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Illicit drug markets, systemic violence and victimisation

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Abstract

A common theme that runs throughout much of the literature on drug markets, drug-related crime and also the impact of drug law enforcement is how limited our understanding of them is. In the absence of research and reliable evidence, certain 'taken for granted' assumptions or stereotypes have emerged to fill the gaps in knowledge. Journalistic and television exposés, present a Hobbesian spectacle of an inherently violent world populated by 'evil drug dealers'. These representations have also influenced legislative responses, particularly since 1996. In the Republic of Ireland, following the murder of journalist Veronica Guerin, a plethora of new draconian laws were introduced. This led to a form of legislation by 'moral panic' particularly in response to drug-related crime. Prior to the mid-1990s, Northern Ireland had largely avoided the growth in heroin consumption of the type associated with Dublin since the 1980s. High levels of police and military security and the anti-drug stance of many paramilitary organisations had a suppression effect on the importation, distribution and consumption of serious drugs. The Good Friday Agreement of 1998 led to the dismantling of the state security apparatus and a reduction in police numbers. This period also marks the beginning of a period of increased drug consumption and the establishment of heroin hotspots in a number of urban areas.

Despite this increased policy attention, drug use in Ireland has been found to be associated with increased levels of systemic violence: fights over organisational and territorial issues; so-called 'gangland' murders; disputes over transactions or debt collection; and the intimidation of family members and the wider 'host' communities in which local drug markets tend to take hold. Much of this victimisation remains hidden as fear of reprisal from those involved with the drug trade and a lack of confidence in the criminal justice system discourages reporting. This article reviews recent research evidence in this area and examines the implications for future policy responses.

Key words: illicit drug markets; communities; systemic violence; intimidation; fear of reprisal; drug law enforcement; policing; 'gangland'; hidden victimisation; drugs and crime

Introduction

This article begins with a consideration as to how, in the absence of research on illicit drug markets, certain 'taken for granted' assumptions about such markets – how they function, who populates them and how they impact, particularly in those communities

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where they typically take hold – have emerged. We then consider how the boundaries between popular and often sensationalist portrayals of the illicit drug trade, on the one hand, and legislative and policing strategies, on the other, have become blurred. This has contributed to the persistence of policy responses to such markets that are not only difficult to reconcile with the available evidence, but that have failed to halt either the expansion of such markets or the intensification of drug market systemic violence over the past two decades. Next I reflect upon the available international literature on drug market violence and then turn to a review of a number of community-based studies that have been conducted in the Republic of Ireland (ROI) since the 1990s. The failure of legislative and law enforcement strategies to take sufficient account of the lived experience of those communities in which the illicit drugs trade has had the most pernicious effects has contributed to a situation where drug-related community violence and victimisation and widespread fear of reprisal from those involved in the local drugs trade has created a policing vacuum in such communities. Finally, we consider the implications of this crisis for future policing and criminal justice developments north and south.

Pathologising the illicit drugs trade

A common theme that runs throughout much of the literature on drug markets, drug-related crime and also drug law enforcement is how limited our understanding of them is. The relationship between the supply and demand of illicit drugs and enforcement activities remains 'poorly conceptualised, under-researched and little understood'.[1] In the absence of research and reliable evidence about the nature of illicit drug markets, how they function and who typically populates them, certain 'taken for granted' assumptions or stereotypes have emerged to fill the gaps in knowledge.[2] On the one hand, there are the problematic or dependent drug users, stigmatised and demonised as slaves to the exaggerated and distorted powers of drugs such as heroin.[3] On the other, journalistic and television exposés, usually based on unnamed drug law enforcement sources, present a Hobbesian spectacle of an inherently violent world populated by 'evil drug dealers'.[4]

In Ireland, the 'true crime' genre includes such racy titles as *Badfellas*, *Crime Lords*, *The General*,[5] *Gangster*[6] and *Godfathers*.[7] The latest 'Mr Big', or 'King Scum',[8] is always worse than the last, as he seeks to assert control of his 'Evil Empire'.[9] While the popularity of this genre is not in doubt, where the boundaries become blurred between sensationalist accounts of what are largely activities associated with the illicit drug trade and policy responses to the same phenomena, then problems arise.

1 T May and M Hough, 'Drug markets and distribution systems' (2004) 12(6) Addiction Research and Theory 549–63, 558.

2 R Coomber, *Pusher Myths: Re-situating the Drug Dealer* (Free Association Books 2006).

3 C Lloyd, *Sinning and Sinned Against: The Stigmatisation of Problem Drug Users* (UK Drug Policy Commission 2010) <www.ukdpc.org.uk/publications>.

4 Coomber (n 2) 145.

5 P Williams, *The General: Godfather of Crime* (O'Brien Press 1995); P Williams, *Evil Empire: John Gilligan, his Gang and the Execution of Journalist Veronica Guerin* (Merlin Publishing 2001); P Williams, *Crime Lords* (Merlin Publishing 2003); P Williams, *Badfellas: The Shocking True Story of How Ireland Became a Hotbed of Gangsterism, Murder and Mayhem* (Penguin 2011).

6 J Mooney, *Gangster: The Inside Story of John Gilligan, his Drugs Empire and the Murder of Journalist Veronica Guerin* (Cutting Edge Press 2001).

7 J McDowell, *Godfathers: Inside Northern Ireland's Drugs Racket* (Gill & Macmillan 2001).

8 P Reynolds, *King Scum: The Life and Times of Tony Felloni, Dublin's Heroin Boss* (Gill & Macmillan 1998).

9 Williams, *Evil Empire* (n 5) (2001).

Although it is not being denied that the drug trade can be extremely violent, representations such as these pathologise drug dealers and drug users and fail to understand or contextualise them in terms of their relations within a market process. Consequently, the prevalence, function and impact of violence, particularly in marginalised communities, is poorly understood. An example of this is the term 'gangland', which has come to prominence in recent years and is commonly used, both in the popular and broadsheet media and at policy level, to describe violent activities associated with the illicit drug trade. In July 2014, the Oireachtas Joint Committee on Justice sought submissions from the public on the effects of 'Gangland Crime' on the community.[10] From a perspective that supports evidence-informed policymaking, two key problems arise from such representations. The first relates to the emphasis on a hierarchical market structure and how this has contributed to a legislative and policing approach that rests on a dubious premise, one that can be summed up as 'targeting Mr Big'. It is an approach that is difficult to reconcile with the, albeit limited, academic research that exists in the area. The second related problem is that these strategies are developed with little reference to the lived experiences of individuals in communities with actively operating drugs markets. As a consequence, the impacts, often unintended, that such drug law enforcement policies and strategies can have within and upon such communities are poorly understood.

