

## Poor preventive measures fuel growing drug crimes: An investigation into the right to health<sup>1</sup>

*For years, narcotic crimes have been an ongoing problem in Taiwan. Despite Executive Yuan's effort in 2006 to establish five special divisions to tackle drug-related crimes, the type and volume of confiscated drugs have been on the rise. To date, the prevention of drug crimes and the campaign against teenage drug abuse have been miniscule. The scandalous three-time arrest of one celebrity for drug abuse highlights the challenges in tracing, inspection and rehabilitation, as well as poor oversight and counseling. Control Yuan Members launched an investigation into the case.*

During the period between 2001 and 2010, the number of new cases jumped by 8%. There were also a growing repeat offenses and a decline in the age of offenders. The period between 1999 and 2010 saw an increase in the number of prosecutions, convictions and first-time incarceration for drug-related crimes. In 2010, the rate of repeat offenses among former drug criminals and current inmates was 82%, 85% and 90% respectively, reflecting the poor effect of rehabilitation and treatment. According to figures provided by the Ministry of Education, the past decade has seen a 9.8 increase in the number of students tested positive in drugs, and the number of drug abuse cases in senior high school has increased 23 folds. What's more unnerving is the changing criminal profile; the number of offenders with specialist skills or holding professional jobs has more than tripled. In 2010 alone, 67.6% and 85.9% of total drugs and Ketamine were found to have come from Mainland China, making it the biggest source for illegal drugs in Taiwan. As part of a joint effort to deter drug-related crimes in the Cross-Strait region, judicial authorities in Taiwan and China have signed an agreement that took effect on June 25, 2009.

Six years after the Directorate General of Customs launched a sniffer dog program in 2000 it became clear that the three working dogs were only trained to sniff out food, thus unable to detect and intercept illegal drugs at the customs union. By 2010, only seventeen sniffer dog units were in place. Both the dogs and the staff were exceedingly overworked. Furthermore, poor data integration between Customs Information System (CIS), arriving passenger database and other special computer systems had resulted in loopholes in the overall crime investigation network. The Ministry of Justice has done very little to improve the situation in the eight years since the Executive Yuan issued an official letter demanding an assessment of potential recidivism. The Ministry has not made the necessary improvement, in terms of prisoner observation and rehabilitation, shortage of staff and rooms at rehabilitation and correctional institutions, mandated regular urine test in the first two years following the release.

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Although centers for drug prevention and control have been set up at local governments around Taiwan, the effect has been compromised by a disparity in the understanding and priorities among heads of local authorities, insufficient budget and shortage of professional staff, as well as inadequate follow-ups. Clearly, the fight against drug-related crimes is multi-faceted, involving institutions, manpower, funding, follow-ups and counseling works. Ultimately, it is a battle that requires collaboration among central and local authorities.

In response to Control Yuan's redress, the Ministry of Justice has revised regulations for drug prevention and control to set up rehabilitation centers within drug abuser treatment centers. The Ministry has also teamed up with centers for drug prevention and control to provide counseling prior to check-outs. The Ministry has promised to increase the number of clinical psychiatrists and pharmacists, and taken some measures to overcome room shortage at the facility, including flexible relocation of patients; maximizing the use of idle rooms; delaying prosecution if necessary; and making the best use of penalties and community service.