N8 Policing Research Partnership

Drugs and Alcohol: Evidence Review

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Background

The policing of the possession, consumption and supply of intoxicating substances takes up a lot of time and affects a very large number of people: for example those caught up in the policing of cannabis possession and those processed by the police for alcohol-related disorder in town centres. Moreover, the impact of such policing activity can be profound for the individuals involved and for relations with the police more broadly. Despite the salience of such issues in policy debates and lurid media coverage, British research in this area is surprisingly underdeveloped. This review provides a brief overview of the available evidence in six key areas: the policing of cannabis; the street policing of problem drug users; the policing of drug markets; alcohol and the night time economy; dance drugs and dance clubs; and New Psychoactive Substances (NPS).

Key findings

- In general, evaluative research on legislative changes as broad ranging as licensing reform, cannabis classification and New Psychoactive Substances, suggest that overall such modifications have less impact than proponents hoped and critics feared. Interactions between user patterns and prevalence, legal and illegal markets, and policing can be diffuse and contradictory.
- The over-representation of certain groups in the policing of legislation surrounding drugs and alcohol, particularly young and minority ethnic groups who may be more visible on the streets, suggests a wider symbolic, and indeed contested, role for law enforcement.
- In the field of drug and alcohol studies, policy recommendations reflect tensions between relative prioritisation of public health and criminal justice at local, regional and national level, in part indicative of wider political and resourcing limitations.

1. The Policing of Cannabis

The legal status of cannabis has been one of the highest profile drug policy issues of recent times (Lloyd, 2010) and affects a large number of people. Of the one million offences brought to justice in 2012/13, 134,470 (13%) were for cannabis possession (Turnbull, 2014). However there has been very limited research on the policing of the drug. Two studies were undertaken in the 2000s (May et al, 2002; May et al, 2007), a period during which cannabis was reclassified from Class B to C and then back to B again. The two research projects were designed as a 'before and after' study of the effects of reclassification on the policing of cannabis possession. The overriding conclusion of this research was that reclassification 'has had a smaller impact than advocates of the change hoped and than opponents feared' (May et al, 2007, p.44). Another key finding of this research was the over-representation of Black and Minority Ethnic groups among people dealt with for cannabis possession. The potential damaging effect of this kind of selective enforcement on relations with minority ethnic communities has been referred to by a number of commentators (Turnbull, 2009; Pearson, 2007). Recent research on stop and search in the Metropolitan Police Service has shown black people being stopped and searched for drugs at 6.3 times the rate for white people and being charged for possession of cannabis at 5 times the rate for white people (Eastwood et al, 2013).

2. Problem Substance Users and the Streets

There is a still more marked dearth of research on the policing of problem drug users (PDUs). One of the only studies specifically focusing on the policing of problem drug users in the UK involved interviews with 45 police officers and 63 PDUs across three contrasting police force areas (Lister et al., 2008). These contacts were marked by their frequency and the fact that they were seldom initiated by a specific crime. Police regarded the function of these encounters as being to glean information and to let users know that they were being monitored. Users regarded this police attention as an 'occupational hazard' – if also often perceived as unjust. In order to reduce risk of contact with the police, users often used in secluded places shortly after obtaining their drugs or moved on to other locations. This had implications for risking injecting practices and maintaining contact with helping agencies. These findings are set within a broader international context in which 'crack-downs' and close police surveillance of PDUs have been associated with undermining HIV prevention and riskier injecting practices among injecting users (Rhodes et al, 2006; Miller et al, 2007; Small et al, 2006).

There is a larger literature on the policing of the streets, including research on begging and street drinking and reassurance policing. Some of this work has focused on the increasing criminalisation of the homeless, as begging and street drinking have increasingly fallen under legal control especially (Benjaminsen et al, 2009), although in an English context, Johnsen and Fitzpatrick's (2010) have demonstrated how motivations for such coercive approaches are complex and include more compassionate aims.

