

## **Street policing of problem drug users**

*Stuart Lister, Toby Seddon, Emma Wincup, Sam Barrett and Peter Traynor*

### **Street policing of problem drug users from the perspective of drug users and policing professionals.**

The study provides important insights into policing practices and draws out implications for policy development, ahead of the Government's new drugs strategy which will be launched in 2008. The report:

- describes the organisation of street policing of problem drug users;
- examines the nature and purpose of street encounters between the police and drug users;
- analyses drug users' experiences of policing; and
- considers the implications of street policing for drug users and local communities.

The researchers worked with three police forces in England and Wales, interviewing police officers and problem drug users, professionals at drug agencies and local councils.



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Communications, Joseph Rowntree Foundation,  
The Homestead, 40 Water End, York YO30 6WP.  
Tel: 01904 615905. Email: [info@jrf.org.uk](mailto:info@jrf.org.uk)

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Joseph Rowntree Foundation  
The Homestead  
40 Water End  
York YO30 6WP  
Website: [www.jrf.org.uk](http://www.jrf.org.uk)

### **About the authors**

Stuart Lister is Lecturer in Criminal Justice, University of Leeds.

Toby Seddon is Senior Research Fellow in Regulation, University of Manchester.

Emma Wincup is Senior Lecturer in Criminology and Criminal Justice, University of Leeds.

Sam Barrett is a Research Officer at the University of Leeds.

Peter Traynor is a Research Officer at the University of Leeds.

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# 1 Introduction

During the past decade the police have been expected to play a pivotal role in delivering the UK drug strategy. They have been called upon to reduce the supply of drugs by targeting their resources and efforts on Class A drugs. Since 2003, as gatekeepers to the criminal justice process, they have also been tasked with channelling drug users into treatment following their arrest. The police therefore have been asked to play a crucial, albeit contradictory, role enforcing the law and offering support to problem drug users. These tensions have the potential to emerge in relation to the routine policing of problem drug users but there is little research evidence which explores whether they are actually experienced at grassroots level. While it is acknowledged that policing of drug users involves more than law enforcement (Advisory Council on the Misuse of Drugs, 1994; Murji, 1994), little is known about the nature, processes and outcomes of routine interactions between problem drug users and the police (see Collison, 1995 for a notable exception) or other policing personnel. This exploratory study is an attempt to fill this gap.

This report presents the findings of a study of street policing of problem drug users. Funded under the Joseph Rowntree Foundation's Drug and Alcohol Research Programme, it complements two previously published studies on the policing of cannabis (May *et al.*, 2002; May *et al.*, 2007).

## Policy background

The broad trajectory of recent drug policy was set out in the ten-year drug strategy *Tackling Drugs to Build a Better Britain*, published in 1998. This had four overarching aims: young people (education and prevention); communities (reducing crime and anti-social behaviour); treatment (improving access and participation); and availability (action on supply) (HMSO, 1998). The appointment of a high-profile 'drugs tsar', based in the Cabinet Office and with a cross-departmental co-ordinating brief, signalled both the priority placed on drugs by the New Labour Government and the desire for a more 'joined-up' approach. However, by 2002, when an updated strategy was issued, the 'drugs tsar' had gone and responsibility for drug policy had reverted to the Home Office. The update (Home Office, 2002) built on the 1998 strategy but also represented a shift in emphasis. One aspect of this was a renewed focus on heroin and cocaine, the drugs believed to be most harmful to individuals and society. Cannabis was reclassified in 2004 to a Class C drug as part of this refocusing. The main reason for this was because the Advisory Council on the Misuse of Drugs

advised that while cannabis was harmful, it was less harmful than other Class B drugs. Additionally, reclassification offered the potential to free police time to concentrate on those illegal drugs considered to be more harmful. Subsequent research suggested that the impact of reclassification on the allocation of police resources was less marked than had been anticipated (May *et al.*, 2007). A second aspect of the strategic reorientation in the 2002 update was the increased emphasis on the provision of drug treatment in the criminal justice system.

The increasingly prominent criminal justice agenda has been underpinned by a significant increase in capacity in the treatment system. Overseen by the National Treatment Agency,<sup>1</sup> which was set up in 2001, access to services has expanded to unprecedented levels. Criminal justice interventions have proliferated, all with the aim of channelling and coercing drug-using offenders into treatment in order to reduce crime. These have been brought together under the umbrella of the Criminal Justice Interventions Programme, later renamed as the Drug Interventions Programme (DIP). At a local level, Criminal Justice Intervention Teams have been tasked with co-ordinating DIP provision and ensuring that drug users are effectively case-managed through the criminal justice process. There is local variation within the programme, such that elements of DIP (for example, testing) are available in all areas, while others (for example, 'Required Assessments') have so far only been introduced in 'intensive' areas.

Despite significant investment, the impact of criminal justice interventions on both drug use and offending behaviour is not yet clear. Certainly, these initiatives have increased the number of drug users receiving treatment. Figures for England report that between 1998/99 and 2005/06 the number of drug users entering treatment increased by 113 per cent (Home Office, 2007a). Similarly in Wales between 2001/02 and 2005/06 there was a 150 per cent increase (National Assembly for Wales, 2005, 2006). Evidence of the impact of this increased drug treatment on offending behaviour is more equivocal. While several studies have revealed that drug treatment can reduce crime, there is less evidence that treatment has the same effect when drug users are channelled or coerced into participating through the criminal justice system. British evidence is particularly lacking, with the exception of recent work by McSweeney *et al.* (2007). Reviews of the international evidence have shown mixed results, with North American studies generally more positive than European ones (Stevens *et al.*, 2005). In addition, there are major conceptual difficulties with much of the existing research on coerced treatment (Seddon, 2007). Despite the lack of a definitive evidence base, early indications from the consultation process for the 2008 drugs strategy (Home Office, 2007b) suggest that the emphasis on using the criminal justice process to channel drug users into treatment will continue.

Although these policy developments included a strong focus on tackling drug-related crime, they provided little direction in terms of the street policing of problem drug users. For instance, although the *Updated Drugs Strategy* suggested that a greater priority should be attached to policing Class A drugs rather than those defined as less harmful, no directives from the Home Office to police managers accompanied it. Instead, street policing of problem drug users has been shaped by wider developments in the organisation and delivery of policing. These changes have effectively downgraded the extent to which Class A drug use per se is the focus of law enforcement agendas.

First, in 2002 drug offences were removed from the institutional targets designed to assess the performance of individual police forces. At the same time statutory performance indicators formulated in relation to 'crime levels' have become focused on so-called 'volume crimes'. This has resulted in some problem drug users becoming increasingly targeted by the police because of their repeated involvement in burglary, robbery and other forms of acquisitive crime. To this end, there has been increased use of targeted patrols and proactive operations as well as surveillance and monitoring regimes. For instance, the Prolific and other Priority Offender (PPO) programme, introduced in September 2004, identifies a cohort of prolific offenders for intensive forms of policing, a high proportion of whom are problem drug users (Dawson and Cuppleditch, 2007). The programme was a response to increasing recognition that a very small proportion of offenders (0.5 per cent) were responsible for one in ten offences (see Dawson and Cuppleditch, 2007). Police play a key role in identifying individuals for the scheme and thereafter supervising and monitoring them. The PPO programme is not aimed specifically at problem drug users but the national evaluation found that PPOs were 'more likely to misuse hard drugs, more likely to misuse a variety of drug types, more likely to be fully occupied by the pursuit and misuse of drugs; and their offending was more likely to be judged as being linked to their drug misuse' (Dawson, 2007, p. 6). The programme deploys what has been termed a 'carrot and stick approach' (Bateman, 2005). Support is offered to PPOs to help them resettle in the community following a custodial sentence and desist from offending: for example, for drug users the 'carrot' is priority access to drug treatment. The 'stick' for those who do not engage with the tiers of support available to them is additional police monitoring. Plans were announced in 2006 to align the PPO programme with DIP to ensure that they work together to channel prolific drug-using offenders into treatment.

Second, a series of complementary government agendas, which coalesce around addressing rising public concerns over low-level disorder and fear of crime, lack of police visibility and deteriorating police and community relations, have led to an increase in levels of visible street policing. This development has been enabled by

the increasing numbers of police officers and police community support officers funded by central and local government, as well as the increased pluralisation of policing evidenced by the growth of the 'extended policing family' (see Box 1). The Police Reform Act 2002 introduced police community support officers (PCSOs) to provide a high-visibility uniformed police presence in local neighbourhoods. Patrolling with a limited range of powers, they focus on fostering community relations, providing reassurance and tackling low-level anti-social behaviour. Powers available to them included in specified circumstances the power to disperse groups in designated areas, detain persons for 30 minutes, stop and search, seize alcohol, search and enter premises and vehicles, and issue Penalty Notices for Disorder (i.e. 'street fines'). The renewed focus on visible street patrolling has been enhanced by the arrival of 'neighbourhood policing', as set down by the 2004 White Paper *Building Communities, Beating Crime* (Home Office, 2004). Neighbourhood policing represents the institutional arrangements by which the police aspire to organise the provision of highly localised neighbourhood policing teams comprising mainly police officers and PCSOs. The White Paper also outlined the requirement for police forces to be 'citizen focused' in the delivery of policing services. A central aspect of this ethos is for police forces to be 'customer responsive' to the communities they serve. As a result of these developments police managers are likely to remain under pressure to improve public perceptions of safety by increasing levels of visible street patrol as well as tackling signs of insecurity, for example visible signs of drug use, rough sleepers and beggars.

Third, the emergence of the anti-social behaviour agenda has seen policing activity become increasingly focused on tackling low-level disorders which serve to shape public perceptions over fear of crime and local security. Operating to the remit of 'community safety', the focus of this agenda is less on crime control and more on addressing social and environmental indicators of neighbourhood decline. Since 1998, subsequent pieces of legislation have been enacted which equip the police and other community safety partners with a breadth of new powers which can be used to tackle anti-social behaviour. Most saliently for the policing of problem drug users, Anti-Social Behaviour Orders were introduced by the Crime and Disorder Act 1998 and dispersal powers and 'crack house closures' by the Anti-Social Behaviour Act 2003. Functioning with a preventative and exclusionary logic, these tools provide police with a greater range of options when responding to problem drug users. For instance, rather than seeking to gain evidence of drug offences, they allow police to seek to manage problem drug users through more diverse methods and sanctions.

## Problem drug users: a note

The concept of the problem drug user first emerged in the 1980s and was initially borrowed from the alcohol field where the idea of the problem drinker had been developed some years previously. An early and influential definition was provided in 1982 by the Advisory Council on the Misuse of Drugs (ACMD), which defined problem drug takers as those who ‘experience social, psychological, physical or legal problems related to their drug use’ (ACMD, 1982, p. 34). This was intended to be an inclusive definition covering a wide group of drug users, from the cannabis user getting into trouble with the police to the heavy heroin injector with multiple problems. It also extended well beyond the narrow confines of the disease model and emphasised that drug problems were not simply about health. Significantly, the focus was primarily on the problems experienced by drug users. More recent definitions have become more restrictive and tend to refer simply to current use of opiates and/or crack cocaine (for example, Hay *et al.*, 2006). In contrast to the earlier ACMD definition, the focus now is much more on the problems drug users cause to others, notably in terms of crime and disorder. A critical implication of this, explored in this study, was how different agencies perceived the relative importance and seriousness of these different drug-related problems and how this influenced which drug users were more likely to be considered ‘problematic’. In other words, not only was the category ‘problem drug use’ dynamic rather than fixed, it was shaped by who was identified and targeted as the most ‘risky’ or troublesome.

Recent estimates suggest that there are just under 330,000 problem drug users in England (Hay *et al.*, 2006).<sup>2</sup> The profile of this group is predominantly male (74 per cent), with over 40 per cent in the 25–34 age group and only 22 per cent aged under 25 (Hay *et al.*, 2006). It has been estimated that the economic costs attributable to problem drug users amount to approximately £15 billion per year, of which around 90 per cent is accounted for by the costs associated with drug-related crime, mostly shoplifting, burglary and robbery (Gordon *et al.*, 2006).

Offending by problem drug users often takes place in ‘public’ or ‘quasi-public’ space, making it likely that they will attract some amount of policing attention. The Arrestee Survey (Boreham *et al.*, 2006) found that the most common offence committed in the four-week period prior to their arrest by those who reported using heroin or cocaine (including crack) was shoplifting. Over one-third (37 per cent) of these arrestees had admitted to committing this offence, 7 per cent admitted to begging and 3 per cent admitted to selling sex.

Their involvement in offending aside, problem drug users may spend lengthy periods of time on the 'streets' because they have nowhere else to go. Research studies have focused on levels of drug use among rough sleepers rather than the level of rough sleeping among drug users: for example, Fountain *et al.* (2003) found that 36 per cent of their sample of 389 individuals who were currently sleeping rough or had been in the recent past in London were dependent on heroin. A small number of studies provide information about the housing status of clients but they collect data on those undergoing treatment and therefore are likely to include drug users with the most stable living arrangements. Nonetheless a recent study of 877 problem drug users revealed that 36 per cent of the sample defined themselves as either homeless at the point of entering treatment (24 per cent) or when interviewed again eight months later (Kemp *et al.*, 2006). Not all those defining themselves as homeless were rough sleepers but previous studies have found that even when drug users have some form of accommodation such as a place in a hostel or supported accommodation, they may deliberately avoid using drugs on these premises for fear that it will lead to them being evicted (Wincup *et al.*, 2003). More recent evidence supplied to an independent working group concerned with whether drug consumption rooms should be introduced in the UK revealed that while a number of hostels allow residents to inject drugs on the premises, in general terms hostel residents will have little choice but to leave hostels should they need to inject drugs (IWG, 2006).

