



“It felt like they were doing everything they could to find drugs: Policing experiences of people who use drugs during the COVID-19 pandemic

AUTHORS: Shelley Walker, Kasun Rathnayake, Paul Dietze, Peter Higgs, Bernadette Ward, & Lisa Maher

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COVID-19 law enforcement measures



Increased fines for gatherings and events

COVID-19 IN BC



HM Government NHS

SELF-ISOLATION ISN'T JUST IMPORTANT
IT'S THE LAW

FINES START AT £1,000



SRI LANKA'S MILITARISED COVID-19 RESPONSE

Military officers suspected of abuses and war crimes were assigned key roles in the COVID-19 response

Quarantine curfews were introduced in violation of constitutional provisions

Emergency measures exacerbated discrimination and targeting of Tamil and Muslim minorities

ASIACENTRE The Securitisation of COVID-19 Health Protocols: Policing the Vulnerable, Infringing Their Rights HARM REDUCTION INTERNATIONAL



HM Government NHS

IF YOU BREAK SELF-ISOLATION RULES

YOU COULD FACE A FINE OF UP TO £10,000



COVID-19 BREACH
FIXED PENALTY NOTICE

West Mercia POLICE



Global studies about COVID-19 law enforcement measures

Disadvantaged populations:

- People from ethnic and culturally diverse minority groups
- Indigenous Peoples
- Sex workers
- People who are homeless or living in low-income neighbourhoods
- Young people



More likely to be:

- Stopped and searched by police
- Falsely accused of breaching pandemic orders
- Experience police harassment, intimidation, and violence
- Issued with pandemic-related fines
- Arrested

Williams et al, 2021; Harris et al, 2023; Benoit & Unsworth, 2022, Platt et al, 2020; Fowler et al, 2023 Leal et al, 2023; Kajeepeta et al, 2022

Drug use criminalisation means interactions with law enforcement and adverse associated effects are commonplace for people who use drugs

No studies have specifically examined the experiences of pandemic-related policing on people who use drugs

STUDY AIM: Understand the impact of pandemic policing on the socio-economic circumstances and health and wellbeing of people who use drugs



Research methods

Mixed methods study

Participants drawn from two longitudinal cohort studies of people who use drugs:

SuperMIX study (n=1303)

- People who inject drugs.
- Melbourne- based.

