

UK Cannabis legalisation lobby founders in deep water?

A personal view by David Raynes

The background to and an account of the hearing, in London on 5th February 2008, of evidence to the UK Advisory Council on the Misuse of Drugs. It met to take this evidence on re-classifying cannabis to Class B from C under the UK system.

There is surely hardly an observer of drug politics in the world who does not know that the UK, four years ago, surprisingly downgraded cannabis from B to C. under our A to C classification system of potential harm, (Also used to establish social sanctions against use & trafficking). With only a short debate in parliament, the issue was driven through by Home Secretary David Blunkett (now out of government) who had only weeks before, entered the UK Home Office as the responsible Minister. The issue was noticed and claimed around the world as a victory for the drug legalisation lobby who clearly thought this was a step on the way to their nirvana of legal dope for all. Such an action would have been unthinkable for Blunkett's predecessor Jack Straw (still in Government). Perhaps Prime Minister Blair took his eye off the domestic ball; bogged down over Iraq, he gave Blunkett his way while apparently we are now told, "having real doubts" himself. Thus are we governed.

The downgrading reverberated around and beyond the English speaking world; such is the power of the internet. Some lobbyists lied about it, saying the UK had made cannabis legal. It had not, it had messed up, confusing the anti-use message and, strangely, had to put *up* the penalties for trafficking all Class C drugs because Blunkett had apparently not appreciated his proposed action held the danger of making Cannabis trafficking a minor crime compared to tobacco trafficking. Politically unsustainable. He swears now to this writer he had no external influences on him. Foreign readers may not know he is blind. Does his denial of external influence during his arrival briefing and subsequently before his announcement, sound credible?

Cannabis downgrading (and ultimately legalisation) had been heavily pushed in the UK, since the mid 90s, by a small but noisy, largely London based, media lobby. The downgrading and even legalisation issue was taken to the heart of an educated elite, perhaps fearful their kids might get arrested for pot smoking and not overly concerned about the wider social consequences of cannabis use, especially on the socially disadvantaged.

The statutory body that *advises* government on drugs, the Advisory Council on the Misuse of Drugs (ACMD) had also advanced the downgrading issue. A report from the "Police Foundation" (not much to do with the Police) led by Baroness Runciman also contributed to this new golden age of pro-pot haze and muddled thinking. A current Liberal Democrat candidate for Mayor of London, then a senior Policeman, made his own timely contribution by announcing the relaxing of the policing of cannabis the day before a pro-pot march. The scene was set. South London lapsed into a drugs no-mans land of dealers in all illegal substances. Great work! Really helpful to anxious parents. A real mess of confusing signals.

A couple of oddball Chief Constables added their pro-drugs bit and in all the UK parliamentary parties there were similar odd (but minority) contributors to the general

nonsense. None of these people thinking through exactly how this idea would further damage Britain's already bad drug using culture. Rank and file Police Officers, the key top scientists and many experienced drug workers, of course opposed the changes but were ignored. David Blunkett astonishingly refused to see six top scientists & doctors who strongly opposed his downgrading.

The UK continued to develop one of the biggest drug problems in Europe. We have difficulties with all drugs, legal or illegal. In a separate earlier action in 1999, focussing on "*the drugs that cause most harm*" (I always wonder who thought up that phrase), UK Customs had stopped targeting cannabis imports and the UK was flooded with the stuff, much of it Moroccan Cannabis Resin and according to users, of poor quality. The price after 2000 dropped as supplies increased, "Blunkett's Blunder" in downgrading took effect three years later. "*Age of first use*" dropped alarmingly as did "*age of first regular use*". Reportedly, kids—often pre teen were/are using cannabis on the way to school, at school and on their way home. The effect of this is that these kids become un-teachable, discipline breaks down, they fail academically, some drop out of education, they are forever damaged. Many, too many, become mentally ill, some diagnosed psychotic, others below formal diagnosis as mentally ill, are nevertheless unable to really contribute to society and cause huge distress to their families. The unemployment or mentally disabled register looms for many, their jobs taken by educated hard-working Poles and others from Eastern Europe. The government becomes seriously worried. Alarm bells ring in the Department of Social Security and in the Department of Health, both now picking up the pieces of the very wrong Home Office policy. The downgrading policy is looking expensive and socially damaging.