### **Box 1 Key broad trends in street policing**

#### *Expansionism*

Over the last few years local and central government investment in the police service has increased significantly. Across the 43 police forces of England and Wales there are almost 142,000 full-time police officers, a record number. Since 2000, police officer numbers in England and Wales have increased by almost 17,800 (approximately 13 per cent) (Bullock and Gunning, 2007).

#### *Localisation*

The emergence of 'neighbourhood policing' has decentralised local police structures in order to deliver a more citizen-focused and community-orientated style of policing, including greater levels of foot patrol. Neighbourhood policing teams aspire to increase the extent to which police are familiar with and accessible to local communities and thus gain a greater sense of ownership over local issues.

*Diversification*

The police workforce has become increasingly diversified. There are now 5,540 police officers from minority ethnic groups (accounting for 4 per cent of the workforce), almost double the figure in 1998. Some 12 per cent of police community support officers are from minority ethnic groups. Further, there are 33,177 female police officers (accounting for 23 per cent of all police officers). For the office of constable the proportion of females increases to 26 per cent and for police community support officers this figure is 41 per cent (Bullock and Gunning, 2007).

*Specialisation*

The increasing division of labour within the police service has led to the emergence of specialist police teams and roles within the delivery of street policing. The recent arrival of PCSOs as dedicated high-visibility patrol officers is the most widespread example of this development. Within each force, other teams have also been created and given specific tasks which fall under the rubric of street policing (for example, units focusing on homeless people).

*Civilianisation*

Street policing, both within and without the police, has become increasingly 'civilianised' and thus delivered by civilians who do not hold the office of constable. As a result, civilians such as PCSOs and special constables delivering street policing often function without the full range of police powers. Local authorities and other organisations (for example, housing associations) also employ civilians in a range of street policing roles.

*Pluralisation*

Street policing is now delivered by a 'plurality' of public and private agencies, including police and PCSOs, neighbourhood and street wardens and rangers, and private security guards. Commonly referred to as the 'extended police family', these agencies patrol a range of different 'street' contexts including commercial areas, residential estates and shopping centres.

## Working definitions

In order to clarify the focus of the research, the following definitions have been applied to the main concepts considered within the study.

### **Problem drug user**

The concept of the problem drug user is fluid and contested, and exploring different definitions of the term and how these shape policing action was an important aspect of the study. Nevertheless, for the initial purposes of the research, problem drug users were defined as individuals currently using opiates and/or crack cocaine (see Hay *et al.*, 2006).

### **Policing**

Policing can be considered a fairly nebulous term to define given the breadth of activities and agencies which potentially function to regulate social conduct. Nonetheless, following Jones and Newburn (1998, p. 18) and Reiner (2000, p. 3), policing within this study refers to organised forms of activity directed at maintaining the security of a particular social order through the threat of coercive sanction, where those performing such activities consider them to be a defining part of their purpose. This study therefore considers policing practices undertaken by a range of public and private agencies (for example, the 43 Home Office-funded police forces of England and Wales, local authorities and private security companies).

### **Street**

Within this study, 'street' as a setting for policing refers to an area of space within the physical environment which has a degree of 'openness'. It therefore includes 'public' spaces such as open access parks, pedestrian areas, pavements and roads, and 'quasi-public' spaces such as areas of mass private property (for example, shopping centres) and public areas leased to private management companies, often in areas undergoing regeneration.

## **Aims, research design and methods**

### **Aims**

The study had three main aims:

1. to advance understanding of the nature, processes and outcomes of the day-to-day street policing of problem drug users;
2. to explore the balance between harm reduction and law enforcement within these policing activities;
3. to situate the 'street' policing of this group in the broader organisational context of the concurrent demands, priorities and strategic options confronting the police.

### **Research design**

The study involved fieldwork in three sites over a twelve-month period commencing in April 2006. The sites were chosen in three different police forces to provide variation in local context. Each site was coterminous with the boundaries of a police basic command unit (i.e. division). The fieldwork with police mostly focused on one or two local areas of varying size within each division where 'street policing of problem drug users' was most prevalent.

#### *Site A*

This police division covered approximately one-third of a large northern city. The area contained a diverse mix of residential areas, from deprived and high-crime inner-city areas to relatively affluent and low-crime suburbs. It had an approximate population of almost 300,000, including a fairly small minority ethnic community and a large and transient student population. Much of the fieldwork in this site focused on the inner-city part of the division, which mostly comprised a mixture of high-rise social housing and a large private rented housing sector. In recent years the area had experienced some influx of 'problem drug users' arising from community safety interventions targeted in the city centre which borders the division. The area contained several hostels for offenders and homeless people, as well as drug treatment agencies, and was located within the jurisdiction of a DIP 'intensive' Drug and Alcohol Team. The area was policed by over 550 police officers and 70 police community support officers. There was little private security working in 'street' contexts, but some council-funded neighbourhood wardens and street outreach workers were operating in the area.

### *Site B*

This police division covered the commercial centre and surrounding inner-city areas of a large northern city. The division had a population of 150,000 residents, with localised pockets containing a proportion of minority ethnic communities. The city centre had a growing population, mostly catered for by recently built or refurbished flats. Each day large numbers of people travelled into the centre to work, shop and use the leisure amenities. Over the last decade the city centre has undergone significant regeneration, attracting inward investment and becoming a major commercial and civic hub. The fieldwork in the site mostly focused on the city centre. The division was policed by over 730 police officers and 15 police community support officers. The division had a range of other forms of street policing, including street wardens and city rangers, over 300 closed-circuit television CCTV cameras providing surveillance of the city centre streets, and in the region of 40 private security guards patrolling the 'open' spaces of the city centre's several shopping centres. This site was located within a DIP intensive area.

### *Site C*

Coterminous with two local authority areas, this police division covered an area of over 900 square kilometres. The area was mainly rural but contained one small city and several modestly sized towns. The division had a population in excess of 270,000 and was predominantly white, with very little ethnic diversity. The economy of the two areas had suffered as a consequence of the demise of heavy industry resulting in widespread long-term unemployment. The research at this site focused mainly on the city in the division (population of over 130,000), both its residential and commercial areas. The division had an establishment of over 400 police officers and approximately 20 police community support officers. 'Neighbourhood policing' in the division was highly evolved with a 'responsive' police team attached to each neighbourhood policing area. There was a council-funded warden scheme operating in one of the local authority areas and a small number of private security guards attached to a local retail park. The public streets of the city centre studied within this site were widely covered by CCTV cameras. This site was located within a DIP non-intensive area.

## **Methods**

The study utilised a mixed-method research design. Mostly the data gathered were qualitative in the form of interview transcripts and field notes but the participating police forces supplied some quantitative data relating to stop and accounts, stop and searches and their outcomes and the use of Penalty Notices for Disorder.

### *Interviews with police officers and other policing personnel*

Across the three sites interviews were conducted with 45 police personnel: 13 from Site A, 15 from Site B and 17 from Site C. These included one chief constable, three chief superintendents (each a divisional commander), one acting chief inspector, one inspector, five sergeants, 29 police constables and five police community support officers. The majority of interviewees were involved in street policing as opposed to management. A small number, particularly in Site B, occupied specialist roles which brought them into frequent contact with problem drug users. Five further interviews were conducted in Site B with security guards, rangers and a CCTV manager. Interviewees were asked to reflect upon their interactions and relationships with problem drug users and the factors which influenced them.

### *Interviews with problem drug users*

Sixty-two interviews were conducted with problem drug users: 20 in Site A, 20 in Site B and 22 in Site C. Interviewees were accessed through a range of agencies including statutory and voluntary sector drug treatment providers, needle exchanges, approved premises (hostels for offenders) and a range of voluntary organisations providing support for homeless people and sex workers.

The research team worked with staff from these agencies to identify problem drug users. All those interviewed described their current drug use as problematic or said it had been in the past. Detail on the characteristics of the sample is provided in Chapter 4. Interviewees were asked a range of questions about their drug use histories and criminal careers and asked to reflect upon their interactions and relationships with police officers and other policing personnel.

### *Additional interviews*

At the beginning of the research three interviews were conducted with senior representatives from the Association of Chief Police Officers, a national voluntary sector treatment provider and a charity seeking to inform the development of drug policy respectively. The main purpose of these was to explore the strategic context in which the street policing of problem drug users takes place. In each of the three areas, 18 interviews were conducted with representatives of agencies working with problem drug users. The majority of these worked for drug agencies (six interviewees) or the local authorities in teams focusing on homelessness and environmental issues (six interviewees). The remainder included a probation officer seconded to the Prolific and other Priority Offender programme, a general practitioner who worked solely with homeless people, a shopping centre manager, a street user co-ordinator based in a Crime and Disorder Reduction Partnership, the manager of an agency offering support to sex workers and a representative of a public and private partnership responsible for city centre management. These provided alternative insights into the relationship between the police and problem drug users.

### *Focus groups*

In each site a focus group was conducted with street and/or neighbourhood wardens. In total, 14 wardens had participated in the research. A further focus group comprising three security guards was held in Site B. The focus groups served the same purpose as interviews with the police and other policing personnel.

### *Observation of policing activities*

Across the three sites 102 hours were spent observing the street policing of problem drug users. Criminal investigation, reactive and responsive and neighbourhood policing teams were observed (see Chapter 2). Observations were carried out at different times and in a wide range of environments across towns and cities. A further two hours were spent observing a local authority homeless team in Site B. All observation was overt and provided an insight into the routine policing of problem drug users in public and quasi-public spaces.

## **Structure of the report**

The remainder of the report is divided into four chapters. Chapter 2 identifies the plurality of bodies involved in policing problem drug users and maps out the nature of encounters between problem drug users and those with responsibility for policing them. Chapter 3 argues that contemporary policing is focused on the surveillance and control of territories and populations and explores the implications of this for the street policing of problem drug users. Chapter 4 explores problem drug users' experience of being 'policed' and its effects. The final chapter summarises the key findings of the study and outlines their implications for policy and practice.

## **2 Structures, teams and encounters**

The day-to-day 'street' policing of problem drug users takes a multiplicity of forms. Policing of this, or indeed any, group is not undertaken solely by the public police (see Crawford and Lister, 2004). Instead, it involves personnel from a range of public and private agencies including police officers, police community support officers, private security guards, wardens, rangers and CCTV operatives which collectively form the 'extended policing family'. The aim of this chapter is to identify the plurality of bodies involved in policing problem drug users and to map out the nature of encounters between problem drug users and those with responsibility for policing them. In so doing, it reveals similarities and differences between the policies and practices of the three participating sites.

### **The organisation of street policing of problem drug users**

In all three sites, the public police were the key players in the street policing of problem drug users and had primary responsibility for the policing of public streets. Policing arrangements in Site B were the most complex. It had the greatest number of people delivering policing but also the most varied range of providers. In Sites B and C, the activities of the police were facilitated by extensive CCTV networks where camera operators were both directed by and gave directives to police operating on the ground. Usually, these two-way information flows concerned incidents in progress, or individuals and groups who had been identified as worthy of surveillance or intervention. On the 'quasi-public streets' of shopping centres and retail parks in Sites B and C, private security guards took the lead role in policing drug users. Their role combined surveillance and anticipatory intervention, which often led to problem drug users being excluded once they had been identified. They also had an important reactive role, notably when uncovering people using drugs in shopping centre toilets. In Site B council-funded rangers and street wardens proactively monitored activity in the city centre and reported any relevant information to CCTV operators. They also attended partnership meetings with police. At Sites A and C neighbourhood wardens operated in residential areas, but they had less of a 'policing' role and undertook activities aimed more broadly at neighbourhood management.

## The organisation of public policing

Across the three sites, it was possible to identify similarities in the organisation of policing and three ideal types of police team. These ideal types have been derived from observation of policing activities but do not mirror precisely policing 'on the street'. Inevitably, the process of searching for both commonality and difference among policing activities leads to oversimplification. In practice, the activities of the different teams engaged in street policing blur and overlap. Nonetheless, ideal types are a useful conceptual tool to make sense of the multifaceted nature of street policing. The main characteristics of each are summarised in Table 1.

**Table 1 Ideal types of police teams in all three sites**

	Type of police team		
	Criminal investigation	Reactive and responsive	Community/ neighbourhood
<b>Focus</b>	Person-based	Incident-based	Place-based
<b>Area of coverage</b>	Division/cross-division/ force	Division/ neighbourhood	Neighbourhood
<b>Mode of delivery</b>	Non-uniform; vehicle-based	Uniformed; vehicle-based	Uniformed; mostly foot patrol, some vehicle-based
<b>Style of delivery</b>	Proactive enforcement	Reactive enforcement	Reactive and proactive patrol
<b>Function of contact with problem drug users</b>	Crime reduction; crime investigation	Emergency service	Public reassurance; peacekeeping; crime prevention

The question 'what do the police do?' is repeatedly posed in debates about policing (see, for example, Johnston, 2000 and Morgan and Newburn, 1997). Typically the response is to identify the many and varied functions performed by the police which extend far beyond law enforcement. Police officers may encounter drug users as suspects, victims, witnesses and members of the public with information which could help to solve crimes. In addition, the police, as Morgan and Newburn (1997, p. 79) note, are 'frequently the only 24-hour service agency available to respond to those in need'. As such, they may encounter problem drug users in a more welfare-oriented role: for example, they may be called upon to respond to incidents concerning drug overdoses.

During interviews, police officers recounted that they primarily viewed drug users as a problem because of their involvement in crime and other anti-social behaviours which had a negative impact on the local community. They also recognised that drug use created difficulties for individual drug users and that their drug use might

be symptomatic of deep-rooted problems. In some instances, this translated into some degree of sympathy, albeit strongly tempered by recognition that police officers needed to prioritise the other more obvious dimensions of their role directly related to crime and its control. Observations of routine encounters between the police and problem drug users revealed little evidence of police officers engaging in welfare-oriented work such as referring drug users to organisations which might be able to find housing or address health problems. There were isolated examples of such activities undertaken by individual officers and they were predominantly carried out by staff working in specialist roles. For example, police officers in Site B worked with a drugs agency to operate a pre-arrest drug scheme which aimed to get 'chaotic' drug users who repeatedly committed crimes into drug treatment (see Chapter 3). Police officers emphasised that when welfare-oriented activities occurred they were carried out against the backdrop of law enforcement.