The killing in Dublin in July1996 of Veronica Guerin,[11] a high-profile journalist who had written a number of exposés about criminals linked to the illicit drug trade, was a catalyst for a range of legislative and policy initiatives introduced in response to a drug problem that increasingly appeared to be out of control.[12] Notwithstanding these initiatives, 20 years later, the drugs trade in Ireland has expanded and become increasingly violent.[13] This violence is not confined only to those directly involved in the trade, whether users or dealers, but also has been increasingly directed at their family members and the wider community.[14] The research that will be reviewed below has highlighted the corrosive impact such violence and intimidation has had on those communities in which drug markets are typically located, referred to by May et al as their 'host communities'.[15] It is this, largely hidden, victimisation that is the primary focus of this article. In many marginalised communities in the ROI, the fear generated by those involved in the drugs trade acts as a major barrier to local engagement with policing and criminal justice responses.

The mid-1990s were also watershed years in the drugs trade in Northern Ireland (NI), albeit for different reasons.[16] As NI adjusted to a sustained period of peace, social

10 'Justice committee invites submissions on the effects of gangland crime on the community' <www.oireachtas.ie/parliament/mediazone/pressreleases/name-23716-en.html>.

11 E O'Reilly, *Veronica Guerin: The Life and Death of a Crime Reporter* (Vintage 1998).

12 J Connolly and A Percy, 'Illicit Drugs, Criminal Justice and Harm Reduction: Getting the Balance Right' in Deirdre Healy, Claire Hamilton, Yvonne Daly and Michelle Butler (eds), *The Routledge Handbook of Irish Criminology* (Routledge Taylor & Francis Group 2015).

13 H Loughran and M E McCann, *A Community Drugs Study: Developing Community Indicators for Problem Drug Use* (National Advisory Committee on Drugs and Alcohol, Dublin Stationery Office 2006); L Campbell 'Responding to Gun Crime in Ireland' (2010) 50(3) British Journal of Criminology414–34.

14 M O'Leary, *Intimidation of Families* (Family Support Network 2009); N Hourigan (ed), *Understanding Limerick: Social Exclusion and Change* (Cork University Press 2011); P Jennings, *Melting the Iceberg of Fear. Drug-related Intimidation in Blanchardstown* (Safer Blanchardstown 2013); J Connolly and A Donovan, *Illicit Drug Markets in Ireland* (National Advisory Committee on Drugs and Alcohol 2014); J Connolly and L Buckley, *Demanding Money with Menace: Drug-related Intimidation and Community Violence in Ireland* (CityWide 2016).

15 T May, M Duffy, B Few and M Hough, *Understanding Drug-selling in Communities: Insider or Outsider Trading* (Joseph Rowntree Foundation 2005).

16 Connolly and Percy (n 12).

problems artificially suppressed by the political conflict and state security began to emerge. Even with the close proximity of Belfast to other urban centres with extensive drug markets and increasing levels of problematic heroin use (e.g. Dublin, Glasgow, Liverpool), NI avoided the growth in heroin consumption in the 1980s. The high levels of police and military security that existed there during the 1970s, 1980s and early 1990s in response to the political conflict and the anti-drug stance of a number of influential paramilitary organisations had a significant suppression effect on heroin consumption, importation and distribution, and the movement of heroin users between NI and Great Britain.[17] The emergence of an active and harmful drug trade in NI has been a post-conflict phenomenon, a negative dividend of the peace process and Belfast Agreement of 1998.[18] Although the research discussed below was conducted in the ROI, its implications, it is suggested, are equally relevant north of the border.

'Targeting Mr Big' – the unintended consequences of drug law enforcement

Recent international scholarship concerning the illicit drugs trade has downplayed the involvement or dominance of organised crime groups and instead highlighted its more diffuse nature.[19] Summing up this perspective, Babor et al suggest that:

> . . . the more appropriate metaphor for drug markets is a network. Drugs are produced and distributed by the collective efforts of literally millions of individuals and small organisations that operate in a highly decentralised manner. No one is in charge. Indeed, most people in the network only know the identities of those with whom they interact directly.[20]

Since the murder of Veronica Guerin in June 1996, a plethora of draconian laws have been introduced in what has been described as a form of legislation by 'moral panic',[21] primarily in response to drug-related crime.[22] A great deal of this legislation was informed by assumptions about the operation of the illicit drugs trade that had no basis in evidence.

The Criminal Justice (Drug Trafficking) Act 1996 allowed for the detention of suspected drug dealers for interrogation for up to seven days. Keane suggests that the passage of the Act, which received widespread support across the floor of the Oireachtas, was not preceded by any empirical, medical or criminological research and was not

17 K McElrath, 'Drug Use and Drug Markets in the Context of Political Conflict: The Case of Northern Ireland' (2004) 12(6) Addiction Research and Theory 577–90.

18 K Higgins and K McElrath, 'The Trouble with Peace: The Ceasefires and their Impact on Drug Use among Youth in Northern Ireland' 2000 32(1) Youth and Society 29–59; K Higgins, A Percy and P McCrystal, 'Secular Trends in Substance Use: The Conflict and Young People in Northern Ireland' (2004) 60(3) Journal of Social Issues 485–506; Connolly and Percy (n 14).

19 V Ruggiero and N South, *Eurodrugs: Drug Use, Market and Trafficking in Europe* (UCL Press 1995); L Paoli, 'Flexible Hierarchies and Dynamic Disorder: The Drug Distribution System in Frankfurt and Milan' (2002) 9(2) Drugs, Education, Prevention and Policy 143–51; N Dorn, M Levi and L King, *Literature Review on Upper Level Drug Trafficking* (Home Office Online Report 22/2005) < http://globalinitiative.net/wp-content/uploads/2005/12/home-office-literature-review-on-upper-level-drug-trafficking-20052.pdf>; F Desroches, 'Research on Upper Level Drug Trafficking: A Review' (2007) 37 Journal of Drug Issues 271–75; P Reuter and F Trautmann, *A Report on Global Illicit Drugs Markets 1998–2007* (European Commission 2009).

20 T Babor, J Caulkins, G Edwards, B Fischer, D Foxcroft, K Humphreys, I Obot, J Rehm, P Reuter, R Robin, I Rossow and J Strang, *Drug Policy and the Public Good* (Oxford University Press 2010) 65.

