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Abstract | This study used a purpose-built module in the 2019 Global Drug Survey to provide the first comprehensive assessment of the extent to which Australian street-level drug law enforcement approaches are perceived as procedurally just by people who use illicit drugs, to benchmark procedural justice levels against 29 other nations and to identify predictors of and methods to enhance procedural justice.

People who use drugs in Australia concurred that police commonly follow some aspects of procedural justice, such as respecting people's rights, but were critical of other procedural justice areas, such as the extent to which police choose how they enforce the law. Cross-national analyses showed Australia ranked 15th out of 30 countries in a composite procedural justice index: higher than the United States, but significantly lower than New Zealand and Canada. Avenues to improve the procedural justice of Australian street-level drug law enforcement are outlined.

Building procedural justice in Australian street-level drug law enforcement

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Introduction

Drug law enforcement consumes the majority of drug policy expenditure across the globe (Babor et al. 2010; Bruton et al. 2021; Ritter 2021). For example, Australian drug policy costs an estimated \$5.45b each year, with nearly two-thirds of expenditure (64%) spent on state and federal law enforcement activities (Ritter et al. 2024). Yet research has shown that much of this investment does not achieve its intended goals (Hughes et al. 2017; Mazerolle, Eggin & Higginson 2020), and that it can increase a range of drug-related harms, such as overdose, racial disparities and social marginalisation, and limit or delay access to drug treatment and harm reduction services (Csete et al. 2016; Kerr, Small & Wood 2005; Maher & Dixon 1999; Room & Reuter 2012). The dual challenges of ineffectiveness and harm have spurred calls for more effective, just and humane drug law enforcement (Bacon & Spicer 2022; Caulkins & Reuter 2017), including by examining the role of procedural justice.



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The rise of procedural justice approaches in policing

Defined as the way in which police treat citizens and the fairness of the decisions made, procedural justice comprises four main elements: neutrality, respect, fairness and voice (Tyler 2006, 2004). There is growing evidence showing that each procedural justice element can influence people's attitudes and behaviours towards police and that this holds true across offending and non-offending populations (Nagin & Telep 2020). Of note, a systematic review by Mazerolle, Bennett et al. (2013) found that police legitimacy positively impacted citizen compliance, cooperation, confidence and satisfaction with police, and that individuals who experienced procedurally just policing had 62 percent increased odds of reporting that they would comply or cooperate with police in the future. This led Mazerolle, Bennett et al. (2013: 245–46) to conclude that the 'dialogue component of front-line police-led interventions is an important vehicle for promoting citizen satisfaction, confidence, compliance and cooperation with the police, and for enhancing perceptions of procedural justice'. Conversely, scholars have warned that 'if policies and practices of the police undermine their perceived legitimacy' this creates a 'not-so-hidden cost' for communities, police and government (Tyler, Fagan & Geller 2014: 753).

Interest in procedural justice emerged in the late 1980s and early 1990s as incidents of police corruption and police misconduct (eg racial profiling, excessive force) pervaded the public conscience (Kelling & Moore 1988; Reiner 1985; Tyler 2004). In many ways, issues of procedural justice are more pertinent today following the Black Lives Matter movement and subsequent calls to reduce inequalities and racial disparities, defund police departments and re-examine the role of policing in contemporary society (Baranauskas 2022; Fleetwood & Lea 2022).

Research into procedural justice in the policing of people who use illicit drugs remains limited. This is a significant omission, given drug offences are one of the leading offences recorded in most parts of the world (United Nations Office on Drugs and Crime 2023). In Australia illicit drugs are consistently the top or second most common principal offence—accounting for 15 percent of all recorded offences in 2022–23 (Australian Bureau of Statistics 2024). The vast majority of offences are consumer offences (87.3%) rather than offences pertaining to supply (Australian Criminal Intelligence Commission 2023). The Australian burden of drug offences is all the more notable given the 25-year commitment by federal, state and territory governments to provide alternatives to arrest for drug use and possession offences (Hughes et al. 2019).

The existing research examining procedural justice and drug law enforcement suggests procedural justice is important in this domain. For example, in the United States, White, Mulvey and Dario (2016) found procedural justice was strongly associated with perceptions of police legitimacy among recently arrested adults, including people detected for drug offences. In Canada, Greer and colleagues (Greer et al. 2022; Greer et al. 2018; Selfridge et al. 2020) found police encounters among young people who use drugs (PWUD) were frequently deemed paternalistic and intrusive and that this fuelled distrust in police and a loss of legitimacy. In the United Kingdom, qualitative research with people of racially minoritised communities has shown that drug policing practices that are perceived as unjust can have negative effects on attitudes towards the police that span generations (Akintoye, Ali & Stevens 2022). Finally, Leslie et al. (2017a, 2017b) used a prospective longitudinal study of young adults in Queensland to show that people who used amphetamine-type stimulants were significantly less likely to view police as legitimate and were less willing to cooperate with police. However, this study also showed more positive perceptions could be generated given exposure to procedurally just policing approaches.

Objectives

This paper reports on a purpose-built module added to the 2019 Global Drug Survey (GDS2019) to assess the extent to which Australian policing approaches are perceived as procedurally just by PWUD, to benchmark procedural justice levels against 29 other nations and to identify predictors of enhanced procedural justice. The broader study also looks at cooperation with police and law abidingness (Hughes et al. 2025).

Methods

The data for this analysis were drawn from the GDS2019. The Global Drug Survey (GDS) is the world's largest anonymous, annual web survey of psychoactive substance use, and has been running since 2012 (Barratt et al. 2017; Winstock et al. 2022). Data from the GDS are routinely used by leading crime agencies like the United Nations Office on Drugs and Crime (2023). The GDS2019 ran from 29 October 2018 to 10 January 2019 and was open to anyone aged 16 and over who consented to participate. As in previous years, the survey included core modules on consumption patterns involving alcohol, tobacco, illicit drugs, pharmaceuticals and new psychoactive substances. It also included a new purpose-built drug policing module.