### The rise of neighbourhood policing

In Chapter 1 the recent shift towards localised neighbourhood policing was noted. Neighbourhood policing teams (NPTs) comprising police officers, police community support officers and, sometimes, special constables and street wardens have been widely established to provide 'a visible, accessible, familiar, responsive, intelligence-led consistent police presence' (McLaughlin, 2007, p. 134). This shift, which was particularly evident in Sites B and C, has several possible implications for the policing of problem drug users. Embedding police teams within communities provides opportunities for them to work with local residents and interested parties to identify, take responsibility for and respond to drug-related crime and anti-social behaviour. As a consequence, NPTs are likely to develop a high level of knowledge about, and familiarity with, problem drug users who reside in the local area or routinely spend time within it. Similarly, problem drug users are likely to become aware of those individuals who have responsibility for policing the locality. Relationships should be forged, as one acting chief inspector with responsibility for neighbourhood policing explained, which do not compromise the power imbalance between police officers and problem drug users:

*They [the neighbourhood policing team] have got a better knowledge of what's going on in the area. The drug users get to know the NPT beat manager; they know it's not a cup of tea and a slice of cake and there is the potential that he will also have a warrant on his hands to put my door through and search my house for drugs. So they aren't seen as the softer side of policing. (Senior police manager, Site A)*

Emphasising further how neighbourhood policing had allowed the police to build up an extensive knowledge of local activities, one senior police manager offered the view that the shift to neighbourhood policing had enhanced police–public relationships and made policing drugs more effective:

It's definitely brought us closer to the community through the neighbourhood action plans and everything else that goes with the community policing. It's given us more intelligence about drugs and drugs supply. The fact that we are more visible and basically have more people committed to neighbourhood policing enables local community beat managers and local PCSOs to understand their problems better. (Senior police manager, Site A)

### **The decline of specialist drug teams**

In Chapter 1 it was suggested that an important trend in street policing is increased specialisation. Seemingly in contrast to this trend, only Site A had a dedicated drugs team. Its work focused on the investigation and prosecution of Class A drug dealers rather than drug users. While this team had frequent contact with problem drug users, it regarded them as an important source of information about dealers rather than the focus of their law enforcement activities. This site also pooled resources with two neighbouring police divisions to fund a city-wide district drugs team which was focused on policing drug dealers rather than users. This pattern was replicated elsewhere in the force area so that the three major cities in the force area had their own drugs teams. Site B had a 'tasking team' which could be 'tasked' flexibly to prioritise the policing of key crimes, as defined by government priorities. While the research was being conducted their focus was on investigating offences related to the supply of drugs and thus they encountered drug users as customers of drug dealers. Site C had never had a divisional drugs team and no longer had a force-level drugs team.

In all three sites senior police managers argued that an integrated approach was the most effective way to police drug users, involving police officers from a range of teams working together and in partnership with other agencies. The most obvious example of this was the Prolific and other Priority Offender programme (see Chapter 1 for a description) to which all sites allocated officers. Particularly in Sites A and B, there were teams dedicated to the policing of particular offences or offenders which had extensive contact with problem drug users: for example, Site B had established a specialist street homelessness unit. Staffed by two plain clothes police constables, it played a proactive role identifying and dealing with rough sleepers and beggars

and a reactive role dealing with complaints from the public, including the business community, about this group. Further examples included a Street Offences Team (Site A) and a Volume Crime Unit (Site B). In all three sites, a common theme was that drug use purely in itself was not seen as meriting significant police attention and therefore not identified as a priority at a strategic or operational level. Policing priorities were influenced by central government policies (see Chapter 1) and by community concerns identified through neighbourhood action plans. The result was an emphasis on 'volume' crime and anti-social behaviour, some of which may be drug-related. Police suggested this represented a shift towards managing the problems generated by drug use rather than the drug use itself.

### Street encounters with problem drug users

The largely distinct functions of the different policing teams involved in the street policing of problem drug users shaped the nature of their encounters with this group. Such encounters can be classified according to three main criteria. First, encounters could be distinguished from each other in terms of the degree to which they were planned, ranging from 'chance' encounters through to those in which police actively sought drug users because, for example, of an outstanding warrant for arrest. In between lay those encounters which were generated by police deliberately targeting hot-spot areas where drug users might be found. Second, it was possible to distinguish between encounters which involved retrospective policing (for example, arresting problem drug users for a past offence) and those which involved prospective policing (for example, monitoring problem drug users for future preventative purposes). It is, however, likely that many encounters involved both: for instance, arresting a drug user provided an opportunity to find out more about the drug-using population in a particular area. Third, encounters varied in the level of formality, with remarkably few encounters resulting in the formal use of police powers relating to stop and account, stop and search and arrests. The most common types of police encounter are identified below. 'Formal' in this instance refers to the use of a power which is recorded by the organisation.

Each encounter can be marked upon the three continuums described above so that they can be viewed as distinct from one another. For heuristic purposes it is possible to categorise the most common encounters between policing personnel and problem drug users into three categories. Again these are ideal types and the need for caution advised above also applies here. It is important to emphasise that these encounters were characterised by instability and thus the nature of any single one could change during the course of an encounter.

### **Informal encounters: communicative surveillance**

This type of encounter was commonplace and members of NPTs were most likely to engage in this type of encounter with problem drug users on the street. These encounters typically took the form of policing personnel asking about the well-being of a problem drug user, usually without specific reference to any offence. A series of questions might be asked about what a drug user was doing and why, where they had previously been and where they planned to go. While the information gathered may prove useful to police officers, the process of gathering was seen to be important because it informed problem drug users they were being monitored. The practice of police letting problem drug users know they are 'there' can be described as 'communicative surveillance'.

A recurring theme in police officers' accounts was that positive relationships with drug users needed to be negotiated. Several officers identified the need to get problem drug users 'on side' in order to carry out their policing role effectively:

These drug users, they're not suddenly in your life one day and gone and never to be seen again, they're there for years generally because they've nowhere to go. So you get a bit of rapport with them: it makes my life easier and their life easier ... but they know they will be arrested if they step over the line and you've got to be prepared to arrest them if they go too far. (Front-line police officer)

The above comment illustrates some of the key aspects of police–problem drug user relationships: they can be ongoing rather than discrete, so the outcome of each encounter influences the next, and they must have clear boundaries so the power imbalance between drug user and police officer is maintained. Police officers emphasised that they took care not to compromise either their professional autonomy or legal authority in the interests of courting such relationships.

These encounters often occurred by chance. Some encounters were planned in the sense that police personnel used their discretion to target places where problem drug users might be present. Such places included behind shops, public toilets, parks, wasteland and empty buildings, and, in isolated instances, drug treatment agencies. Over a decade ago, in one of the few studies of policing drugs, Collison argued that police officers have the opportunity to 'drum up their own business' (1995, p. 35) when policing problem drug users. This argument is still valid although it is important to note that police officers may be steered by senior police managers to 'high risk' areas (see Chapter 3) and alerted to 'problems' (for example, drug users congregating in a particular area) by members of the public and other members of the extended policing family.

### Informal encounters: 'intelligence' gathering

The key difference between this type of encounter and the one described above is that policing personnel had something specific that they wished to obtain from the encounter, i.e. information they perceived to be 'intelligence'. In particular, those belonging to criminal investigation teams described their encounters with problem drug users in this way. They often referred to problem drug users as an important but not wholly credible source of information which could be used for the purposes of crime control.

Information held by problem drug users, although they might not be aware of its utility, potentially acted as a resource they could draw upon to avoid the formal use of police powers when stopped. Alternatively, they might be willing to assist in the hope that the same police officer would recall the assistance offered and be lenient in a future encounter. One front-line police officer from Site A referred to these relationships as 'bargaining agreements':

There's quite a lot of mind games really. I'm wanting something out of them, and they're wanting something out of me and we meet somewhere in between. They're wanting me to either cut them some slack, thinking that I'm on them all the time, or I'll be you know – am I always working in [*name of area*], do I always come across them? If they're wanted on warrant, what will I do? Well, I'll lock them up but if they're thinking 'oh, he might turn a blind eye, well I'll give him a bit of information to get him off me back'. That's what they tend to do. (Police manager, Site A)

Police officers recognised that drug users did not have to engage with them in this way. As the police officer quoted above commented, until the point they have been arrested 'they can walk away. I've got nothing to keep them here'. To promote compliance, police officers spoke of the need to foster relationships with problem drug users and where appropriate would keep encounters as informal as possible (see Box 2 for an example).

#### **Box 2 Observation with a uniformed police officer in a residential area in Site A**

Before we left the three men, the police officer made sure to tell them that he did not plan to run their names through the police computer by saying 'I'm not going to run you through a name check lads. Okay. I am just seeing that you're all right'. He then asked them all for their first names only. During the interaction the officer was relaxed and seemed cautious neither to offend the men nor to create

any tension. As we walked away the officer told me that everybody has different styles of policing. 'The first time I meet people like that I try to be friendly with them to create that rapport. Then next time I might try to get a little more out of them, what do you know? What can you tell me? What's going on?'

In some circumstances, individual drug users were targeted by the police solely for the purposes of providing valuable information for crime detection. An example of police officers operating in this way is detailed in Box 3.

### **Box 3 Observation with two non-uniformed police officers in the city centre in Site C**

One of the police officers noticed two men behind some bushes in the park, one of which he recognised as a drug user. Both officers approached them and began a conversation. When we set off again to walk into the city centre, one of the police officers informed his colleague that one of the men had revealed that a particular dealer was in town today and had around 1,000 diazepam pills on him that he was selling to local drug users on credit. For the remainder of their shift the two police officers prioritised finding this man in order to arrest him. One of them suggested they should find a 'baghead' who they could 'trust to keep his mouth shut': in other words, a drug user who would be willing to tell them the whereabouts of the drug dealer without alerting him to the fact that the police were searching for him.

Police officers utilised a range of strategies to encourage problem drug users to provide information, not necessarily at that particular point in time but during a future encounter. Sometimes problem drug users were explicitly told that no further action was being taken to emphasise that they were receiving lenient treatment, presumably in the hope that they would treat the police favourably if they were asked to provide information at a later stage. During his interview, one police community support officer from Site A recounted a typical exchange: 'we're not going to do owt to you this time mate but where are you getting it from?'

### **Formal encounters**

Other types of encounters involved the formal use of police powers. These interventions fell under three broad headings. The first, what can be termed 'gateway enquiries', included stop and account<sup>1</sup> and stop and search<sup>2</sup>. In many instances

these were 'chance' encounters which were initially informal in nature. While further interventions were possible, for example should drugs be found on an individual or a check on the police national computer reveals an outstanding warrant for arrest, often no further action was taken. For instance, the majority of stop and searches under Section 23 of the Police and Criminal Evidence (PACE) Act 1984 (i.e. suspicion that a person is in possession of a controlled drug) resulted in no further action: the figures for the period 1 May 2005 to 30 April 2006 for Site A and Site B were 67 per cent and 54 per cent respectively. In only a small proportion of cases were suspects arrested: 10 per cent for Site A and 7 per cent for Site B.<sup>3</sup> These proportions mirror the proportion of all stop and searches resulting in an arrest in these sites. An important distinction between the two sites for which data was available is that in Site B over half (54 per cent) of PACE (Section 23) stop and searches ended with the provision of advice. Site A did not identify this as an outcome for any stop and searches.

The second category of interventions related to divergent forms of formal summary justice, which the police have had greater opportunities to use in recent years through the introduction of cannabis warnings,<sup>4</sup> and Penalty Notices for Disorder (PND),<sup>5</sup> dispersal orders and confiscation powers (see Chapter 1 and Young, 2007). These were typically 'chance' encounters, although police officers were sometimes directed to an encounter involving a problem drug user in which formal summary justice was dispensed (for example, issuing a PND if a problem drug user had stolen retail goods of less than £200 in value). The third category related to arrests which, in some instances, might include testing for Class A drugs and a referral to a Drug Interventions Programme (see Chapter 1). Police officers from any of the three types of public police teams engaged in formal encounters with problem drug users but it is important to emphasise that PCSOs have limited powers (see Chapter 1).

A wide range of factors shaped decisions about whether an encounter with a problem drug user led to the formal use of police powers. Police officers must have a working knowledge of the 'rule book': in other words, legislation defining police powers, force policies and so on. Nonetheless they are able to exercise considerable discretion and, consequently, decisions about how best to proceed are influenced by more tacit considerations (Davis, 1975).

So there could be loads of factors, it all depends on how busy the police are, where they are, what circumstances, what time of day it is, how busy you are and if you want any information out of them. (Front-line police officer, Site A)

In some instances, police officers were open-minded over the form the intervention should take at the outset but were alert to particular cues which suggested a more

formal intervention was appropriate. For instance, assessments of the demeanour of the person encountered as well as whether they showed deference were crucial to police decisions to escalate the extent of intervention.

I suppose, I mean sort of theoretically, of course, Section 23 of PACE means that you have to meet certain criteria, reasonable grounds to believe that you're going to find something on them. So you've got to look at the circumstances really, but anyone in my area that's a drug user you know, there's a high likelihood of being out to score, or has just scored, whatever. So I will just see what their attitude is like; if they're evasive then that's probably sufficient to get me searching them. (Front-line police officer, Site A)

Reactive and responsive teams were more likely to make arrests, often in response to calls for assistance from other police. While problem drug users can be arrested for a diverse range of offences, particularly acquisitive crimes (Boreham *et al.*, 2006), the remainder of this section focuses upon decisions to arrest for possession of Class A drugs.

