 0.58	+ 0.09
Intangible Cost	2.88	3.24	+ 0.32	2.62	- 0.62	- 0.26
Overall Average	X=4.06	X=4.40		X=3.79		
Cumulative Total			+ 2.34		- 3.56	- 1.88

#### 4. Conclusion and Methodological Considerations for Future Research

This study was an experiment in applying an approach developed in another context (i.e., civil law) to a different type of program: Drug Treatment Courts. It was also an experiment in applying that approach in a different way; rather than comparing two different programs (i.e., DTC versus non-DTC); two different groups within the program (successful versus unsuccessful participants) were examined. The results of this research show that the TISCO methodology for measuring access to justice can be used to examine DTCs. This approach for measuring access to justice is promising. In the early stages of the program, people who would eventually be discharged experienced similar quality of justice as the people who eventually graduated. By the mid-point of the drug treatment court program (when second interviews were conducted), graduates rated higher in their feelings of justice compared to those who were discharged. This applies to all aspects of justice as it was measured. Feelings of justice for both graduates and discharged drug treatment court program participants were reduced by the end of the program. For graduates, this may be because the interviews were carried out about two weeks after the end of the program when former participants had begun to cope with the reality of life after the drug treatment court program.

It is possible that people who graduate from drug treatment court programs are predisposed toward a more positive orientation to life generally and thus more likely to succeed. The data show that graduates perceived opportunity costs to be lower than people discharged from the program. This may be an indication that they were more likely to perceive other aspects of the program positively.

The method for assessing the cost and quality of justice used in this research is purely descriptive. It is, therefore, not possible to say that the experience of greater access to justice “predicts” success in the drug treatment court program. Any further research should collect data on other factors known to be associated with success in drug treatment court programs, such as having previously been in a drug treatment court program. With this sort of data, multivariate models could be constructed to determine the extent to which perceptions of the quality of justice have a statistically significant and independent effect on success and this could be said to be predictive.

Second, conducting in-person interviews was very labour intensive. Collecting data by means of questionnaires might be considered in any further research, especially if the number of participants is much larger than was the case in this study.

Overall, it must be kept in mind that the number of respondents involved in this exploratory study was very small. The results are promising but the research should be replicated on a larger scale.

## Appendix I: Interview Schedule

### **PART II: Participants Perceptions of the Cost, Quality and Outcome of the Program -**

*In this interview I want to know about your experience and your views of the DTC. The interview questions are divided into sections and I will explain each section as we go along. For each question you will choose the answer that best fits your experience from this answer key. I will tell you which answer key to use. In addition, if you wish to expand or comment on any of your answers please feel free to do so. Do you have any questions?*

*If you are ready we can start*

**Section A: Motivation to enter DTC** (Note: - This section mainly focuses on the experiences immediately after regular court appearances/arraignment.)

**1. Can you tell me how you first learned about the DTC?**

- a. I had participated in the program before
- b. the duty counsel/lawyer suggested
- c. a friend told me about it
- d. there were brochures about the DTC program at court/in jail
- e. at the regular court the judge mentioned it
- f. other

**2. When you first learned about the DTC did you feel that this was something that you would like to try out?**

- a. No not at all. - *proceed to sub question 2.1*
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely - *For options b-e skip to question 3*

**2.1 Well, you participated in program, which means you must have changed your mind. Did your lawyer encourage you to participate in the program?**

- a. Not at all - *proceed to sub question 2.2*
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely – *For options b-e skip sub question 2.2*

**2.2 Did someone else encourage you to participate in the program?**

- a. Not at all - *Skip sub questions 2.2-2.4 and proceed to question 3*
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**2.3 When your lawyer/duty counsel was encouraging you to participate in the DTC did he /she explain how the program works?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**2.4 Did your lawyer explain the release conditions?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**2.5 When your lawyer explained the DTC program did you feel motivated to participate in it?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**3. Now thinking back to when you made the choice to participate in the DTC, did you feel that the choice was yours?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**3.1 When you made the choice to participate in the DTC program, to what extent would you say the drug abuse was affecting your life?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**3.2 When you made the choice to participate in the DTC, did you understand what you were expected to do in the program?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent



- e. completely

**3.3 At that time did you think the program expectations were reasonable?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

**3.4 At that time did you feel motivated to participate in the program?**

- a. Not at all
- b. To a small extent
- c. To a moderate extent
- d. To a large extent
- e. Completely

*This is the end of this section. Before we move on to the next section would you like to add anything?*

**Section B:- Quality of the DTC procedures**

*Now I am going to ask you how you feel about the DTC program. Your answer should be based on your experience and you will use the scale of 1 to 5(For example 1= not at all; 2 = to a small extent; 3= to a moderate extent; 4= to a large extent; 5= completely) to answer the question. If any of the question is not related to your situation you can say so and if you do not wish to answer any particular question you can say so as well. Do you have any questions?*

**Procedural Justice**

*In the first part of this section, I am going to ask you some general questions about the quality of the DTC program.*

- 4. Throughout the whole process, like from start to finish, did you feel that you were able to freely express your thoughts and feelings in the court and during counseling?
  - 4.1. Can you give me an example of how or when this occurred?
- 5. Throughout the whole process, did you feel that the same rules and requirements were applied to you as are to other participants in the program?
- 6. Would you say the program, from start to finish, was based on accurate information about you?
  - 6.1 When the DTC team had the wrong information, were you able to correct it?
- 7. Generally speaking, how satisfied are you with the way this program work?

