

The right impact

The UK Drug Policy Commission recently published the findings from its year-long review of refocusing drug-related law enforcement to address harms. Chief executive **Roger Howard** explains the research and defends it against its critics



How can enforcement contribute to improving public safety and public health when it comes to controlled drugs? This was the task we set ourselves when we embarked on a review of evidence last year. The solution, in short, is for the enforcement agencies and their partners to target their interventions and actions on the drug markets, individuals and localities causing the most harm. An obvious approach you might think, running parallel to national and local harm reduction and treatment interventions.

However our review has caused controversy on two fronts. First was the inevitable media misreporting that said the review concluded we should 'tolerate' some drug dealing. Second has been the claim that the enforcement agencies are already pursuing a 'reducing harm' policy – such as through the recent Home Office *Extending our Reach* organised crime strategy, which clearly puts reducing harms from serious and organised crime centre stage.

Nothing in life is simple and so it turned out as we progressed our review, carried out in collaboration with bodies like the Association of Chief Police Officers (ACPO), the Serious Organised Crime Agency (SOCA) and their counterparts in Scotland. The challenge of applying the principles of reducing harm through enforcement emerges when you start to ask 'what harms?' and 'to whom?', and 'what evidence is there that enforcement interventions have an impact?'

Until now, reducing the impact of drugs on a community has tended to rely on three main strategies – reducing the use of drugs, reducing the harms associated with drug use, and reducing the amount of drugs supplied.

Drug enforcement efforts have traditionally focused on arrests and drug seizures with the aim of reducing supply. However, such efforts often have limited or no sustained impact on supply, because most drug markets are large, resilient and quick to adapt. Enforcement can even have unintended consequences, resulting in an increase in the damage that drug markets inflict on a community – by triggering a 'turf war', for instance.

However, because not all drug markets are equally harmful, a fourth strategy is available that has potential to deliver real and lasting benefits even where drug markets are entrenched – and this is reducing the harms associated with the supply of drugs that are caused by drug markets and drug control activities.

Enforcement agencies would be expected to have a leading role in delivering this. They have already given some consideration to this approach, particularly following the creation of SOCA with a harm reduction remit and the introduction of new local performance measures, based on perceptions of drug problems and confidence in the police.

The challenge now is to develop and deliver proven 'real impact drug enforcement', which would achieve a reduction in harms to communities. This can be achieved within current enforcement practice by building consideration of harms into all stages of the enforcement process. The published evidence, case studies and examples of current practice identified as part of our review have led us to conclude that the following principles need to be applied:

- Reducing the impact or harms that drug markets have on our communities should be made an explicit overall aim within relevant strategies and organisations.
- Prioritising and planning activities to tackle drug problems should be based on consideration of the full range of relevant drug harms and risks to individuals, families, communities and institutions.
- Problem identification and priority setting at community level should be in collaboration with the community affected.
- All operations aimed at drug markets should, within the planning process, explicitly identify the harms they are concerned with and identify the characteristics of drug markets that are the cause of those harms. It is important to specify clearly the mechanism by which the activity is expected to have an impact on the harms that are being targeted to ensure that appropriate

tactics are selected.

- Partnership working is vital to maximise the effectiveness of action to reduce drug market-related harms.

Within our review we have identified three broad approaches to delivering a net reduction in harms. These involve targeting specific individuals or groups identified as being particularly harmful, looking at areas where drug problems are particularly damaging and addressing particularly harmful behaviours.

The evidence review brought forth a number of case studies of enforcement supply interventions that prioritise harm reduction at community and upper drug market levels. These demonstrate that the accusation that the commission's review somehow 'tolerates' dealing is wide of the mark both domestically and internationally. Our discussions with various enforcement personnel showed, however, that the approach of prioritising and targeting supply harms, especially at community level, is still embryonic in the UK and warrants further impetus.

In the US, the Department of Justice is sponsoring nationwide training under its Drug Market Intervention Program (DMI). DMI is a strategic problem-solving initiative aimed at permanently closing down open-air drug markets. What is fascinating about this programme is how the strategy targets low-level drug dealers and stages an intervention with families and community leaders. Offenders (non-violent and frequently not arrested) are given the choice of prosecution and probable incarceration versus assistance in locating employment, housing, transportation, healthcare and access to other social services. In essence it provides a pre-prosecution diversion option for some dealers.

In North Carolina where the approach was pioneered, the results are claimed to have been substantial, with sustained reductions in drug crime and violent crime and significant improvements in community confidence. These have happened in a way that addressed and repaired deep historical racial divisions in the community. Here in England, Operation Reduction in Brighton has seen a similar focus on tackling low-level dealing, adopting parallel sanctions, while Operation Nemesis in Stoke-On-Trent was built on a very proactive community engagement model.