Sample

A total of 123,814 people participated in the GDS2019. Two subsamples were used for this analysis. The first sample included 3,251 people, all residents of Australia aged 16 and over, who reported use of one or more illicit drugs in the previous 12 months and had completed the drug policing module. Of those who reported their state or territory of residence, 34 percent reported living in New South Wales, 28 percent in Victoria, 17 percent in Queensland, 11 percent in Western Australia, five percent in South Australia, three percent in the Australian Capital Territory, one percent in Tasmania and one percent in the Northern Territory. The second sample was cross-national and comprised 50,312 people from 30 countries who were aged 16 and over, who reported recent (previous 12 months) use of illicit drugs and who had completed the drug policing module. A minimum of 200 respondents was required per country to be included in this sample. The most common countries of residence were Germany (26.6%), the United States (11.6%), Australia (6.0%), New Zealand (5.5%), England (5.3%), Italy (4.2%) and Denmark (4.1%).

By definition the sample members were people who use illicit drugs. Most participants also used licit substances (eg alcohol and/or tobacco). For the Australian sample, 90.9 percent reported recent use of alcohol and 69.5 percent tobacco, while the most used illicit drugs in the last 12 months were cannabis, MDMA, cocaine, LSD and amphetamine (75.7%, 70.3%, 52.7%, 34.5% and 33.8% respectively). Most people reported occasional (as opposed to regular) consumption: a median of 30 days in the previous 12 months for cannabis, eight days for MDMA and five for cocaine.

Measures in the GDS2019 drug policing module

Three dependent variables were assessed: procedural justice, willingness to cooperate with police and law abidingness. Here we focus on procedural justice.

Procedural justice was assessed using an initial six-item module covering views on police fairness, neutrality, participation and respect. This module asked how often police demonstrate the following characteristics and behaviour (from 0=never to 3=frequently):

1. make fair and impartial decisions;
2. give people a chance to tell their side of the story;
3. make decisions based upon the law and facts, not personal biases or opinions;
4. treat people with dignity and respect;
5. respect people's rights; and
6. make decisions that are good for everyone in the community.

Such items have been used extensively to assess procedural justice, including via studies in Australia and the United States (Leslie et al. 2017a, 2017b; Mazerolle, Antrobus et al. 2013; Nagin & Telep 2020; Tyler, Fagan & Geller 2014; Tyler & Huo 2002; White, Mulvey & Dario 2016). Informed by the work of Greer et al. (2018) and Eastwood, Shiner and Bear (2013) and the increasing assessment by procedural justice scholars of the transparency and equity of police decision-making and appropriate use of force (Kochel 2017; Meares, Tyler & Gardener 2015; Tyler, Fagan & Geller 2014; Walters & Bolger 2019), two other items were also used that asked how often police (from 0=never to 3=frequently):

7. pick and choose how they enforce drug laws; and
8. abuse their authority over people they suspect have broken the law.

Principal component analysis showed that the eight items loaded onto a single factor and that they were highly correlated ($\alpha=0.918$). As such, the eight items were summed to derive a single composite indicator of procedural justice for each country (with reverse scoring used for the last two items), ranging from 0=no procedural justice to 24=very high procedural justice. 'Don't know' responses were treated as missing for all composite procedural justice scores.

A range of independent variables were also assessed, the most important of which were the incidence and nature of recent drug-related policing encounters. Building on our earlier analysis (Hughes, Stevens et al. 2018), we assessed the incidence of drug-related police encounters in the last 12 months that involved: (1) being stopped and searched; (2) encountering a drug detection dog; (3) being stopped for drug driving; (4) being given a caution or warning; (5) being charged and arrested; (6) paying a bribe; and (7) any other type of police encounter for drugs. Other variables included age, sex, sexual orientation, ethnicity, country, rurality/regional, education, employment, lifetime history of a mental health diagnosis and prior criminal convictions.

It should be noted that while ethnicity is an important variable in policing, the collection of ethnicity data across countries is complicated. Assessments of ethnicity were limited in this cross-national study to 'white' versus 'non-white'. This is because it is not legal to ask questions about ethnicity in some European nations where the GDS is administered (eg France). We acknowledge this is a limitation.

Data analysis

We firstly assessed the levels of procedural justice among the Australian sample of PWUD, and whether, as conjectured, there were significant differences in perceptions of procedural justice based on recent street-level drug law enforcement experiences. Chi-square analyses were used for categorical variables to compare attitudes among those (1) policed and (2) not policed. ANOVAs were used for analysing continuous variables. Attitudes were also compared on key demographic factors: sex, age, ethnicity, mental health diagnosis, prior convictions and state/territory of residence.

Secondly, we used the global sample to compare the perceived levels of procedural justice among PWUD in Australia against 29 other nations and assess how Australia ranked in terms of the composite indicator and for the eight procedural justice items. Country-level variation was controlled for using the number of police personnel per 100,000 population in each country (defined as the number of personnel in public agencies whose principal function was the prevention, detection and investigation of crime and the apprehension of alleged offenders) and the previous 12-month prevalence of cannabis, cocaine and MDMA use in each country among the population aged 15–64. Country-level data were sourced from the United Nations Office on Drugs and Crime (2020a, 2020b). Finally, multi-level logistic regressions were used to identify predictors of heightened procedural justice, controlling for the prevalence of the three most used illicit drugs and the number of police personnel in each country. This analysis used a dichotomous procedural justice variable, differentiating a high procedural justice score (defined as a score of 16–24, representing ‘somewhat frequently’ or ‘frequently’ responses for the eight scale items) versus a low/moderate procedural justice score.

On average, 21.4 percent of the GDS respondents reported a high procedural justice composite score. A dichotomous as opposed to a continuous variable was used for two reasons. First, this approach was preferable because of the large variability in procedural justice scores in the cross-national sample and the moderate scores for Australia specifically (see Figures 3 and 5). Second, the dichotomous variable aligned with our desire to produce more actionable insights for Australian policymakers into how to work towards high procedural justice scores.

