

# Drug crime

## Introduction

Sociologist **Colin Bell**, then-convenor of the Scottish Consortium on Crime and Criminal Justice (SCCCJ), commented in the [Consortium's 2003 Report on Drugs and Crime](#) that drug abuse is “*above all, a deeply entrenched social problem with serious consequences for public health and justice*”.



Indeed, drug misuse is estimated to have a total economic and social cost to Scotland of £3.5 billion a year ([Scottish Government](#)).

## Drugs and the Law

The **Misuse of Drugs Act 1971** is the piece of legislation which, amongst other things, outlines which drugs are ‘controlled’. It also details the specific offences relating to these ‘controlled’ drugs across the UK, including Scotland. The regulation of controlled drugs is a *reserved* matter for the UK Government. Drugs are ‘controlled’ if they are ‘classified’. There are three categories of classification: Class A, B and C. These classifications can change over time, and new drugs can become classified.

*Class A* includes cocaine, crystal meth, ecstasy, LSD, magic mushrooms, heroin, methadone and amphetamines that are injected

*Class B* includes amphetamines in powdered form, ritalin, ketamine, methadone and cannabis

*Class C* includes khat, temazepam, valium and anabolic steroids

*There are a number of offences associated with these controlled drugs:*

These include, but are not limited to:

- Possession (e.g. having these drugs in your possession)
- Supply (e.g. selling these drugs to others)
- Importation and exportation (e.g. bringing these drugs in or out of the country)
- Production (e.g. being involved in producing these drugs)

- Occupying (e.g. providing a place for these drugs to be produced)

For more detailed information about these offences and other drug-related offences, look at: the [full Misuse of Drugs Act 1971](#).

### Prevalence of drug use in Scotland

Please see [SCCJR 'Knife crime'](#) for further information on what data the following Scottish Government sources capture.

### Source 1: [Findings from the Scottish Crime and Justice Survey \(SCJS\) 2012-2013, Drug Use](#)

Some of the findings:

- For the 2012-2013 SCJS, 6.2% of adults reported having used one or more illicit drugs *in the last month* (illicit drugs is another term for these 'controlled' or 'illegal' drugs). For the 2008-2009 survey, this figure was 7.6%. This is therefore a statistically significant decrease in usage.
- For the 2012-2013 SCJS, 23% of adults reported having used one or more of illicit drugs at *some point in their lives*. Again this is a statistically significant decrease from the previous SCJS, where the figure was 25.6%.
- Regarding drug use by classification: 2.6% of adults reported using Class A drugs; 5.3% reported using Class B drugs; and 1% Class C drugs *all in the last year*.
- Cannabis is the most common drug used, with 5.1% of adults reporting that they had used cannabis *in the last year*.

\*this is only a snapshot of some of the key findings on drug use from this survey. Please consult the full survey findings for more detailed information.

### Source 2: [Scottish Government, Statistical Bulletin, Recorded crime in Scotland 2013-2014](#)

- Drug crimes accounted for 56% of Group 5 crimes (Note, this is not all crime). 'Group 5' crimes include handling offensive weapons and drug crimes.
- Drug crimes increased by 3% between 2012-2013 and 2013-2014.
- This increase is attributed to a 4% increase in possession offences; possession offences account for 85% of all drug crimes.
- There have been notable increases in drug possession offences in particular areas. For example, Inverclyde (52%), Midlothian (33%) and Perth and Kinross (25%).

>> Police Scotland notes there has been a “*high level of proactivity by officers regarding these crimes in these areas.*”

## Drugs and crime

Many argue that a significant proportion of all crime is drug-related (See [SCCJR 'Women in prison'](#) and [SCCJR 'Who's in prison? A snapshot of Scotland's prison population'](#) for a broader picture of this).

As a [2007 report from the Scottish Drugs Forum](#) points out, the “*drugs-crime link is not straightforward*”. It states that “*three explanations have been put forward for this*”:

1. Drug use leads to crime.
2. Crime leads to drug use.
3. Crime and drug use are related to wider factors.

More information about this can be found in the 2007 report.

The [Institute for Social and Economic Research conducted a review](#) of drug-related crime in England and Wales. It made the following findings:

- There are a significant number of drug-induced acquisitive (property-related) crimes linked to heroin use, but “no significant evidence of violent crime linked directly to heroin use”.
- There is “no evidence of any drug-induced crime committed by people who use cannabis”.
- Supplying cannabis “(only) leads to a small volume of crime”.

## Scottish Government strategy

In 2008, the [Scottish Government published its strategy](#) for tackling drug misuse in Scotland titled ‘*The Road to Recovery, A New Approach to Tackling Scotland's Drug Problem*’. This approach is based on recovery. The Scottish Government defines recovery in this context as being: “*A process through which an individual is enabled to move on from their problem drug use towards a drug-free life and become an active and contributing member of society*”.

[This](#) is the policy's progress report from the subsequent year.

Key points from its [executive summary](#) include:

- Preventing drug misuse is easier than tackling existing problems.