### **Restorative Justice**

*I am now moving on to the next set of questions which will focus on what you think were the benefits of the DTC program since you have been in the program.*

8. Has this program helped you improve the way you feel about yourself?
9. Do you avoid contact with drug users you run into on the streets, in stores and places like that?
10. Have you been able to strengthen damaged relationships with friends who don't use drugs?
  - 10.1. Have you made new friends who don't use drugs?
11. To what extent have you been able to strengthen damaged relationships with important family members?

*Now let's talk about how well you feel people at the DTC treated you. Remember, all that you say to me will be confidential.*

### **Interpersonal Justice - Judge**

*Let's start with the judge. You don't have to mention any names.*

12. Throughout the program was the judge(s) polite to you when speaking with you?
13. Did you feel the judge(s) was treating you with respect?
14. Did you feel that the judge(s) was being frank with you when they were speaking with you?
15. Were you comfortable asking the judge(s) questions or clarifications?
16. Do you feel that they were trying to help you?

### **Interpersonal Justice – Prosecutors**

*Tell me about the prosecutors (Do you know who I am talking about?)*

17. Did the prosecutor(s) speak with you in a polite manner throughout the program?
18. Did you feel that they treated you with respect?
19. Did you feel the prosecutors were being frank with you when they were speaking to you?
20. If you didn't completely understand something in court, did you feel comfortable asking the prosecutors questions or clarifications?
21. Do you feel that they were trying to help you?

### **Interpersonal Justice – Lawyer/Duty Counsel**

*How about the defence lawyer (Do you know who I am talking about?)*

22. Did you feel that the defence lawyer(s) were being polite when they were speaking with you?
23. Did you feel the defence lawyer(s) treated you with respect?
24. Did you feel the defence lawyer(s) were being frank with you when they were speaking to you?
25. To what extent were you comfortable asking the defence lawyer(s) questions or clarifications?
26. Do you feel that they were trying to help you?

**Interpersonal Justice – Rideauwood Treatment Representative**

*I want to know about your relationship with the person (s) from Rideauwood that speaks in court. I am thinking about Ruth and James here.*

27. Did this person(s) speak to you in a polite way?
28. Did this person(s) treat you with respect?
29. Did you feel this person(s) was being frank with you when they were speaking to you?
30. Did you feel comfortable asking this person(s) questions or clarifications?

**Interpersonal Justice – Case Manager at Rideauwood**

*Can you tell me about your relationship with your case manager at Rideauwood.*

31. Did your case manager speak to you in a polite way?
32. Did your case manager treat you with respect?
33. Did you feel your case manager was being frank with you when they were speaking to you?
34. Did you feel comfortable asking your case manager questions or clarifications?
35. Do you feel that they were trying to help you?

**Interpersonal Justice – Treatment Providers at Rideauwood**

*Now lets talk about all the others who were involved in your treatment process at Rideauwood.*

36. Were the treatment providers polite, when they were speaking with you?
37. To what extent would you say they treated you with respect?

38. Did you feel that the treatment providers were being frank with you when they were speaking to you?
39. Did you feel comfortable asking the treatment providers questions or clarifications?
40. Do you feel that they were trying to help you?

**Interpersonal Justice – Other community Treatment Providers**

*How about other community treatment providers? Generally speaking are there any agencies that don't treat you with respect, politeness, etc....*

41. Were they polite, when they were speaking with you?
42. To what extent would you say they treated you with respect?
43. Did you feel that the community treatment providers were being frank with you when they were speaking to you?
44. Did you feel comfortable asking them questions or clarifications?
45. Do you feel that they were trying to help you?

*How are you feeling? Would you like to take a break now? -*

*The next set of questions focuses on information you received throughout the process from various people in the DTC team.*

**Informational Justice - Judge**

*I will start with the judge again.*

46. Did the judge(s) clearly explain the DTC process to you?
47. Did the judge(s) explain your rights and options during the process in a way that you can understand them?
48. Did you feel that you received the right information at the right time from the judge(s)?

**Informational – Lawyer/Duty Counsel**

*Lets talk about the information you received from your lawyer / duty counsels*

49. Did they explain the DTC process clearly and in detail?
50. Did the defence lawyer explain your rights and options during the process in a way that you can understand them?
51. Did you feel that you were receiving the right information at the right time from your lawyer/duty counsel?