21 S Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (Martin Robinson 1980) 9.

22 J Meade, 'Organised Crime, Moral Panic and Law Reform: The Irish Adoption of Civil Forfeiture' (2000) 10(1) Irish Criminal Law Journal 11; I O'Donnell and E O'Sullivan, *Crime Control in Ireland: The Politics of Intolerance* (Cork University Press 2001); C Hamilton, 'Moral Panic Revisited – Part One' (2005) Irish Criminal Law Journal 1, 8–12; C Hamilton, 'Moral Panic Revisited – Part Two'(2005) 2 Irish Criminal Law Journal 9—14.

accompanied by any logical explanation as to why such police detention powers were necessary or proportionate.[23] Meade, drawing from moral panic theory, provides a detailed account of the passage into law of the Proceeds of Crime Act 1996.[24] He describes how the use of terms in the media and in parliamentary speeches, such as 'Al Capone', the 'godfathers of crime' and the 'mafia', created the impression that 'organised crime' was an established and overwhelming reality in Irish society, rather than the extremely contested concept that it is.[25] Moreover, it is also one that has received scant academic attention.[26] The Proceeds of Crime Act 1996 began as an opposition Private Member's Bill one week after the Guerin assassination and was passed and signed into law by the President five weeks later.[27]

The presumption underlying many of these measures is that the removal of 'Mr Big' will make a meaningful difference to the operation of the drugs trade. Kleiman and Smith suggest that perhaps 'justice will be served by punishing a kingpin rather than the usual miscellaneous collection of low-level operatives'.[28] However, 'whether it serves the ends of drug-abuse control, crime control, neighbourhood protection, or even organised crime is less clear', they conclude. This is because so-called 'kingpins' can be quickly replaced by individuals below them in the organisation or other drug-dealing groups can easily adjust to meet the unfilled demand caused by the removal of a competitor and continue to supply retail-level dealers. They point out that there is no available evidence linking the removal of a high-level dealer with substantial reductions in drug consumption in a city. By way of explanation they pose the following question: 'What essential service does "Mr Big" provide to the retail dealer that someone else will not supply just as well if he is made to disappear?'[29] Reuter et al suggest that gaps in the market created by the apprehension of drug-dealing enterprises by law enforcement agencies can usually be refilled within a matter of a few months.[30] Irish research suggests it may take just six weeks.[31]

Crucially, there is little evidence in Ireland, or internationally, that such legislative measures or law enforcement approaches have halted the expansion of the illicit drug trade or reduced the criminal activities associated with it for any sustained period of time.[32] The dominant paradigm for understanding the effects of drug laws is the rational choice perspective and the deterrent capacity of the criminal law. When applied in the context of the decision to use illicit drugs, this emphasises three factors that impact on decision-making: the drug's availability, the price of the drug and the risk of apprehension and

23 D Keane, 'Detention without Charge and the Criminal Justice (Drug Trafficking) Act 1996: Shifting the Focus of Irish Criminal Justice away from Trial Court to Garda Station' (1997) 7(1) Irish Criminal Law Journal 1–17.

24 Meade (n 22).

25 C Hamilton, 'Organised Criminals as "Agents of Obligation": The Case of Ireland (2011) 17 European Journal on Criminal Policy and Research 253–66.

26 Hourigan (n 14).

27 M Grolimund, L Durac 'Counting the Cost: Stiffer Irish Bail Laws and the Sacrificing of the Principle of Liberty' (2009) 2 Irish Criminal Law Journal 51, 51.

28 M Kleiman and K Smith, 'State and Local Drug Enforcement: In Search of a Strategy' in M Tonry and J Wilson (eds), *Drugs and Crime* (Chicago University Press 1990).

29 Ibid 84.

30 P Reuter, R MacCoun, P Murphy, A Abrahamse and B Simon, *Money from Crime: A Study of the Economics of Drug-dealing in Washington DC* (RAND 1990).

31 Connolly and Donovan (n 14).

32 Reuter and Trautmann (n 19).

punishment.[33] Over the past three decades, drug availability has increased throughout Ireland, with the choice of drugs expanding beyond the conventional ones such as cannabis, heroin, cocaine, ecstasy etc', being added to by a plethora of new psychoactive substances, their availability and distribution being facilitated by the mobile phone and online drug markets.[34] Drug prices have decreased throughout the past 20 years and the reality is that the vast majority of people who use drugs, particularly for recreational purposes, do not appear on the radar of law enforcement as their use is not problematic.[35]

Furthermore, some writers have highlighted the way in which certain drug law enforcement efforts can have unintended negative consequences for drug markets by making them more violent.[36] May and Hough, for example, consider a perverse possible outcome of the relation between effective drug law enforcement and drug prices.[37] According to the argument, where enforcement is successful in sustaining or increasing the risks of criminal sanction; these risks are translated into increased prices. However, the tempting profits to be derived not only attract more people to the trade, they attract the 'risk tolerant' as distinct from the 'risk averse', fearful of being arrested. The 'risk tolerant' may be willing to resort to more extreme and violent measures in response to intensified and successful law enforcement. The authors conclude that 'if this argument holds up, successful enforcement strategies contain the seeds of their own failure'.[38]

Drug markets and systemic violence

Illegal drugs are commodities that are produced and distributed in markets and therefore, one would presume, subject to laws of supply and demand and other normal market influences. Although the general concept of the market is familiar and such matters should appear to be self-evident, as Babor et al observe, 'policy discussions show a strange unwillingness to apply this understanding of markets when the commodity is an illicit drug'.[39] Perhaps the most important distinction between legal and illegal markets is that participants in the latter have 'no recourse to the system of property rights and dispute resolution offered by the civil courts and legal system'.[40] This has important consequences for the way in which drug markets are organised and the way in which business is conducted.[41] The absence of a formal regulatory system can mean, for example, that market control or dominance may often be exercised by the seller who can intimidate others most effectively.[42]

It is popularly accepted that there is a link between some forms of illicit drug use and crime. Within the research literature this link is generally described using explanatory

33 E McLaughlin, 'Deterrence' in *SAGE handbook of Criminology* (2nd edn Sage 2006); R J MacCoun and P Reuter, *Drug War Heresies: Learning from Other Vices, Times and Places* (Cambridge University Press 2001).

34 See successive Annual Ireland National Reports to the European Monitoring Centre for Drugs and Drug Addiction <www.hrb.ie>.

35 D Werb, T Kerr, B Nosyk, S Strathdee, J Montaner and E Wood, 'The Temporal Relationship between Drug Supply Indicators; An Audit of International Government Surveillance Systems' (2013) 3(9) British Medical Journal Open < http://bmjopen.bmj.com/content/3/9/e003077>.