Out on the streets, the imported poor quality cannabis resin was gradually replaced by home grown and Dutch "sinsemilla" or "skunk" cannabis, this getting progressively stronger but strength alone being only one of several contributing factors to damage.. Frequency of use and age of first use is also important, and, in the view of this writer, so is the different ratio of THC to CBD in this new fresh, home grown "super-weed". The belief is that CBD moderates the effect of THC on the brain.

A new Home Secretary, (Blunkett having left government), took over and anxiously asked the ACMD for advice –yet again, on cannabis classification. The ACMD resorted to "return-to-sender" for this enquiry after a half-hearted review where, according to inside information, there was no vote merely a decision by the Chairman, Sir Michael Rawlins and a round the table "chat". Dissent in the ACMD, is not encouraged our spies tell us; the ACMD members, all of them, have only negligible knowledge of the drugs market. The self-selection of new members keeps out those who oppose liberalisation so plainly, the internal debate is and can only be, very one-sided. Perhaps the Home Office should ensure more balance?

No change then, the cannabis problem for teenagers and pre-teens gets worse. In 2007 the spin doctors and even Ministers take comfort in figures from the British Crime Survey which shows a slight reduction in cannabis use at ages 16 to 24. No one other than this writer mentions this is simply because cannabis for older young people is becoming unfashionable and gets replaced by cocaine, crack-cocaine and (particularly) gross & physically damaging alcohol consumption. Government has allowed 24 hour alcohol licensing despite widespread public concern. Cocaine use in

the UK has also zoomed up. The infection spreads to Ireland, that society develops a similar drug habit.

The regular discovery of organised Cannabis Farms, a new phenomenon in the UK (although known elsewhere, for example in Canada) and an entire new industry in the UK since “Blunkett’s Blunder”, goes unexplained, Cannabis use is down we are *emphatically* told. When this writer challenges this and points to the farms, one joker (A Professor and a pro-pot lobbyist) *suggests the UK is a substantial exporter of cannabis*. A statement that defies belief, there is no evidence of such a thing, not substantial anyway. Things are spiralling out of control. Britain is a nation of sick young people; drugs of all sorts are cheaper than ever, youth is more affluent than ever. Prime Minister Tony Blair, architect of “Blair’s Britain” and now being blamed for “*Blair’s Feral Youth*” is forced from office in the autumn of 2007, largely over Iraq and his handling of the Middle East but his party and most other people are basically just sick of him. This writer tells the media that the cannabis market has widened and deepened, the totality of use is higher. If it is not, where is the output of the cannabis farms going?

A new broom and a largely new group of Government Ministers take over in autumn 2007. Gordon Brown as new Prime Minister is a dour Scot, son of a church Minister he sets a different social tone to Blair and just maybe, has more integrity and social conscience. Consideration is suddenly being given to abandoning plans for giant casinos; 24 hour drinking is being reviewed, so is cannabis policy. Brown appoints a new Home Secretary, Jacqui Smith, first woman in that position. She is a self confessed experimenter with pot at University but all credit to her, she and Brown, together, take a different tone on drugs issues. She is after all a mum and mums (good for them) are driving a new national wave of sustained protest about kids being mentally damaged by pot. Brown signals he is minded to re grade cannabis to where it was, back to Class B, ending the confusion and sending clear messages about the harms. Smith refers the issue once again, back to the ACMD. The implication, clear beyond any doubt, is that Brown and Smith want, and *will have*, cannabis re-graded even if the ACMD do not support it. On the fringes of the ACMD there are dark mutterings about resignations if their views are ignored. Some observers may think that would be a good thing.

So we arrive at 5th February 2008. The ACMD is forced; reluctantly it seems, to hold *some* of its hearings in public (Why not *all* in public you might ask-Parliament is after all in public). It arranges a *one day* hearing in the City of London. Public access is limited because numbers are limited and prior application and approval are needed. Questions to witnesses by members of the public are strictly forbidden though there *is* a short public comment/question session at the end.

Chairman Sir Michael Rawlins runs a tight ship, ACMD members call him “Sir”, he calls them by their first names. Very few ACMD members ask questions. Of those that do the most active seem to do it to show how clever they are, not, particularly, to illuminate the real issues. We get no indication or feel for what most members think at all. There is a pre-occupation with the penalties for drugs use & possession, not the science and social science of harm-potential and the actuality in the country. Arguably the very things that should most concern this committee. Astonishing.