**Informational Justice – Treatment Representatives at Rideauwood**

*How about the folks at Rideauwood?*

52. Did they clearly explain the DTC process to you?
53. Did they explain your rights and options during the process in a way that you could understand them?
54. Did you feel that you received the right information at the right time from the people at Rideauwood?

*That's the end of that section. Do you have any questions, comments about any of the questions that I just asked? Whenever you're ready we can move on to the next section.*

### **Section C:- Quality of the Outcome**

*I want to know about how things turned out for you as a result of being the DTC program. Again you will answer using the 5 point scale. Please feel free to expand on your answer if you wish. If any of the question is not related to your situation you can say so and if you do not wish to answer any particular question you can say so as well. Do you have any questions? We can start when you are ready.*

#### **Functionality of the Outcome**

*Let's start by talking about end of the process.*

55. To what extent would you say that being in the DTC program helped you to move forward with your life?
56. At the end of the DTC program, did you feel more hopeful about your future?
  - 56.1 Are you now better able keep a job?
  - 56.2 Are you now better able to manage your money?
  - 56.3 Are you now better able to manage everyday problems?
  - 56.4 Do you feel you are able to trust the legal system?

#### **Transparency of the Outcome**

57. Thinking of other DTC participants, to what extent would you say your outcome at the end of the process was similar to the others?
58. Thinking of other DTC participants, to what extent would you say you received the same explanations when decisions were made about things like early leave and coffee card?
59. At the end of the process did you think that you were given the same chances as other people in the program?

### **Section D:- Participants perceptions: Cost of Justice**

*We are now on to the final section.*

#### **Opportunity Cost**

*In this section I will be asking you some questions about things that you might have missed out on while you were participating in the DTC program.*

60.
  - 60.1 At any point in the program, did you miss any job interviews because you had to be in court or attend counseling?

- a.** Not at all
- b.** To a small extent
- c.** To a moderate extent
- d.** To a large extent
- e.** Completely
- f.** Not applicable

60.2 Did your participation in the program frequently interfere with your job?

- a.** Not at all
- b.** To a small extent
- c.** To a moderate extent
- d.** To a large extent
- e.** Completely
- f.** Not applicable

60.3 Did your participation in the program frequently interfere with you going to school?

- a.** Not at all
- b.** To a small extent
- c.** To a moderate extent
- d.** To a large extent
- e.** Completely
- f.** Not applicable

60.4 Did your participation in the program frequently interfere with your family commitments and obligation?

- a.** Not at all
- b.** To a small extent
- c.** To a moderate extent
- d.** To a large extent
- e.** Completely
- f.** Not applicable

60.5 To what extent did your participation in the program negatively impact your important relationships around you?

- a.** Not at all
- b.** To a small extent
- c.** To a moderate extent
- d.** To a large extent
- e.** Completely
- f.** Not applicable

61. How much time did it take for you to travel from where you lived to the court? Please indicate in minutes \_\_\_\_\_

62. The amount of time you spent per week for UDT testing, including the time spent waiting around? Please specify in hours \_\_\_\_\_.
63. Did you spend any of your own money in order to attend DTC and other related counseling? No / Yes
- a. Did you spend any money on child care? Yes ; No; NA
    - 1. how much did you spend per month \$\_\_\_\_\_
  - b. Did you spend any money on bus fare or cab fare? Yes ; No; NA
    - 1. how much did you spend per month \$\_\_\_\_\_
  - c. Did you spend money on anything else? Yes, Please specify \_\_\_\_\_; No; NA
    - 1. how much did you spend per month \$\_\_\_\_\_

### **Intangible Cost – Stress**

*I am almost done!. These questions are about the stress you felt during the entire process. You will be using the scale of 1 -5 to answer the questions (1= not stress at all; 2 very little stress; 3= moderate stress; 4= large amount of stress; 5 = extremely stressful). As you can see if you do not experience any stress you can say #1. Please note this is not about the stress you experienced as a result of drug use, but it is about attending the program.*

- 64. How stressful was the overall process of being in the program?
- 65. How stressful were the weekly court appearances?
- 66. How about the UDT? How stressful was that?
- 67. Did you find going for counseling to be stressful?
- 68. When you had to report a drug use to treatment, how stressed were you?
  - 68.1 When you had to report a drug use to court, how stressed were you?

### **Intangible Cost - Emotions**

*Now, I am going to read out some words that describe people's emotions. Please tell me on a scale of 1 -5 ( 1= not at all; 2 very little; 3= moderately; 4= large amount; 5 = extremely) how these words describe your experience in the DTC. If you do not experience any of these emotions you can say #1. Again, remember this is not about the emotions you experienced when you were using drugs.*

- 69.
- a. frustrated?
  - b. angry?
  - c. humiliated?
  - d. disappointed?
  - e. hope less?
  - f. Lonely?

***That's it we are done. Thank you very much for your time. This was a good interview and your views and opinions are so valuable for this study.***