

SOFT SELL-HARD CELL

In 1984 the government instructed the Scottish Health Education Group (SHEG) to devise and develop a publicity campaign against drugtaking. £350,000 was allocated — less than 1p per head of population. In the time-honoured way of politics, the announcement of the campaign was followed by widespread criticism in the Scottish press from various 'experts' working in drugs and related disciplines.

Reservations were also expressed within SHEG itself: the Director, Stanley Mitchell, stressed that before being instructed by the government, the Group had had no intention of mounting such a campaign. He indicated that SHEG's approach would be low-key, integrating what they wanted to say about drugs within their overall current campaign promoting positive health.

So at the outset Scotland rejected a high profile, 'scare tactics' campaign, in favour of an approach aimed at getting young people to think positively about their lifestyles. The major divergence from the campaign in England and Wales is that Scotland has not mounted a specifically anti-heroin campaign, emphasising the extreme medical consequences of drugtaking, but rather placed this practice in a much broader social context.

The primary target group for the campaign was to be teenagers between the ages of 13-20 years who were not using drugs or who might be at risk of trying them. Because of perceived differing interests and lifestyles, the group was further split into two sub-groups — 13-16 year olds and 17-20 year olds.

The third target group identified by SHEG were the parents of these young people. Parents were thought to provide the first line of defence in preventing drug use, being seen as key agents of socialisation, exerting control over and taking responsibility for the moral development of their children. It was argued that parents needed "balanced, accurate information" both as a stimulus to self-help and to promote discussion of the topic within the family.

Soft sell in the media

The mass media campaign was launched in two stages, the first in March 1985. Four pop video TV commercials were produced using slogans borrowed from the US Army — "Be All You Can Be" and "Choose Life Not Drugs" — and from North American preventive material — "Just Say No".

The message conveyed by the "Be All You Can Be" video was that feelings of independence and self-esteem could be achieved through sources other than drugs. Groups of young people were portrayed

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Prevention policy in Scotland is both 'softer' and 'harder' than in England and Wales. The mass media campaign is softer, focusing on social issues and positive lifestyles rather than on the effects of heroin. But drug enforcement in Scotland is hard-line, some say 'hysterical'. Liz Jagger describes Scotland's 'soft sell/hard cell' approach to prevention.

Liz Jagger

fashionably dressed going to discos, driving around in cars and playing a variety of sports.

"Choose Life Not Drugs" was based on a decision-making model. Four situations were presented encompassing the conventionally assumed social determinants of drug use, such as family conflict and peer-group pressure. The commercial showed how these potentially negative situations could be resolved positively. Imaginative video work with contrasting monochrome and colour photography was used to enhance the message.

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Research to evaluate the first stage of the campaign was carried out by SHEG's own research unit at Strathclyde University. 635 respondents were interviewed, but how representative this sample was is unclear, since the sampling techniques are not specified in the report.

The Unit claimed their findings showed the campaign had been a success; there were high levels of awareness of the campaign within the two target sub-groups and there appeared to be no confusion about the positive and negative anti-drugs messages of the commercials.

● However, if we look at these results more closely, a less benign interpretation can be made. While two-thirds of each sub-sample saw the commercials as reaching "people like them", this level of identification decreased among working class and unemployed young people. Further, a quarter of all respondents (and 35 per cent of 17-20 year olds) thought the campaign was "just a pretence . . . not doing anything about the real problem of drugs".

In other words, one in three of the group thought to be most at risk (unemployed, working class youth) saw the campaign as both irrelevant to their life circumstances and as a substitute for any real action to help drug users.

A fifth of all respondents also felt it was "just another campaign telling people how to run their lives" and 30 per cent of the 17-20 year olds felt it was "out of touch with reality". A similar number expressed the view that such a campaign might even be counter-productive, encouraging experimentation with drugs.

These findings seriously call into question the usefulness of a campaign aimed at the majority of young people, who are unlikely ever to use drugs, and which was regarded as irrelevant by many of those deemed most at risk. The 'equal opportunities' model of life portrayed in the commercials fails to take into account the realities of the depressed social environment many young people find themselves in — access to discos and sporting facilities usually costs money.

