

Quasi-Coerced Treatment in Cyprus:

The "Care and Treatment of Addicted Persons" Law 57 (I) 1992, foresees the development of suitably equipped centres for the care of substance dependent minors and other persons charged with criminal acts. As suggested through research evidence carried out in school population of Cyprus (up to 18 years), the use of cannabis (illicit substance mostly used) at least once in a lifetime between students, is roughly in 4-5%. Taking into consideration the European mean, which is around 10% (Hibbel et al., 2004), it appears that the use of cannabis in students in Cyprus, is at very low levels.

As regards to treatment demand for 2007, 60 young people (up to 19 years of age) sought treatment due to illicit substance use, which accounted for 6.5% of users. Even though the majority of these young people sought treatment for cannabis use, 25% sought help due to heroin and cocaine use.

The information available on treatment demand suggests that young persons' involvement with illicit substances starts at a very young age, the mean age of onset of illicit drug use being 15 years. However, the law has been inactive, which deprives the right of access to treatment or other alternative sentence of imprisonment for a big percentage of substance dependent individuals.

With regards to law application, the Cyprus Anti-drugs Council decided to promote the revision of the existing legislation, which remained inactive due to anachronistic and inapplicable provisions. To this end, the CAC set up of a committee, which consisted of health care providers, lawyers, and the Drugs Law Enforcement Unit and Prisons representatives.

The committee identified the need for segregation of provisions between those that concern adults (population which constitutes also the bigger percentage of individuals charged with criminal offenses) from those that concern minors; as well as modification of provisions that concern adults alone. The committee will also work in collaboration

with the Commissioner for Children's Rights, an independent institution which is dedicated to ensuring children's rights and whose powers and duties defined by law, towards the inclusion of modifications that concern minors, promoting a new bill.

The suggestions made by the ad hoc committee are undergoing technical and legislative processing, in order to be put before the Parliament for approval. The CAC, as the institution mainly responsible for the law mentioned above, will continue to work closely with all other responsible institutions, in order to achieve the application of the revised law.

Moreover, the Parliament is still reviewing the bill on the serving of sentence with at home restriction. Consequently, provided the new law is applied, persons that are currently detained in prisons for drug related offenses, that have been sentenced for at least 3 months, and have been involved with the Centre of Guidance for Employment and Re-integration of Prisoners, can apply for serving their remaining sentence through at home restriction. These prisoners will bear a locator tag and will return home after work instead of prison.

As regards to community work as an alternative to imprisonment, this excludes as a rule illegal substance users. According to the Social Services of the Ministry of Labour and Social Insurance, illicit drug users are excluded due to the practical difficulties in the follow-up of users by social services workers and to the high relapse risk among this population. Therefore, the users of illicit substances have no other alternative to legal prosecution.

The international literature suggests that the exception of users from Community work programmes is counter indicated. Nevertheless however, this alternative solution lies with the court's decision, which in the past has imposed Community Work sentences in certain cases and drug using offenders.

The suspended sentence for imprisonment in Cyprus, is usually applied for young individuals, who are accused for possession of quantity of illegal substances for personal

use and do not have a criminal record. The judge has the power to suspend the sentence of imprisonment, with the condition that the offender will not commit another offence within a set time interval. In case of reoffending, the court will sentence the person in imprisonment for both offences.

Based on the current report and the existing gaps identified, there exists an urgent need for the modification and implementation of regulations, so as to ensure the applicability of the existing 1992 Law, as well as the development of suitable therapeutic services.