36 Reuter and Trautmann (n 19).

37 May and Hough (n 1).

38 Ibid 560.

39 Babor et al (n 20) 63.

40 Ibid 64.

41 P Reuter, *Disorganised Crime* (MIT Press 1983).

42 J Caulkins and P Reuter, 'Illicit Drug Markets and Economic Irregularities' (2006) 40 Socio-Economic Planning Sciences 1–14.

models derived from Goldstein and colleagues.[43] Firstly, a psycho-pharmacological link between drugs and crime arises as a result of the effect of the drugs themselves on the consumer. Secondly, economic-compulsive crimes are committed by dependent drug users as they need to generate income from crimes such as robbery and burglary, low-level drug-dealing and from crimes such as prostitution to support their drug habit. Thirdly, the systemic dimension of drug-related crime results from the activities associated with the illegal drug market. Systemic types of crime surrounding drug distribution include, for example, fights over organisational and territorial issues and disputes over transactions or debt collection.

Goldstein's conceptual framework was based on studies of drug markets in New York from the mid-1970s to the late 1980s. These focused on drug-related prostitution, the economic behaviour of street opiate users and the market for crack cocaine as it developed in Manhattan in the 1980s. The research concentrated primarily on the relationship between drugs (including alcohol) and violence, particularly homicide. Although Goldstein focused on violent offences, his framework has been extended to include non-violent drug-related crimes and there is now a rich body of literature that is focused on the association between drugs and crime.[44]

With regard to drug use and psychopharmacological violence, Goldstein suggested that this may involve violence by either the offender or victim, through the former behaving violently or, with regard to the latter, drug use may alter a person's behaviour in such a way as to bring about their violent victimisation. With regard to drug-related economic compulsive violent crimes, Goldstein states that:

> . . . the most common victims of this form of drug-related crime are people residing in the same neighbourhoods as the offender … Other drug users, strangers coming into the neighbourhood to buy drugs, numbers runners, and prostitutes are all common targets of economic compulsive violence.[45]

Goldstein acknowledges, and most subsequent research confirms, that most crimes committed by 'most of the drug users are of the nonviolent variety e.g., shop lifting, prostitution, drug selling'.[46]

In the systemic model, according to Goldstein, violence is intrinsic to involvement with any illicit substance. He provides the following examples:

- disputes over territory between rival drug dealers;
- assaults and homicides committed within dealing hierarchies as a means of enforcing normative codes;
- robberies of drug dealers and the usually violent retaliation by the dealer or his/her bosses;

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43 P Goldstein, 'The Drugs/Violence Nexus: A Tripartite Conceptual Framework.' (1985) 15 Journal of Drug Issues 493–506; P Goldstein, H Brownstein and P Ryan 'Drug-related Homicide in New York: 1984 and 1988' (1992) 38 Crime and Delinquency 459–76. For an application of this model to Irish research, see J Connolly, *Drugs and Crime in Ireland* (HRB Overview Series 2006).

44 J Chaiken and M Chaiken, 'Drugs and Predatory Crime' in Tonry and Wilson (n 28); M Hough, T McSweeney and P Turnbull, *Drugs and Crime: What Are the links? A Review Prepared for DrugScope's Submission to the Home Affairs Select Committee* (DrugScope 2000) <www.drugscope.org.uk>; P Bean, *Drugs and Crime* (Willan 2002); A Stevens, M Trace and D Bewley-Taylor, *Reducing Drug Related Crime: An Overview of the Global Evidence* (Beckley Foundation 2005) <www.beckleyfoundation.org>; T Bennett and K Holloway, *Understanding Drugs, Alcohol and Crime* (Oxford University Press 2005); T Bennett and K Holloway, 'The Causal Connection between Drug Misuse and Crime' (2009) 49(4) British Journal of Criminology 513–31.

45 Goldstein (n 49) 147.

46 Ibid 147.

- elimination of informers;
- punishment for selling adulterated or phony drugs;
- punishment for failing to pay debts;
- disputes over drugs or drug paraphernalia;
- robbery violence related to the social ecology of copping areas (open drug scenes).

Goldstein further suggests that the use of violence occurs within specific normative rules. For example, the 'code of the streets dictates that blood cancels all debts'.[47] He gives the example of a street dealer who is beaten up or wounded for returning the incorrect amount of money to his dealer. Subsequent to the beating, the street dealer no longer owes the money.

Importantly, in terms of the Irish research we will review below, for Goldstein, the vast majority of victims of systemic violence are those who use or sell drugs or who are connected to the drug trade in some way. Occasionally, people might be killed accidentally in a dispute between rival dealers, or family members of dealers may be targeted in drug gang wars. Goldstein concludes that:

> . . . [s]ystemic violence is normatively embedded in the social and economic networks of drug users and sellers. Drug use, the drug business, and the violence connected to both of these phenomena, are all aspects of the same general lifestyle. Individuals caught in this lifestyle value the experience of substance use, recognize the risks involved, and struggle for survival on a daily basis.[48]

Reiss and Roth identify three dimensions of systemic crime:[49]

- *organisational crime*, which involves territorial disputes over drug distribution rights, the enforcement of organizational rules, dealing with informers and battles with the police;
- *transaction-related crime*, which involves theft of drugs or monies from the buyer or seller, debt collection and the resolution of disputes over the quality of drugs;
- *third-party-related crime*, which involves bystanders to drug disputes and disputes in related markets such as prostitution, protection or firearms.

Bean suggests that, given the large profits involved in the illicit drugs trade:

> An easy recourse to violence in drug transactions is … a *sine qua non* of all dealings, for discipline has to be asserted and debts collected – the system runs on some sort of credit that needs to be overhauled at regular intervals.[50]

Drug market studies have also found that drug market violence is not only confined to male participants, but that females are also prepared to use violence either to enforce discipline or collect debt.[51]

Some writers have suggested, however, that the role that violence performs in the operation of illicit drug markets has been exaggerated and, although it is often present, it

47 Ibid 49.

48 Ibid 174.

49 A Reiss and J Roth, *Understanding and Preventing Violence* (National Academy Press 1994) 202.

50 Bean (n 44) 27.

51 P Bean and C Wilkinson, 'Drug Taking, Crime and the Illicit Supply System' (1988) 83(5) British Journal of Addiction 533–39; J Inciairdi, D Lockwood and A Pottieger, *Women and Crack Cocaine* (Macmillan 1993).

depends on the circumstances of the market.[52] Reiss and Roth found that call-girl operations are less violent than street walking and that 'runner-beeper delivery systems may entail less violence than open air markets, while heavily fortified crack houses experience still less risk'.[53] Bean suggests that 'as a general rule', violence is greater when drug dealing takes place at street level.[54] Research by Pearson and Hobbs on the 'middle market' of drug supply between the wholesale level and the retail level found that, although violence is always 'an available resource' in crime networks', it is generally regarded as something to be avoided.[55] Violence is 'bad for business, it leaves traces, attracts police attention as it is frequently regarded as a signifier of organized criminal activity, and invariably leads to more violence'.[56]

Coomber argues that although excessive violent activity is:

> . . . part and parcel of much of the drug market . . . it probably isn't the general experience of most of the dealers (even 'street' dealers) and users that participate in it . . . this is because not all markets are the same and thus present the same circumstances and risks but also because not all dealers conform to the retaliatory model.[57]

Research has, he suggests, perhaps unintentionally, emphasized the violent nature of drug markets as opposed to recognising 'the consistent levels of routine and mundane activity in most markets that are not particularly violent in essence'. Lastly, he concludes that much of what passes for drug market violence is in fact often the 'culture of violence' that many of those involved in the drug trade live by anyway.[58] Market violence is also a consequence of the 'risk environment' in which drug markets are forced to operate by policing activity, for example.