Early witnesses from the Forensic Science Service and GW Pharmaceuticals confirm that herbal cannabis seizures (home grown) in the UK, are gradually getting much stronger in THC and that this new form of the drug contains hardly any CBD, leaving the effects of strong THC unconstrained. Resin we are told, long the staple of the UK market, is declining in market share and historically had almost equal amounts of THC & CBD. More work is needed on the issue of CBD but it is plain that by selection, a much higher THC-containing product is gradually taking over the market. It will continue to do so. Other academic witnesses on the potential mental health effects tell us that CBD *may* be “anti-psychotic”. The absence of CBD may therefore be aggravating the mental damage from the stronger THC. The new selected cannabis may be two or three times stronger, certainly not the 10 or 20 times of the tabloid press and even some over zealous commentators on my side of the debate. Cannabis is not homogeneous and techniques are available in the market to sieve it and extract a higher THC product. The mental health ill effects are more marked in young men; by 2010 cannabis use will be implicated in 25% of schizophrenia cases. Professor Robin Murray has spoken of 1500 cases a year, very expensive to treat and of course this is only the clinically diagnosed.

The most telling early witnesses are from “SANE” & “Rethink”, both mental health charities. Marjorie Wallace from SANE talks of the “*confusion about legality & safety*” and that *cannabis is implicated in 80% of 1st episode psychosis*. She says, “*Only re-classification can counter the mixed messages*”. There is then, an immediate and astonishing outburst from Chairman Sir Michael, angry, venomous, red-faced. (This is a really serious scientific approach, observe and learn I think to myself?) He barks out, “*Are you really wanting people to go to prison for five years for possession*”?

Any minor confidence one might have had in a dispassionate scientific appraisal, led by Sir Michael at least, surely evaporated. His remarks are nonsense of course and misleading of the ignorant. Sentencing guidelines and historical fact show that imprisonment for *just* personal use possession, of any illegal drug, hardly occurs in the UK. Why bother with the facts when you are Chairman of such an important meeting, advising government, confident, despite the evidence, that *you* know best? Does the Home Office know he is behaving like this?

The position of “Rethink” is truly hard to fathom. They accept all the harms of cannabis, indeed they tell us about them, yes they are getting worse but to them, re-classifying so that the public can understand this better, is astonishingly not important. To this observer they seem to have been “got at” by someone, so perverse is their position. Is their funding being threatened if they take a more robust view? Their position is surely odd especially seen in the light of the remarks by Wallace. This observer smells something very wrong indeed. They are in the same business as SANE, or ought to be. Just what is going on?

Professor Louis Appleby, National Director of Mental Health for the Department of Health gives an impressive presentation, he is clear about the mental harm, we hear of patient suicides and homicides, figures trip out, “68% had taken cannabis”, we (as a society) are “guilty of complacency” (about cannabis), “causal factor”, “benefits from re-classification”. “health perspectives” and much more. Professor Appleby is hugely convincing. He is in no doubt at all that re-classification is needed. One is encouraged that here, at last, we have a public servant being so clear about what is needed and why.

Another presentation about the physical harms is convincing that in cannabis there are all the harms of tobacco and more. Talk of head & throat cancers, early emphysema etc. A second presentation about cannabis & driving illuminates the fact that cannabis is now by far the most common drug found in those arrested under the Road Traffic Act. Cannabis influenced drivers exhibit “poor road tracking” & “divided attention”.

Debra Bell of the “Talking about Cannabis” mum’s pressure group then speaks, together with another mum, an anonymous Barrister, whose own family life, like Debra’s, has been severely and permanently damaged by teenage cannabis use. Promising young people damaged mentally and permanently, we are told. Educational under-achievement, wasted years. We are told of the thousands of hits on Debra’s website, the families feeling “let down” by government *and* the ACMD, the widespread feeling that cannabis use has become acceptable and that parents and teachers were undermined by Blunkett’s downgrading. Debra tells of the phone calls, parents at their wits-end, desperate and helpless in the face of kids who say cannabis is not so bad, “the government downgraded, it must be OK”. ***Some kids who even think it is legal.*** These mums must really worry Prime Minister Brown. These are articulate and educated people, they are not going to give up. They are also voters. These are the people we need to take the campaign against cannabis use forward. They bring a new focus to the battle.

M/s Cindy Burnett. Representing the Magistrates Association & Youth Courts. She is very convincing, she and colleagues are “worried about the message”, “downgrading sent the wrong message”, “caused confusion”. “unnecessary”, “poor effect on health”, “increased addiction”, “youthful “addiction to cannabis”, “downgrading had a bad effect”, “shoplifting driven by drug addiction” (cannabis), “wrong in principle”, “badly handled”, “downward spiral”, need for Youth courts to be supportive. All strong stuff. The ACMD listen in silence, are they taking it in? Who knows?