Further, the magazine insert *Family matters* intended to promote discussion between parents and young people, is filled with stereotyped images of happy families — images which neither take into account the fact that many young people involved in drugtaking are without this kind of family support, nor statistics showing high levels of divorce, child abuse and wife-battering.

However, these criticisms do not seem to have registered with the policy makers; SHEG have recently been promised a further £300,000 to mount another campaign.

Hard cell in the courts

In Scotland, as elsewhere in Britain, the main thrust of the preventive programme has been toward law and order. In February 1986 it was announced that the Scottish Crime Squad, whose caseload is 70 per cent drugs-related, would get an additional 21 officers and a specialist drugs wing would be formed. Seven out of the eight Scottish forces now have drugs squads and recently a *Drugline* phone-in service has been established at police headquarters to encourage people to inform on suspected dealers.

One of the most controversial aspects, however, has been sentencing policy in the courts. The punitive response of the Scottish judiciary to drug offenders has been described as nothing less than "hysterical". Although up-to-date statistics are not yet available, it is widely accepted that 1985 was the worst year in Scottish history for the imposition of heavy sentences on drug offenders.

At the end of 1984 the Lord Advocate directed that all drug dealing cases, including those involving cannabis, should go to the High Court to circumvent restrictions on sentencing in the lower courts. In 1985 more than 240 drugs cases were brought before the Scottish High Court and sentences totalling 1000 years were handed out. ▽

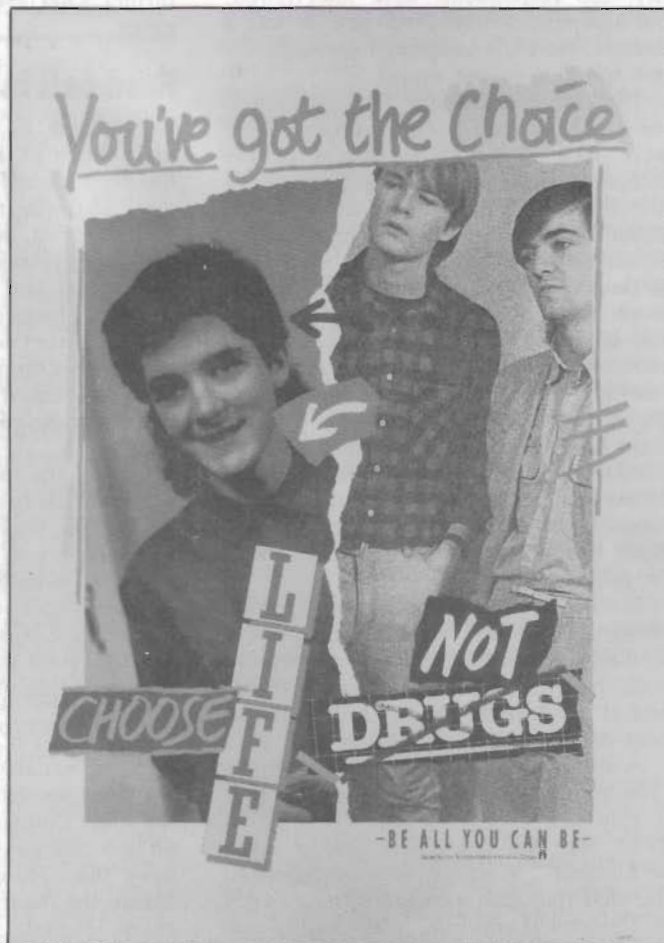
A study (by Steve Woolman at the University of Edinburgh) of cases reported in the *Scotsman* in the first four months of 1985, suggested that offences involving the supply of heroin frequently attracted sentences of six years imprisonment. Five cases involving the supply of cannabis resulted in two sentences of seven years, and one each of five, four and three years.

While the author allows this was an unrepresentative sample biased towards more serious offences, nevertheless it was indicative of a worrying trend. People appeared to be receiving very heavy sentences when, had they been on trial in England, they might have expected at worst a short prison sentence. A letter to the *Scotsman* (29 March 1985) reported an instance where a man had got four years for possessing cannabis and his appeal against the severity of his sentence was refused.