Coomber concludes that a number of issues need to be considered when assessing the likelihood of drug market violence.[59] Firstly, the organisational nature of the market: those which are highly organised will have routine forms of punishment, while fragmented and fluid markets, depending on the context, will be less predictable. Secondly, the maturity of the market: whether it is burgeoning, established or declining. Thirdly, the culture of the market: whether it is dominated by male inner-city machismo. Fourthly, the distribution form: whether it is open or closed, rural or urban. Equally, he suggests, 'different levels of violence are associated with different drugs, the gender of the sellers and the cultural background and even class of the sellers'.[60]

The analysis presented above, of drug markets and related violence, although extremely important in providing perspective on the context in which violence is more or less likely to occur, unfortunately does not address the issue of community-level violence. It fails to address the way in which drug market violence impacts on the communities in which drug markets typically operate. This involves the largely hidden victimisation associated with the illicit drugs trade. This is an area that remains under-researched.

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52 G Pearson and D Hobbs, *Middle Market Drug Distribution* (Home Office Research Study 227, Home Office 2001); G Pearson and D Hobbs, 'King Pin? A Case Study of a Middle Market Drug Broker' (2003) 42(4) Howard Journal 335–47.

53 Reiss and Roth (n 49) 18.

54 Bean (n 44) 28.

55 Pearson and Hobbs, 'King Pin?' (n 52) (2003).

56 Ibid 341.

57 Coomber (n 2) 117.

58 Ibid.

59 Ibid 63.

60 Ibid 118.

In its annual report for 2003, the UN International Narcotics Control Board highlighted the importance of understanding the relationship between drug abuse, crime and violence at what it referred to as, the 'micro-level'. The harm caused to communities 'by the involvement of both adults and young people in drug-related crime and violence is immense'.[61] The report describes the way in which drug-related crime at a micro-level can lead to the creation of 'no-go areas', the development of a culture of fear and the general erosion of the 'social capital' of communities, defined as 'the norms, or "laws", that exist in social relations, and through social institutions, that instil foundations for trust, obligation and reciprocity'.[62] We will now review a number of Irish research studies that have investigated this issue.

Drug markets and community violence in Ireland

The emergence of the heroin trade in Dublin in the late 1970s and early 1980s was facilitated at the time by the diversification of professional criminals into drug dealing.[63] The threat of violence and the fear and intimidation that result from it have been some of the worst and least recognised effects of large-scale illicit drug use. Tony Gregory, a prominent anti-drugs activist and politician in the north Dublin inner city at the time referred to the levels of fear during the initial stages of the heroin problem:

I do know that in the initial stages of the heroin thing the most prevalent reaction was one of fear. The people who were involved were known to be 'heavies'. And people were afraid they'd be burnt out of their flats. They were afraid for their kids' sake.[64]

A study on homicides in Ireland suggested that between 1992 and 1996 15 homicides were connected to disputes about control of the supply of illicit drugs.[65] In more recent years, there appears to have been at least this many drug-related homicides occurring on an annual basis. Campbell identified a clear link between the illicit drug market and an increase in gun crime in Ireland.[66] Comparing the percentage of murders and manslaughters in Ireland, England and Wales the author found that, '[p]roportionally speaking, between twice and five times as many homicides involving guns occur in Ireland'.[67] The author highlighted the fact that drugs and guns were often imported together and the view of the Customs Service that the rise in the detection and seizure of illicit firearms being imported was linked to the increased level of violence involved in drug trafficking and smuggling.

The link between levels of systemic violence, between the shooting dead of a rival drug dealer and the headlines it captures as well as the impact of such drug-related violence on the local communities in which drug dealers live and operate is difficult to establish. It is under-researched and tends not to capture the headlines. Drug-related murders, killings and their coverage in the media can have a profound effect on general feelings of public safety and they can instil in the general public a sense that the problem is out of hand.[68] For example, the murder rate in Dublin North Central in 2002 was 79

61 International Narcotics Control Board, *Annual Report 2003* (UN Publications 2004) 6.

62 Ibid.

63 S Flynn and P Yeates, *'Smack': The Criminal Drugs Racket in Ireland* (Gill & Macmillan 1985); Connolly and Percy (n 12).

64 R Gilligan, T*ony Gregory* (O'Brien Press 2011) 122.

65 E Dooley, *Homicide in Ireland 1992–1996* (Stationery Office 2001).

66 Campbell (n 13).

67 Ibid 415.

68 M O'Connell, 'The Portrayal of Crime in the Media – Does it Matter?' in P O'Mahony (ed), *Criminal Justice in Ireland* (Institute of Public Administration 2002).

(per million population) compared with zero in many counties.[69] The ongoing Kinahan/Hutch so-called 'gangland' feud led to 12 murders in 18 months, from September 2015 to May 2017. Many of those murdered, however, cannot be regarded as being involved in any organised gang as some of them were cases of mistaken identity.[70] However, seven of the victims were murdered in the north Dublin inner city or they were from there. What effect does this have on the local population of the area?

Irish research has identified increasing levels of violence directed not just at individuals involved in the drug trade, whether users or dealers, but also at their family members. Research has also begun to highlight the corrosive impact that such violence, fear and intimidation is having on the broader communities in which drug markets are typically located.