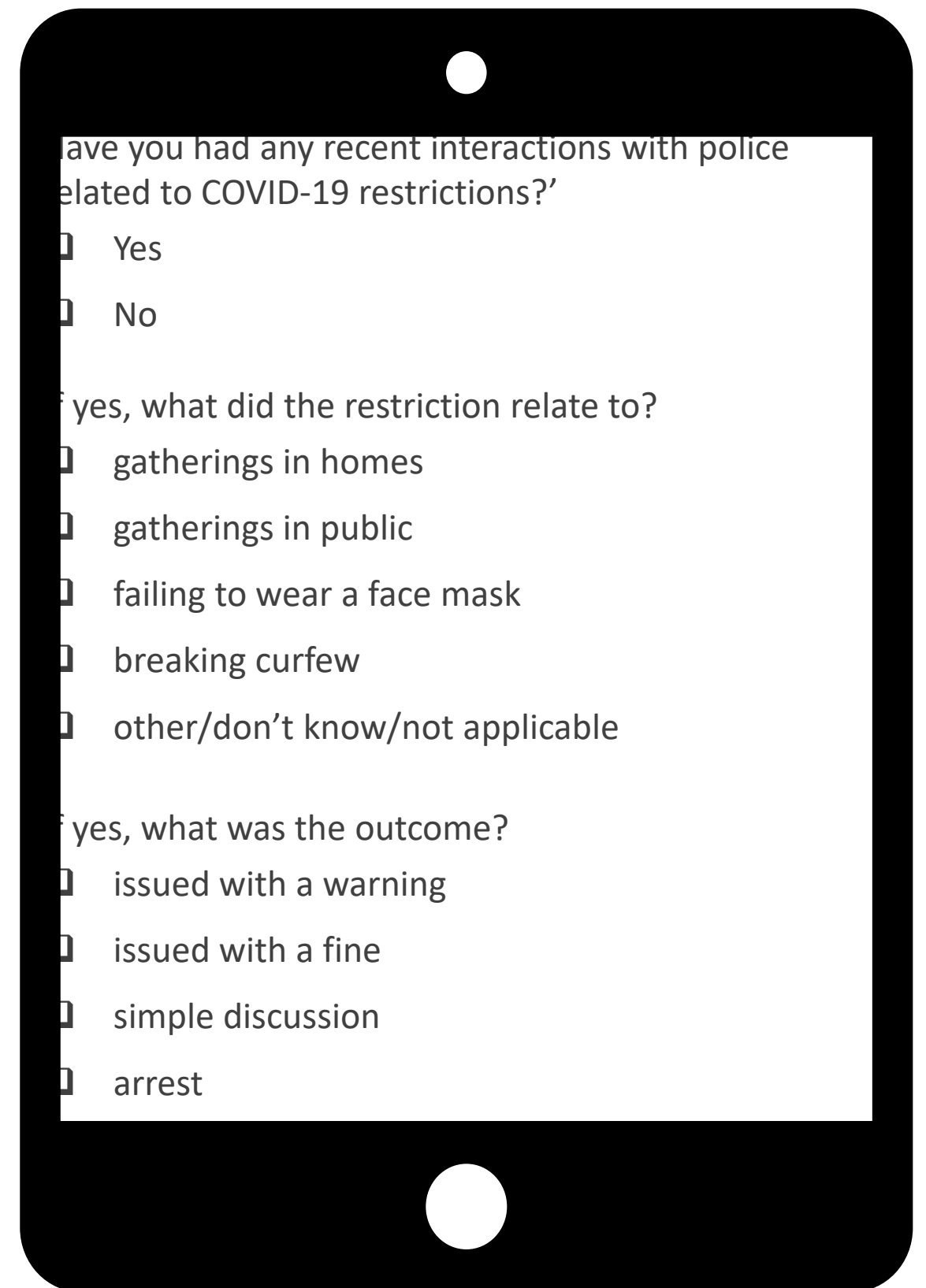
VMAX study (n=853)

- People who predominantly smoke methamphetamine.
- Victoria-based

Quantitative survey questions

COVID-19 related questions added to SuperMIX and VMAX surveys (2020-2022) about:

- Drug use experiences / drug markets
- Health outcomes
- Health and support service access
- Housing and income status changes
- Interactions with law enforcement



Have you had any recent interactions with police related to COVID-19 restrictions?

☐ Yes

☐ No

If yes, what did the restriction relate to?

☐ gatherings in homes

☐ gatherings in public

☐ failing to wear a face mask

☐ breaking curfew

☐ other/don't know/not applicable

If yes, what was the outcome?

☐ issued with a warning

☐ issued with a fine

☐ simple discussion

☐ arrest

Qualitative interviews

In-depth interviews (n=76)

- Aug 2021 to Apr 2022
- Ethno-epidemiological random sampling
- Explored pandemic-related experiences
- Reimbursed \$40
- Average 40 minutes

Brief interviews (n=13)

- Feb 2024
- Participants with Covid-19 fines (n=38)
- Reimbursed \$20
- Average 10 minutes

Conducted via mobile phone, online platforms, and in-person

Data thematically analysed

All data de-identified





\$200



\$1,652



\$4,957



\$10,000

Patrol parks,
streets, roads
and public
spaces

Patrol so-called
“COVID-19
hotspots”