3. Policing Drug Markets

Enforcement in illicit drug markets is mainly aimed at disrupting established markets (Kerr et al, 2005). Evidence from the UK suggests that intensive policing of drug markets can have unintended as well as intended consequences (May et al, 2005). In their research on four drug markets in English cities, May and colleagues described how drug markets differed in the degree to which they were embedded in their local communities and the extent to which they could be described as 'symbiotic' or 'parasitic'. Where markets were only minimally linked with their 'host' community, enforcement efforts could be unproblematic. However, where markets were closely embedded, increased enforcement activity could mean that local sellers with attachments to their communities could be replaced by more unscrupulous 'outsiders', who were associated with the greater use of violence. An international review found that increasing drug law enforcement was associated with increasing drug market violence (Werb et al, 2011). Similar to the findings on street policing, another review of the international research has shown that market enforcement can also have unintended consequences in terms of disrupting health care provision to, and increasing risk taking among, injecting drug users (Kerr et al, 2005).

4. Alcohol and the Night Time Economy

The legality and ubiquity of alcohol in UK leisure, combined with the development of night time economies in towns and cities across the UK, has led to a sizeable body of research.

Recent changes to licensing legislation in the UK including extended trading hours – specifically the Licensing Act 2005 – have resulted in a more modest impact than predicted, with a reduction in the 'last orders' bottleneck on emergency services balanced by increased demands on such services spread across the night (Hough and Hunter, 2008). A systematic review of UK licensing policy identified significant limitations in the evidence base on alcohol availability and particularly the interactions between alcohol availability, price and place (Holmes et al, 2014). Furthermore, national surveys of overall alcohol consumption indicate that youth and young adult alcohol consumption fell across the 2000s, both well before the implementation of the LA2005 and afterwards (Measham 2008), suggesting a more complex and as yet under researched understanding of the relationship between consumption patterns and policy initiatives.

Licencing enforcement is a key issue. Hadfield and Measham (2011) noted a consensus amongst police, licensing and judicial stakeholders that recent legislative changes should 'bed in' and be actively enforced rather than reformed. The policing of intoxication, server practices and management of licensed premises is an example. Observational studies in licensed premises (e.g. Home Office/KPMG 2008; Hughes et al, 2014) found not only very low levels of enforcement of the legislation surrounding the sale of alcohol to knowingly drunk customers but also a relationship between such server practises and poorly managed bars. Proactive licensing enforcement, including marketing campaigns aimed at educating young people was recommended in a study by Hopkins and Sparrow (2006). However, Hughes et al (2005) noted that increased policing might reduce alcohol and drug-related crime but does not necessarily reduce excessive consumption, highlighting a broader issue for policing regarding the relative prioritisation of criminal justice or public health agendas around alcohol and drug control.

Pre-loading – the consumption of alcohol before going out for the evening – has become a significant challenge. The significant quantities consumed by young women and young men before going out (Forsyth 2010; Measham et al 2011) has raised concerns about individuals then entering venues to be served more alcohol (Hughes et al, 2005). Hughes et al (2007) has found that young people who consumed alcohol before going out for the night got drunk sooner and remained drunk for longer, and that these pre-loaders were also more predisposed to violence, highlighting the challenges of private and public spheres of control. There have also been recommendations for night time patrolling around crime hot spots, bars and pubs (Hughes et al, 2005; Hopkins and Sparrow, 2006); however, some research suggests that the very presence of police can escalate violence and reduce the likelihood of positive bystander interventions and conflict resolution in the microregulation of violence in public space (Levine et al 2011).

Urban ethnographies by Hobbs et al (2005) in relation to door staff and by Hadfield (2006) in relation to licensing authorities, explore the various competing notions of the night-time economy and social order therein. They highlight the competing uses, blurring, and social meanings of the public and private realms. Echoing the findings of Hadfield and Measham (2010), they identify a shift from the public to privatised and administrative governance of crime and disorder in the night time economy.