A study conducted in the north Dublin inner city involved a door-to-door survey of local residents' concerns about drug dealing, policing and anti-drugs activity in the community.[71] One of the most significant findings of this study was that it highlighted the levels of fear that existed locally about drug dealers and how this impacted on local residents' willingness to engage with local policing structures such as the Community Policing Forum recently established there.[72]

A 2006 community drugs study by the National Advisory Committee on Drugs found that the very presence of drug dealing creates intimidation in communities and the violence associated with dealing creates an unsafe feeling amongst many community members.[73] The study reported that research respondents felt vulnerable in their own neighbourhoods and, in addition, that life for drug users had become more dangerous since the mid-1990s as penalties imposed by drug dealers for perceived transgressions had become more severe. People avoided community activities due to fear of exposure and possible suspicion of working with the institutions of the state. The community was less able to protect itself than it was in the past due to the decline in the willingness of people to patrol areas, as they had done previously,[74] and many elderly people avoided the streets and shops at night, leading to an atmosphere where, the authors concluded, there were, '[p]eople … living in a barricaded society, afraid to come out at night'.[75]

In 2009, the National Family Support Network (NFSN) investigated the experience of families targeted by dealers to pay the debts of their family members who were using drugs.[76] The research found that demands for debt repayment placed huge pressure on the families to come up with the money as quickly as possible and family members often went to great lengths to gather the money to pay off the debt. Families would often know the dealer by reputation and so would be unwilling to refuse payment or report the intimidation to police. The research showed that nearly all participating family support services indicated that their clients – mostly family members of drug users – had

69 S Kilcommins, I O'Donnell, E O'Sullivan and B Vaughan, *Crime, Punishment and the Search for Order in Ireland* (Institute of Public Administration 2004) 119.

70 Conor Lally, 'Timeline: The 11 Men Killed in the Kinahan/Hutch Feud' *The Irish Times* (Dublin, 18 August 2017).

71 J Connolly, *Drugs, Crime and Community in Dublin: Monitoring Quality of Life in the North Inner City* (North Dublin Inner City Local Drugs Task Force 2003).

72 J Connolly, *Community Policing and Drugs in Dublin: The North Inner City Community Policing Forum* (North Dublin Inner City Drugs Task Force 2002).

73 Loughran and McCann (n 13).

74 A Lyder, *Pushers Out: The Inside Story of Dublin's Anti-drugs Movement* (Trafford 2005).

75 Loughran and McCann (n 13) 11.

76 O'Leary (n 14). The NFSN is a community-based organisation that supports families coping with drug use.

experienced debt-related intimidation ranging from verbal threats to physical violence and damage to homes or other property. Many affected families survived on very low incomes and were given short periods to repay debts, using salaries and wages and borrowing money from families, friends, banks, credit unions or other money lenders. Drug users themselves often resorted to criminal activity to repay debts to dealers, such as drug-dealing or transporting and storing drugs, performing acts of violence on behalf of sellers and engaging in sex work. Other issues reported included:

- threatening behaviour, including verbal threats, intimidation at the workplace, harassment, death threats, threats of shooting, beatings or 'knee-capping' and live bullets posted through letter boxes;
- houses and cars vandalised and burnt out;
- physical violence, including murder, shootings through doors and windows of family home, hospitalisation due to beatings, burning of a drug user.
- physical/sexual violence against women;
- dealers encouraging children to sell drugs to friends and witness family members being beaten; and
- use of the family home by mothers for sex work to pay off debt.

Family members were too fearful to approach Gardaí in relation to intimidation, also believing that Gardaí were powerless to act.

An ethnographic study of violent feuding in Limerick was conducted between 2007 and 2010. The research consisted of 221 interviews with local residents, those on the fringes of criminal gangs, community leaders, Gardaí and also 100 hours of participation observation (one-third of which was conducted at night). Most of the violence centred around certain families. The author describes how 'the code of the street' leads to certain people being identified in an area as people to be feared, thus ensuring that any intimidation or acts of violence by them will not be reported.[77] The ultimate effect of community violence and intimidation was that it reduced community residents to a state of perpetual fear and anxiety. The following quote from one resident gives an indication of the subservient state community violence and intimidation can impose on local people:

> You know what they really want is for you to be down on yourself so that you don't believe you can have any other life. They want you to keep your head down and just put up with it, even if there are gunshots comin' in your window and you're lyin' on the floor with your kids . . . What they want is for you to keep your head down and just shut the fuck up and accept that that's your life, full stop.[78]

In 2013, Safer Blanchardstown produced a report, *Melting the Iceberg of Fear*, based on research carried out on drug debt intimidation in the local area.[79] The report considered drug-related intimidation as part of a continuum of behaviour, from mild to severe to ruthless. The report describes how, in the absence of appropriate interventions, children can progress from a lower order of intimidatory behaviour to involvement in more serious activities, with an escalating impact on the community.

In 2014 the National Advisory Committee on Drugs and Alcohol published the first national study of *Illicit Drug Markets in Ireland*.[80] This exploratory study was conducted over a 36-month period and included a cross-section of four local drug markets: two

77 Hourigan (n 14).

78 Ibid 85.

79 Jennings (n 14).

80 Connolly and Donovan (n 14).

urban, one suburban and one rural drug. The study methodology involved: face-to-face in-depth interviews with former and active drug users – street sellers as well as individuals serving prison sentences of more than seven years for drugs supply; 24 interviews with experienced members of dedicated Garda Drug Units in the four study sites and with senior members of the Garda National Drugs Unit; interviews with drug treatment workers, public health specialists and a family support group; and a street survey of 816 local residents and business people (approximately 200 respondents in each location).

Although not all markets were equally disruptive, the study found that open drug markets, in particular, have an ongoing low-level impact on communities. Their presence leads residents to restrict their movements and activities accordingly, curtailing their freedom of movement and thus leading to a loss of communal space which can contribute to a further deterioration in quality of life. All four sites reported an increase in violence associated with the drug trade – violence that was increasingly visible in public in the form of fights or damage to property. Violence in all four markets was largely related to unpaid debts, although territorial disputes did occasionally emerge in less ordered drug markets.

Drug debts were acquired through people consuming their own supply or as a result of Garda seizures. Where Gardaí seized drugs, debts remained outstanding and still had to be paid for. Drug-related violence and intimidation was a major disincentive to taking action and/or engaging with state agencies in responding to the underlying problems. Fear of reprisal from those involved in the drug trade was the principal reason why residents would not report drug-related issues to the Garda Síochána.

The following imprisoned drug dealer felt that, although violence has always been associated with the illicit trade in drugs, the debt-related intimidation of family members of those who owed money to drug-dealers was relatively recent.

> Violence, it was, it was always in it. It was part and parcel of like you get stigmatised, you know, drugs – with drugs comes violence and it is true. With drugs comes violence but I was never violent. I was always sympathetic to those who went off them, always. I would never go around as they do now fucking like tapping on doors, looking for the aul' fella, looking for the fathers or mothers to pay but I was never like that. I would write it off – more times out of 10 like if I got out of pocket from doing it, but I would never use violence.[81]

A recent study investigated the issue of drug-debt related intimidation and community violence throughout Ireland.[82] The research was a joint collaboration between a community-based advocacy organisation, the Citywide Drugs Crisis Campaign and the Health Research Board (HRB).The research involved the distribution of an audit questionnaire to gather statistical information about incidents of intimidation. The audit was implemented in partnership with 13 participating drugs taskforces and the local projects linked to them during the 2014 to 2015 period. The aim of the research audit was to gather information indirectly from a hard-to-reach population, namely people in communities who have experienced drug-related intimidation, including drug users and their family members, with the ultimate objective of highlighting the issue and informing policy responses at a local level.[83]

81 Ibid.

82 Connolly and Buckley (n 14).

83 L Murphy, L Farragher, M Keane, B Galvin and J Long, *Drug-related Intimidation – The Irish Situation and International Responses: An Evidence Review* (HRB 2017). This evidence review followed on from the findings of the Citywide/HRB research.