Stop and
compel people
to give names
and addresses

Search
people’s
homes and
cars

Arrest people
breaching
public health
orders

Issue penalty
notices for
breaching
orders

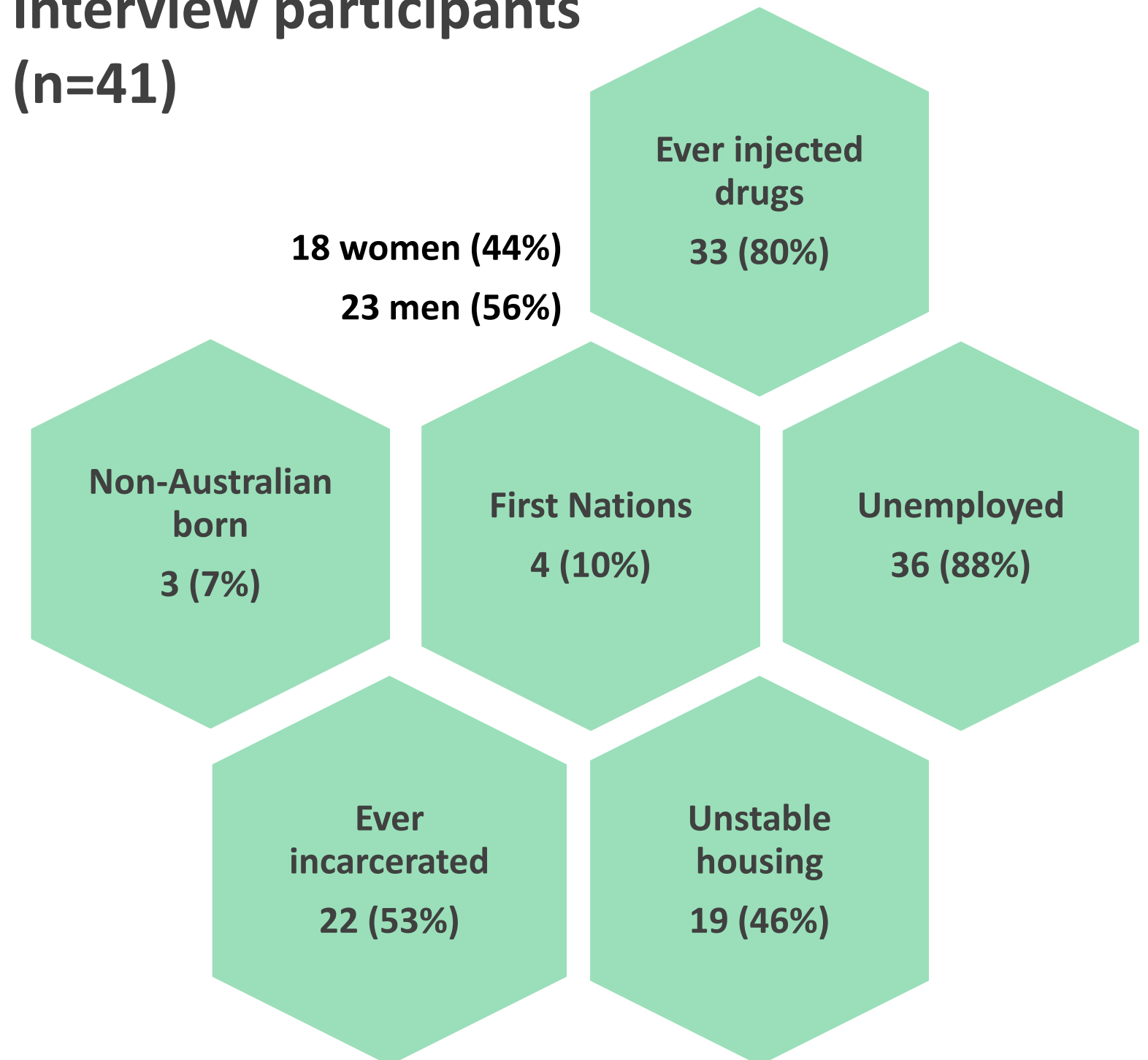
**COVID-19 LAW
ENFORCEMENT
MEASURES in
VICTORIA**

Participant characteristics

Survey respondents (n=125)

Participant characteristics	Reported interactions with police 125 (11%)	No interactions with police 1,005 (89%)
First Nations	19 (15)	134 (13)
Non-Australian born	17 (14)	120 (12)
Ever incarcerated	72 (58)	554 (55)
Unemployed	99 (79)	785 (78)
Unstable housing	33 (26)	236 (23.5)
Prescribed OAT	48 (38)	349 (35)
Ever overdosed	34 (37)	147 (15)
Ever injected drugs	102 (82)	851 (85)

Interview participants (n=41)