- Recognising the “*strong links*” between drug misuse and other issues on which the Scottish Government has policies and strategies, such as mental health, early years and economic growth.
- Being committed to improving drug education.  
>> For example, one of the early initiatives to emerge from this policy was the campaign aiming to raise awareness about the consequences of misusing drugs. This campaign is called ‘[Know the Score](#)’ .
- Reducing the supply of drugs; the Scottish Government recognises that this is essential.

### Is there an alternative way to deal with drugs?

The [Global Commission on Drug Policy](#) calls for a radical new approach to tackling drugs on a global scale: it argues that drug policies should focus on public health rather than criminal justice.

In its 2014 report, the Commission argues that existing attempts to tackle drug misuse (through the criminal justice system) have failed.

As outlined in the [2014 report’s executive summary](#), it calls for, among other things:

- An end to criminalising people solely for possession of drugs
- Consideration to be given to experimenting with regulating (certain) drugs – in other words, allowing a limited and legally controlled supply
- Ensuring that there is equitable access to opiate-based substances for pain relief
- Not imposing custodial sentences for ‘low-level’ offenders caught up in the illicit drugs industry (for example, farmers and couriers).

The UK Drug Policy Commission, argued for a similar rethink in its [final report in 2012](#). Arguing that current enforcement, and supply reduction approaches were ineffective, and frequently damaging, the Commission advocated an alternative harm-reduction focus for UK drug policy.

**Mike McArron**, a drug policy expert, argues for decriminalisation of drugs in Scotland in this brief article [here](#).

## Further Reading

Crown Prosecution Service Legal guidance *Drugs Offences*. Available from:  
[http://www.cps.gov.uk/legal/d\\_to\\_g/drug\\_offences/](http://www.cps.gov.uk/legal/d_to_g/drug_offences/)

Global Commission on Drugs Policy (2014) *Taking Control: Pathways to Drug Policies that work* Full Report and Summary. Available from:  
[http://static1.squarespace.com/static/53ecb452e4b02047c0779e59/t/540da6ebe4b068678cd46df9/1410180843424/global\\_commission\\_EN.pdf](http://static1.squarespace.com/static/53ecb452e4b02047c0779e59/t/540da6ebe4b068678cd46df9/1410180843424/global_commission_EN.pdf)

Institute for Social and Economic Research (Bryan, M., Del Bono, E. and Pudney, S.) (2013) *Drug related crime*. Available from:  
<https://www.iser.essex.ac.uk/research/publications/working-papers/iser/2013-08.pdf>

McCarron, M. (2014) *It is in the interests of justice and health to decriminalise drug users* Scottish Justice Matters Health and (In)Justice Edition 2 (2). Available from:  
[http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM\\_2\\_2\\_Decriminalising-Drug-Users.pdf](http://scottishjusticematters.com/wp-content/uploads/Pages-from-SJM_2_2_Decriminalising-Drug-Users.pdf)

Misuse of Drugs Act 1971. Available from:  
[http://www.legislation.gov.uk/ukpga/1971/38/pdfs/ukpga\\_19710038\\_en.pdf](http://www.legislation.gov.uk/ukpga/1971/38/pdfs/ukpga_19710038_en.pdf)

Scottish Government (2008) *The Road to Recovery, A New Approach to Tackling Scotland's Drug Problem*. Available from:  
<http://www.gov.scot/Resource/Doc/224480/0060586.pdf>  
>> Executive Summary Available from:  
<http://www.gov.scot/Publications/2008/05/22161610/2>

Scottish Government (2009) *The Road to Recovery, One Year on*. Available from:  
<http://www.gov.scot/Resource/Doc/273739/0081808.pdf>

Scottish Government (Robertson, L., with contributions from Bates, E.) (2014) *Scottish Crime and Justice Survey, 2012-2013, Drug Use*. Available from:  
<http://www.gov.scot/Resource/0045/00453923.pdf>

Scottish Government (2014) Statistical Bulletin, Crime and Justice Series, An Official Statistics Publication for Scotland *Recorded Crime in Scotland 2013-2014*, specifically Group 5 'Other Crimes'. Available from:

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<http://www.gov.scot/Resource/0046/00464137.pdf>

SCCJ (2003) *Making Sense of Drugs and Crime, Drugs, Crime and Penal Policy*, A Report of the Scottish Consortium for Crime and Justice. Available from:

[http://www.dldocs.stir.ac.uk/documents/Crime\\_and\\_drugs.pdf](http://www.dldocs.stir.ac.uk/documents/Crime_and_drugs.pdf)

Scottish Drugs Forum (2007) *Drugs and Poverty: A literature review*

A report produced by the Scottish Drugs Forum (SDF) on behalf of the Scottish Association of Alcohol and Drug Action Teams by Shaw, A., Egan, J. and Gillespie, M. Available from: <http://www.dldocs.stir.ac.uk/documents/drugpovertylitrev.pdf>

UK Drug Policy Commission (2012) *A Fresh Approach to Drugs*, the final report of the UK Drug Policy Commission. Available from:

<http://www.ukdpc.org.uk/publication/a-fresh-approach>