The research consisted of an audit of 140 incidents of intimidation reported to projects throughout the country. Based on the audit findings, focus groups were conducted with approximately 150 people from various local projects nationwide. Targeted focus groups were also conducted with members of the Traveller community, former prisoners, youth workers, family support workers and a Community Safety Forum in Dublin.[84] The study reaffirmed many of the findings of the National Family Support Study discussed above.[85] Most incidents of intimidation involved a verbal threat while physical violence and damage to the family home or property were also reported. Repeated incidents could go on for months with the mobile phone and social media making targets accessible day and night. Intimidation often escalated from verbal threats to property damage, culminating in physical attacks on drug users and/or their family members. It is likely that there is an under-reporting of sexual violence due to the nature of the audit and the way the data was gathered. Reports from focus groups suggested that females are often coerced into performing sexual acts in order to pay off drug debts. It was also widely reported that young people are getting into significant debt over herbal cannabis and then coerced into 'working the debt off' by engaging in illegal activities such as holding or selling drugs, money or weapons and/or transporting drugs.

Drug users, or those in debt, are the primary targets for intimidation. Mothers are the second most likely target and also the most likely family members to pay the debt. The discussion with former prisoners revealed the widespread acceptance, or 'ground rules', about drugs, debt repayment and violence. The dealer has drugs on credit and the user takes drugs on credit. They have to beat them up to show everyone the consequences. The intimidation of families is also a way of flushing the drug user out if they are in hiding or refusing to pay. In many focus groups it was reported that Garda members often advise people to pay the debts (although officially this might be denied). On the other hand, in one focus group, it was stated that the view of some Garda members is that paying a debt can invite further pressure as people can be seen as a 'soft touch' and further extortion can occur.

Although most of the intimidation involved debt collection, another function was to frighten and subdue the community so as to enforce gang control and facilitate the operation of a drug market or other crimes. Some of the impacts of intimidation identified in the study included mental health issues arising from the stress associated with intimidation. Youth and community workers noticed behavioural changes in young people and reported stories about victimisation, self-harm and suicide ideation. One of the dominant concerns expressed in the audit and in focus groups was that people feared for their personal safety at home. Intimidation can also undermine parental relationships, as mothers sometimes reported not telling the father about the intimidation due to concerns that the father might respond in a heavy-handed manner thereby exacerbating the problem.

The profile of those carrying out the intimidation and threats was primarily male, aged between 18 and 35 years. Females were reported as involved in just under 20 per cent of the threats. About 10 per cent of reported incidents of intimidation were carried out by children aged between 15 and 17. Most of the activity was perpetrated by people acting in groups or loose networks. Focus groups reported different levels or degrees of organisation relating to local intimidation. Drug users and young people are targeted

84 Provided for under the terms of the Garda Síochána Act 2005, Community Safety Fora are initiatives established in a number of locations in Dublin to liaise with the Garda Síochána and Dublin City Council in response to local crime issues.

85 O'Leary (n 14).

largely by their peers, associates and friends of those to whom they owe money. For young people a lot of the time it involves friends intimidating each other. Much of this activity is occurring in school. In the Family Support Network focus group it was reported that young people (aged 14 to 19) who are still in school have lots of small debts under €300.

A strong view highlighted through the various focus groups (ex-prisoners, youth workers and parents and community activists) was the acceptance that debts had to be paid. However, paying the debt does not mean that the intimidation would stop; there were many cases reported throughout all the focus groups of dealers demanding money even after the debt had been paid in full. With regard to reporting the threats, the situation is usually out of control by the time victims come forward. However, of the 140 incidents reviewed, less than 17 per cent of incidents were reported. Of those people who did report, they clearly felt most comfortable reporting their experiences to community organisations, which usually included someone familiar to them. An NFSN/Garda National Drugs Unit Intimidation Reporting Programme was also useful for parents to assess the risk of paying or not paying the debt.[86]

As with most of the studies referred to above, fear of reprisal from those involved in drug dealing was the number one reason for not reporting incidents of intimidation and violence to the Gardaí. A lot of people experiencing intimidation lived close to the perpetrators and felt that they would be at risk if they looked for support. Some parents might contact projects or groups, but do not want the issue to go further. There is also a widespread belief that nobody can do anything, including the Gardaí. Focus groups reported a widespread view that prosecutions were unlikely and that, even if one took place, it would not succeed as people would not cooperate as victims with the police or criminal justice process due to fear. People felt that even if someone went to prison, the intimidation could continue from inside the prison.

Discussion

The fear and intimidation that can be generated locally as a consequence of illicit drug dealing reveals the insidious and disproportionate impact that crime can have on specific locations where drug markets develop. As Jock Young and others writing from the Left Realist perspective pointed out some time ago, crime and victimisation is concentrated geographically in certain areas and socially among certain groups, but this reality is not captured in national surveys.[87] The investigation of this lived experience is key to developing meaningful responses.

A common thread running through many of the studies reviewed above is that much of the research that has been discussed was promoted or undertaken by locally based community groups, such as the NFSN or the Citywide Drugs Crisis Campaign. Since the emergence of the heroin problem in inner-city Dublin in the 1980s, in the face of denial as to the seriousness of the problem by the state it was local research that first brought the issues to public attention.[88]

86 The Garda National Drugs Unit and the National Family Support Network developed The Drug Related Intimidation Reporting Programme to respond to the needs of drug users and family members experiencing drug related intimidation. For more information see <www.drugsandalcohol.ie/20153>.

87 J Young, 'Risk of Crime and Fear of Crime' in M Maguire and J Pointing (eds), *Victims of Crime: A New Deal* (Open University Press 1988) 164–76.