A recurring theme in many police officers' accounts was that if a person was found in possession of Class A drugs then arrest would invariably follow. These officers offered several reasons why discretion should not be exercised for possession of Class A drugs. These included references to the severity of the offence, the likelihood that the person may commit further offences, promoting access to treatment and the lack of an 'audit trail' if officers simply confiscated the drugs. Additionally, several police officers interviewed referred to public pressures on them to arrest:

You're under pressure from the public because it's getting more so that they know it's going on. They're getting told that it's going on and they're seeing signs that it's going on so you have to be seen to be dealing with it. (Front-line police officer, Site A)

I can hand on heart say that you would get severely criticised for letting a Class A drug user walk away, you know after stopping them, finding them in possession of Class A. (Front-line police officer, Site A)

A minority of police officers dissented and suggested that they would exercise discretion in a small proportion of cases. For example, one neighbourhood police officer suggested that in around 10 per cent of cases he would not arrest, justifying his decision on the grounds of crime prevention:

If they've got a little bit of heroin on them you know, common sense, you'll never stop them, you know. Even though they've committed an offence, you're never gonna stop them from taking it. And if you take it off them, they're only gonna go out and commit another offence, so that's two crimes they've probably committed. (Front-line police officer, Site A)

There was a stronger consensus that post-arrest was the most appropriate stage at which police officers should exercise discretion. Whether an individual was formally charged, cautioned or dealt with in an alternative way was dependent upon factors such as admission of guilt, quantity of drugs found in possession of, and previous convictions for the same or other offences. The outcome was also dependent upon the force area in which the arrest occurred, which suggests that problem drug users were subjected to the uncertainties of 'postcode policing' in the way they were dealt with. For example, while Site B's force policy stated that the default response for possession of Class A drugs was to charge an individual, Site C operated a policy of referring those arrested for this offence for the first time to a drugs awareness course rather than formally charging them.

Use of discretion was most apparent if a police officer suspected an individual was a problem drug user but evidence of possession of illegal drugs was limited. Finding drug-using paraphernalia (foil, syringes and so on) would not automatically lead to arrest. As one front-line police officer from Site A summarised, decisions about whether to arrest for paraphernalia were 'a judgement call'. He went on to cite specific examples when an arrest might produce a positive outcome for the individual, for example access to drug treatment, or a positive outcome for the community, for example if attempting to close a crack house. Similarly other officers emphasised that making an arrest was not an inevitable outcome and should only take place if it could be justified:

Well, you could technically arrest, because they may have resin of the drug in the paraphernalia. So it would obviously depend if there was any residue or any sort of, anything like that [then] you would arrest. If there was just the paraphernalia and you couldn't physically see anything, obviously you'd search them and then probably submit an intelligence report. (Front-line police officer, Site C)

I would say nine times out of ten when you search a known drug user, you will find some kind of paraphernalia. Whether it's sharps, foil and things like that. They wouldn't usually be arrested, simply because there isn't a very likely chance of getting a prosecution from just having drugs paraphernalia. Quite often you find them when they've just taken them,

they've just injected it, but it's gone. It's hard to prove it, so they wouldn't be arrested. (Front-line police officer, Site C)

The police officer quoted above went on to explain what he meant by targeting an individual. In this instance it was a reference to arresting a problem drug user who was reluctant to enter treatment in the hope that engagement with the Drug Interventions Programme would be fruitful. One senior police manager from Site A explained that it was appropriate for police officers to arrest problem drug users to allow them to access drug treatment quickly.

When arrests did take place, they were sometimes used as a means to gather 'intelligence'. Police officers suggested there was potential to exploit the situation when a problem drug user was withdrawing from drugs, as they would be more likely to co-operate with police to avoid the physical effects of withdrawing from drugs while in police custody.

They don't want to be left in a cell festering away ... if I can try and get them bail I will – if they are prepared to help me in my enquiry. (Police manager, Site A)

#### **Box 4 Observation with a uniformed police officer in a residential area in Site A**

We were driving through what appeared to be quite a run-down residential area. Ahead, at the side of the road, there was a group of people. There were three young men, a man on a bike and a woman, who was leaning at her garden gate. As we pulled up beside them, the officer informed me that the man on the bike was a drug user whom he knew well and that a rapport and level of trust had been built up between them as a result of previous encounters, particularly an incident in which the drug user had been arrested for shoplifting (he stole a bottle of shampoo) and the officer had successfully recommended a fine rather than imprisonment. He also said he had processed the case especially quickly, thus allowing the drug user to return home more quickly. In return for this, he had received some information about a local family who were dealing heroin.

Decisions to arrest were also influenced by wider organisational demands. There are no statutory performance indicators relating to drug offences but forces are required to improve their sanctioned detection rates.<sup>6</sup> One response to this has been for police forces to develop a micro-management approach by introducing personal targets for individual officers relating to a range of activities. The form these take varies

both between and within individual forces, but can include intelligence submissions and stop and searches, as well as those activities that count towards sanctioned detection rates. The introduction of these targets potentially erodes the considerable amount of discretion which police officers have traditionally enjoyed.

One possible consequence of their introduction is that problem drug users, especially those spending large amounts of time in public space, become focused upon because they offer officers an apparently easy way to meet their personal targets. Several police officers interviewed were alert to the potential for more intensive policing of this group and argued that this was inappropriate. This view was based on the belief that law enforcement approaches to dealing with problem drug users were of limited value to the goal of changing their drug-using behaviour. For example, one neighbourhood police officer commented:

If I wanted to put people away for possession of Class A I could hang around in the park all day and do that but what would it achieve? (Front-line police officer, Site A)

Senior police officers repeatedly emphasised during interviews that while personal targets played an important role because, as one senior police manager from Site C described, 'you can't give carte blanche when you live in a world of performance', failure to meet such targets would not automatically be perceived as poor performance. There were frequent references to targets being 'indicative' or in need of interpretation, with managers emphasising that the achievements of individual officers should not be examined in isolation. Across all three sites senior police managers argued that individual targets neither restricted nor distorted policing activities.

## Conclusion

Street policing of problem drug users was an important strand of policing work stretching across the extended policing family. It was rarely the focus of specialist activity and thus a mainstream policing issue. Street policing of this group focused on managing drug users and the 'problems' they were judged to present. Typically, this did not involve the formal use of police powers, rather a range of informal strategies which served to gather information from problem drug users. While, in some instances, the information provided assisted the police to detect crime, more generally the process of gathering information was of greater value than the information it gathered. Asking problem drug users questions allowed policing personnel to communicate to problem drug users that they were under routine surveillance.

### **3 Policing strategies: controlling territories and people**

Conventionally, the policing of problem drug users has been seen as involving a difficult balancing act between the requirements of law enforcement, order maintenance and harm reduction. For example, enforcement ‘crackdowns’ on drug markets have been criticised for their negative impact on public health (see, for example, Maher and Dixon, 2001; Aitken *et al.*, 2002; Kerr *et al.*, 2005), while police involvement in harm reduction initiatives has attracted criticism from others for ‘turning a blind eye’ to infringement of the drug laws.

Analysis of the data gathered from interviews and observation across the three research sites revealed evidence to support the idea developed by a number of researchers (for example, Ericson and Haggerty, 1997; Herbert, 1997) that policing objectives such as law enforcement are now much less pursued purely as ends in themselves. Instead, contemporary policing is more concerned with the surveillance and control of territories and populations. The implications of this for the street policing of problem drug users are the focus of this chapter.

#### **Controlling territories**

At its most basic, controlling a ‘patch’, neighbourhood or ‘beat’ was self-evidently a core policing objective. This applied across the range of policing agencies, from security guards in department stores or shopping centres right through to the public police patrolling town and city centres or housing estates. The section below explores what is meant by ‘controlling’ territory.

#### **Mapping territories**

For police managers, the mapping of the areas for which they are responsible was a key management tool. Under the National Intelligence Model, they are expected to deploy resources in ways that are responsive to any information they have about the clustering of incidents of crime, disorder and anti-social behaviour in particular locations. This information usually fed into the prioritisation at weekly ‘tasking’ meetings within which priorities (whether places or people) are defined and resources allocated. Areas that were persistently identified as ‘high risk’ sometimes

received 'special' police attention in a more generalised way, as well as in response to particular information. For example, the divisional commander of Site B observed that in the absence of being given specific tasks, the default position for police community support officers was to patrol these types of area.

This identification of crime – or, rather, of the broader category of behaviours and activities that are identified by the police or brought to their attention by members of the public – in relation to territory was encapsulated in the concept of 'hotspots'. These existed at different levels. Information which was channelled more formally into the organisation flowed upwards to 'tasking' meetings; otherwise it stayed at the individual level and informed officers' understandings of the local environment (Cope, 2004). The latter was an important information resource for policing personnel on the ground and often related to 'hotspots' defined at quite a fine-grained level of detail, for example specific doorways, alleys, disused buildings, car parks and so on where problem drug users may gather to use drugs away from the attention of the police or the public, sleep rough or beg, or where evidence of drug use could be found, such as burnt foil or used needles.

An important part of policing a territory was the continual refinement, updating and revision of these area maps. For police managers, computerised mapping systems which can analyse and present data geographically were the key tools for producing actual maps of areas. For personnel on the ground, a deep familiarity with particular streets and beats was generated through a combination of patrolling and intelligence-gathering, creating what were in effect micro-level 'mental maps'. Networks of CCTV cameras also provided a vital electronic infrastructure to the mapping of territory. In Site C, for example, police officers were in regular contact with the camera control room as they patrolled the city centre, relaying information back and forth about who was there, what they were wearing and what they were doing. Consequently, problem drug users were often acutely aware of the extent to which their presence within specific territories was monitored by different forms of police personnel.

If I walk up the high street, whenever, I'm being watched; and I don't even shoplift on that high street any more. I wouldn't shoplift in town any more, but I still get followed. I get put on the radio-link and they follow me about everywhere. (Drug user, Site C)

Using less advanced technology, street wardens in Site B were equipped with digital cameras to photograph people and their clothing while on patrol as a way of recording information about individuals they encounter on their 'patch'. Similarly PCSOs patrolling residential areas in Site A routinely took photographs of certain groups of people occupying public and quasi-public space. Individuals

photographed included those previously encountered and 'known' but also others who were 'unknown' but were associating with 'known' individuals, all serving to add to the information base about a particular territory. Problem drug users, street drinkers, rough sleepers and beggars, many of whom are the same individuals, and who repeatedly loiter in public and quasi-public places, almost inevitably became significant objects in these area-profiling strategies.

### **Regulating space and behaviour**

For policing agencies, the mapping of territory is, of course, a tool for its control. An important element of this is the regulation of who inhabits and passes through territory. Accordingly, a central task is the surveillance and monitoring of people who are in, or moving through, particular areas. Within Site B and Site C the presence of a network of CCTV cameras, and the ability of policing personnel to communicate with the camera control room, was one critical surveillance device but others too were utilised. Through observations, for example, it soon became apparent that the running of Police National Computer (PNC) checks on individuals was a common action within encounters between the police and problem drug users. While the checks may serve multiple purposes, one clear objective was to determine who exactly people are. Similarly, a routine question within encounters was what people were doing, i.e. what was their reason for being in that place. Individuals who had no apparent legitimate reason for being in a location, meaning that they were in some sense 'out of place', became a focus for police attention, as the observation in Box 5 illustrates.

#### **Box 5 Observation with two non-uniformed police officers (specialist street homelessness unit) in the city centre in Site B**

Patrolling the city centre we encountered a man, aged in his mid-thirties, who was sitting on the floor next to a shop window. A hood partially covered his head and he was holding out a cup to passers-by. At first we just stood near him, feigning to look in a shop window, then [the two unit officers] moved closer. He looked at them but failed to register that they were police officers until they showed him their police identity cards. Neither officer recognised him. It transpired the man was Scottish and had arrived in the city that day. The officers told him that beggars were not welcome in the city and that he should return home. Suspecting the man might be wanted by police in Scotland, they ran a PNC check on him which came back negative. They told him again that he wasn't welcome and should go home, adding that if they caught him begging

again he would be arrested; at which point, they confiscated his begging cup and told him to leave the immediate area.

Another example of being 'out of place' was described by officers in Site A. They stated that a white person encountered in a particular area with a predominantly black population which has a reputation for being an open drug market would immediately be viewed with suspicion on the grounds that the most likely reason for them being there would be to buy drugs. A drug user described one such scenario:

Going to *[name of place]* and just as I got off the bus, the police pulled up behind the bus stop, stopped me and said 'get your mobile phone and ring a taxi or get back on the bus because it's against the law to buy drugs'. Didn't ask us if we were drug addicts or anything, all they said to us was because we were white and we were in *[name of place]*, basically, 'you're buying drugs, get out', do you know what I mean? Otherwise you're going to be arrested. It's like that all the time. (Drug user, Site A)

Judgements about who was 'out of place' were informed by moral judgements about who should be present in the area and the desire to shield such individuals from problem drug users. It became apparent during observations that police officers applied different behavioural thresholds to different places and policed accordingly. For example, using drugs in the vicinity of schools and playgrounds would not be tolerated, in order to protect children. In Site B, reference was also made to protecting university students. By contrast, police in Site C acknowledged drug use was less likely to be confronted in a large park which was some distance from the city centre. Furthermore, different thresholds could be applied to the same place depending upon the time of day and thus who was using the space at the particular time. For example, police officers in Site C stated they would not allow problem drug users to inject behind charity shops in the city centre in the day because 'nice old ladies' were working in these shops.

Policing a territory goes beyond merely monitoring who is present or passing through. It also seeks to control what people do there. This can involve some apparently fine-grained distinctions between what will be tolerated and what will not, as shown in the observation in Box 6. This observation also illustrates a significant point about the policing of problem drug users that emerged across all three sites, but was most evident in city centres. There is frequently a slippage in which whether it is an individual's *behaviour* that is being regulated or their mere *presence* becomes somewhat blurred and unclear. It appeared often that the presence of certain types

of individuals in particular areas was seen as an affront in itself or a type of 'symbolic violation'. Individuals with what were considered to be the characteristic appearance of many problem drug users encountered on the streets – unkempt, dirty, poorly clothed, emaciated, looking unhealthy – were in effect the human equivalent of Wilson and Kelling's famous 'broken windows' (1982). As such, they were perceived as a sign of neighbourhood decline and hence considered to be appropriate targets for policing attention and action, regardless of what they were actually doing.

