

## Re: Written evidence submitted by Release regarding the Serious Violence Inquiry

Release is the national centre of expertise on drugs and drugs law. The organisation, founded in 1967, is an independent and registered charity. Through our services the team provides free non-judgmental, specialist advice and information to the public and professionals on issues related to drug use and to drug laws. The organisation campaigns directly on issues that impact on our clients - it is their experiences that drive the policy work that Release does and why we advocate for evidence-based drug policies that are founded on principles of public health rather than a criminal justice approach

### Executive Summary

- The theme of 'Tackling County Lines and Misuse of Drugs' is not the right one because the link made between drugs and serious violence is misrepresented and overstated.
- The theme of 'Tackling County Lines and Misuse of Drugs' also does not provide the clarity and direction needed to tackle the problem because it basically reiterates the approach outlined in the Drugs Strategy 2017, which is costly, cannot demonstrate effectiveness, and leads to harmful unintended consequences.
- An alternative approach to addressing drug misuse and drug markets, such as diversion schemes, would likely strike a more appropriate balance between prevention and effective law enforcement and would free up resources to ensure that the Strategy is successful.

### Evidence for consideration

#### 1. The link made between drugs and serious violence is misrepresented and overstated:

The assumption made throughout the Serious Violence Strategy that "strong links between drugs and serious violence"<sup>i</sup> exist is tenuous for a number of reasons. The link made between illicit drug markets and serious violence entirely disregards drug-market violence that is specifically related to drug law enforcement efforts, as the Home Office acknowledged in its own evaluation of the Drug Strategy 2010.<sup>ii</sup> Moreover, while it has been widely reported that crack cocaine directly leads to violence because of its "psychoactive effects" or that the "crack cocaine epidemic was one of the main reasons for the sharp rise in homicide and robbery through the late 1980s and early 1990s"<sup>iii</sup>, more recent research from Columbia University, led by the Chair of the Department of Psychology and neuroscientist, Professor Carl Hart, has effectively debunked this fallacy.<sup>iv</sup> Lastly, while it is not being disputed that drug markets can be a contributing factor to some forms of violence, it is unclear why this is being singled out over and above other contributing factors. For instance:

*"Serious violence extends to other forms of serious assault of course. We know that a significant proportion of violence is linked to either domestic abuse or alcohol, but these two important elements are not driving the increases we are seeing in violent crime. That is why they are not the focus of this document."*<sup>v</sup>

In addition, the Strategy has largely come about as a result of an increase in knife crime in largely metropolitan areas, especially London. The previous Home Secretary, when launching the strategy largely laid the blame for this violence at the door of the drug trade, and certainly some of the tragic fatalities have been linked to the drugs market however there are many other, arguably more important, factors involved. It cannot be ignored that many of those young people are living in areas of deprivation, where austerity measures have wreaked havoc and have led to significant closures in youth services. Added to this is the reduction in financial support for young people seeking to continue their education. Much of the violence can also be attributed to post code rivalries and social media disputes. Yet, the strategy does little to really address any of these factors - there is little new money available and no commitment to reverse the swathing cuts to community and youth groups. As usual, it is easier for Government to blame a factor largely outside of their control rather than taking responsibility for the huge damage done by austerity measures.

As such, the link between drugs and serious violence is not supported by strong evidence and is overstated as being the driver of serious violence, over other contributory factors.

We are similarly concerned that the repeated emphasis on tackling so-called 'County Lines' to address serious violence will not be effective. The role of 'County Lines' is arguably overstated and the accuracy of its description is questionable. People using drugs in rural areas, drugs being transported across the country from recognised supply hubs and, sadly, vulnerable people being exploited by others in positions of power are far from new. It is therefore unclear how so-called 'County Lines' are a new phenomenon, bar the technological matters such as the use of mobile phones, and how this is being directly attributed to the increase in serious violence.