All of this takes us back to discussion of 'what harms' and 'to whom'? Drug supply can cause a wide range of harms and the commission has developed a simple matrix to help enforcement agencies begin to map these and their impact. The difficulty comes in trying to measure the various harms in a meaningful way at all levels – not just simply on individuals but the impacts on families, communities, states and institutions. At the end of the day, arrest and seizure figures simply show us how 'busy' the enforcement agencies have been, akin to the debate about the 'bums on seats' performance measures for retention in drug treatment. They are simply crude proxy measures. Neither demonstrate real impact in reducing harms nor do they adequately show improvements in individuals or community wellbeing. We need a new and different set of measurements for that.

A separate briefing on the policy implications of our review has also been published (see: www.ukdpc.org.uk/resources/HR_Enforce_Policy_Briefing.pdf) and we are not surprised it has attracted criticism from both the supporters of drug reform, such as those supporting legalisation and regulation, and those diametrically opposed. One side sees our call for better targeting of enforcement of drug markets on harms as missing the point about the unintended consequences of harms caused through the drug control system. Those on the other wing, the 'drug warriors' accuse us of colluding with and promoting what they perceive as a discredited harm reduction philosophy.

As ever, I am left perplexed by these opposing simple and seductive perspectives. Leaving aside whether overall societal harms would be better or worse under a different legal and regulatory regime, there appears little overall public appetite for such an approach and only conjectural assertions as to its potential impacts. Equally those on the 'warrior' wing face a herculean task in demonstrating overall sustainable net benefits from decades of enforcement policies. Practitioners on the coalface, be they enforcement or health and caring personnel, are left with having to weave a pragmatic course through these siren calls.

Targeting and prioritising the reduction of harms caused by drug supply and markets is a practical approach with demonstrable benefits.

The UKDPC's review is at

www.ukdpc.org.uk/resources/Refocusing_Enforcement_Full.pdf

Cheers...

'The approach set out in this report should not be dismissed lightly... This is a valuable addition to our understanding about illegal drug markets and how the public agencies can tackle what continues to be a scourge on our communities.'
Derek Barnett, Police Superintendents' Association of England and Wales

'There are sound ideas included in the paper both for the Home Office who oversee the government's drug strategy and for the police service, SOCA and other partner agencies.'
Tim Hollis, Association of Chief Police Officers

'The UKDPC report acknowledges the harm reduction approach, which SOCA has pioneered in the way it prioritises operations and identifies targets... There is considerable potential for further harm reduction in extending this approach through effective partnerships which tackle the problem from all angles in a co-ordinated and sustained manner.'
David Bolt, Serious Organised Crime Agency (SOCA)

'As the report states, harm reduction underpins every element of our approach to tackling this complex issue. However, we are not complacent... police, local authorities and communities must continue to work together so that our streets and communities can be free from the crime and anti-social behaviour [drugs] cause.'
Alan Campbell, Home Office Minister

'We need to focus on what works to reduce the damage done by drug abuse. This report is a welcome contribution to the debate.'
Chris Huhne MP

'Current law enforcement activities increase the violence and public health problems associated with drugs in the UK. We urge the government to heed the recommendations of this report, and urgently undertake a wholesale review of its drug strategy.'
Claudia Rubin, Release

And fears...

'What we need is not more rhetoric about a 'war on drugs', which is political nonsense. Instead, we must start a sustained process that aims to reduce drug-taking behaviour rather than containing it, and thus improves the quality of life for addicts, their families, and their communities.'
Iain Duncan Smith, chairman of the Centre for Social Justice

'Turning Point agrees with The UKDPC's recommendations... However, what is more important is that we work to reduce the demand for the supply of drugs. We can do this by using campaigns to educate people about their potential dangers, by ensuring drug users have rapid access to appropriate treatment, and by building a circle of support to help people with issues such as debt, housing and unemployment, which are so often at the root of the problem.'
Harry Walker, Turning Point

This is political correctness or liberalism taken too far. Will we be blaming the police action as opposed to inaction for murder and robbery next? The need for smarter enforcement is undeniable. But not of the UKDPC's interpretation of the concept. Nothing less than a top to bottom rethink – a new, committed and well resourced national strategy with local action to protect our borders, to hit middle and local markets, keeping operations flexible, adaptable and most importantly ongoing – is called for.
Kathy Gyngell, Centre for Policy Studies

'We welcome UKDPC's recognition that the drug control system itself is causing significant damage, and welcome their call for an impact assessment of enforcement operations... However, as a result of failing to articulate clearly the enormity of the destruction being wreaked by the global war on drugs, the report only suggests fighting it smarter. In reality the only way to stop the carnage is to end the war on drugs altogether, and put in place a genuine harm reduction regime within a legally regulated market.'
Danny Kushlick, Transform Drug Policy Foundation