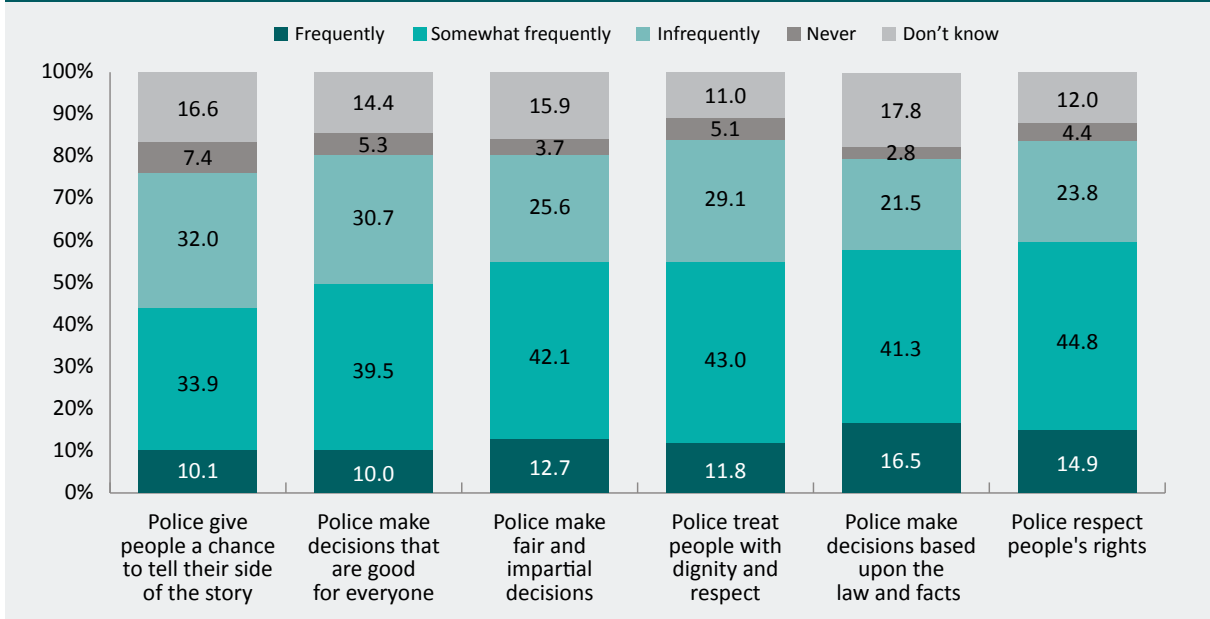
Findings

Policing experiences and attitudes of Australian PWUD towards police

Experiences of policing among PWUD in Australia were common. Seventy percent of respondents reported police contact in the last 12 months, while 51.5 percent reported at least one police encounter that was drug related (ie connected with their use of drugs). Drug detection dog encounters were the most common (44.8%), followed by roadside drug tests for illicit drugs specifically (9.7%) and stop and search encounters (8.4%).

Figures 1 and 2 show the attitudes of Australian PWUD towards police across the eight procedural justice items. Australian PWUD said that police commonly follow some aspects of procedural justice. For example, 59.7 percent and 57.9 percent of respondents respectively said police frequently or somewhat frequently respect people’s rights and make decisions based upon the law and facts. Almost half of the respondents (49.6%) said police frequently or somewhat frequently make decisions that are good for everyone. However, fewer PWUD in Australia said police give people a chance to tell their side of the story (44.1% said this frequently or somewhat frequently occurs).

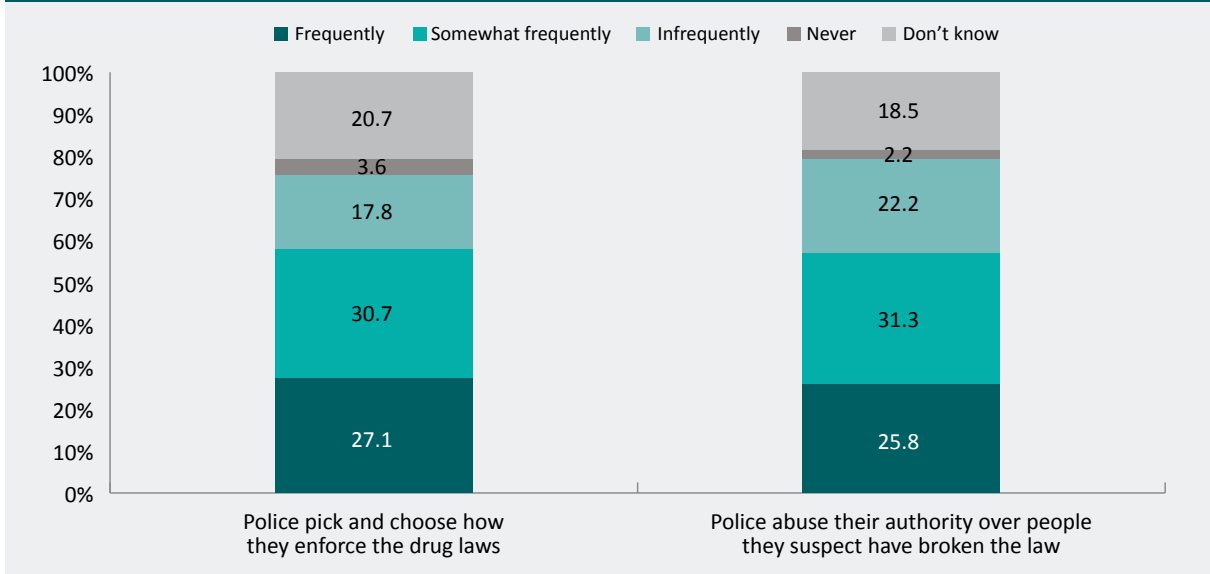
Figure 1: Attitudes of Australian PWUD towards police for procedural justice items 1–6 (%) (n=3,251)



Concerningly, the majority of Australian PWUD said police often pick and choose how they enforce the laws and abuse their authority. Indeed, 57.9 percent said police frequently or somewhat frequently pick and choose how they enforce the drug laws, and 27.1 percent said this occurs frequently. Moreover, 57.1 percent said police frequently or somewhat frequently abuse their authority over people they suspect have broken the law and only 2.2 percent of respondents said this never occurs.

A not insignificant proportion of people reported 'don't know'—that is, they could not form an opinion about police activity. This ranged across the procedural justice items from 11.0 percent to 20.7 percent. For example, 11.0 percent of Australian PWUD reported that they do not know if police treat people with dignity and respect. Those who responded 'don't know' were less likely to report a recent drug-related police encounter. For example, analysis of the item 'police treat people with dignity and respect' showed that 7.5 percent of respondents with no recent drug-related police encounter responded 'don't know' compared to 15.0 percent of those recently policed ($\chi^2(4), n=3,025=54.97, p<0.001$). There were no significant differences by age, ethnicity or employment status.