## **2. The approach proposed to tackle the misuse of drugs is costly, is not effective, and leads to harmful unintended consequences:**

The Serious Violence Strategy incorporates the approach proposed to tackling the misuse of drugs that is outlined in the Drug Strategy 2017.<sup>vi</sup>

The Government's Drug Strategy for 2010 aimed to (i) reduce illicit and other harmful drug use; and (ii) increase the number of people recovering from their dependence.<sup>vii</sup> However, the Home Office's own evaluation of the strategy found that an estimated £1.6 billion was spent on enforcement activities to reduce the supply of drugs in 2014/15, but there was no demonstrated impact on the availability of drugs and many "potential unintended consequences" were identified, including drug market violence and the "negative impact of involvement with the criminal justice system".<sup>viii</sup> The Home Office evaluation also acknowledged that supply reduction efforts were mainly used to target low-level drug possession. In 2014/15, over 80 per cent of police-recorded drug offences were for possession, and three-quarters of these were for cannabis possession.<sup>ix</sup> Far from acknowledging the inefficiency of the approach, the Government's Drug Strategy 2017 proposes more of the same, by adopting the same supply and demand

reduction strategies to “reduce illicit drug use and increase the rate of individuals recovering from their dependence”<sup>x</sup>.

Therefore, even if there was a strong link between drugs and serious violence, the approach proposed to tackle the misuse of drugs is similarly costly, ineffective and is actually likely to create drug-market violence and harm to individuals that are involved with the criminal justice system.

### **3. Alternative approaches to addressing drug misuse and drug markets, such as diversion schemes or decriminalisation, would be more appropriate and less resource intensive:**

We welcome the steps taken by the Committee to provide “support for young people to provide them with the tools, support and opportunity to live violence free lives” in recognition of the “importance of steering young people away from crime in the first place”. However, this directly conflicts with the Strategy’s commitment to tackle drug misuse as outlined in the Drug Strategy 2017, which leads to young people (particularly young black men<sup>xi</sup>) being policed and criminalised at an unnecessarily high rate. We would instead advocate the approach taken by some English police forces, where senior police are taking innovative approaches in dealing with low level drug offences, to divert people (including young people) away from the criminal justice system.

Durham Police force has implemented a diversion scheme for a range of low level offences, this initially included drug possession offences, but due to the success of the scheme this has been extended to include low-level supply offences, where the offender is determined to be a user/dealer.<sup>xii</sup> Durham’s scheme, ‘Checkpoint’, diverts people after arrest on the condition that they undertake a four month programme to address their offending behaviour. Engagement with the programme leads to a suspension of criminal justice proceedings, successful completion will result in no further action being taken.<sup>xiii</sup> Some initial findings from the pilot period found those who were diverted to Checkpoint had lower reoffending rates compared to those who were subject to out of court disposals, such as cautions. The Checkpoint cohort reoffended at a rate of 14.6 per cent in the 12 months following participation compared to 21.9 per cent for those receiving out of court disposals. Participants in Checkpoint also reported improved outcomes in relation to: substance misuse; alcohol misuse; accommodation; relationships; finances and mental health.<sup>xiv</sup>

Whilst Durham’s diversion scheme occurs after arrest, Avon and Somerset Police force have implemented an on-the-street diversion programme in Bristol for those caught in possession of drugs for their own personal use. The ‘Drug Education Programme’ (‘DEP’) was originally launched as a pilot in 2016, and initial findings came from the first six months of the programme (1 April 2016 – 30 November 2016) by comparing outcomes for people caught in possession of drugs to those caught during the baseline period (1 April 2015 – 30 April 2015) prior to the implementation of the scheme.

These findings are similar to that of Durham Police, with attendees of the DEP less likely to re-offend when compared to those who had gone through the criminal justice system during the baseline period. The majority of attendees at the DEP reported cessation or reduction in their drug use. Avon and Somerset

police also reported that the DEP saved police officers significant resources, the majority of officers reported that a referral to DEP took less than 30 minutes compared to previous disposal methods taking two to four hours. Officers reported that the reduced burden of diverting drug possession offences to the DEP meant that it freed them up to focus on other tasks. Interestingly, the evaluation from Avon and Somerset Police also found that the new approach under DEP led to better relations between the police and people who use drugs, where, when people were treated not as criminals but as those needing care and treatment, they were more likely to cooperate with police officers.<sup>xv</sup> The success of the DEP in Bristol will see the scheme rolled out across Avon and Somerset from April 2018.