The wider socio-cultural debate on alcohol-related violence has emphasised the historical continuities in excessive weekend consumption in the UK (Herring et al, 2008; Nicholls, 2009). In the 1990s a 'new culture of intoxication' emerged, facilitated by alcohol industry changes to licensed premises, server practices, strength of alcoholic beverages and irresponsible promotions (Measham and Brain, 2005). The worst of these were reined in by the Mandatory Code (2010) and subsequent voluntary improvements within the alcohol industry.

5. Dance Drugs and Dance Clubs

The small amount of research on the policing of 'dance drugs' or 'club drugs' in the 1990s focused on the policing of acid house parties, raves and unlicensed pay parties through a suite of legislation centred around and continuing after the Criminal Justice and Public Order Act 1994. Studies evaluating the enforcement of this Act suggested that the police preferred to use pre-existing legislation and informal resolution to control events (Bucke and James, 1998; with Hill (2002). The policing of unlicensed raves was in part a response to tensions between youth groups participating in such events and property owners in and around the Home Counties where many of these countryside raves were held and in part a reflection of wider anxieties regarding what raves represented to the authorities in Thatcherite Britain, as much as drug-related offending. A host of studies have indicated that dance clubs have far higher levels of drug use in them than other night time economy venues (e.g. Deehan and Saville, 2003; Measham and Moore 2009). Studies on the policing of such venues have noted the role

played by private security regarding entry and controls within clubs (Hobbs et al, 2005; Hadfield, 2006), with a shift across the 1990s from open drug markets within dance clubs to club-goers acquiring or 'sorting' their dance drugs before going to dance clubs, resulting in shifting priorities for policing and policing research (Measham et al 2001). The formal policing and informal social regulations of dance clubs and dance drugs varies dependent on venue type, music genre and customer profile (Hadfield, 2008; Hadfield and Measham, 2009; Measham and Hadfield, 2009). In addition, observed or perceived levels of violence and disorder are lower in dance venues where 'dance drugs' and specifically ecstasy are consumed by comparison with traditional pubs and clubs (Forsythe; Home Office/KPMG 2008). This has echoes of the historical text by Nicholls (2009) which explores the ways in which alcohol consumption has been viewed differently and restricted accordingly, depending on the social class, gender and status of the drinker. Ongoing research discussed at the N8 workshop explored case studies of evidence-led policing with academic research indicating relatively low levels of drug use and associated problems which then informed a deprioritisation of drug-related offences at local level and refocus on acquisitive crime and sexual assaults both at festivals (Pannone, 2014) and dance clubs (Collister, 2014).

6. New Psychoactive Substances

One of the most significant recent challenges for the policing of the Misuse of Drugs Act has been the emergence of New Psychoactive Substances (NPS or so called 'legal highs'). Early warning systems across Europe have identified more than 350 new NPS substances to date (EMCDDA 2014). Research is in the earliest stages regarding the policing of NPS with studies to date highlighting challenges for policing including identifying and clarifying legal status for the enormous number of new substances both at Border Control and also on the streets (Winstock and Ramsey, 2010); disparities between labelling and content in test purchases (Brandt et al 2010); disparities between relatively low prevalence of use compared with numbers of products available (Measham, 2013), and the challenges of policing what were at least initially legal substances. The legislative controls introduced since 2010 - that control of substituted cathinones following the mephedrone 'madness' (Measham et al, 2010) - have afforded drugs researchers an ideal opportunity to assess the impact of legislation 'before' and 'after' (ACMD 2014; Measham et al, 2011; Miserez et al, 2014; Wood et al, 2012). Many jurisdictions including the UK have felt the need to undertake substantial policy reviews to adapt existing controls to address the challenges of controlling the rapidly evolving, global NPS market (Home Office 2014).

7. Conclusion

Research in this area covers a wide, politically sensitive and high profile terrain. Significant variations in enforcement of existing legislation and creative use of other powers results in a complex picture regarding the formal and informal control of psychoactive substances of varying legal status. Despite the regularity of calls for evidence-based policy making and evidence-based policing, research in this field is under developed and suggests a field heavily influenced by political and moral perspectives.

Further Information

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