Figure 2: Attitudes of Australian PWUD towards police for procedural justice items 7–8 (%) (n=3,251)



Impacts of policing experiences and selected demographics on Australian procedural justice attitudes

We explored the impact of prior policing experiences, as well as age, gender, ethnicity, mental health history and state/territory of residence, on attitudes to police in Australia. Table 1 shows that prior policing experiences had a significant negative impact on all procedural justice items. For example, people with (as opposed to without) a recent drug-related police encounter were more likely to state that police infrequently give people the chance to tell their side of the story (36.1% compared to 27.5% ($\chi^2(4), n=3,031)=54.67, p<0.001$) and that police infrequently make decisions that are good for everyone in the community (34.0% compared to 27.2%; $\chi^2(4), n=3,024)=41.61, p<0.001$). Those recently policed were also more likely to report that police frequently abuse their authority (29.0% compared to 22.4%; $\chi^2(4), n=3,019)=50.03, p<0.001$).

As described above, the eight procedural justice items were summed to produce a new procedural justice composite score ranging from 0=no procedural justice to 24=very high procedural justice. The net result for Australian PWUD was a composite score of $M=11.97$ (interquartile range=9–15; $n=2,038$). Those with (as opposed to without) a recent drug-related police encounter again reported a significantly lower composite procedural justice score: $M=11.66$ ($SD=4.57$) compared to $M=12.38$ ($SD=4.63, F(1, 1973)=12.09, p<0.001$). These results reinforce that policing experiences have a significant and demonstrable impact upon the degree to which police are viewed as procedurally just in Australia.

Table 1: Attitudes towards procedural justice among Australian PWUD, by recent drug-related police encounter

	Police encounter (%)	No police encounter (%)	Total (%)	χ^2 test score
Police make fair and impartial decisions				
Frequently	11.5	14.0	12.7	$\chi^2(4, 3,058)$ =46.34, $p<0.001$
Somewhat frequently	43.8	40.2	42.1	
Infrequently	28.7	22.2	25.6	
Never	3.7	3.8	3.7	
Don't know	12.3	19.8	15.9	
Police give people the chance to tell their side of the story				
Frequently	9.3	10.9	10.1	$\chi^2(4, 3,031)$ =54.67, $p<0.001$
Somewhat frequently	33.7	34.2	33.9	
Infrequently	36.1	27.5	32.0	
Never	8.1	6.6	7.4	
Don't know	12.7	20.7	16.6	
Police respect people's rights				
Frequently	14.0	16.0	14.9	$\chi^2(4, 3,021)$ =53.35, $p<0.001$
Somewhat frequently	45.9	43.5	44.8	
Infrequently	27.3	20.1	23.8	
Never	4.2	4.7	4.4	
Don't know	8.5	15.8	12.0	
Police make decisions that are good for everyone in the community				
Frequently	8.7	11.5	10.0	$\chi^2(4, 3,024)$ =41.61, $p<0.001$
Somewhat frequently	40.3	38.6	39.5	
Infrequently	34.0	27.2	30.7	
Never	5.6	4.9	5.3	
Don't know	11.3	17.8	14.4	
Police treat people with dignity and respect				
Frequently	10.9	12.7	11.8	$\chi^2(4, 3,025)$ =54.97, $p<0.001$
Somewhat frequently	43.4	42.6	43.0	
Infrequently	32.8	25.1	29.1	
Never	5.4	4.9	5.1	
Don't know	7.5	14.7	11.0	
Police make decisions based upon the law and facts				
Frequently	16.7	16.2	16.4	$\chi^2(4, 3,035)$ =26.23, $p<0.001$
Somewhat frequently	42.9	39.7	41.4	
Infrequently	22.7	20.2	21.5	
Never	3.2	2.4	3.2	
Don't know	14.5	21.5	17.9	

Table 1: Attitudes towards procedural justice among Australian PWUD, by recent drug-related police encounter (cont.)

	Police encounter (%)	No police encounter (%)	Total (%)	χ^2 test score
Police pick and choose how they enforce the drug laws				
Frequently	31.1	22.4	27.0	$\chi^2(4, 3,016)$ =47.09, $p<0.001$
Somewhat frequently	31.4	30.3	30.9	
Infrequently	17.4	18.2	17.8	
Never	2.8	4.7	3.7	
Don't know	17.3	24.4	20.7	
Police abuse their authority over people they suspect have broken the law				
Frequently	29.0	22.4	25.8	$\chi^2(4, 3,019)$ =50.03, $p<0.001$
Somewhat frequently	33.3	29.1	31.3	
Infrequently	21.5	23.0	22.2	
Never	1.7	2.6	2.1	
Don't know	14.5	23.1	18.7	

