

SUMMARY

This is the fourth survey in monitoring the number of coffee shops and local drug policies in which civil servants of all Dutch municipalities are interviewed. This research provides insight into the number of officially tolerated coffee shops in the Netherlands. Attention is also paid to changes in the soft drug policies as pursued by Dutch municipalities. New this year is a pilot-study about the enforcement of the so-called AHOJ-G criteria in 25 municipalities. For this extra study, interviews were held with civil servants, police enforcers and employees of the Public Prosecutor.

Coffee shops

At the end of 2002 the Netherlands have 782 officially tolerated coffee shops. This is a three percent overall decrease compared to the situation in 2001. The number of municipalities with coffee shops has, increased from 105 to 107. Furthermore the number of coffee shops has slightly increased in municipalities with less than 20,000 citizens. In municipalities with a high number of coffee shops the number of coffee shops has reduced.

Next to the four major cities (Amsterdam, Rotterdam, The Hague, Utrecht) high concentrations of coffee shops can be found in the larger towns of North Brabant, in South-east Drenthe, the south of Groningen and the Gooi region and to a lesser extent in Twente, the Achterhoek, the south of Zeeland and the south of Limburg. Compared with 2001

few changes can be observed with respect to the concentration of coffee shops in these regions.

Local policy

Of all the 496 municipalities in the Netherlands 3 percent have not defined policies to regulate the number of coffee shops. The majority of the Dutch municipalities have a zero policy (73%) or a maximum policy (17 %) in 2002. At first sight the number of communities with a zero policy seems to have decreased. This decrease, however, was brought about by a new division of municipalities which was effected on 1 January 2002.

Two third of all Dutch municipalities have a criterion in their policy concerning the distance between coffee shops and schools. One of the 13 border municipalities with coffee shops includes an extra criterion in their policy concerning the distance between coffee shops and foreign border(s). One municipality does not yet adhere to the prohibition of the sale of alcohol in the same premises where soft drugs are sold. However an eradication policy applies for these so called 'hasj café's'.

Enforcement AHOJ-G criteria

To regulate the sale of cannabis products in coffee shops the Ministry of Justice introduced five rules called the AHOJ-G criteria. Although originally formulated in 1991, the current definition of these rules is as follow: A. no advertising for the sales of soft drugs; H. no hard drugs on the premises, not for sale and not for personal use; O. no 'overlast', meaning no public nuisance (loud music, customers hanging round et cetera); J. no youths, customers are not allowed in if under 18 years of age; G. no big quantities, coffee shops are not allowed to sell more than 5 grams, per person, per day. At the same time coffee shops

are not allowed to stock more than a maximum of 500 grams in cannabis.

Enforcement of the criteria takes place in all 25 municipalities that are included in the research. 24 Of these also enforce the 500 gram norm. The AHOJ-G criteria are mostly based on the guidelines provided by the Ministry of Justice. A few municipalities describe the criteria in a more extensive way, while others include extra criteria in their policy.

There are four profiles of enforcement: 1. enforcement is carried out by two (contracting) parties of the triangle police, municipality and the Public Prosecutor; 2. enforcement is carried out, only by the police; 3. enforcement is carried out by a special team; or 4. enforcement is carried out in a border community, where different collaborations exist.

The AHOJ-G criteria are inspected on a pro-active (mostly unannounced) way, but inspections also take place after calls by citizens or policemen. Most municipalities have a minimum amount of inspection rounds a year.

Breaking one of the AHOJ-G rules means a sanction of some sorts. Most municipalities use courses (trajectories) of sanctioning to enforce the criteria. Three different courses are discerned: 1. uniform sanctioning (committing an offence is followed by the same course of sanctioning); 2. pluriform sanctioning (committing an offence leads to different courses of sanctioning depending on the criterion breached); 3. no definition (committing an offence is followed by different sanctions every time, depending on the circumstances).

Breaking one of the AHOJ-G criteria is followed by different types of sanctioning: (official) warnings, fines, temporary closing of the coffee shop, definitive closing of the coffee shop and withdrawal of the permit to exploit a

coffee shop. Breaking the hard drug criterion is sanctioned severely in most municipalities. A coffee shop breaking this rule is closed indefinitely in half of the 25 municipalities.

Conclusions

The findings of this study show that few changes have taken place in both the number of coffee shops and the types of policies pursued when comparing 2002 with 2001. The number of coffee shops has decreased slightly, particularly in the four major cities. As in preceding years almost 75 percent of all Dutch municipalities have a zero policy, 17 percent have a maximum policy in 2002.

The pilot study about enforcement of the AHOJ-G criteria shows that the criteria, policy and sanctions are clearly formulated and easy to work with. Furthermore, four profiles of enforcement and three courses of sanctioning are distinguished. The respondents indicate that the criteria are an adequate way to regulate the sale(s) of cannabis products in coffee shops. The only bottleneck, recurring in the interviews with different respondents, is the so-called 'achterdeurproblematiek': the deliverance and purchase of large quantities of cannabis at the back-door.

Getting in touch with public servants and questioning them about soft drug policy, seems an adequate way of monitoring the enforcement of the AHOJ-G criteria. Public servants, however, seem to need some time to obtain all the right data. Missing data can be obtained, if needed, by consulting police officers.