Unlike their English counterparts, the Scottish courts have always rejected an explicit tariff system, preferring a more individualised approach to sentencing and, in the process, protecting the independence of the judiciary. In the sentencing guidelines applied by English courts, the supply of cannabis cases described above would have fallen into the bracket of between one and four years imprisonment. It appears that cannabis offenders in Scotland have been caught in the judicial backlash against heroin.

● **Legal and welfare workers** in Scotland spoken to recently, raised various issues of concern. One mentioned by several was a possible shift in the type of charge preferred, from simple possession to the more serious possession with intent to supply.

'Be all you can be', 'Choose life not drugs', says SHEG's anti-drugs campaign. But happy families and alternative pursuits may be in short supply in deprivation black spots.



In Scotland the decision on whether to prosecute and on the charges to be brought lies solely with the Procurators Fiscal. But police reports seem extremely influential, particularly in drug cases where Fiscals feel themselves relatively ignorant and the police more knowledgeable.

Until quite recently police were thought to use a 'rule of thumb' guide to decide whether a person was dealing or not; if someone had more than half a gram of heroin, for example, the police would argue they must be dealing since this exceeded a 'normal' day's supply. Rules such as these fail to take account of differing levels of consumption or the fact that people might buy more than one day's supply at a time. Police also influenced judicial proceedings by greatly inflating the street value of some drugs.

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However, since the beginning of 1986 observers have detected a gradual move towards a more moderate and sophisticated approach by both the police and the judiciary. The Crown Office itself is now prepared to call for psychiatric and medical reports instead of leaving this to the defence; police are more informed about drugs in general, making distinctions between different levels of dealing and accepting that amounts used can vary; and agreements reached between the police and some lawyers have resulted in more realistic and consistent estimates of street

prices. In a recent case a deferred sentence had been passed on a man in possession of three grams of heroin — a situation which would not have obtained earlier.

● **This trend to moderation** was most frequently attributed to the judiciary's realisation of the futility of sending the small-time user-dealer to prison again and again. Others have suggested it might be due more to overcrowding in Scottish jails. In March 1986, a record 5,797 people were held in Scottish prisons. Although no accurate statistics are available as yet, it is widely accepted that this figure is attributable to an increase in the number of people serving long prison sentences, many drug-related.

One other indication of a more moderate approach is the refusal of the Scottish Parole Board to adhere rigidly to government guidelines stating that parole should be refused to all prisoners serving five years or more for violent and/or drug-related crimes.

In various localities attempts have been made to operate schemes diverting drugs offenders from prison to rehabilitation. One scheme in operation in Edinburgh for the last 18 months has run up against difficulties in its implementation: some community drugs projects have refused to cooperate with the 'conditions of attendance', feeling the element of compulsion is inconsistent with their role, and some Fiscals remain unwilling to waive their right to prosecute.

However, some issues of general concern remain. One major issue is the automatic refusal of bail to alleged drug dealers. In effect, this means the judiciary are prepared to suspend the presumption of innocence, and sentence to an automatic three and a half months in custody anyone the police and Crown choose to charge with supplying drugs. In so doing they have created a new category of crime not susceptible to bail, a measure usually restricted to murder and treason.

DESPITE SOME MORE optimistic trends this year, there is little room for complacency in Scotland.

► The low-key and more socially oriented approach of the media campaign in Scotland is generally considered an improvement on that developed in England and Wales, but it may have failed to reach those most 'at risk' of drug use and been counter-productive among the majority of youngsters who would never have taken drugs anyway.

► One of the two projects in Scotland specifically funded for prevention sees a demand at a grass-roots level for information about drugs and their effects and ways of minimising harm for those 'at risk' or already using drugs — a group ignored by the mass media campaigns.

► The number of drugs cases coming before the courts is not decreasing. Unless viable alternatives to custody are made available which also take account of the special problems of the user-dealer, the prison population is likely to continue to increase, helping neither the imprisoned drug user, nor the public whose money supports their repeated imprisonment. □