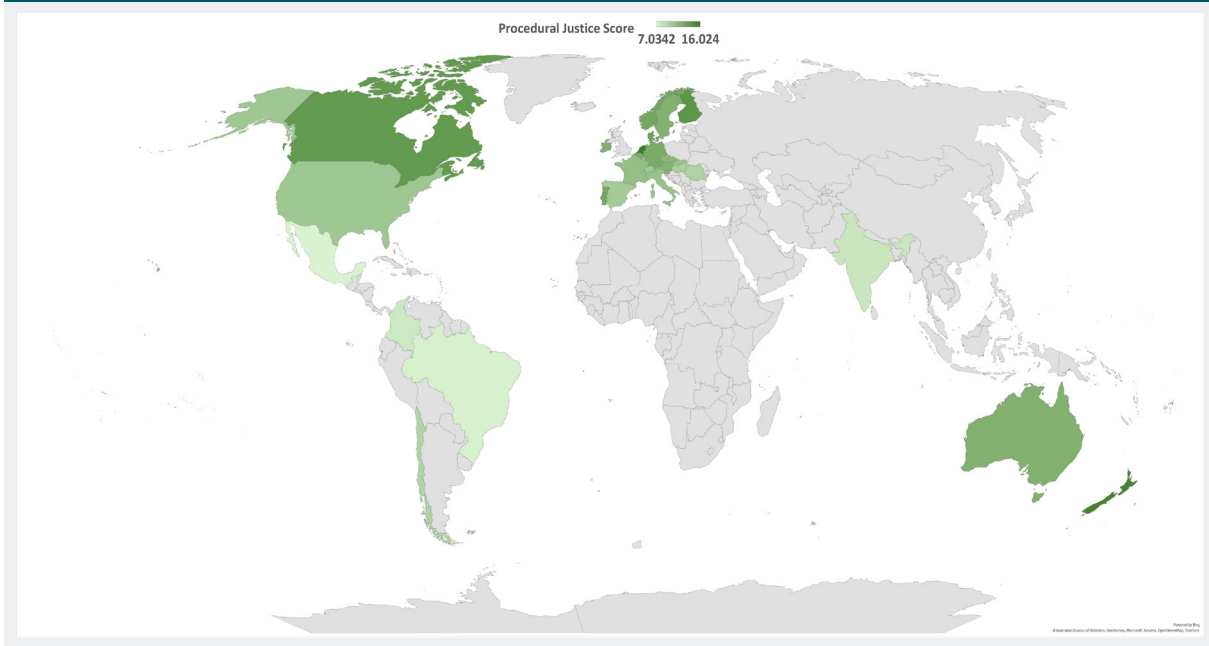
Procedural justice composite scores also varied by gender, ethnicity, state/territory and mental health history. Men had higher procedural justice scores than women and other genders ($M=12.26$, compared to $M=11.56$, $F(1,2036)=11.57$, $p=0.001$). People who were white (as opposed to non-white) also had higher procedural justice scores ($M=12.11$, compared to 11.11 , $F(1,1814)=9.72$, $p=0.002$). NSW residents had significantly lower procedural justice scores ($M=10.92$), compared to $M=12.16$ in Queensland, $M=12.57$ in Victoria and $M=12.67$ for all other states ($F(5,1544)=8.79$, $p<0.001$). Moreover, those with (as opposed to without) a lifetime mental health diagnosis had significantly lower procedural justice scores ($M=11.34$, compared to 12.44 , $F(1,2029)=28.89$, $p<0.001$). There were no significant differences in attitudes by age or employment status.

How does Australia compare to other nations?

Analysis against the global sample of 29 other countries from five continents showed variance in attitudes among PWUD towards police. Across the 30 countries, the average composite procedural justice score for PWUD was 11.73, but this varied significantly from 7.03 to 16.02 ($F(29,29014)=203.85$, $p<0.001$).

Figure 3 depicts the results geographically. The Netherlands and New Zealand had the highest composite procedural justice scores (with 16.02 and 15.38 respectively), followed by Finland, Canada and Denmark (14.09, 13.71 and 13.07 respectively). Conversely, Mexico, Brazil and Colombia had the lowest composite scores (7.03, 7.17 and 7.67 respectively). With a procedural justice composite score of 11.97, Australia ranked 15th out of the 30 countries.

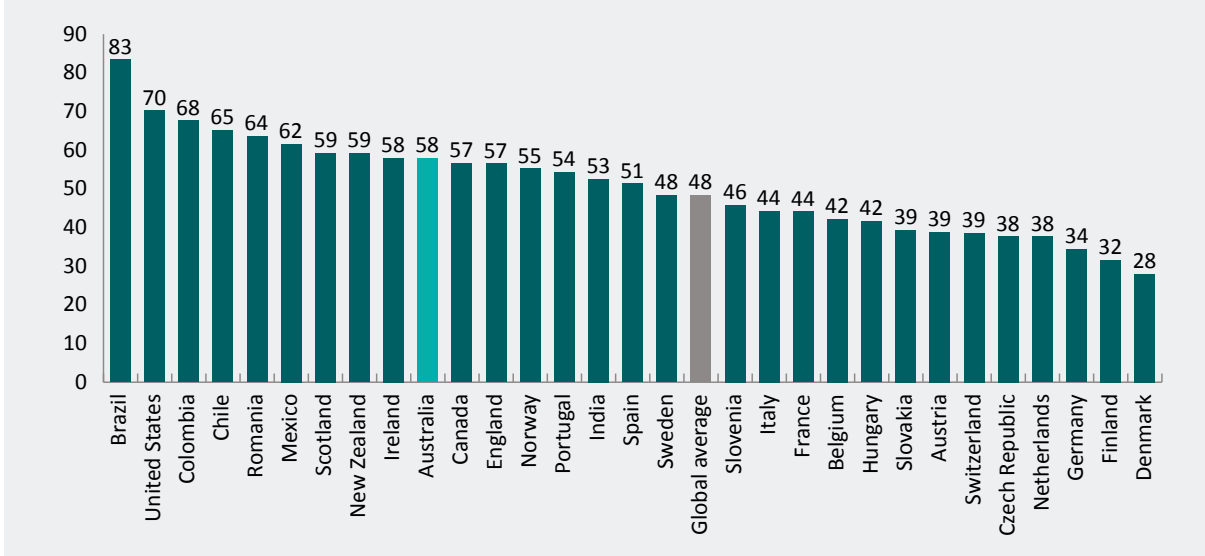
Figure 3: Procedural justice composite score, by country