**Box 6 Observation with a non-uniformed front-line police officer (specialist street homelessness unit) in the city centre in Site B**

Mid-afternoon we encountered a white male in his mid-twenties sitting against a wall on a busy thoroughfare. He appeared to be in reasonable health but his clothes were dishevelled, and the pile of blankets he was sitting on suggested he was homeless. He was busking by attempting to play a penny whistle. He had two small pit bull-type dogs with him and a large dog bowl placed in front of him with coins in it. A conversation ensued.

*Police officer:* If you stand up, try and play that whistle a bit better, then I might think about letting you stay here. But do you understand how it looks, with your bowl and all these blankets? You might be playing a whistle but people see you and think you're begging, and I can't have that.

The man stood up and attempted to smooth out his blankets. The conversation continued.

*Police officer:* Now empty your bowl please.

*Man:* But I need that, they can't put money on the blanket.

*Police officer:* Yes they can, so empty your bowl, tidy the place up a bit and I'll leave you be.

The man complied, emptying the money from the bowl and putting it under the blanket.

*Police officer:* Now you're on CCTV. I don't want reports of you begging here or sitting down. People don't like it, it puts them off, it upsets them.

Controlling behaviour or presence often took a more active turn. One of the basic strategies was simply moving people on:

If somebody is absolutely off their face on a park bench in the middle of kids, and it's obvious they've injected drugs, then you're going to have to get an ambulance or something to them or get them moved on if they can walk away, or get them to the location where they need to be. Make sure there's no pins in the area and all that. (Front-line police officer, Site C)

Moving people on can become almost a default response to some people in some scenarios, as this PCSO described:

Well let's say if he's just sat on the steps, he's not asking people for money, then I will go up and say you know, 'I hope you're not begging are you?' to which they say 'no'. 'Well alright, I'll give you the benefit of the doubt, but I'll take your details.' And then I'll PNC them and if they're not wanted, I'll say 'well look I'm still gonna ask you to get to your feet for me and move on, because I actually think that you have been begging. Can't prove it but I think you might have been'. And nobody's ever refused you know, I mean because they obviously know. So they do move on, generally they don't give me any trouble to be honest. (PCSO, Site B)

As the following drug user observed, the reliance on 'moving people on' as a policing strategy was to some extent a consequence of the territorial division of labour within policing agencies:

The other week I was having a dig behind a pub, three of us, and we got collared off these two known street police, man and woman. [*Later on*] we seen the same two fucking coppers and they were just pure murder and we were that far from getting nicked. And they actually said get out of the city centre, fuck off to [*neighbouring city*], fuck off – get out of the centre. They're not arsed, they'll push you on to another – see here's the thing with this centre and all that. Now within that [*division*] if you're doing drugs or anything like that, they just want you to fuck off out of [*the division*], then it's not their problem, it's another policeman's problem in another division, do you know what I mean, that's the extent. (Drug user, Site B)

This interpretation was shared by some policing personnel who expressed a pragmatic understanding of the utility of moving people on:

It seems daft just moving them somewhere else, it's not solving the issue, just giving it to someone else. But at the end of the day, it's up to the officers in those areas to deal with it then, once it's out of our area. That's all we can do. (Front-line police officer, Site B)

Taken to its logical conclusion, this could even go as far as police officers shepherding people off their 'patch', as in the following observation of a front-line policing officer in a city centre in Site C.

**Box 7 Observation with non-uniformed police officer in the city centre in Site C**

The officer decided to follow a white male in his early thirties who he identified as a known prolific shoplifter and drug user. The officer thought he may have come into the city to get his prescription, and we pursued him from a distance for several minutes as he made his way across the city centre. We followed him until he reached the edge of the city centre, at which point the officer said 'when he leaves the city centre he can do what he wants'.

While there is nothing new in police officers moving on individuals they perceive to be problematic (Young, 1991), *neighbourhood* policing is likely to embed a more parochial outlook among many front-line police, resulting in this strategy gaining greater prominence among front-line police staff.

The aim to control one's own territory applies across almost all policing agencies and not just to the public police. For example, private security guards in a shopping centre are only concerned about what goes on within their centre. This leads to the use of *exclusion* as a tool for controlling territory. Here, displacement is not an unfortunate side effect of action, it is a deliberate strategy designed to manage who is able to use particular spaces.

This exclusionary approach took many forms across the three sites. In a shopping centre in Site B, for example, private security guards described how they would respond to known drug users, many of whom frequently entered their area of jurisdiction in order to shoplift but also to consume drugs in the public toilets:

Soon as you see them, you ask them to leave straight away before they get a chance to settle down. If you see them going towards problem areas like toilets, to inject or shoot up, then we'll send a guard straight away and get them out of the toilet before they have a chance to do what they do. You can ban them as soon as they come in, it's private property;

it's invitation by invite, you can withdraw that invite any time. If we know they're known drug users we usually give them a banning notice, especially if you find them like in a drug-induced state or shoplifting or something like that. If it's a regular, what we do is, if we detain them and the police are involved, we will issue a banning notice with the police officer's signature and the collar number on. When they're took away we'll ask them to present it as part of their bail conditions that they do not enter the [shopping] Centre. And if they keep entering the [shopping] Centre then we go down the route of the ASBO, which we have been quite successful with very recently. (Security guard, Site B)

There is a clear progression here from asking people to leave, to banning notices, to requesting an input into bail conditions and finally anti-social behaviour orders, but all focus on excluding certain targeted individuals such as problem drug users from the territory over which control is sought.

Exclusion was not always only a reactive tool, but could also be deployed more preventatively, in principle at least. In highly localised areas, known to be hotspots for drug use, exclusion is also often ensured through the implementation of technology and adjustments which aim to 'target harden' highly localised parts of the physical environment. In the main city centre in Site C, for example, a large fence was erected in one such hotspot to prevent people entering the area in order to sleep rough or use drugs. Similarly, on the fringes of Site B close to the city centre, an area overgrown with thickets, notorious for being frequented by problem drug users, was cleared in order to improve the level of natural surveillance and deter them from returning to use drugs in the area.

As has been discussed, controlling territory by attempting to manage who is allowed to use that space was partly a way of policing 'unsightliness' that might offend the general public. Cleaning up areas in a more literal sense was also an aspect of the policing of problem drug use. Dealing with the detritus left behind in public places where drugs were used was a common task for patrolling policing personnel and typically involved liaison with relevant staff or teams within local authorities.

Quite often where they're bedding down there'll be syringes and burnt foil and all the other paraphernalia that goes with using drugs. We obviously, we address those problems as well because obviously those people don't want them on their doorsteps, if it's a business, they don't want them round the back of the business. We don't want needles and things left where people can injure themselves so we work with the council. We'll get them to clear away whatever it is they've been using to sleep, we'll get sharps bins to dispose of the needles. (Front-line police officer, Site C)

## Controlling people

In deploying the various strategies and tactics for controlling territory described in the previous section, the primary point of intervention was, of course, usually individual people. However, it was evident that not all individuals in public places get the same level of attention. Instead, certain types and categories of people were targeted for surveillance and monitoring as well as more formal police action. Those targeted included problem drug users and overlapping populations such as street drinkers, rough sleepers and those who beg. The remainder of this chapter explores how this targeting was achieved.

As other researchers have found (see Ericson and Haggerty, 1997, pp. 244, 256–7), a key policing task is the production and management of information and knowledge about suspect populations. The fundamental policing purpose of this knowledge base, which is both formal and informal, is to inform the differential treatment of different populations according to the level of risk they pose. This was one of the main reasons why the practice of running PNC checks was such a routine and central part of formal encounters between problem drug users and the public police: there is a need to know who is being dealt with in order to inform what should be done with them. In addition to this, it was clear from observations that a much more rudimentary approach to ‘targeting’ was also often deployed, based on physical appearance, demeanour and so on. Policing personnel articulated a whole series of ‘markers’ they used to spot problem drug users, including appearance (for example, looking thin or unhealthy), location (for example, being in areas where drugs are bought and sold) and behaviour (for example, ‘hanging around’ a telephone box). Looking like a problem drug user would greatly increase the likelihood of attracting policing attention and, conversely, looking ‘normal’ or ‘respectable’ provided a degree of protection from such attention.

Many individuals attracted policing attention because they were already known, as the observation in Box 7 shows. This observation also illustrates a further important point. Problem drug users will be stopped or monitored for behaviour that would be deemed unremarkable if carried out by lower-risk groups. In this instance, the couple were doing no more than walking into a train station. The purpose of this intervention can be understood as a form of communicative surveillance (see Chapter 2), that is, letting people know they are continually being monitored, watched and scrutinised. What may be perceived from a drug user’s perspective as police ‘hassle’ (see Chapter 4) is, from a policing point of view, a way of imposing discipline on ‘risky’ populations, encouraging them to ‘self-regulate’ by learning to keep out of certain areas or refrain from certain activities. In other words, the routine nature of this type of intervention seeks in part to motivate users to change their lifestyle and behaviour.

The CCTV system is clearly an important component in the achievement of this communicative surveillance.

### **Box 8 Observation with a non-uniformed police officer in the city centre in Site C**

As we walked through the precinct, [officer] identified a known drug user and his partner. The officer turned to me and said 'here's our arrest for the day', and we began to follow them. Thinking they were shoplifting, the officer contacted the CCTV control room staff and instructed them to direct the precinct's cameras away from the couple in order to reduce the likelihood of the cameras deterring them. But instead of entering any shops, the couple left the precinct and headed towards the train station. We watched them enter the station, and for several minutes they merely loitered near the arrivals and departures board. The officer suggested they might have seen us and decided to wait until we left the area before going about their business. We then entered a nearby shop to keep out of their view. After some time, the officer concluded that they must actually have been waiting for a train, at which point he decided to approach them. On doing so, the officer asked the man what he was doing, to which he replied 'waiting for a train'. The officer then tried to engage them in conversation, asking how they were, where they were now living, and how they were 'getting on'. After more one-way conversation, the officer said goodbye and told them to take care of themselves.

This need to generate information about suspect populations for the purpose of differential treatment pervaded the routine policing of public places. One of the most common objectives within encounters with problem drug users was to glean information. An otherwise fruitless interaction would be seen as worthwhile if a useful piece of knowledge was gathered, as this PCSO observed:

Try to get information out of them, you want to try and get any information, we're not going to do owt to you this time mate, but where are you getting it from? You'd always ask those questions every time you speak to them, they won't give you it but they might give you a card or something like that with a number on that might be a couple of weeks old but it's still intelligence. If they think you're being all right with them, they might give you that bit of information, that golden nugget at the end of the day that might help somebody along the line and help them with their problem. (PCSO, Site A)

While being identified as a problem drug user was a cue for attracting policing attention, as noted above this did not mean that drug users were necessarily subject to heavy criminalisation in the sense of being subject to the formal use of police powers leading to arrest, charge, prosecution and punishment (see Chapter 2). Encounters and interactions between policing personnel and problem drug users were very often informal in nature, involving information exchange and recording of various kinds, all feeding into an ongoing profiling of risk. Conversations, questioning, running PNC checks and liaising with the CCTV control room were all part of this process of policing as 'knowledge work'. One of the outcomes of these types of interactions is the assignation or ascription of the individual to a particular population identity which corresponds to a certain category of risk. This sorting process was part of what determined what was done, that is, the policing action that followed the encounter. Inevitably, and indeed understandably, this differential treatment on the basis of who you are, for example, a problem drug user could be experienced by those on the receiving end as discrimination or prejudice (see Chapter 4). In a sense it is but it is a strategy that discriminates on the basis of risk profiles that are actively produced and constructed in part by the routine day-to-day work of policing personnel described in this report.

This development has led some commentators to claim that it is no longer 'drugs' that are policed but rather 'drug users' as a high-risk population (Parker, 2006). This approach was confirmed by a senior police officer when reflecting on the narrowing focus of the police on individuals with certain risk profiles:

So it's not a concentration on drug users per se, it is a concentration on people who are recidivist offenders and who keep getting caught because of course we only know about the ones we've caught as opposed to the ones we haven't caught. (Senior police manager, Site C)

There were a number of drug users being targeted in this way across the three sites. In all sites, the Prolific and other Priority Offender programme (PPO) (described in Chapter 1) used a combination of the 'stick' of extra police attention plus the 'carrot' of quick access to services and support from specialist officers to engage and retain high-risk drug-using offenders within drug treatment with the ultimate aim of reducing the crime risks they presented. In Site B, a pre-arrest drug scheme, a partnership between the police and a drugs agency, had been established with funding from the Drug Action Team. Its focus initially was on all offenders committing large number of offences, often vehicle crime, shoplifting and prostitution, but during its lifetime its focus had shifted to offenders committing robbery, burglary and vehicle crime, thus increasing the overlap with the PPO programme. Offenders who committed crimes which police officers perceived to be drug-related were identified through 'test on

arrest' procedures and through 'word of mouth' from police officers. The scheme, as described by one of the dedicated police officers, was to enable offenders to access drug treatment quickly: if they complied they would receive support from a GP and a drugs agency; if they did not 'they may be liable to targeting by the police'. Unsurprisingly take-up of the scheme was high but many were reluctant to attend appointments. The solution, as described by one of the dedicated police officers, was to 'mither them basically and eventually you wear them down and they do go and very soon they do see the benefits'. Both schemes were founded on close, and in some respects quite novel, partnerships between the police and drug services. They exemplify the way in which thinking in terms of the tension between enforcement and harm reduction is much less insightful than an approach which sees policing as concerned with controlling territories and people through knowledge of risk.

