

# 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)

# 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 Brixton to Bogota, and whose criminal reach extends from money laundering to political corruption, from civil war to terrorism.

The slogan for the UN's ten year drug strategy is "A drug free world - we can do it!" – 150 nations, including the UK, are officially committed to eradicating all coca, opium and cannabis from the planet by 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 UN Drug Convention, 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. Over the

40 years 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 production and transit countries (such as Colombia, Afghanistan, the Caribbean and SE Asia), where it has fuelled corruption and conflict, contributing 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 and supply of drugs, dramatically reducing the damage suffered by communities in which production, supply and use is rife.

## 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

# BE PART OF THE SOLUTION

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.

## 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, former head of the CBI, vice chairman of Merrill Lynch Europe, chair of the UK Low Pay Commission and UK Pensions Commission.**

*"Please can we begin to hear some good sense from No 10 and the Home Office, and let's start looking at how drugs can be legalised and our society can be decriminalised. ....Let's admit that we are getting it wrong, by allowing our fear and prejudice against certain drugs to drive us to pursue wrongheaded policies which only produce damaging social results."*

**Mo Mowlam, former MP and cabinet minister 1997-2001, responsible for the Government's drugs policy 1999-2001.**

*"I say legalise drugs because I want to see less drug abuse, not more. And I say legalise drugs because I want to see the criminals put out of business."*

**Edward Ellison, Operational Head of Scotland Yard's Drugs Squad, 1982-1986 (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 its 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)**

*“The battle as it has been fought up to now is not working, other than to increase crime and violence. Transform offers a logical alternative approach and should be supported to find the way to combat crime and offer people a better way to overcome their drug problems.”*

**The Dowager Duchess of Bedford (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 ACTIVE**

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 for briefings on key topics, latest news, policy analysis and links. You can also subscribe to the free monthly email newsletter, download our latest publications, browse the media archive, and discuss the issues in our online forum.

**For a more detailed look at 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'**

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

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Transform Drug Policy Foundation exists to minimise drug-related harm to individuals and communities by bringing about a just, humane and effective system to regulate and control drugs at national and international levels. Our work includes:

- Carrying out research, policy analysis and innovative policy development
- Challenging government to demonstrate rational, fact-based evidence to support its policies and expenditure
- Promoting alternative, evidence-based policies to parliamentarians, government and government agencies
- Advising non-governmental organisations whose work is affected by drugs
- Providing 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)