




Drug dens

As the Home Office hail the success of Operation Crackdown to target crack cocaine users, partly through the use of Anti-Social Behaviour legislation to close down crack dens, Tina Orr-Munro examines how forces are using it and whether officers on the streets have been given the training they need to make it effective.

 During the 1990s crack cocaine first hit the headlines. Since then its use has accelerated and crack seizures have doubled. Today crack is the drug of choice for up to 45,000 young people in Britain.

But unlike its more glamorous cousin, cocaine, crack is more often associated with poverty and deprivation and the sleazier side of the drugs underworld. Its use is linked to violent behaviour and acquisitive crime with one in five offenders screened by arrest referral workers in 2002 admitting to using crack cocaine.

The drug is manufactured from a portion of the 50 tonnes of cocaine smuggled into the country annually. Crack users buy their fix through a number of channels including meeting points arranged on mobile phones, such as pubs and clubs or the increasingly notorious crack houses that tend to only admit 'introduced' or known users who then take away the drug or smoke it on the premises.

Illegal drugs dens have become the scourge of local com-

munities. They supply not only crack cocaine, but the whole range of Class A drugs such as heroin and ecstasy to meet the needs of the poly-drug user. But the effects of these drugs factories extend far beyond their walls and the individuals who visit them and are closely linked to other forms of criminality such as prostitution and gun crime.

The increase in crack use is being taken seriously. In 2002, the Government identified 37 High Crack Areas (HCAs) in England as having a problem with crack cocaine users, as part of its overall National Crack Plans to tackle the whole issue of uses. Use was concentrated mainly in the London and the South of England, with the Capital accounting for 16 of the High Crack Areas. Although most of England's major cities such as Liverpool, Manchester, Birmingham and Leeds are also afflicted.

Targeting properties

Closing crack dens is integral to tackling this drugs' menace, but until 2003, closing a crack den was

a legal maze as police had to rely on powers contained in a range of separate laws such as the Misuse of Drugs Act 1971 and the Housing Act 1996, often centring on the person or people rather than the property itself.

But in 2003, the Anti-Social Behaviour Act was introduced that specifically targeted crack houses themselves. The purpose of the law is to make the process easier for officers and other local agencies. The latest Government figures show that Operation Crackdown has been effective in closing down 75 crack houses since January 2005.

The legislation allows the police to serve a closure notice with immediate effect on premises where Class A drugs are produced, subject to obtaining a closure order in court within 48 hours. In other words, it is possible to close a drugs den in under two days. This is an impressive claim. Research has shown that closing dens under the Misuse of Drugs Act took on average two years.

Under the 2003 Act, the police

have responsibility for closure of premises using the new powers providing they consult with the local authority. The role of the police under the new legislation is to identify potential closures, collect and collate intelligence, serve the closure notice, prepare for and attend court, obtain the order and close down the premises.

The Leicestershire experience

Using ASB legislation to tackle drug crime is not new. Leicestershire Constabulary in common with other forces has made good use of ASBOs [Anti-Social Behaviour Orders] in recent years.

The force has made considerable inroads already using ASBOs, CRASBOs [Criminal Anti-Social Behaviour Orders] and evictions to tackle drug crime. During one operation in Northern area, 55 arrests were made as the result of an operation involving test purchases. Many of those subsequently received a CRASBO, says Superintendent (Acting) Craig Moore.



'Reasonable grounds' for closure includes the presence of drugs paraphernalia

He welcomes the new legislation and says the force is currently identifying opportunities to use it.

'It will have a considerable impact on neighbourhood policing. It gives us another tactical option,' says Supt (Acting) Craig Moore.

This view has been borne out by research conducted by Crime Concern, on behalf of the Home Office, which found that the new powers were making a difference, especially in terms of the morale and confidence of the local communities.

Researchers attributed the speed of closure in the areas examined to all the agencies working well together, including magistrates who understood the closure process and police officers who worked overtime to pull together all the necessary intelligence, crime reports, statements.

The law has also been shown to be cost effective. Each closure cost taxpayers in the region of £1,500 to £3,800, but because they are effective first time round, unlike previous attempts which often did not result in a successful closure, it is a one-off cost.

Training needs

But there is a fly in the ointment as the research has highlighted other issues, including a basic lack of training for officers in the new powers, which could impede their effectiveness.

Only a small number of officers have been fully trained in using the new powers, researchers

found. It was suggested that a wider understanding of the powers among officers would help improve the early identification of 'crack houses' and enhance intelligence gathering required to support a closure.

Training would also spread the workload in some areas where currently only a small number of officers undertake all the closure work. It was highlighted in more than one site that only one or two officers have expertise in using the new legislation. As a result, when those officers are not available the closure process can be delayed.

Awareness of the closure powers and the ASB (Anti-Social Behaviour) legislation in general among officers is an issue that Leicestershire Constabulary have already recognised and have put in place measures to improve.

Combating misery in communities

In January 2005, PC Russ Johnson assumed the role of ASB co-ordinator for Northern area in Leicestershire. He has found that officers are keen to understand the new powers and what can be achieved.

'The legislation will impact on neighbourhoods as these illegal drug dens do affect the morale of the local community. We pursued one closure, which we had to discontinue in the end because the person moved out of their own accord, but they were receiving hourly visits from drug users.'

PC Johnson agrees with the

report that forces should appoint a 'champion' to ensure the legislation filters down to those that should be using it.

'There is a need for a specialist role to look at this legislation. Part of my role is to educate officers through daily briefings on what the legislation entails. I also have input on the probationers course to raise their awareness of what is out there. Plus we have a team that teaches best practice on putting files together and I also liaise with the ASB coordinator at the local borough council.'

PC Johnson believes the community beat officers are among those who really need to be conversant with the legislation, but he says all officers must be aware of it.

'Community beat officers need to know the legislation in depth. They are on the ground and are often the first to be made aware that there is an illegal drugs den operating on their patch.

'But general duties officers also need to know. Their intelligence needs to be fed into the force's crime and intelligence recording system to help us gather evidence. It is as much about crime reduction as it is about crime detection. Spending a few minutes inputting intelligence about a property could lead to its closure and reduce the number of incidents officers attend.'

Leicestershire is currently looking at the possibility of closing a number of premises in the near

future. Operation Crackdown, a three-month targeted campaign by 32 forces, including Leicestershire, against Class A drugs markets, was launched in January this year and will also help to kick-start awareness of the legislation. On the surface, it has been successful. In its first month, nearly 1000 people were arrested for supplying Class A drugs. A million pounds has been seized and 75 crack houses shut down.

But whether this legislation is effective in the long-term depends on officers understanding the powers and having the confidence to use them.



Closing crack dens - main points

- Power covers Class A drugs defined by the Misuse of Drugs Act 1971
- Power available where premises used for production of any class A controlled drug
- Power to close premises based on reasonable grounds for believing there is supply, confirmed by presence of drugs and drug paraphernalia
- Powers are used against the place, not the person. Charges do not have to be brought against a person in order to close premises
- Power can be used where a Class A drug is used and that its use is related to disorder or serious nuisance. Premises can not be closed simply because drugs are used without disorder or serious nuisance
- Serious nuisance is not defined in law, but could include intimidating behaviour, significant increase in crime in the area close to the premises, problems with prostitution, sexual acts committed in public, high numbers of people entering and leaving premises.

Source: Close of Premises used in connection with the production, supply or use of Class A drugs and associated with the occurrence of disorder or serious nuisance - notes of guidance