## Conclusion

In this chapter, it has been argued that street policing of problem drug users, rather than involving a balancing act between enforcement and harm reduction, was more concerned with the surveillance and control of territories and people through knowledge of risk.

Policing activities oriented to controlling territories were based partly on the mapping of incidents and crimes, using a range of tools and technologies, including computerised mapping software, CCTV, digital cameras and information gathered during routine patrolling of areas. A central goal was to monitor and attempt to control who inhabits and passes through territories using CCTV, the running of PNC checks and the targeting of individuals without obvious legitimate reasons for being in a particular location. The spatial displacement of problem drug users was an important strategy, from asking them to move on, right through to using legal powers to exclude them from particular areas.

Policing activities oriented to controlling people were founded on the targeting of problem drug users (and overlapping populations) for differential treatment on the basis of the level of risk they were believed to pose. This targeting required the ongoing and continual generation of information about population groups and consequently intelligence-gathering and knowledge production were prioritised.

## 4 Drug users' experiences and the implications of street policing

This chapter draws mainly from interviews conducted with problem drug users to describe the way they experience and respond to street policing. It attempts to bring to the surface the implications of policing for the routine conduct and behaviours of problem drug users, including their drug consumption activities, as well as potential consequences for their health and general well-being. It also considers the implications of these activities for policing and support agencies which have contact with them. Although street policing took a variety of forms and involved personnel from a range of public and private agencies (described in Chapter 2), problem drug users most closely associated it with the use of authority by the public police. Consequently, this chapter focuses on problem drug users' experiences of the police. Before discussing the interview data the sample will be described.

### The sample

Interviews were conducted with 62 people from the three sites (see Chapter 1), all of whom described themselves as, or as having been, problem drug users. The sample comprised 69 per cent men and 31 per cent women; 95 per cent were of white ethnicity and 5 per cent described themselves as black or of other minority ethnic origin. Some 37 per cent were aged between 21 and 30 years, 44 per cent were aged between 31 and 40 years and 19 per cent were aged over 40 years. At the time of the research 40 per cent were living in rented social housing, 26 per cent were living in hostels or supported housing, 18 per cent were staying with friends or family, 11 per cent described themselves as being rough sleepers and 5 per cent were renting from the private sector. Although the sample contained individuals from a range of backgrounds and possessing diverse biographies, in their past and current personal circumstances many had experienced multiple problems of low economic status, ill health and poor housing.

Three-quarters of the sample said they were current users of Class A drugs. Conversely, 24 per cent claimed to be no longer using. Aggregating current and previous drug users, 66 per cent described their drug use as predominantly constituting both heroin and crack cocaine (whether used sequentially or simultaneously, i.e. 'speed-balling'), 31 per cent said it was 'mainly heroin', and two people said they mostly restricted their use to crack cocaine or amphetamines. Of those who were currently using, 53 per cent were doing so intravenously; among

those no longer using, this figure rose to 73 per cent. Some 95 per cent of the sample said they had previously accessed some form of treatment for their drug use, and 63 per cent were undergoing a programme of treatment at the time of the research. Of these, several admitted to 'topping up' regularly their heroin substitute or treatment prescriptions (for example, methadone or Suboxone) with Class A drugs or using cannabis. All admitted they had routinely committed acquisitive offences to fund their drug use, with shoplifting, prostitution and begging being the most common of these. A few described themselves as, or as having been, 'user-dealers', but who supplemented any income derived from drug-dealing by regularly committing other types of acquisitive crime. All had, to varying degrees, experience of receiving policing attention in street contexts. Several had lived rather nomadic existences and were able to recount experiences of policing gained in different police force areas.

### Experiences of being policed

Reflecting on their street encounters with police, problem drug users reported a range of experiences drawn from a variety of different situational contexts. These encounters spanned the breadth of the policing function which requires those tasked to wield authority over members of the public in many and varied ways, from offering reassurance, assistance and advice, to enforcing rules, imposing order and asserting physical control (Waddington, 1999). A few of the sample did relay stories about receiving help from police, for example where they had been encouraged to stop using drugs or put in touch with support agencies. But mostly they gained their experiences of street policing from encounters that they did not initiate and in which they were unwilling recipients of authority, whether covert or overt surveillance, cursory questioning or, more intrusively, the formal use of police powers. This meant that their experiences of policing were largely patterned by the coercive use of authority. As a consequence their interactions with police not only reflected a power imbalance but they were also usually framed by adversarial relations.

When discussing their experiences of being policed, problem drug users emphasised the following interrelated dimensions: the nature, regularity and perceived fairness of policing contact. Overlaying and colouring each of these dimensions was the perceived legitimacy of policing intervention, which is informed by perceptions of the rationale underpinning a form of action, for example its justification and purpose.

### Nature of policing contact

The vast majority of the sample said they were known to the police and therefore targeted for attention in the street. Whether policing contact was undertaken for the purpose of surveillance, intelligence-gathering or otherwise, it was widely experienced by drug users as the direct imposition of authority and control. This contact took three forms: visual, verbal and physical. Sometimes those targeted for policing attention were reminded they were being monitored by the mere sight of a patrolling officer.

When I was using heavily you'd see them every day drive past and they'd drive past dead slow, depending on the traffic. They eyeball you up, do you know what I mean, that might be their way of just saying we're here and we've got our eye on you. (Drug user, Site C)

At other times, policing attention moved beyond visual cues and took the form of face-to-face encounters (see Chapter 2). These usually involved some form of verbal questioning but could also escalate to physical interrogation.

'You.' 'Yeah?' 'Come over here, got anything on you?' 'No.' 'Any sharps on you?' 'No.' 'Can you empty your pockets?' This is in the street, you know, everybody's moving up and down, empty your pockets and onto the bonnet of the car or the sidewalk if they're walking. You know, they do a search. 'Where you been, who you been with, where have you just come from, where are you going?' Questions like that. 'When was the last time you used? Who are you scoring off?' (Drug user, Site A)

As described in Chapter 3, much street policing activity was concerned with gathering information, a process which often felt to those being questioned like the exercise of coercive authority. The routine nature of these low-level uses of authority was widely received as a form of disciplining intended to steer, cajole and erode resistance to policing directives.

They're just trying to let us know that they can do anything they want to us really, that they can stop us when they want and search us when they want, and bother us when they want. It winds me up really. Especially when we're not doing anything wrong and they know we're not doing anything wrong, when we're just walking down the street and they're just pulling us up, just for something to do, just to wind us up and embarrass us. (Drug user, Site B)

The actions of police officers were often felt to be untethered by organisational rules, allowing personal discretion and perceived prejudices to dictate the boundaries of authoritative interventions. For example, a recurring theme within the drug user interviews was the extent to which they felt that the intention of some policing actions was to shame them by exposing their drug use to others. This was particularly so for those who were subjected to the use of stop and search powers. In such instances, members of the public become cast as a 'moral audience' in the process of street policing (Collison, 1995).

Even if I'd be going for an official appointment somewhere, if I was going to sign on or whatever, and it's [as] soon as they see you, they're collaring you and they PNC'ing you and they're stopping you, and they're embarrassing you in the street by making you spreadeagle on the car while they search you, or throwing you in the back of the van and strip searching you, just trying to belittle you in public. Just to embarrass you in public because people walking by are looking at you getting searched and that. Doesn't look nice, doesn't look nice, it's not nice, it really pisses me off, it's like invading me privacy. (Drug user, Site A)

Others felt this policing activity was undertaken solely for symbolic purposes, intended to communicate a message to the public that 'something was being done' to address local problems.

And when they do it right out in public and that, I think they're trying to put across the message to everybody else that look we're about. And also, to the general public, look we're doing our job. (Drug user, Site A)

The public nature of 'the street' adds to the degree of invasiveness associated with these policing encounters. When no legitimate basis for an intervention was apparent to them, many among the sample construed policing to be not only discriminatory in orientation but deliberately punitive in function.

This view also applied to the outcomes arising from encounters with police. As described in Chapter 2, encounters often resulted in no formal action: those who received policing attention were simply allowed to carry on with their business. On many occasions, however, individuals were purposively moved on or directed to go elsewhere, particularly those who were 'using' the street in ways deemed to be unacceptable: for example, rough sleeping and begging (see Chapter 3). Sometimes this was for reasons which they could understand, if not agree with: for instance, if they were encountered in an open drug market. At other times, however, they could see no reason for why they were being directed to leave an area.

I were walking around town in the market with me mate and I were looking for this certain shop. And yeah, we'd gone up and police have pulled us and we said 'why?' 'What's your names?' After a PNC check had come through, we're not wanted. 'Right, could you leave the market please?' 'Why?' 'Because we'd like you to leave the market.' 'Yeah, but I'm looking for a shop; I wanna buy summat.' 'No, sorry, not today you can't.' What the fuck have I done wrong to get thrown out of the market? We haven't done nowt. What, because we look – I don't know, because we were looking for a shop, what did they think, we were looking suspicious or summat because we were looking for a shop? I don't know, but we got stopped and got thrown out of the market – happens all the time. (Drug user, Site A)

Problem drug users often conceded that both the income generation and drug consumption activities which shape much of their daily routines (see Pearson, 1987; Faupel, 1991; Stephens, 1991; Taylor, 1993) led them to become targets for reactive forms of policing. However, the proactive dimension of street policing which often led to them being stopped and questioned or moved on caused much hostility and antagonism. Moreover, where authoritative directives were unexplained and therefore *unjustified*, they tended to view policing practices as inconsistent in delivery and inequitable in outcome. This perception increased according to the regularity of policing contact.

### Regularity of policing contact

Across the sample the regularity of contact with policing personnel varied considerably. Some individuals were systematically and repeatedly targeted as they went about their routine activities, for instance those flagged as 'prolific offenders', while others had only intermittent and fairly superficial dealings with policing personnel. Whether, and the extent to which, an individual was 'known' either to individuals or organisations with responsibility for street policing was key to understanding this variance. Information clustered and accumulated; thus as individuals gained a high-risk profile they received increasing levels of policing attention. This in turn raised their profile further among policing personnel and stimulated ever more regular forms of contact.

You get known by the police a lot more because you're out, you're doing criminal activities to feed your habit so you're always getting involved with the police in that way. And like you're always in town, and because of the way you're dressed and that, you're always getting stopped by the police.

And stopped and searched, stop and questioned. It's like I've got what is called a Delta Romeo<sup>1</sup> marker and it's for drugs so if at any time I get stopped by the police I automatically get searched now. And it's just every time I get stopped by the police, they search me. (Drug user, Site A)

For those individuals targeted in this way the amount of policing contact they received in the street was, of course, related to the amount of time they spent in public places. But it also varied according to the type of public place they frequented, with particular policing attention paid to commercial areas or known open drug markets. Those who were regularly stopped and spoken to described this experience as 'routine hassle'. Importantly, low-level uses of police powers such as stop and account can have a compounding effect on those who are regularly subjected to them. What police officers viewed as a routine and fairly innocuous enquiry could be a chastening experience for the recipient and the bedrock for festering resentment.

They just don't leave me alone, because they know of me past history, it's just like every time they see me, they're pulling me up, searching me in the middle of the street and making me pull all me syringes out when there's public walking past. In other words embarrassing me and harassing me. (Drug user, Site B)

Often these encounters were felt to be unjust intrusions because they mostly occurred in situational contexts unrelated to a specific crime event. When an encounter lacked any perceived justification then it added to the exasperation felt by those targeted in this way and fuelled the antagonism which many felt towards policing agencies.

At the end of the day they know who we are, so why do they have to stop us every day? (Drug user, Site A)

As suggested in Chapter 3, much street policing activity was underpinned by a preventative rationale which was informed by an individual's risk profile based on intelligence assessments and their criminal justice history. Much to their dismay, several said their profile, or reputation for wrongdoing, had stayed with them even though they were no longer using drugs or committing acquisitive crime to fund their drug use. Consequently, they continued to receive high levels of police attention which they felt was unwarranted.

Just every time they see me, 'Mr [name] just come here, can I have a word with you', just does me head in all the time. I'm doing well for myself; do you know what I mean? Every time they see me they've got to stop

me, every time. All right stop me once or twice if I look suspicious or I'm acting suspicious, fair enough, check me out, ask me questions but not every time you see me, stop me. I'm doing well now, I'm not committing crimes and they know that. But still they just – they just do it, they just like treating us like a piece of shit, they do. (Drug user, Site A)

Once attached, the label 'problem drug user' may be difficult to unfasten. Former drug users currently abstaining or undergoing treatment programmes often continued to receive regular street policing attention because policing profiles were constructed from information and knowledge of *past* behaviours. Potentially this can impede a problem drug user's attempts to establish an identity unrelated to drug use and offending and, in turn, reintegrate themselves into mainstream society. There is a danger therefore that the intensive policing scrutiny received by many problem drug users adds to rather than subtracts from the exclusionary tendencies to which drug users are exposed.

### **Perceived fairness of policing contact**

Given that it was commonplace for problem drug users to have contact with police in street contexts, they suggested it was the manner in which authority was dispensed within an encounter that largely shaped the experience (for an overview of the impacts of procedural experiences on perceptions of policing, see Sunshine and Tyler, 2003). In so doing, they implicitly linked the authoritative tone and personal demeanour of those delivering policing to the perceived fairness of their treatment. While many suggested they were sometimes treated fairly and respectfully by police, they also recalled incidents in which they had been subject to intimidation, bullying and physical coercion.<sup>2</sup> The inconsistency here reflects the vagaries of individual approaches to the exercise of authority but also the sometimes stressful environments in which street policing takes place.

Many drug users recognised that their behaviour influenced the way they were treated by police. They described how their reaction within encounters could escalate the level of conflict, particularly in situations where they felt unjustly stopped by police. Where drug users were antagonistic towards those doing policing, then this was often reciprocated. Although not always acted on, there was widespread recognition that compliance with, and deference to, the directives of police was an easy way to take 'the heat' out of volatile situations.