Source: Global Drug Survey 2019

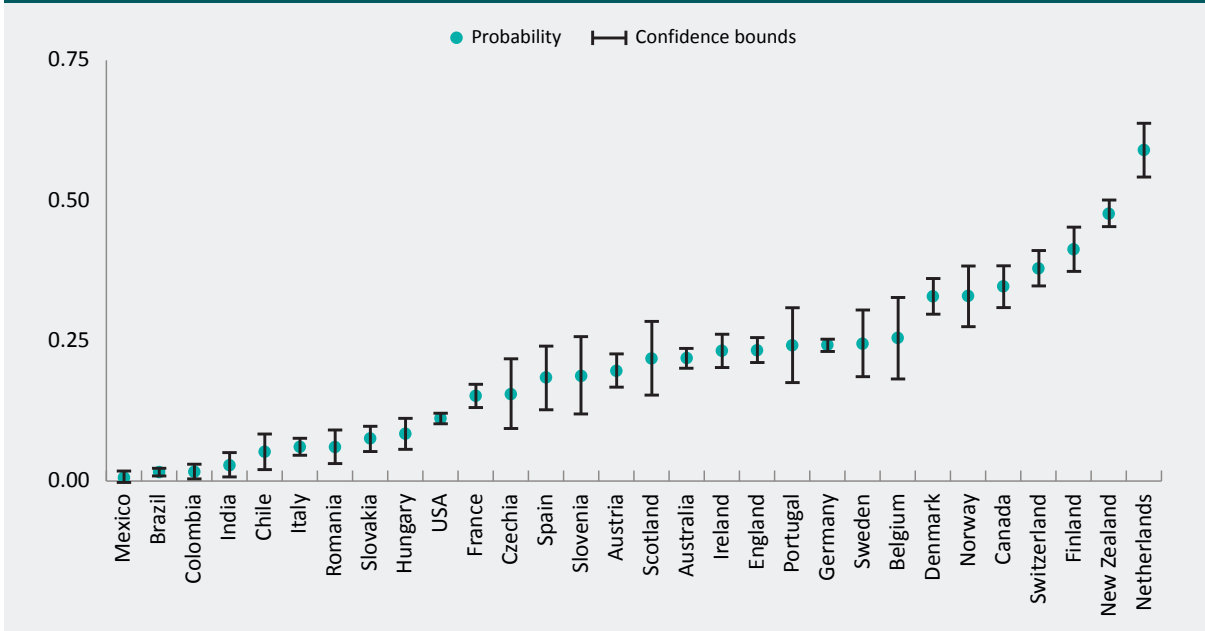
Analysis of specific elements of procedural justice showed Australia had higher than average scores for police making fair and impartial decisions and police making decisions that are good for everyone. Here we found Australia ranked seventh out of 30 countries. Australia also ranked high for police making decisions based upon the law and facts and police respecting people's rights, sitting at ninth out of 30 countries. However, Australia fared less well in terms of the perceived arbitrariness of law enforcement and abuse of authority. Indeed, Australia ranked 10th worst in perceptions that police frequently or somewhat frequently pick and choose how they enforce drug laws (see Figure 4). Interestingly, while New Zealand had the second highest composite procedural justice scores, this is the one indicator where New Zealand also scored poorly, with many PWUD in New Zealand concurring that police frequently or somewhat frequently pick and choose how they enforce drug laws (ranked eighth worst out of 30 countries; see Figure 4).

Figure 4: Police frequently or somewhat frequently pick and choose how they enforce drug laws, by country (%)



Finally, Figure 5 outlines for each country the probability of any PWUD having a high procedural justice score (defined as a score of 16 or higher). Controlling for country-level factors, the probability of a high procedural justice score is near zero for PWUD in Mexico. However, in the Netherlands the predicted probability of a high procedural justice score among PWUD is 0.6. The probability of a high procedural justice score among PWUD in Australia is three times lower, at 0.2.

Figure 5: Predicted probability of a high procedural justice score, by country



Predictors of high procedural justice scores

In the final phase of our analysis we used multi-level logistic regression models to identify correlates of a high procedural justice composite score, controlling for the prevalence of use of the three most used drugs and number of police personnel per 100,000 population. Three models were run controlling for random intercepts only (Model A), individual factors (Model B) and individual and country level factors (Model C). Procedural justice attitudes were shaped by eight individual-level variables: age, age squared, gender, ethnicity, employment status, the frequency of a PWUD using cannabis (but not other drugs), lifetime criminal convictions and recent drug-related police experience (see Table 2). High procedural justice scores were more likely if PWUD were male as opposed to female (AOR=1.495) and white as opposed to non-white (AOR=2.075). Less frequent cannabis use was also associated with high procedural justice scores.

Drug use is not linear across the lifespan. Reflecting this, a high procedural justice score was most likely for people aged 16–20 and 50–60 but lower for people aged 21–40. Regarding criminal justice system contact, Table 2 shows that, controlling for other covariates, PWUD who had a recent police encounter or lifetime criminal conviction were respectively 1.4 and 1.6 times less likely to report a high procedural justice score.

Four national factors shaped the probability of a high procedural justice score. Living in a country with high prevalence of cannabis use (AOR=1.079) or MDMA use (AOR=1.574) increased the odds of high procedural justice scores. Conversely, living in a country with high prevalence of cocaine use reduced the odds of high procedural justice (AOR=0.700). Higher rates of police personnel in a country were associated with reduced odds of high procedural justice (AOR=0.996). The final model was statistically significant (Model C: $R^2=0.1079$, $\chi^2(18, n=15,963)=5,065.43$, $p<0.001$) and accounted for 72.5 percent of the area under the curve.

Table 2: Multi-level regression predicting the probability of a high procedural justice score controlling for random intercepts only (Model A), individual-level factors (Model B) and individual and country level factors (Model C)

	Model A		Model B		Model C	
	OR	CI	OR	CI	OR	CI
Constant	0.272***	0.195, 0.380	0.022***	0.012, 0.043	0.086***	0.014, 0.520
Individual-level factors						
Age			1.013*	1.002, 1.023	0.963*	0.933, 0.994
Age squared					1.001**	1.000, 1.001
Sex						
Male vs female			1.493***	1.215, 1.835	1.495***	1.346, 1.660
Non-binary vs female			0.255***	0.122, 0.530	0.214***	0.102, 0.453
Ethnicity: white vs other			2.373***	1.577, 3.572	2.075***	1.602, 2.687
Employment status						
Unemployed and looking for work vs paid employment			0.668**	0.523, 0.905	0.724**	0.592, 0.884
Unemployed and not looking for work vs paid employment			1.055	0.878, 1.268	1.033	0.94, 1.134
Frequency of cannabis use in the last 12 months						
Every two days vs daily			1.101	0.907, 1.336	1.197	0.989, 1.447
Weekly vs daily			1.558***	1.291, 1.881	1.511***	1.260, 1.811
Fortnightly/monthly vs daily			1.848***	1.434, 2.381	2.039***	1.633, 2.544
Less than monthly vs daily			2.597***	2.027, 3.328	2.807***	2.099, 3.755
Drug-related police encounter: no vs yes			1.356**	1.140, 1.614	1.356**	1.106, 1.662
Prior criminal conviction: no vs yes			1.413**	1.103, 1.614	1.576***	1.267, 1.960
Country-level factors						
Prevalence of cannabis use					1.079**	1.025, 1.134
Prevalence of cocaine use					0.700**	0.566, 0.866
Prevalence of MDMA use					1.574**	1.145, 2.161
Total number of police personnel per 100,000 population					0.996*	0.993, 0.999

