

Widespread human rights abuses and environmental destruction in sensitive ecosystems can be added to the litany of prohibition's disastrous secondary consequences.

Much of this analysis will be of little surprise – there is a growing consensus within much of the police and beyond that, the 'War on Drugs' has been a counter-productive failure. In the UK we have seen a succession of thoughtful and detailed analyses emerging from high level policy forums highlighting precisely this: The Police Foundation (2000), The Home Affairs Select Committee (2001), The No. 10 Downing Street Strategy Unit (2003), The Royal Society of Arts (2006) and The UKDPC (2007). How to respond to this failure is a hugely important debate, but one that is all too often emotive, ill-informed and polarised – driven more by populist political posturing (the need to be seen as 'tough on drugs') and tabloid moral panics than objective rational analysis. The response to failure has often been to blame drugs or drug users for the evident failures of prohibition, to call for more of the same or even ever more punitive 'get tough' responses. The policy thus becomes self justifying and immunised to meaningful scrutiny.

Transform Drug Policy Foundation argue that we have a clear choice; drug markets can remain in the hands of organised criminals and street dealers or they can be controlled and regulated by the Government. There is no third option under which there are no drugs in society, therefore we must chose the policy approach that delivers the best outcomes in terms of minimising harms associated with drug production, supply and use. The evidence from the failure of prohibition demands that we meaningfully explore the options for legal regulation. A historical stumbling block in this debate has been the fact that no clear vision of a post prohibition world has been available. The question 'how would it work?' has thus been met with a lack of clarity with myths and misrepresentations filling the void.

Transform have now produced a detailed discussion of how the legal regulation of drug markets could operate, proposing specific models for a range of currently illicit drug products and providing the rationale behind them. *After the War on Drugs: Blueprint for Regulation* (available as a free pdf from [www.tdpf.org.uk](http://www.tdpf.org.uk)) considers the menu of options for controls over products (dosage, preparation, price and packaging), vendors (licensing, vetting and training requirements), outlets (location, outlet density, appearance),

who has access (age controls, licensed buyers) and where and when drugs can be consumed. It then rationally explores options for different drugs and different using populations to suggest the regulatory models that will deliver the best outcomes. Lessons are drawn from successes and failings with alcohol and tobacco regulation in the UK and beyond, as well as controls over pharmaceutical drugs and other risky products and activities that are regulated by government.

## the war on drugs has been a counter-productive failure

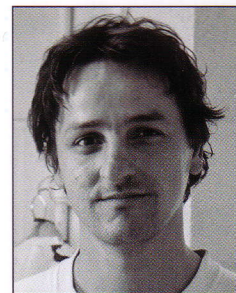
Moves toward legal regulation of drug markets would naturally be phased in cautiously over a number of years, with close evaluation and monitoring of impacts and any unintended consequences. A flexible range of regulatory tools would also be applied differentially across the spectrum of products, with the more restrictive controls deployed for more risky drugs or drug preparations, and less restrictive controls for lower risk products. If implemented intelligently such an approach holds the potential not only to reduce harms associated with illicit supply and patterns of consumption as they currently exist but, in the longer term, to encourage patterns of use to move towards safer products, safer behaviours, and safer using environments – the precise opposite of what has happened under prohibition.

Five basic models are proposed; medical prescription and supervised using venues for the highest risk drugs and most problematic users; a specialist pharmacist sales model, combined with named/licensed user access and volume sales rationing for mid-risk drugs, such as amphetamines, powder cocaine, and ecstasy; various forms of licensed retail, and licensed premises for sale and consumption (familiar with pubs and Dutch-style cannabis coffee shops); and unlicensed sales for the least risky products such as caffeine drinks, or coca tea. There would naturally be a substantial role for the police in enforcing any new regulatory regime, but this new effort would be dwarfed by the current costs and drain on resources. Regulation is no silver bullet. In the short term it can only seek

progressively to reduce the problems that stem from prohibition and the illicit trade it has created. Neither can it address the underlying drivers of problematic drug use, such as social deprivation in its various forms, although it is argued it would create a far better environment for doing so, by promoting a more pragmatic public health approach, and by freeing up limited drug policy resources for proven social policy and public health-based interventions.

For the police, the benefits of such moves seem obvious; the reduction in drug-related crime at all scales freeing up substantial enforcement resources for other hard pressed programmes, the frontline responsibility of police as default drugs and social workers being realigned to a more appropriate home, and the corrosive effects of drug enforcement on police youth and race relations being progressively ameliorated. These benefits may of course be partially offset by potential perceived disadvantages; loss of some powers of arrest, potentially reduced budgets in certain departments and a need for major structural realignment in others. But the fact that many committed police have dedicated years of their professional lives to supply-side drug enforcement should not mean that such pragmatic reform be seen as a form of surrender or defeat. As the experience with alcohol prohibition showed, nothing could be as effective at putting drug dealers out of business – for good – as replacing prohibition with legally regulated drug markets.

Of course, the devil is in the detail and inevitably different social environments will require different approaches in response to the specific challenges they face. Transform's book does not seek to provide all the answers – but rather to move the debate beyond 'should we end the war on drugs?' to 'what the world could look like after the war on drugs'. The police have an absolutely vital role to play in this debate and we hope that this book will facilitate more meaningful public and private engagement over the coming years.



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