I'll talk to them [*police*] nice if they're asking questions about me. I'll answer them, but anything else, I won't tell them. But if they're nice with me, I'm nice to them. But if they're nasty to me then the same goes doesn't it. Sometimes I just walk off and tell them to go f— off, because I feel like I'm getting harassed because it's all the time. And sometimes I'll just stand there and give them it and then walk off. It just depends how they are with me. If they're all right with me then I'm all right with them. (Drug user, Site A)

When drug users and police repeatedly encountered each other, 'working' relations sometimes developed through a process of negotiation. Often these relationships were pragmatically forged as a way of coping with the strains and demands when the role-structured activities of each collided.

They treat you with a bit more respect because they knew me on a name-to-name basis. I weren't just Johnny who used to do grafting all the time and they weren't just coppers who were after arresting me all the time. They were like genuinely – I genuinely did speak to them like, like friends. They were really good to me. They treat me like a human being, not like a criminal which were, it were really good. (Drug user, Site A)

It would, however, be wrong to presume that the existence of relationships between those delivering and those receiving policing always led to this outcome. Most drug users wanted to remain unknown to the police and were guarded over forming such relationships, albeit they often had little say in the matter.

Well there's a set of officers yeah what never change, but obviously there's the odd ones you don't know. I mean that doesn't last long, you get to bleeding know them without wanting to. (Drug user, Site B)

In describing the delivery of policing interventions, drug users tended to individualise their accounts. In other words, they tended to make assessments of police according to how individuals dispensed authority and exercised discretion. Here, as suggested, there was much variance.

If he's a decent officer which there is a couple of decent officers in town that I can stop and talk to them, meself anyway because they really have a good chat to you, do you know what I mean. But there's others that just, they're too much into their job, they've got their head stuck in the job too much and they just, I don't know, it's hard to explain, it's just, they treat you like shit. (Drug user, Site A)

As discussed above, many drug users felt that police officers tended to define them in terms of their drug use. This labelling process often expressed itself as a form of moral censure, adding to the level of antagonism that many drug users felt towards the police.

... they look down at you and that. You're dirty, you're scum. A lot of coppers think you're scum and that. That's from my experience anyway, through what I think anyway, through what I've been through with the police and that. And just you're scum if you've been on the gear or if you're on the gear. (Drug user, Site A)

These moral assessments of character can inform the way authority is exerted in a given encounter. Moreover, some drug users outlined scenarios in which negative assessments were culturally reinforced by teams of officers.

If there's a load of them and you get pulled by them, they seem to take the piss and that, show off in front of them. But the coppers and stuff like that they try to just take the piss out of you, calling you a fucking divvy and this and that and if you call them owt back and that they'll just arrest you. (Drug user, Site C)

Others identified a range of variables that they thought served to influence their treatment, including the gender of the officer and type of police team they belonged to. There was particular convergence of views over less experienced officers who, it was suggested, tended to be more authoritarian than those with more experience. This is unsurprising as 'learning the job' for novice police officers is fundamentally about learning the appropriate use of discretion when exercising authority (Goldstein, 1960). Moreover, it is a learning process which takes place on the streets, not in the classrooms (Fielding, 1988).

Experienced officers, they know sort of every trick in the book. Inexperienced officers, some of them will be a bit over the top about how they handle you or how they talk to you. Because with them being inexperienced, they're trying to be assertive and get the message over that don't mess with me, I'm a police officer. And also they think that you're trying to pull the wool over their eyes so they're trying to be on the ball more so than they should be. But you don't usually get any sort of like hands on off them. (Drug user, Site A)

Equally, several drug users suggested detectives tended to be less adversarial in approach than uniformed officers. Street encounters with detectives were said to

be marked by more nuanced use of discretion and fewer allusions to the power imbalances that structured many of their encounters with police.

CID, they're more professional with you than non-uniformed aren't they. They're just more professional in the way they do it. They just come and get you, nick you. I mean they talk to you really, put you in the back of the car, 'you're under arrest for this and that and the other'. You can stand there sparking your mouth off saying 'what's this about, what's that?' But they just say 'well you're coming with us', that's fair enough you know.  
(Drug user, Site C)

This perception may be attributable to the greater experience usually found among detectives. Equally, detectives rely more heavily than uniformed police on cultivating relationships with those who may be able to provide them with crime-related information (Hobbs, 1988).

## Implications of street policing

Street policing has several implications for problem drug users. Mostly, these implications arise within the context of the behavioural strategies adopted by problem drug users to manage their relationships with policing personnel. This section explores the consequences of these strategies for the well-being of those employing them.

### Managing police attention

Among problem drug users some degree of street policing attention was an unwelcome but reluctantly accepted feature of their lifestyle. Although it was perceived to be a source of potential interference and disruption to their daily activities, it did not serve as an effective deterrent or obstacle to either involvement in drugs or acquisitive crime. Rather, street policing activities were widely perceived to be a routine hazard, to be managed, negotiated and, where possible, avoided.

It's just occupational hazard isn't it? You've got to do what you've got to do and being arrested is just part of it. It happens. You're committing crime, you're breaking the law so chances are eventually you're gonna get arrested. (Drug user, Site A)

The long criminal justice histories of many within the sample might be read as testimony to the impotency of policing and criminal justice sanctions to quell their participation in the nexus of 'scoring' drugs and 'earning' money through illegal means to purchase them.

It's [*policing attention*] never put me off, because when I've needed the drug, I've needed the drug. Obviously there's a concern that you've got to be quick because someone might, a security guard might come, a copper could walk round the corner any minute, so hurry up, do you know what I mean? But it would never put me off because when you're feeling that ill you'll do anything to get that drug. (Drug user, Site B)

When drug users were apprehended by police officers or security guards for engaging in illegal activity, their main concern was not the potential sanction arising from a court appearance but more the immediate threat of experiencing withdrawal symptoms while being detained in police custody. Likewise, the anxiety felt by problem drug users over encountering police in street contexts was related to being prevented from purchasing or consuming drugs.

Often you'll go behind a building and do your drugs. Now if I went into [*name of area with drug markets*] and I'd just bought some drugs and then I saw that there were a lot of police around, I'd get away from them. Because, the one main reason [*is*] not through fear of being arrested, [*but*] through fear of getting caught while I'm doing the drugs and the drugs getting taken away from me and me being left feeling unwell. I don't think it's through fear of arrest ... if they've no outstanding warrants or anything, the main fear is that your drugs are gonna get taken off you by the police. Then you're gonna be left ill, withdrawing. (Drug user, Site A)

While street policing activity failed to deter their involvement with drugs, it did serve to mould some of the problematic behaviours which drug users engaged in, for instance consuming drugs in haste and potentially without due caution.

What you'd have when you're using, it sounds disgusting, it does sound awful but when you're on gear, you just, the only worry you've got is that the police are gonna come and take it off you. You don't really worry, yeah, wouldn't like to do it near a school where there's any kids gonna see you. But you know if someone come, you'd be like ooh, but you'd make sure you'd got it in you, just as quick as you could before anyone come like. You dig it up in your groin, you can get it straight away like. (Drug user, Site C)

Others described how if stopped and searched by the police while in transit between place of purchase and planned place of consumption they would avoid drugs being confiscated by secreting them about their person, for instance in the mouth or anus. The more 'known' an individual was to the police, the more these risky practices were routinely employed.

Keep it in your mouth; just walk through different ways and different little streets to keep off the roads, try and keep off the main roads as much as possible, to keep away from them. Especially if there was a few of you and they knew what, you're known kind of thing, yeah. (Drug user, Site C)

When found by police in possession of Class A drugs, they were typically arrested. By contrast, their experiences varied when they were searched in the street and found to be in possession of syringes and needles. At times, they were allowed to keep this drug-using paraphernalia and sent on their way; at other times it was confiscated.

They've found me a few times with pins on me, only when I've been arrested. They've just thrown them away. (Drug user, Site B)

I got stopped out here though with all my pins and citric and everything, and they took them off me and put them in the bin. Says you shouldn't be carrying them, so I had to come back in. I'd only got like 20 yards down the road, I told them as well I'd just picked them up from the [*name of treatment agency*], I'm a registered user. [*They*] said you shouldn't be carrying them. Put them in the bin ... just took ten of my injectors off me, bags of citric and everything and he put them in the bin. [*They*] shouldn't be allowed to do that. But he's saying it's not very safe. Anyway, he's just putting them in a dustbin. (Drug user, Site A)

Such discretionary demonstrations of authority motivated some drug users not to carry needles when passing through public spaces. However, it was not merely the threat of confiscation which led drug users to adopt this strategy. Several said it was motivated by their desire to avoid the embarrassment of turning out needles in public places while being searched. Others chose not to carry them because being found in possession of such paraphernalia, they suggested, invariably meant they received hostile treatment from police. These concerns revealed the potential for police practices to encroach upon harm reduction agendas by inadvertently encouraging users to share needles.

I don't carry them [*needles*], not any more, no. The only time I carry them is when I come here [*treatment agency*].

Q: And is that because of the police?

Yeah, because you know they ask you to turn your pockets out in town, and you're pulling out all these syringes and they're all going on the floor, because that's where it all goes, everything that's on the floor in front of you. So that was another reason I stopped carrying syringes, it's always on the floor in front of you. (Drug user, Site B)

A common theme, particularly among those individuals whose choices were constrained by lack of housing, was to consume drugs in secluded public places. While most preferred not to use drugs in such places, they often felt there was nowhere 'safe' to do so. 'Safe' in this context meant consuming drugs in a place where there was low risk of being interrupted by the police or any other person.

I hide away when I score and that ... I have to go out of the way like. I wouldn't like people see me doing it ... obviously it's not nice for them is it? I don't want to bump into them [*the police*] so I'll just go ways where I think I'll not bump into them if I can. I just get as out of the way as possible. (Drug user, Site C)

Using drugs in relatively 'hidden' public places, however, creates health risks, particularly if a drug user overdosed and needed to access emergency assistance. Furthermore, in the event of needing assistance, the threat of police detection could deter those seeking help from the emergency services.

People don't have nowhere to go, do they? And then you get the problems arising say if there's a few people in a place where we're not supposed to be, just wanting to be quick and sort ourselves out and get out of there, but then someone's unlucky enough to say overdose. And people who are with them might be too scared to help them because they know they're gonna get in trouble for being there. So I've known it happen in the past, a person who's overdosed has just been left. (Drug user, Site B)

Drug users did not, however, merely employ such policing avoidance strategies when purchasing and consuming drugs. They usually sought to manage their relationships with police more broadly. Typically this meant keeping police at arm's length and as a consequence many isolated themselves from police even when they required help and assistance.

I've never formed a relationship or anything like that with them. You don't form a relationship with coppers, you don't like them, they hassle you on a daily basis. (Drug user, Site B)

This lack of engagement gave rise to two implications, both of which might hamper the nature of the service provided by the police. First, it reduced the likelihood that drug users would pass on crime-related information to the police. Sometimes this unwillingness was self-motivated, at other times it was influenced by how individuals felt others would perceive them if they were seen to be co-operating with police.

I try not to speak to police because if anybody ever sees you talking to them, then oh obviously you're a grass like, do you know what I mean? (Drug user, Site A)

Second, it reduced the extent to which drug users reported offences to the police, as either victims or witnesses of crime. Many felt the police viewed them merely in terms of their likelihood to offend, rather than as potential or actual victims of crime. One drug user outlined his unwillingness to ask the police for help:

I had a problem with a couple of lads, because I was living in the same block of flats as them. I couldn't afford to have a ruckus going on every day because the landlord would have kicked us out. So I thought it would have been better if I got the police involved and then they would sort out this problem so I wouldn't lose me flat. But I haven't really used them. If I've had any problems I just tend not to involve them; from my experience they sort of make things worse. So I tend not to, I just try to keep meself to meself. (Drug user, Site C)

This attitude has consequences not only for individuals who may be forced to 'sort out' problems and disputes themselves, but also for the police who have a statutorily defined role in providing services for the victims of crime (Office for Criminal Justice Reform, 2005). As problem drug users form a highly victimised group (Neale *et al.*, 2006; Stevens *et al.*, 2007), there are likely to be large numbers of victimisation episodes which fail to come to police attention. It is therefore unsurprising that problem drug users describe themselves as being under-protected and over-policed.

### **Impinging on the work of support agencies**

Several drug users as well as practitioners referred to street policing activities interfering with the work of treatment agencies. This was said to have occurred in at

least two discrete ways. First, as mentioned in Chapter 2, at each of the three sites instances of police activity at or in the vicinity of treatment sites were recounted. These included reports of police loitering near such places, following mobile community treatment vans and entering drug treatment sites in order to execute warrants.

There was a situation a few months ago where police were hanging around outside Boots by the market which is the chemist that most of our patients use. And there was a situation where some police were hanging around outside there and arresting people or talking to people and checking on them as they were going to get their methadone. Which was putting people off going to get their methadone you know, and so we, I liaised with [...] on that one and she stopped it, as far as I know. And she said it was community support officers who didn't really understand what the issues were. (General practitioner, Site A)

Such police activity had the potential to erode the willingness of drug users to engage with treatment agencies. These locations must appear to drug users to be 'safe' if they are to make themselves visible to and register with the services they offer. A drug user offered her view on police activity outside one community drug centre:

Me and [*name of partner*] are not wanted by the police at the minute. But it's like other drug users they might be wanted and they could be waiting outside for them and they're just stopping us as we're going in. Which I think it's disgraceful because we go in there to get our medication and then we leave and I don't think it's right they should be stood out there hanging around waiting for people. (Drug user, Site A)

At Site B a protocol was drawn up locally between the police division and drug agencies in order to prevent the activities described above occurring.

