

# ILLEGAL DRUGS

THE PROBLEM IS PROHIBITION  
THE SOLUTION IS CONTROL AND REGULATION

**TRANSFORM**  
DRUG POLICY FOUNDATION

[www.tdpf.org.uk](http://www.tdpf.org.uk)

For a full exploration of the key themes in the drug policy reform debate and detail on how legal regulation of drug markets will operate - read Transform's report:

## 'AFTER THE WAR ON DRUGS – OPTIONS FOR CONTROL'

For a guide to making the case for legal regulation and control of drugs read:

## 'AFTER THE WAR ON DRUGS - TOOLS FOR THE DEBATE'

*Both available to download free from [www.tdpf.org.uk](http://www.tdpf.org.uk)*

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Transform Drug Policy Foundation exists to promote sustainable health and wellbeing by bringing about a just, effective and humane system to regulate and control drugs at local, national and international levels.

- Carries out research, policy analysis and innovative policy development
- Challenges government to demonstrate rational, fact-based evidence to support its policies and expenditure
- Promotes alternative, evidence-based policies to parliamentarians, government and government agencies
- Advises non-governmental organisations whose work is affected by drugs
- Provides an informed, rational and clear voice in the public and media debate on UK and international drug policy

Factual references for this leaflet are available at [www.tdpf.org.uk](http://www.tdpf.org.uk)

# JUST WHAT IS 'THE DRUG PROBLEM'?

The drug problem is vast and seemingly intractable. Billions in government funds are spent every year attempting to eliminate the supply and use of illegal drugs. Yet every year these drugs are used by millions more people across the globe.

There is increasingly clear evidence that the attempt to eliminate drugs is not only ineffective, but counterproductive. It has created an illegal market that fuels crime and violence from Bogota to Brixton, and whose criminal reach extends from money laundering to political corruption, from civil war to terrorism.

"THE CONTROL SYSTEM AND ITS APPLICATION HAVE HAD SEVERAL UNINTENDED CONSEQUENCES: ...A HUGE CRIMINAL BLACK MARKET ...PUBLIC HEALTH WAS DISPLACED INTO THE BACKGROUND...THE *BALLOON EFFECT* BECAUSE SQUEEZING (BY TIGHTER CONTROLS) ONE PLACE PRODUCES A SWELLING (NAMELY AN INCREASE) IN ANOTHER."

ANTONIO MARIA COSTA, EXECUTIVE DIRECTOR OF THE  
UN OFFICE ON DRUGS AND CRIME, MARCH 2008

But these problems are not created by the drugs themselves. They are a direct result of the international policy that creates this vast illegal market: prohibition. Just as it did in 1920s America, prohibition stimulates crime by turning lucrative markets over to gangsters.

And, in failing to eliminate drugs, prohibition not only creates crime but simultaneously increases the dangers of drugs themselves. By placing their supply and use outside the law, it maximizes the harm they cause both to users and to wider society.

## A PROBLEM OF OUR OWN MAKING

The first laws to prohibit drugs such as opium and cocaine were passed less than a century ago. They were extended into international anti-drug treaties at the urging of prohibition-era America. Prohibition is now enshrined in international law under the 1961, 1971 and 1988 UN Drug Conventions, and UK law under the Misuse of Drugs Act 1971.

For a policy that aims to eliminate drug supply and use, it has failed in spectacular style. Since

1961 illegal drug use has risen by at least 300%. Attempts to curtail drug supply have been equally ineffective, with drugs now cheaper and more available than ever before. Billions in taxpayers' money are being spent each year on a policy that is achieving the exact opposite of its stated aim.

#### GIFTING THE TRADE TO CRIMINALS

When high demand for drugs collides with laws that prohibit them, the result is a dramatic rise in drug prices, with low value commodities becoming, quite literally, worth more than their weight in gold. The hugely lucrative opportunities that this creates attract the violent criminal entrepreneurs who now control the world's largest criminal market, worth £300 billion a year.

#### STIMULATING DRUG-RELATED CRIME

Inflated drug prices mean that low income dependent drug users often resort to property crime or prostitution to support their habits. The Government estimates that this relatively small population of dependent heroin and cocaine users

As many as one million Russians are HIV positive; nearly 90% have been infected through injecting drug use.

is now responsible for 54% of robberies, 70-80% of burglaries, 85% of shoplifting, and 95% of street prostitution. In addition, prohibition criminalises millions of (otherwise law abiding) drug using adults, making it unparalleled in its contribution to prison overcrowding and the wider crisis in the criminal justice system.

#### INCREASING RISK AND MAXIMISING HARM

All drugs, whether legal or illegal, have their dangers. Minimising these dangers - as with prescription drugs, alcohol and tobacco - will always be a public health challenge. But, by turning drug production and supply over to gangsters and

unregulated dealers peddling dangerous drugs of unknown strength and purity, prohibition increases these risks and maximises harms. It is inevitably the most vulnerable members of society who are harmed the most.

### CREATING GLOBAL MAYHEM

The global 'War on Drugs' is the direct cause of many of the problems in drug producing and transit countries such as Colombia and Afghanistan, and in parts of the Caribbean and S.E. Asia. By fuelling corruption and conflict, it has contributed significantly to political and economic instability all over the world.