***statistically significant at $p < 0.001$, **statistically significant at $p < 0.01$, *statistically significant at $p < 0.05$

Note: Model A: $R^2=0.000$. Model B: $R^2=0.050$, $\chi^2(13, n=20,754)=657.79$, $p < 0.001$. Model C: $R^2=0.1079$, $\chi^2(18, n=15,963)=5,065.43$, $p < 0.001$, AUC=0.7249

Discussion

This research used the GDS2019 to assess the extent to which Australian street-level drug law enforcement approaches are perceived as procedurally just by PWUD, to benchmark procedural justice levels against other nations and to identify predictors of and methods to enhance procedural justice. Several limitations warrant mention. First, the data are based on self-report. Whether PWUD are telling the truth about their drug use, experiences or attitudes is thus unknown. That said, there is a large body of work showing the value of self-report data for capturing illicit activities, particularly when confidential and anonymous methods are employed (Bharat et al. 2023; Miller et al. 2015). Second, the data are correlational, not causal. We cannot be assured that the identified patterns are directly related, nor that such relationships would translate in a real-world setting. However, based on consistency with studies such as Leslie et al. (2017a, 2017b) and White, Mulvey and Dario (2016), we suggest there is likely to be at least some validity. Third, in surveys, and indeed in any policy or program evaluation, there is always an issue of construct validity: how well the chosen set of indicators accurately captures the outcomes of interest (eg procedural justice). Here we note that the survey questions replicated those from previous studies.

This study provided the largest test to date of procedural justice theory as it relates to street-level drug law enforcement. In doing so, it provides three key contributions. First, it shows that, despite being a group of 'offenders', PWUD in Australia demonstrate largely positive attitudes towards police. The finding that 59.7 percent and 54.8 percent of PWUD said that police frequently or somewhat frequently make decisions based upon the law and facts and make fair and impartial decisions is also not very dissimilar from Australian general public opinion about police, as reported by the Productivity Commission (2018). Second, it shows three areas where Australian PWUD have greater concerns about the application of procedural justice by police: giving people a voice (listening), arbitrariness in enforcing drug laws, and abuse of authority. Third, this research has brought to the fore the heterogeneity in attitudes towards police across the globe, and areas where the views of PWUD in Australia align and do not align with PWUD in other parts of the globe. We see that Australia ranked 15th out of 30 countries in the composite procedural justice index. While Australia had a higher procedural justice score than all Global South countries (eg Mexico, Brazil, Colombia and India) and a higher score than some Global North countries (eg the United States), PWUD in Australia had lower procedural justice scores than many other Global North countries, particularly the Netherlands, New Zealand and Canada.

The heterogeneity in attitudes towards police across the globe is intriguing. The lower scores in the Global South countries likely stem from the historic high rates of corruption in this region. For example, a recent cross-national study by Ruddell and Trott (2022) found that citizens in countries perceived to be more corrupt were less likely to believe their police were trustworthy. Conversely, the higher scores in the Netherlands and New Zealand are likely to relate at least in part to the common commitment in both countries to build trust and heighten procedural justice (den Heyer 2021a, 2021b; Terpstra 2013; Terpstra & Fyfe 2015). As den Heyer (2021a: 207) notes, 'since the 1990s the New Zealand Police have introduced three extensive change management programs to improve the efficiency and effectiveness of their core services (Policing 2000; Policing Excellence; and Prevention First)' which have had a focus on crime prevention and working with and for communities.

Such programs have enabled New Zealand Police to shift from enforcement-led, largely reactive approaches to strategies centred on community and problem-oriented policing and spurred ‘a steady rise in public trust and confidence in the New Zealand Police’ (den Heyer 2021a: 234). The NZ Police Strategy 2017–2021 (New Zealand Police 2017) further included the commitment to a target of 90 percent of people in New Zealand having high or very high trust and confidence and explicit commitments to build trust and confidence with youth, Māori, and other ethnic communities that are over-represented as victims or offenders. That said, the fact that PWUD in both Australia and New Zealand are similarly likely to report that police often pick and choose how they enforce the drug laws suggests that the treatment of ethnic minorities, particularly Māori and Indigenous Australian PWUD, warrants greater attention.

More broadly the analysis brings new insights into the circumstances under which heightened procedural justice may be possible.

- National factors—Being in a country with a high number of police personnel per population head reduced the likelihood of high procedural justice scores. This finding represents a salutary tale given frequent demands to increase police personnel. Conversely, being in a country with more cannabis use (but not cocaine use) increased the likelihood of high procedural justice scores. The reasons for this are likely complex. However, research shows public attitudes to drugs vary across substances, with more positive attitudes towards cannabis than heroin or methamphetamine (Matthew-Simmons, Love & Ritter 2008), and that police also show variation in attitudes based on the perceived harmfulness of different drugs to society (Beyer, Crofts & Reid 2002). Further research exploring this link is recommended. Overall, despite the impact of national factors, the study showed there continue to be substantive differences in procedural justice scores after controlling for country differences in the prevalence of use or the number of police personnel. This indicates that countries retain significant capacity to shape and inform their own responses to these issues.
- Demographic factors—Age, ethnicity, employment status and mental health were particularly important. Young PWUD, particularly those aged 16 to 20, and older PWUD aged 50–60 displayed greater odds of a high procedural justice score. But the odds of a high procedural justice score were significantly reduced for those aged 21–40. This makes sense given the pattern of drug use across the lifespan. This study further reinforces the importance of ethnicity to attitudes of PWUD towards police procedural justice and brings to light other demographic groups of PWUD who have more constrained attitudes towards police procedural justice, particularly those who are female, who are unemployed or who have prior mental health histories. In doing so, it shows the importance of social determinants and intersectionality in drug policy and street-level drug law enforcement, including, but not limited to, improving procedural justice attitudes (Rhodes 2009).
- Actions of the criminal justice system—Consistent with past research, this study demonstrates that having a recent drug-related police encounter is a predictor of more negative procedural justice views towards police (Greer et al. 2022; Selfridge et al. 2020). For example, in their Queensland-based sample, Leslie et al. (2017a, 2017b) found that people who used amphetamine-type substances often said they felt unfairly targeted by police because of their drug use and/or that criminal justice interventions were not legitimate for drug use. Conversely, this study shows that the absence of a recent drug-related policing encounter or prior criminal conviction is associated with greater odds of a high procedural justice score.

