

TRANSFORM

DRUG POLICY FOUNDATION

Submission to 'Working Together to Reduce Harm – the Substance Misuse Strategy for Wales 2008-2018'.

About Transform Drug Policy Foundation

- Transform is the UK's leading centre of expertise on drug policy and law reform.
- Transform works in a range of national and international forums highlighting the harms caused by the pursuit of a prohibitionist ideology in the drugs and public health arena of social policy.
- In recent years our work has included giving written and oral evidence to the Home Affairs Select Committee drugs inquiry (2003), the Science and Technology Select Committee drug classification inquiry (2006), and to various deliberations by the Advisory Council on the Misuse of Drugs.
- Transform's briefing on the Drugs Act 2005 was quoted extensively during parliamentary deliberations through committee stage.
- Transform regularly briefs parliamentarians from all parties, officials in the Home Office, Treasury, Department of Health and other government agencies.
- Transform has special consultative status at the United Nations.
- Transform has a high media profile that includes regular publications in national broadsheets and specialist journals, as well as regular national news and comment broadcast appearances.¹
- For more details about Transform's work please visit <http://www.tdpf.org.uk>

¹ See www.tdpf.org.uk/MediaNews_TransformInTheMedia.htm for further details

Summary

Transform welcomes this opportunity to submit its comments on “Working Together to Reduce Harm”. Our main concerns are centred on issues not directly addressed by the strategy, namely its failure to identify the role played by illicit drug prohibition in creating many of the most significant harms. We have therefore not been able to use the questionnaire format provided.

Transform is a member of the Drugs and Health Alliance² who have made their own separate submission to this consultation. Transform supports and endorses that submission.

Transform welcomes the focus in “Working Together to Reduce Harm” on alcohol as a drug and the range of positive proposals set out for the more effective regulation and control of this legal drug. However we believe the strategy is fatally flawed for the following reasons:

- It fails to separate problems caused by drug prohibition from those caused by use.
- It is closely linked with the failed UK drug policy and consequently replicates a futile, harmful and disastrous policy approach.
- It proposes to continue to prioritise spending valuable resources on law enforcement strategies that evidence shows do not work

We are also concerned that the welcome increased spending on treatment is being allocated through criminal justice initiatives rather than on the basis of health and wellbeing criteria. The focus on processes rather than outcomes is also of concern.

Transform calls for a fundamental rethink of the Welsh Assembly Government’s policy on drugs and a recognition that prohibition has failed and the health and wellbeing of the Welsh people will be best served through

² Available online at <http://drugshhealthalliance.net/documents.php>

adopting a consistent policy to all drugs focused on effective legal regulation and control.

Reducing harm requires recognising that prohibition is harmful

“Working Together to Reduce the Harm” does not make a clear distinction between the harms caused by the use of illegal drugs and the harms caused by the policy that criminalises their production, supply and use: prohibition. The failure to recognise the consequences of prohibition-based policies results in the development and implementation of policies that create misery and mayhem for countless millions – many of whom are the most marginalised and disadvantaged people in society, in the UK and wider world.

Whilst we recognise that all drugs can be used dangerously, prohibition is the direct cause of the large majority of the harms associated with the production, supply and use of illegal drugs. The prohibition of illegal drugs inevitably creates a wide range of harms to individuals, communities, nation states and global regions, as well as directly causing a whole new raft of problems associated with illegal markets.³ The misery caused by prohibition must never be underestimated. It fuels crime, violence and conflict at local, national and international levels, it corrupts police, politicians and the judiciary across the world, and it undermines public health, human rights and family life.

Whilst the strategy recognises that:

“Illicit drugs affect communities through criminal activity, the impact of anti-social behaviour, drug related litter, prostitution and drug related deaths.”

It fails to highlight that these negative impacts are the direct consequences of prohibition rather than the consumption of these substances.