**The 'drug problem' now consists overwhelmingly of the problems created by the illegal market.**

## WHAT THE GOVERNMENT DOESN'T WANT YOU TO KNOW

In 2003 the No10 Strategy Unit produced a detailed 105-page critique of UK and international drug control policy. The report, suppressed by Government until leaked to the media (in 2005), concluded:

*"Despite interventions at every point in the supply chain, cocaine and heroin consumption has been rising, prices falling and drugs have continued to reach users. Government interventions against the drug business are a cost of business, rather than a substantive threat to the industry's viability."*

It also estimated that drug-motivated crime resulting from prohibition is costing the UK £19 billion per year (one third of the total cost of UK crime).

# THE PROBLEM IS PROHIBITION

# THE SOLUTION - CONTROL AND REGULATION

## DRUG USE CANNOT BE ERADICATED

Drug policy can no longer be based on the fantasy of 'a drug free world'. The time has come to respond to the current crisis by effectively regulating and controlling drug use, rather than pursuing a futile and counterproductive crusade to eradicate it. Regulation and control means establishing a legal framework that governs the production and supply of drugs – it is also known as 'legalisation'. Such controls are not a panacea for all the health harms that drugs cause. However, they afford many more opportunities for us to intervene responsibly in the production, supply and use of drugs, dramatically reducing the harms suffered, by both users and the wider community.

## ADDRESSING THE UNDERLYING ISSUES

Legally regulating drugs will largely eliminate the problems associated with illegal markets. Property crime and the prison population could be halved, street prostitution ended, billions would be saved for the treasury and a major destabilising force removed from drug producing countries.

Such reforms will also create an environment in which we can develop more effective policies, based on evidence rather than 'Drug War' ideology. Ending prohibition is only the first step to addressing the underlying problems - such as mental ill-health and social exclusion - that lead to problematic drug use in the first place.

## OPTIONS FOR CONTROL

The basic regulatory options are already in place for currently legal drugs. Potentially dangerous substances can be - and already are - controlled by prescription from doctors, licensed retailing (e.g. pharmacy sales or off licenses), or licensed premises (e.g. pubs). Different drugs will require different regulatory regimes in line with their associated risks, and some prohibitions will still remain outside of the legal framework – for example, supplying drugs to minors. We can learn from past successes and failures with currently legal drugs. Restrictions on public consumption, advertising and profiteering can

be drawn more tightly, ethical trade can be encouraged, and we can redirect spending from enforcement to health and education. These changes are already beginning and, with your help, are likely to advance significantly in the next 5-10 years. Drug policy is at a turning point, presenting a unique opportunity to plan for the

transition from criminal anarchy to government regulation. This is not a debate that invites fence sitters. Significant political obstacles remain, and overcoming them will require a concerted effort from all of us. Transform Drug Policy Foundation is leading the reform campaign and we need your help to realise these goals.

# BE PART OF THE SOLUTION

## JOIN SUPPORTERS OF REFORM AND TRANSFORM PATRONS:

*"If we want to help sustainable economic development in the drug-ridden states such as Colombia and Afghanistan, we should almost certainly liberalise drug use in our societies, combating abuse via education, not prohibition, rather than launching unwinnable 'wars on drugs' which simply criminalise whole societies."*

Adair Turner, Chairman of the Financial Services Authority, and former Director of the CBI.

*"We recommend that the Government initiates a discussion within the Commission on Narcotic Drugs of alternative ways - including the possibility of legalisation and regulation - to tackle the global drugs dilemma."*

UK Parliamentary Home Affairs Select Committee Report: 'The Government's Drug Policy: is it working?' 2002

*"The centuries old war has failed. Billions of dollars have gone into the anti-drug war and it has brought only huge criminal organisations. When you have poured in money for a century surely it is time for you to decide it is not working."*

Dr E.K. Rodrigo, former Drug Tsar of Sri Lanka

*"I firmly believe that there is the possibility of real social benefit through moves to effective legal regulation of drug production and supply. In the last five years the debate on drug law reform has gained a new momentum and respectability, and Transform has been at the heart of these exciting developments."*

Francis Wilkinson, former Chief Constable of Gwent Police (Transform Patron)

*“For a long time I’ve felt that the war on drugs is a lost cause. As a parent I’m obviously aware of the dangers of drugs but it’s clear to me that these dangers are massively increased by the criminality involved in an illegal market. I’m supporting Transform because I’d like to see a more honest, rational and compassionate approach to the drug problem.”*

Jonathan Ross, TV presenter (Transform Patron)

*“Prohibition in America in the 1920s was a disaster and the present ‘War on Drugs’ simply is not working. Radical new thinking is required.”*

Henry Hoare, Senior Partner of London bankers C Hoare & Co. (Transform Patron)

## SUPPORT TRANSFORM

As an independent charitable organisation Transform receives no government funding, relying solely on charitable trusts and individual donations to maintain and develop the organisation and our unique programme of work. We need your support.

Call Danny Kushlick on 0117 941 5810 for more information or visit [www.tdpf.org.uk](http://www.tdpf.org.uk) to donate online.

## GET INVOLVED

Visit our website to find out how you can help speed up the reform process. As an occasional activist or regular volunteer, you can make a real difference.

## FIND OUT MORE

Visit the Transform website ([www.tdpf.org.uk](http://www.tdpf.org.uk)) for briefings on key topics, news, policy analysis, and links. You can also subscribe to the free monthly email newsletter, download our publications, browse the media archive, or read about and discuss the latest issues on our blog.