Implications for policy and practice

For Australia specifically, this analysis suggests that issues of procedural justice do matter to Australian PWUD and that Australia has a significant need and capacity to improve procedural justice in street-level drug law enforcement. Our broader study (Hughes et al. 2026) shows that building heightened procedural justice will in turn build more willingness to cooperate with police and more law abidingness (defined as not engaging in any form of drug supply behaviour, including drug trafficking, cultivation or manufacturing offences). The existing literature suggests that, consistent with Australia's harm minimisation drug policy (Commonwealth Department of Health and Aged Care 2017), building heightened procedural justice may also boost help-seeking behaviours among PWUD (Allen 2020) and lessen other drug-related harms (Kerr, Small & Wood 2005; Maher & Dixon 1999; Room & Reuter 2012; Weatherburn & Lind 1997). We suggest a variety of steps to build procedural justice.

- Expand police training on principles and practices of procedural justice—Educating police officers on why and how to apply procedural justice in responding to PWUD is one means to expand procedural justice (Murphy 2020). Emphasis is recommended on key issues identified in this study, such as giving all alleged offenders a voice and a chance to tell their side of the story and implementing laws in a fair and equitable manner, regardless of gender, ethnicity, place of residence, mental health status or other factors.
- Reorient police targets—Mazerolle and Terrill (2018) have shown police training alone is unlikely to shift police behaviour due to legislative and organisational issues. In light of this, broader change (in this case to police targets) is important to facilitate a supportive environment for more procedurally just responses. Cementing procedural justice targets in policing illicit drugs (eg that 80% of PWUD report police treat people fairly and equally) is recommended, noting that similar targets are measured annually with the general population in the Australian and New Zealand Policing Advisory Agency National Survey of Community Satisfaction with Policing.
- Institute legislative requirements for fair, proportional, rights-based drug laws—Given the concerns among Australian PWUD about the equity of drug law enforcement, reshaping the legal environment is recommended to incentivise fair enforcement of Australian drug laws, particularly for Indigenous and other ethnic minority groups (Office of the United Nations High Commissioner for Human Rights 2023).
- Build public education about drugs policing—A not insignificant proportion of Australian PWUD responded 'don't know' (11.0% to 20.7% per item) when asked whether police implement procedural justice approaches. Building public education about what the police do is thus recommended. That said, there is a need to evolve the discourse, as most media coverage about drugs policing focuses on enforcing the laws and police activity—arrests and seizures (Hughes, Lancaster & Spicer 2011), as opposed to the welfare and safety of PWUD and fairness of interactions and decision-making.

- Reduce the incidence of drug-related policing—This research showed a clear negative association between drug-related police encounters and procedural justice and that Australia had one of the highest rates of reported drug-related police encounters for PWUD. Importantly, it also showed that having no recent drug-related police encounter significantly increased the odds of a high procedural justice score. As such, we recommend reducing the incidence and intensity of drug-related police encounters for PWUD in Australia by expanding alternatives to arrests (police drug diversion) in all states and territories or, ideally, shifting towards wholesale decriminalisation of use and possession offences (Hughes, Stevens et al. 2018; Stevens et al. 2022). Research by Hughes et al. (2019) showed that over the period 2010–11 to 2014–15, only 55.5 percent of offenders detected with a principal offence of use/possession in Australia were given a police drug diversion. Expanding alternatives to arrest or decriminalisation of use and possession would also afford health and social benefits and align with the Australian National Drug Strategy (Commonwealth Department of Health and Aged Care 2017) and international requirements under the United Nations Drug Conventions (United Nations System Chief Executives Board for Coordination 2018).
- Expand harm reduction oriented policing—The negative association between drug-related police encounters and procedural justice scores suggests a need to increase the legitimacy of the legal actions taken towards PWUD. This could include expanding harm reduction oriented policing approaches, such as police carrying naloxone (an overdose reversal drug) or police supporting the adoption and operation of local drug-checking services (Allen 2020; Bacon & Spicer 2022; Falzon et al. 2022; Goulka, Del Pozo & Beletsky 2021). While this does not mean police would conduct the drug checking themselves, which would remain the responsibility of trained and independent professionals, such an approach could convey that police are concerned for the welfare of PWUD, build positive and legitimate policing interactions and reduce the risks of specific harms, such as overdose.
- Adopt and expand voluntary health and social service referral pathways—PWUD with lower procedural justice scores displayed increased incidence of mental health problems or unemployment. Adopting and expanding voluntary health and social service pathways for police to refer PWUD to may further build trust in police, aid legitimacy and address broader social determinants of drug use (Goulka, Del Pozo & Beletsky 2021).
- Increase data transparency and accountability about the policing of drugs—Data transparency and accountability are important tools for building procedural justice, but data on the policing of drug offences are variable across Australian states and territories. Ensuring counts of legal action taken and offence and offender circumstances are routinely and publicly reported in all states and territories would increase transparency and also increase public education about where and how drugs policing is applied.

In summary, by assessing the procedural justice views of PWUD in Australia and benchmarking procedural justice levels against 29 other countries, this research has shown that there is both an opportunity and a need to improve procedural justice in Australian street-level drug law enforcement. It has also outlined multiple steps by which this can be achieved. The good news is that over the last few years some of these measures have been introduced or expanded in Australia. For example, in 2021 the Western Australia Police Force became the first Australian police agency to carry naloxone (Agramunt & Lenton 2023), in 2022 the Australian Capital Territory opened Australia's first fixed site drug-checking service with the support of ACT Policing (ACT Policing 2022) and in 2024 Queensland and New South Wales expanded police drug diversion programs (NSW Government 2023; Queensland Government 2023). Each initiative brings potential benefits for PWUD and for procedural justice attitudes.

However, the low procedural justice scores in Australia relative to other countries shows there is a need for a concerted and comprehensive response to build procedural justice in Australian street-level drug law enforcement. As such, we recommend implementing the full set of recommendations: expanding police training, reshaping the legislative environment and organisational environment to incentivise and reward procedurally just responses, expanding transparency and accountability on policing and building more public health and human rights focused policing responses to PWUD. Adopting such measures will build procedural justice in Australia and afford multiple benefits for PWUD, police agencies, government and communities.

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