³ Please see ‘Harms created by prohibition’, page 8 of the attached submission document ‘After the War on Drugs, Options for Control’, also available online here:

http://www.tdpf.org.uk/Transform_After_the_War_on_Drugs.pdf

The Home Office has been forced to admit that there are substantial benefits to replacing prohibition with a regime of regulation and control:

“...it is likely that there would be a reduction in acquisitive crime, if drugs were legalised...”⁴

An unpublished Home Office briefing to the Prime Minister advised in 2004:

“There is a strong argument that prohibition has caused or created many of the problems associated with the use or misuse of drugs. One option for the future would be to regulate drugs differently, through either over-the-counter sales, licensed sales or doctor's prescription.”⁵

Rather than acknowledge this, and position itself to reduce these harms in Wales the Welsh drugs strategy focuses on supply, claiming instead:

“Interrupting the flow of drugs into Wales has an impact upon availability within communities”

No evidence is provided to back up this claim. After hundreds of millions of pounds of tax payers money had been invested in enforcement all the current evidence shows that drugs are widely available throughout Wales at historically low prices.

Regulation and Control

All evidence suggests that the most effective drugs policies – designed to reduce harm and maximise wellbeing – focus on developing effective legal controls and regulation. Transform has written two reports that fully critique

⁴ Home Office Direct Communications Unit, 17 September 2007

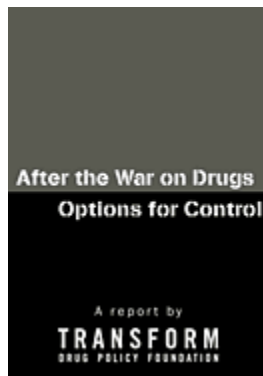
⁵ Marie Woolf, *'Heroin on the NHS and a document too hot to handle'*, The Independent, 25th February 2007 – <http://news.independent.co.uk/uk/politics/article2303024.ece>

the failings of prohibition; offer alternative models for effectively regulating drugs and setting out a road map to reform. These are:

- [After the War on Drugs: Options for Control \(click on image to read\)](#)



- [After the War on Drugs: Tools for the Debate \(click on image to read\)](#)



Both are attached to this submission

We welcome the proposed strategy's endorsement of the potential effectiveness of the control and regulate approach with respect to alcohol. The proposals focusing on controlling promotion, the use of taxation to reduce demand, regulation of the alcohol producers and suppliers, and the promotion of low strength products are progressive and responsible. The proposals accept that many people will use alcohol; that for many of the users it will not be problematic, and thus seek to reduce harm and protect the most vulnerable people in society. We would support the extension of these approaches to other (currently illicit) drugs. By doing so the Welsh Assembly

Government could make a significant contribution to harm reduction and the promotion of well being.

Going beyond the UK strategy

“Working Together to Reduce the Harm” seeks to integrate its approach with the recently renewed UK drug strategy. This is largely a continuation of the previously failed strategy. Transform demonstrated that the previous UK drugs strategy had failed by evaluating its success against its own objectives. This briefing can be seen here:

- [Drug policy 1997-2007 - The evidence un-spun: Overwhelming Failure](#)
(attached to this response)

If the Welsh Assembly Government is to effectively promote wellbeing and reduce the harm of illegal drugs it needs to reject the strategies being promoted in Whitehall as they have failed.

Value for money

Whilst the strategy details a substantial historic rise in resources, the Substance Misuse Action Fund for example has risen from under £5 million in 2002/3 to over £20 million in 2007/8, the strategy shows little evidence of evaluating value for money. Evidence suggests that enforcement offers poor value for money. Indeed it creates harms and damages wellbeing. Education and treatment programmes appear to offer better prospects but again there is evidence that many current programmes are neither effective nor provide value for money.

We would strongly recommend that the strategy includes provision for far greater evaluation of all areas of expenditure and that all programmes are required to demonstrate their impact. This will ensure money is not spent causing or aggravating harms and that resources are directed at promoting the well being of Welsh people.