The experiences of Avon and Somerset and Durham Constabularies have led other police forces and police and crime commissioners to consider implementing similar schemes. West Midlands Police and Crime Commissioner published a report on tackling drugs in their region and recommended that people be diverted away from the criminal justice system for low level drug offences<sup>xvi</sup>.

Given the above, an alternative approach to addressing drug misuse and drug markets, such as diversion schemes, would strike a more appropriate balance between prevention and effective law enforcement and would free up resources to ensure that the Strategy is more successful.

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<sup>i</sup> HM Government (2017) *Serious Violence Strategy*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/698009/serious-violence-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/698009/serious-violence-strategy.pdf).

<sup>ii</sup> Home Office (2017) *An evaluation of the Government's Drug Strategy 2010*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/628100/Drug\\_Strategy\\_Evaluation.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/628100/Drug_Strategy_Evaluation.PDF), 10, 79-80.

<sup>iii</sup> *Ibid.*

<sup>iv</sup> Shetty P. (10 May 2014) 'Carl Hart: Advocate for rational drug policy', *The Lancet, Profile*, <https://www.thelancet.com/action/showPdf?pii=S0140-6736%2814%2960778-9>.

<sup>v</sup> *Ibid.*

<sup>vi</sup> HM Government (2017) *Serious Violence Strategy*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/698009/serious-violence-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/698009/serious-violence-strategy.pdf), 51.

<sup>vii</sup> HM Government (2010) *Drug Strategy 2010 'Reducing Demand, Restricting Supply, Building Recovery: Supporting people to live a drug free life'*, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/98026/drug-strategy-2010.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98026/drug-strategy-2010.pdf), 4.

<sup>viii</sup> Home Office (2017) *An evaluation of the Government's Drug Strategy 2010*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/628100/Drug\\_Strategy\\_Evaluation.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/628100/Drug_Strategy_Evaluation.PDF), 10, 79-80

<sup>ix</sup> *Ibid.*, 28.

<sup>x</sup> HM Government (2017) *2017 Drug Strategy*, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/628148/Drug\\_strategy\\_2017.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/628148/Drug_strategy_2017.PDF), 5.

<sup>xi</sup> Home Office and The Rt Hon Theresa May MP (2014) 'Stop and search: Comprehensive package of reform for police stop and search powers', *Oral statement to Parliament 30 April 2014*; <https://www.gov.uk/government/speeches/stop-and-search-comprehensive-package-of-reform-for-police-stop-and-search-powers>

<sup>xii</sup> D’Arcy S. (19 November 2017) ‘Drug addicts selling heroin to feed their habit ‘will not face prosecution’ Durham Police chief says’, *The Independent*, <https://www.independent.co.uk/news/uk/home-news/drugs-addicts-heroin-not-face-prosecution-durham-police-chief-constable-mike-barton-a8063486.html>

<sup>xiii</sup> Durham Constabulary (2018) ‘*Critical Pathways – Checkpoint*’, <https://www.durham.police.uk/Information-and-advice/Pages/Checkpoint.aspx>

<sup>xiv</sup> Durham Constabulary & Durham Police and Crime Commissioner (2017), “*Checkpoint: An Innovative Programme to Navigate People Away from the Cycle of Reoffending: Implementation Phase Findings*”, Durham PCC (provided via email by Durham PCC on 16 March 2018)

<sup>xv</sup> Luckwell J. (2017) ‘*Drug Education Programme Pilot: Evaluation Report*’, Avon and Somerset Constabulary, 17 March 2017, 4- 5 (provided by Avon and Somerset police by email 15 March 2018)

<sup>xvi</sup> Jamieson D. (2018) *West Midlands Drug Policy Recommendations*, *West Midlands Police and Crime Commissioner*, <http://www.westmidlands-pcc.gov.uk/media/477434/West-Midlands-Drug-Policy-Recommendations.pdf>