

# POLICY BRIEF

## Battling Recidivism Among Ex People Who Use Drugs (PWUD) Prison Inmates; A Multidisciplinary Approach

### Introduction

In Malaysia, prison system is one of the system that are created in our criminal justice system. Beside serving as a system that protects the community and preserve the safety of a nation, it also serves as a correctional institution to the inmates. it works mainly on three principles; punitive, rehabilitation and reintegration into the society. Even with these three strong principle, we are still seeing recidivism occurs among the ex-inmates especially in PWUD.

Recidivism in prisons often been addressed as it has an effect on the issue of congestion, amendment of the legislation, prison laws, rising security control expenses, detention and care, and implementation issues of the recovery programme. Owing to the variation of period sentences, recovery quality issues arise and it can be seen that not all recidivist will meet the steps of the therapy procedure recommended.(1)

One issue that the current researchers and policymakers are facing is the ambiguity in defining the concept of recidivism that ultimately creates inconsistencies in measuring crime repetition rate until today. However, generally recidivism can be understood as a repetition of a crime and recidivist is the individual that is involved in that activity. Criminologist often used this general term to explain the phenomenon of crime repetition among ex-convict that lead to reincarceration.(2)

Up until 2015, the trends of PWUD is still increasing despite efforts from the government the in combatting misuse of drug and drug addiction among PWUD. it can be seen that it is a norm for prisoners to have drug addiction record. Imprisonment without any intervention on addressing the drug addiction problem is seen to have minimal impact and further increase the risk of recidivism. Following table shows the number of PWUD that were incarcerated for drug related offence from 2001 up until 2015 and we can see that the number is increasing. (3) It was reported that the percentage of recidivism in 2016 is 8.59%, however action still need to be taken to further decrease the percentage.



## Factors surrounding Recidivism among PWUD

Two primary factors, including internal factors (such as endurance and self-confidence) and external factors (support from families, employers, friends, and community) influence the rehabilitation of PWUD. Self-confidence is one of the internal variables that appears to affect the degree of rehabilitation of recovering PWUD.

Self-confidence plays an important role as it helps PWUD to reintegrate with the society and helps them in overcoming the challenges from other negative influence that may come. It also will help with the addiction and eventually help them to be free from drug addiction. Self-confidence can be elevated with education and vocational training.(4)

Another factor that may lead to recidivism among PWUD is poor family and community support. Studies have shown that communication between the PWUD and their family are less effective thus increase the risk of relapse and recidivism. It is shown that family support is very crucial in making sure therapeutical success and ignorance toward PWUD will only increase the risk of relapse.

The inability of PWUD to secure a stable job and income after being released can be a major contributor to relapse and recidivism. While some of them, managed to get a job, the wages that they receive were not enough to sustain their livelihood thus making them prone to relapse. (5)

Negative peer influence especially those who are still misusing drug also plays an integral part in relapse. It has been shown that 50% of relapse cases are due to negative peer influence after PWUD had been discharged from correctional facility. The same study also showed that 76% of the peers know where to get their supply of drug. On the other hand, positive peer influence, will help in increasing the self-confidence thus reducing the risk of relapse. (5,6)

## Efforts and Challenges

Up until March 2019, there were 782 government and private facilities that run harm reduction program, such as Prisons, National Anti-Drug Agency (NADA) facilities, hospitals and primary health clinics under Ministry of Health. For 2019 up until march, there were 19 050 patient enrolled in the program.

This harm reduction program had proven its effectiveness as there were reduction in new HIV/AIDS cases due to needle sharing. It had reduced from 79.6% in 2001 to 2.8% in 2018. (7) Malaysian Methadone Treatment Outcome Study (myTOS) in 2016 showed that this program had successfully reduced incarceration of PWUD from 57% prior to treatment to 9.1 % after treatment. It had also reported that it managed to reduced recidivism rate by 52.1%. (8)



However the implementation of methadone maintenance therapy in prison might not covered all the PWUD as data from 2018 and 2019 shows that only 198 and 1243 incarcerated opioid user receive Methadone maintenance Therapy (MMT) in year 2018 and 2019 respectively (9)

The success of the criminal justice system in Malaysia in setting up an intermediary home program for ex- prisoners is an initiative to be proud of. It is in line with the efforts of various developed countries in providing halfway houses for ex-prisoners. The main idea is to ensure the transition of ex-prisoners runs smoothly from life in jail to joining the community. This halfway house is so important especially for ex-prisoners who have no homes to live in after their released. One of the reasons is due to family rejections.

The halfway houses which are also known as community correction centres or as residential rehabilitation centres function as social service network that connect ex prison inmates to the much needed social services. It provides safe and conducive environment that are free form negative influence that may lead to relapse. This initiative may help the inmates to reintegrate into the society.

However these halfway home can be further improved with the integration of several program such as job placement program, intensive substance abuse program and family oriented programs to further enhance its function as a tool to reduce recidivism among ex inmates generally and PWUD in particular. (10)

## Conclusion

Recidivism will increase exponentially when we neglect the need of the ex-prison inmates while having stigma toward them. All actors in the society need to play their in reducing the rate of recidivism as it will not only cost a heavy burden to our country for social securities, it will also reduce the transmission of infectious disease as prison is known to amplify the spread of infectious disease due to its overcrowding. Policymaker also need to consider the possibilities of amending the dangerous drug act to treat the PWUD rather than incarcerate them.

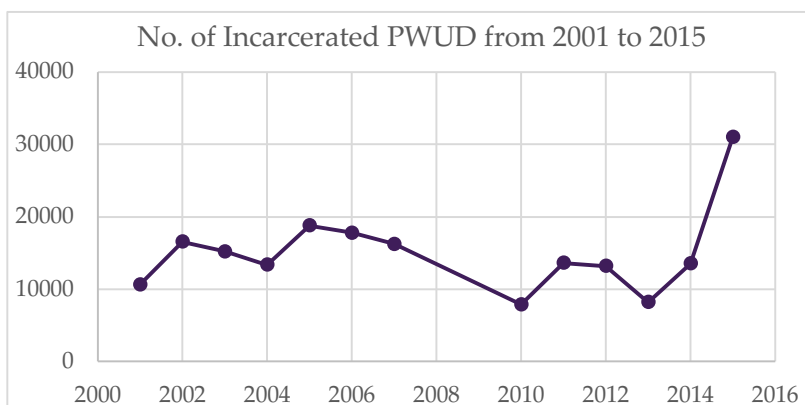



Chart 1: Number of incarcerated PWUD from 2001-2015, no data obtained on 2008



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