

Universities Face Heightened Legal Risk with Zero-Tolerance Drug Policies, Says New Legal Advice Published by SafeCourse Charity

FOI request reveals that at least 1 in 8 UK Universities still have zero-tolerance policies towards drug use

LONDON, Wednesday 2 July 2025 – SafeCourse, a charity dedicated to reducing drug use and drug-related harms among university students, today publishes groundbreaking legal advice highlighting the heightened legal risks faced by universities that maintain zero-tolerance drug policies.

The advice, commissioned by SafeCourse and authored by leading barristers Victoria Wakefield KC and Tim Johnston of Brick Court Chambers, underscores that harm reduction approaches, now endorsed as sector best practice by Universities UK (UUK), are not only safer for students but also reduce legal liabilities for institutions.

The advice concludes that universities adopting zero-tolerance policies face greater risks of negligence claims. Such policies may breach duties of care to students by failing to follow evidence-based practices, which prioritise health and support over punitive measures. Crucially, the advice also warns that universities adopting but failing to implement harm reduction policies are similarly exposed to legal challenges.

As part of its research, SafeCourse submitted an FOI request to 144UK universities. Responses reveal a sector in transition, with 34%% of universities confirming active harm reduction policies. A further third (33%) of universities revealed they were reforming harm reduction policies. That leaves at least 1 in 8 [13%] retaining dangerous zero-tolerance stances, contrary to UUK's 2024 guidance. While some universities exemplify best practice, others risk leaving students vulnerable by delaying action or retaining punitive measures.

Hilton Mervis, founder of SafeCourse and father of Daniel, said:

“This legal advice is a wake-up call for universities. Zero-tolerance policies don’t stop drug use, they drive it underground, putting students at greater risk. Harm reduction policies aim to actively reduce drug use, saves lives and protect universities from liability. It’s time for all institutions to act and stop zero action which leaves students at risk.”

The legal advice draws on recent case law, including *Feder and McCamish v Royal Welsh College of Music and Drama* (2023), where a university was found to owe a duty of care to protect students from foreseeable harms. The advice also references the tragic case of Daniel Mervis, a student at St John’s College, Oxford, whose death from a drug overdose in 2019 led a coroner to criticise zero-tolerance policies for deterring students from seeking help.

John de Pury, SafeCourse trustee and former UUK policy lead, added:

“Universities should be aligning their policies with the UUK guidance. Legal risks aside, harm reduction is simply the right thing to do to keep students safe and well. “It’s promising to see that the sector is clearly in transition with two thirds of universities stating they have already adopted or are developing harm reduction policies. Given the consequences for student safety, wellbeing and success, it is important that this commitment is implemented.”

SafeCourse’s work signals the urgent need for institutional accountability and action on an issue that many university leaders have preferred not to address. It calls on universities to adopt harm reduction strategies, including drug testing, peer education, and partnerships with health services and charities. By monitoring progress and advocating for student-centred policies, the charity aims to improve awareness of risks, reduce demand for drugs and help ensure that no more lives are lost to preventable drug-related harm.

The charity will share the full legal advice with every vice-chancellor in the UK and publish a sector progress report in July 2026.

The FOI request was submitted by SafeCourse to 144 UK universities to assess their implementation of six pillars of Universities UK’s (UUK) 2024 report, ‘Enabling Student Health and Success’. The report urged universities to shift from punitive “zero tolerance” policies to harm reduction strategies, prioritising student safety and wellbeing over disciplinary action. The analysis is attached.

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Notes to Editors:

SafeCourse was founded in memory of Daniel Mervis to reduce drug use and harm at universities by promoting evidence-based drug policies in higher education and engaging students in this process.

The full legal opinion is attached.

For media enquiries, contact: safecourse@gmail.com

About SafeCourse:

SafeCourse is a registered charity (no. 1201967) working to reduce drug use and to minimise drug-related harms through awareness and partnerships. Details of SafeCourse charity’s trustees are as follows:

- Hilton Mervis is a leading commercial litigation solicitor. He founded and chairs the www.commerciallitogatorsforum.com and works to raise support for the National Pro Bono Charity. As well as Daniel who died in 2019, Hilton is father to two daughters.
- Sir Robin Knowles CBE was appointed a High Court Judge in 2014. He has a lifelong commitment to access to justice for those without means, and is the Chair of the National Pro Bono Centre.

- Martin Rushton-Turner is Executive Chair at IPG and a former banker. He is an Honorary Fellow of UCL and supports a number of children and young adult charities.
- John de Pury is an independent health and education adviser. He worked previously at Universities UK where he led the development of the sector drugs framework, published in 2024.

Learn more at <https://www.safecoursecharity.co.uk>

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About UUK 2024 report, 'Enabling Student Health and Success. Tackling supply and demand for drugs and improving harm reduction':

The long-awaited report from the sector body sets out a common approach to student drug use. The guidance recommends that universities adopt a harm reduction approach to student drug use. An approach that does not involve condoning or seeking to normalise the use of drugs but aims to increase awareness of risks and reduce the potential harms should students use drugs.

Link to the report

here: <https://www.universitiesuk.ac.uk/sites/default/files/field/downloads/2024-06/Enabling-student-health-and-success.pdf>

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