Second, there was a concern that intensive street policing activity may motivate problem drug users to break their behavioural routines and become less visible to support agencies. Policing activities may serve to displace drug users, making them more difficult to reach. A local authority street outreach worker at Site A described the problem of maintaining contact with rough sleepers after the onset of a police and local authority partnership 'crackdown' on his client group:

It does get increasingly hard to find the clients now. Before these initiatives started, my team could just go trotting round town to the usual

sites and locate our regular clients. Now they're getting stopped and arrested, or they duck and dive a bit more. So we have a lot of our clients who beg, by moving around. Rather than just sat in a street with their hands out, or a cup out. So, they're on the move all the time. Or they are just out of town. We do far less on the street now because people are much more invisible.

Similarly, but more drastically, some drug users felt that policing and/or criminal justice interventions had forced them to move to other locations where they were unknown to local police and security guards and could 'start afresh'. In so doing, however, they risked severing their relationships with locally tied treatment and other support agencies.

## Conclusion

Problem drug users' experiences of street policing tended to be derived from encounters which they had not initiated. The routine stopping, checking, questioning and moving persons on, which were the staple characteristics of street policing, were experienced as a form of regulation and control. Its proactive and preventative focus meant those who were subjected to it often perceived it to be the unwarranted use of authority. Hence, street policing was mainly experienced as 'hassle', an unwanted encroachment into their legitimate and illegitimate activities. In some ways, the informal outcomes of these encounters, notably being moved on, accentuated this perception. As a consequence, those doing street policing and those receiving it often met in stressful situational contexts, resulting in tense and adversarial relations.

For problem drug users, managing the threat of withdrawal from drugs largely outweighed their concerns of being apprehended and arrested. Nonetheless, the threat of receiving policing attention in street contexts did lead them to seek to manage their relationships with police. Most usually this meant they adopted strategies which aimed to help them avoid receiving policing attention. The problematic implications of street policing for this group arose from their use of these strategies, which sometimes led them to isolate themselves from sources of help, including the police, as well as engage in risky drug concealment and consumption practices.

## 5 Discussion and conclusion

This study found that street policing of problem drug users, while typically not the focus of specialist activity, nevertheless constituted an important strand within a range of generic policing work. It was, in other words, a mainstream policing issue and one which stretched across the extended policing family. Police officers, police community support officers, private security guards and street wardens encountered problem drug users as they engaged in street policing. However, it was public police officers that were associated with the coercive use of authority.

The focus of routine policing activities was on problem drug users rather than policing Class A drugs, in keeping with Parker's (2006, p. 7) argument that the UK has witnessed 'a shift from policing drugs to policing drug users who are also acquisitive offenders'. If Class A drugs were found on an individual, this normally resulted in an arrest although disposals following on from this varied between and across the three sites. Responses to finding drug paraphernalia were less consistent and arrests were less frequent. Instead, police officers used their discretion to decide how to proceed. Referring problem drug users to treatment and engaging in welfare-oriented activities were not core components of routine encounters and when they occurred they were justified as contributing to law enforcement objectives.

Police officers conceded, however, that it was fairly difficult to catch problem drug users in possession of drugs, not least because drugs were often consumed shortly after purchase. Recognition of this fed into a broader, more regulatory approach to policing this group, as opposed to a strict law enforcement agenda. This approach is more prospective than retrospective in orientation: for instance, encounters between the police and problem drug users were often not a response to a specific crime. Instead police operated in a preventative manner by employing strategies aimed at managing a 'risky' population. As a result, formal recourse to police powers was infrequent and typically encounters involved low-level use of authority, including running name checks, questioning individuals about their presence and behaviour in a particular location and asking them to move elsewhere. For police, these encounters served three main purposes. First, they provided opportunities to gather information from problem drug users which could assist them to control crime. Second, the processes of watching, checking up on and questioning problem drug users relayed to this group that the police were monitoring closely their everyday activities. Third, the routine nature of these interventions sought to motivate problem drug users to change their behaviours and lifestyle.

Problem drug users described their experiences of street policing as an 'occupational hazard' which deterred them neither from taking drugs nor committing offences. These experiences did, however, have important implications for their relationships with the police. While police officers viewed their routine encounters with problem drug users as fairly innocuous, sometimes they fostered antagonism and resentment among them. In particular problem drug users perceived receiving policing attention when they had not committed a crime as 'hassle' which was both unjust and intrusive. Consequently, problem drug users employed a range of strategies to minimise the threat of receiving unwanted police attention. In some instances problem drug users felt they had little choice but to go 'underground' or move to different areas, thus severing their ties with drug treatment and other support agencies.

The findings of this study have a number of implications for policy and practice in relation to street policing of problem drug users. These are explored in the remainder of this chapter; they relate to four key issues.

### **Enhancing the constructive potential of street encounters**

For some problem drug users, street encounters with policing personnel were frequent. While these could be a source of friction and antagonism, the regularity of this contact also represents an opportunity. The potential to intervene constructively, that is, for more than just the purposes of regulation and control, is evident. However, barring a small number of exceptions, this potential appeared to be greatly under-utilised in the research sites. While it has long been recognised that detainees in police custody suites may have multiple needs, some of which can at least be partly addressed while they are a 'captive audience', this potential has been much less considered for street policing. Given the finding that arrests of problem drug users were relatively rare outcomes from street policing encounters, this underlines even further the importance of exploring the opportunities for intervention outside custody suites. At the most basic level, street 'interventions' could simply involve providing addresses or contact details of support agencies. Moving up from this, police could facilitate referrals to other agencies in certain circumstances and they could offer basic on-the-spot advice or information themselves. Given the multiple needs of problem drug users, it would make sense for the focus of these interactions to be broader than drug use. For example, they could also cover benefits, housing, employment and other matters as relevant to each individual. In policy terms, this issue illustrates a significant gap in the current drugs strategy (Home Office, 2002). The area of routine street policing described in this report is in this sense almost entirely detached from the strategy. A new drugs strategy will be published in 2008

and the inclusion of some broad strategic direction relating to the street policing of problem drug users might help to enhance the constructive potential of street encounters.

## **Managing displacement**

If police officers judged it inappropriate to make formal use of their powers, there were limited options available to them. Police officers felt under pressure to protect communities from the 'problems' associated with the presence of problem drug users. This group was rarely perceived to be part of the community to which the police should respond in a protective and supportive manner, but rather a threat to its safety. Consequently, displacement and exclusion were central to policing strategies towards problem drug users although officers were aware that the effectiveness of these strategies was limited. While such approaches might render the 'problem' invisible in the particular area in the short term, it would rarely eradicate the 'problem'. Moreover, moving problem drug users elsewhere in a piecemeal manner is unlikely to address drug users' problems and indeed can exacerbate them. It is also likely to have repercussions for residents living in places where problem drug users are moved to and for policing and support agencies based there.

Consideration should therefore be given to planning more actively where problem drug users might go when moved on or excluded rather than leaving this to chance or the discretion of individual police officers. This would require a multi-agency approach to managed displacement to provide strategic oversight and co-ordination of effort. Participating agencies might include criminal justice agencies (for example, probation), other statutory agencies (for example, local authorities) and voluntary sector agencies (for example, those offering drug treatment and services for homeless people). Managed displacement can involve two rather different approaches. First, it can be 'negative' or exclusionary in character and concerned solely or primarily with making sure problem drug users do not stay in particular areas. An obvious example here is ensuring that a residential area is 'cleared' of users. In practice, 'negative' displacement can have undesirable 'knock-on' effects and, at the very least, the exact wider effects are often hard to predict and therefore to plan for. The second approach, a more 'positive' strategy, actively plans and manages where displaced individuals should go. This has the advantage of reducing the element of unpredictability associated with displacement, although it is not always straightforward to provide appropriate places for problem drug users to be directed to. Nevertheless, this is an aspect of displacement strategies that local areas will need to consider. The availability of suitable provision will vary from area

to area but possible examples of existing facilities include day centres and shelters for homeless people, 'wet' day centres and shelters for problem drinkers (i.e. places which permit the consumption of alcohol) and drop-in centres where people can get help and advice. These facilities, however, may be reluctant to admit current problem drug users, which raises the possibility of introducing specialist facilities for this group in the form of drug consumption rooms (see IWG, 2006 for a discussion of how these might work in practice). At present the drugs strategy provides little direction for how to manage problem drug users who are reluctant to access treatment. The findings of this study offer strong support for the adoption of a 'positive' approach to managed displacement.

### **Balancing the demands of policing and treatment/harm reduction**

Community-based drug treatment agencies represent a site where police can readily locate problem drug users. Although this type of targeted street policing activity was not a common feature in the research sites, some examples were recounted by the representatives of drug treatment agencies interviewed. This is problematic as any visible policing activity within the vicinity of drug agencies risks eroding the trust of drug users in viewing those services as 'safe spaces'. This might lead to drug users staying away from services and even disengaging completely. Even if that does not happen, any barriers to treatment services are clearly undesirable and clash with policies designed to boost the number of problem drug users accessing treatment and maintaining contact with treatment providers. The relationship between policing agencies and treatment agencies therefore needs to be carefully and actively managed at a local level. To this end, one of the research sites had established a protocol between the public police and drug treatment agencies. Any alleged breaches of this protocol would be reported to one of two named officers in the division with a specific drugs co-ordination brief and they would then quickly investigate and take any necessary action. This type of protocol provides a model of good practice for managing this important relationship.

Such protocols could also usefully clarify the way in which possession of drug paraphernalia is handled by police officers. While police officers reported that individuals found in possession of Class A drugs would in almost all cases be arrested, the picture was rather different for paraphernalia. Experiences of drug users varied greatly. On some occasions when searched in the street and found to be in possession of injecting equipment or other paraphernalia, they would be allowed to keep it and simply be sent on their way. At other times, their injecting

equipment could be confiscated. As described in Chapter 4, this could happen when clean equipment had just been collected from a treatment agency. These inconsistent police practices led some drug users to avoid as far as possible carrying drug paraphernalia in public places. This, however, was a source of irritation and frustration to some, particularly as it made it difficult for them to make full use of needle exchange services. Clear policies about when, if at all, paraphernalia should be confiscated would help to ensure that police practices do not undermine harm reduction activities. Local protocols provide an opportunity to flesh out in detail how to manage finding individuals in possession of paraphernalia: for example, they could inform police officers of how to dispose of paraphernalia safely and include details of needle exchange schemes police officers could refer problem drug users to if they are found in possession of used needles. However, to promote consistency across all police force areas, national guidance is essential.

## **The growth of formal summary justice**

The recent growth of formal summary justice has furnished policing personnel with new powers to issue 'street fines' for a range of low-level offences. Penalty Notices for Disorder in particular have potential implications for problem drug users. In recent years there has been substantial investment in treatment services tied to criminal justice processes. While it is inappropriate to suggest that drug users should always be arrested to allow them to access treatment, it is important to recognise that individuals who receive these disposals circumvent the processes of arrest and charge which can trigger access to treatment through the Drug Interventions Programme. There is a policy tension here between the goal of diverting low-level offences away from the criminal justice process, a goal built on both cost and justice arguments, and the objective of identifying and directing as many problem drug users as possible to treatment. There is neither a clear nor obvious way of resolving this tension. An appropriate first step could therefore be that any expansion in the use of these fines, whether planned or otherwise, is monitored to explore whether it impinges upon the opportunities drug-using offenders have to access treatment. One way of partly addressing this tension might be through the stepping up of efforts to exploit the constructive potential of frequent street policing encounters with some problem drug users as described earlier in this chapter. Whether there is any scope for introducing mechanisms to include recipients of these fines in the Drug Interventions Programme could also be explored. More broadly, there is a concern that issuing a fiscal punishment to individuals who routinely engage in acquisitive forms of offending to support their drug use may have the unintended consequence of stimulating the very behaviour the penalty seeks to deter. However, disqualifying

those engaged in drug-related crime from receiving such penalties for low-level offences runs the risk that they are given higher-tariff penalties than non-drug users who commit similar offences. Thus, whether 'street fines' are appropriate for those engaged in drug-related crime warrants careful consideration.

# Notes

## Chapter 1

- 1 The National Treatment Agency only covers England.
- 2 There is no equivalent figure for Wales. In 2006 over 10,000 drug users were receiving drug treatment (National Assembly for Wales, 2006).

## Chapter 2

- 1 Two divisions (Sites A and B) were able to supply data on the number of stop and accounts for the period 1 May 2005 to 30 April 2006. The numbers were 9,407 and 22,407 respectively. In Site A, approximately two-thirds of stops were stop and account. The equivalent proportion for Site B was approximately half.
- 2 Between 1 May 2005 and 30 April 2006, similar numbers of stop and searches under Section 23 of PACE were recorded: 2,287 by Site A, 2,743 by Site B and 2,122 by Site C. Searches related to drugs therefore accounted for 20 per cent of stop and searches in Site A, 32 per cent in Site B and 42 per cent in Site C.
- 3 Site C was unable to supply this data.
- 4 These are used for most possession of cannabis offences (see May *et al.*, 2007). Only a small number of stop and searches resulted in this outcome: 1 per cent and 5 per cent for Site A and Site B respectively. The equivalent figures for stop and accounts were 1 per cent and 2 per cent. Site C was unable to supply this data.
- 5 Penalty Notices for Disorder were less frequently used in one division (Site A). For the period 1 May 2005 to 30 April 2006 Site A issued 531, Site B 1,295 and Site C 1,369.
- 6 A sanctioned detection is where an offender has been charged, cautioned, reported for summons or reprimanded, the offence has been taken into consideration or where a fixed penalty notice has been issued for a notifiable offence (i.e. those which are formally recorded by the Home Office).

## Chapter 4

- 1 A Delta Romeo marker is a reference to the code 'DR' which is placed on a person's record on the Police National Computer to identify them as a drug user known to the police.
- 2 Research suggests that negative experiences of police within encounters have between four and fourteen times as much impact on perceptions towards the police as positive experiences (Skogan, 2006).

# References

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