Survey responses – police interactions


Survey responses	Women n (%)	Men n (%)	Total n (%)
1. At least one police interaction related to pandemic restrictions	40 (9%)	85 (12%)	125 (11%)
2. Restriction the interaction related to			
• Gatherings in homes	9 (22.5)	3 (3.5)	12 (10)
• Gatherings in public places	3 (7.5)	8 (9.4)	11 (9)
• Failing to wear a mask	9 (22.5)	12 (14)	21 (16)
• Breaking curfew	8 (20)	25 (29)	33 (26)
• Breaching 5km radius*	4 (10)	12 (14)	16 (13)
• Leaving home for non-essential purpose*	2 (5)	7 (8.2)	9 (7)
• Other	6 (15)	11 (13)	17 (21)
3. Outcome of interaction			
• Simple discussion	23 (57.5)	29 (34)	52 (41)
• Issued with a warning	10 (25)	18 (21)	28 (22)
• Issued with a fine	12 (30)	30 (35)	42 (32.5)
• Arrest	7 (17.5)	12 (14)	19 (15)

The usual suspects

- More police presence in areas where participants lived and spent time
- The pandemic was just an excuse to hassle/target people who use drugs
- Many stuck to COVID-19 rules when could
- Most feared being targeted or arrested
- Misbelieved/assumed to be purchasing and/or using drugs
- Interactions with police commonplace, but typical and expected
- Most behaved passively to avoid aggravating the situation

I got pulled over [...] coming back from the needle and syringe program. But instead of just asking me what I was doing, they were just being arseholes in their questions and all that ... but nothing out of the ordinary. I had a heap of fits down my pants, and they did a pat down, but luckily, they didn't find anything. But yeah, I just pull right back, "Yep, sir, no sir". They were probably trying to get a rise out of me so they could do something.

(Christopher, metro, #32)



It was full on, just harassment really [...] they obviously thought I had [drugs] on me, because they searched me down to where they took my socks and shoes off in the street [...] I said, “can we just go round the corner ... my mum’s friends drive past here”. And he goes, “You got something to hide? That sounds suspicious”. They could see on my records ... I’ve never been to jail. They didn’t find anything, and then fined me and my friend ... it was like Section 199 of the blah-blah-blah ... just jargon for some social distancing thing because we didn’t live together [...] we both had a mask on, yeah. It was a \$1800 fine [...] and it was so obvious that they were looking for drugs. It felt like they were doing everything they could to find something. (Davey, metro, #25)

Healthcare rights denied

- Travel to harm reduction / drug treatment services – harassed and fined
- Punished for exercising healthcare rights
- Harmful effects on health and social wellbeing
- Exacerbated mis-trust in police
- Potentially increased exposure to infectious diseases, injecting related injuries and disease, and overdose

Received COVID-19 fines

- 42 survey respondents and 21 interviews participants
- Most believed fines had been issued unfairly
- Most said they couldn't afford to pay them
- Fines created exacerbated financial stress
- Most did not apply to have fines challenged/withdrawn because:
 - Limited access to computer technology or mobile phone credit
 - Lacked knowledge/confidence to complete application processes
 - Believed it would be a waste of time.

Yeah, it's been shit! [...] I had a letter from my case workers and doctor saying I'm on methadone and I have to go get my scripts and see the doctor. Yeah, bottom line, they didn't accept it. They still sent me out a fine. So, I've got like four fines sitting here [...] I'm gonna to do my best to not have to pay, but at the end of the day, they're government authority and I'm a nobody. So, the chances of me winning would be slim to none. (Lila, metro, #56)

Unpaid fines

Unpaid fines led to punitive compounding effects, including:

- Court orders
- Convictions on police checks
- Financial stress
- Prison sentences

I missed the court date and now it's on my police check, as basically not following police directions ... even though I had my permit, my roster, and I was in my work clothes [...] I did call Fines Victoria saying I wanted to contest them, [but] they said, "No". I called the courts at one stage, but I couldn't get through [...] and then I applied for a police check, just for work purposes, and I couldn't believe that it was on there. [...] I'm going down that avenue now to see if I can find a way of contesting it, because I don't need that on my police check or record. (Mandy, metro, #22)

Key messages...

- COVID-19 policing created opportunities for the expansion of longstanding and selective criminalising processes and discriminatory treatment of people who use drugs.
- Law enforcement measures should not be the default for achieving public health compliance.
- We need blanket 'fine forgiveness' programs, to remove all outstanding fines.
- We need 'proportional fine systems', like those in some European countries.

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Thank you 😊

Shelley Walker

M: +61 490 421 750

E: shelly.walker@curtin.edu.au