88 S Butler, *Alcohol, Drugs and Health Promotion in Modern Ireland* (Institute of Public Administration 2002) 139.

For example, a study by Dean et al in 1983, popularly known as *The Bradshaw Report*, would provide stark evidence of the prevalence of heroin use in the north Dublin inner city, with a 10 per cent prevalence rate among the 15 to 24 age group and a 12 and 13 per cent prevalence rate for boys and girls respectively in the 15 to 19 age group.[89] Butler describes this report as 'simply giving a scientific gloss to the statistics which local (drug) activists had already compiled'.[90] Activists in the north and south inner city and in Ballymun, a suburban high-rise estate on the outskirts of Dublin, engaged in 'popular epidemiology … in an attempt to persuade the Department of Health and the Eastern Health Board that their communities were experiencing a new and unprecedented wave of heroin use'.[91]

The research reviewed above highlights the lived experience of victimisation and the profound effect drug-related violence and intimidation have on community life. Drug-related intimidation also appears to have a strong gender dimension. Although it primarily involves young men as victims and offenders, young women also perform a role. However, a great deal of the burden of responding to the problems, of drug debt, for example, falls on the mothers of those caught up in debt.

The increasing involvement of young people, both as victims and perpetrators, is also a consistent finding. The young people who are victimised experience significant anxiety and mental health problems, either due to drug-related debt within the family or their own debts. The grooming of young people into committing offences related to the drugs trade is also a finding with significant policy implications, in particular, the blurring of the boundary between offender and victim. Young people who are not drug-dependent or involved in selling drugs can become implicated in the drug trade as a consequence of accruing, through recreational drug use, drug debts that they are unable to pay. Their inability to pay can lead them to commit crime, such as holding or running drugs, to pay debt. Intimidation is taking place both in and out of school settings, with bullying and peer conflict occurring in school and the school becoming a place of fear for the young person. The stress involved for young people can lead to them withdrawing from school and/or becoming isolated with potentially very serious mental health consequences. Young people who become involved in the drugs trade at a low level, by running or holding drugs, for example, can progress to more serious involvement if there is not adequate intervention at an early stage.

A common theme that runs throughout all of the studies discussed above is that fear of reprisal from those involved in drug dealing is the number one reason for not reporting incidents of intimidation and violence to the Gardaí, or engaging generally with the criminal justice system. In national crime victimisation surveys, such as those conducted by the Central Statistics Office, fear of reprisal is seldom ever cited as a significant reason for people not reporting crimes to the Garda Síochána.[92] This highlights the largely hidden nature of this community victimisation.

The term 'gangland' implies that the land or territory is controlled by gangs ,whereas many communities with active drug markets have strong residence groups and informal social controls. 'Get tough' talk and legislation is largely symbolic – the state asserting its authority – whereas, in reality, it is a symptom of the absence of such authority.

89 G Dean and J Bradshaw, *Drug Misuse in Ireland, 1982–1983: Investigation in a North Central Dublin Area, and in Galway, Sligo and Cork* (Medico-Social Research Board 1983).

90 Butler (n 88) 139.

91 Ibid 154.

92 Central Statistics Office, *Quarterly National Household Survey: Unemployment 2009* <www.cso.ie>.

Community-based research, such as that presented above, has highlighted the way in which crimes associated with the drugs trade can become normalised in an area. The fact that people are too fearful to report such issues to the authorities and that no one is called to account locally as a consequence means that whole areas and communities can be silenced and controlled. There does not appear to be any safety net that can reassure people in such circumstances. Even where offenders might be prosecuted or even imprisoned, this does not alleviate the fear for most people.

Throughout the history of the conflict in NI, serious legitimacy issues prevailed in those communities alienated from the State and, by extension, from the policing and criminal justice systems. Notwithstanding the major advances made in policing in NI as a consequence of the reforms initiated by the Independent Commission on Policing (ICP),[93] concerns remain as to the success of the Police Service of Northern Ireland (PSNI) in terms of delivering effective 'policing with the community' as envisaged by the ICP.[94] The levels of public confidence in the PSNI in those communities previously most alienated from public policing structures remains uncertain.[95] A further key challenge is the continued involvement of paramilitaries with the illicit drugs trade. On the one hand, the drugs trade is a source of revenue.[96] On the other, drug dealing, and related crime at the local level, is used, particularly by dissident republican paramilitaries, to justify continued opposition to the political reforms, and to legitimate 'crime management activities' which receive growing community support.[97]

Conclusion

Although there are no simple solutions to the issues raised in this article, which arise in most deprived areas with embedded drug markets in Ireland, the hidden community victimisation associated with the illicit drugs trade poses a major challenge in terms of the relevance and, therefore, the legitimacy of local policing responses and, by extension, the criminal justice system as a whole. Addressing these issues will require a shift in the balance of power for such communities, so as to facilitate a radical realignment in local policing and community safety processes. Ultimately, for this to happen there is a need, in both jurisdictions on the island, for a comprehensive response, involving greater state agency engagement and collaboration at community level, as well as community involvement in the planning and delivery of interventions. Such an engagement will also require an acknowledgment on behalf of the state that communities face constrained choices when it comes to addressing local drug markets as, although these markets create

93 A Mulcahy, *Policing Northern Ireland: Conflict, Legitimacy and Reform* (Willan 2006).

94 G Ellison, N W Pino and P Shirlow, 'Assessing the Determinants of Public Confidence in the Police: A Case Study of a Post-conflict Community in Northern Ireland' (2012) 13(5) Criminology and Criminal Justice 552–76, 572.

95 G Ellison and M O'Rawe, 'Security Governance in Transition: The Compartmentalisation, Crowding out and Controlling of Policing and Security in Northern Ireland' (2010) 14(1) Theoretical Criminology 31–57; J Topping and J Byrne, 'Shadow Policing: The Boundaries of Community-based "policing" in Northern Ireland' (2016) 26(5) Policing and Society 522–43.

96 A Silke, 'Drink, Drugs and Rock n' Roll: Financing Loyalist Terrorism in Northern Ireland—Part Two' (2000) 23(2) Studies in Conflict and Terrorism 107–27.

97 R Monaghan, 'An Imperfect Peace: Paramilitary Punishments in Northern Ireland' (2004) 16(3) Terrorism and Political Violence 439–61; K Higgins and R Kilpatrick, 'The Impact of Paramilitary Violence against a Heroin-user Community in Northern Ireland: A Qualitative Analysis' (2005) 16 International Journal of Drug Policy 334-342; Ellison et al (n 94) 572; N Hourigan, J Morrison, J Windle and A Silke, 'Crime in Ireland North and South: Feuding Gangs and Profiteering Paramilitaries' (2017) Trends Organized Crime https://doi.org/10.1007/s12117-017-9312-9.

significant misery and disruption, they are also a source of illegitimate opportunity, of both a social and economic nature, whether in terms of status or income for young people. Other community members may also benefit from cheap stolen goods, a by-product of the drugs trade. The displacement of these highly lucrative markets will require either radical experimentation with alternative forms of drug regulation or massive economic investment in such communities.