A few government apparatchiks from the Home Office talk about their wonderful publicity campaign, they show some clips, fancy indeed but have they worked? How could these adverts turn back the bad effect of downgrading? Like swimming against a strong current. Such stuff keeps people in work but will probably have little effect.

The next speaker is Professor Simon Lenton from the National Drug Research Institute of Australia, his presence confuses, just why is he, particularly *him* here? I notice he pops up later in the programme again on behalf of The Beckley Foundation, (run by our disgraced ex Deputy Drugs Czar Mike Trace who resigned from the UN when exposed as linked with the George Soros inspired legalisation campaign and “Open Society”). I wonder who has paid Lenton’s fare, was it George? He can afford it. I certainly hope it was not UK public money.

Again, I ponder just why his presence is allowed by Sir Michael.

Lenton is badly briefed about the UK debate and absolutely confused; he addresses us on “The impact of the legislative options for Cannabis”. He seems to think that the lobby *against* cannabis and *for* re-classification in the UK is from people who want to “lock users up”; he is more concerned about the social sanctions than about the adverse effects. He does not appear to understand that those who want cannabis upgraded, re-graded to where it historically was, are quite prepared to examine different social sanctions, *we know, everyone knows*, the UK cannot arrest its way out of our drug problem. Does he not know the pressure is about putting cannabis back where it belongs? To send a signal about the real harms. To start to change the damaging culture created around use, by the downgrading.

Is Lenton a closet legaliser cloaked in fine words, hiding his real intentions? I “Google” Lenton when I get home and check my files. Yes I thought I had heard of him from Australian friends. As I suspected, keywords, legalisation, Lindesmith, International Harm reduction, support for changes to the UN Drug Conventions etc, need I go on? That and the link with Trace tell me enough.

Does Sir Michael Rawlins understand this chap is a covert pro pot lobbyist? Does the Home Office know the witnesses have been rigged like this?

Steve Rolles from Transform, the UK’s main drug legalisation lobby group (for legalising of all drugs) speaks to us. I know him well and away from this subject can enjoy his company. He is a bright guy. His thunder has been stolen by Lenton he complains! Yes Steve we *are* having views like yours laid on pretty thick are we not? Is this deliberate? Is Sir Michael rigging all this stuff, does he understand it? If not him just who is rigging it? Legalisation is not up for discussion any more so just *why* does Transform get a slot (Debra Bell nearly did not!). Steve though admits “*Cannabis is more harmful than we thought*”. Well more harmful than *you* thought Steve, my view has been consistent since I met my first pot-heads in the 60s. My allies have always said Blunkett got it wrong, indeed the World Health Organisation indicated the mental harms of pot in its 1997 report. Rolles advises the ACMD to concentrate on a “Scientific Harm Assessment”. Yes, I can live with that; as long as they take in *all* harm not just harm to the individual. Yes and they should remember that defining the social penalties for use or trafficking are not what they (the ACMD) are about, leave that to others. Rawlins passion about that penalty issue nags at me.

Do the ACMD silent members (maybe most of them) know they are being manipulated? Again, does the Home Secretary know about this? This loading the witnesses with legalisers when that is not on any agenda is surely verging on the corrupt. No wonder they want to keep out those of a different view. ***I reflect that it is apparent there are at least two other days of private hearings, just who are this group listening to then?*** Would a “Freedom of Information” request flush it out? Can Jackie Smith just ask? Will she? Perhaps, I muse, she will if she gets a copy of my note.

The penultimate speaker is Simon Byrne Assistant Chief Constable Merseyside Police. He is the Association of Chief Police Officers lead on cannabis. He is a reassuring and sensible figure, ACPO have changed their view, they are seeing the problems with youngsters on the ground, and, picking up the pieces. He is also not interested in locking youngsters up; he wants early intervention, guidance to youngsters and strong signals sent out that use is potentially very damaging. Byrne tells us there have been 2000 cannabis farms found in England & Wales in the last few years since downgrading, that this is a huge new criminal industry since “Blunketts Blunder” (though he does not call it that). Illegal immigrants, often Vietnamese are involved; it is taking up lots of police time. UK based readers may remember downgrading was partly sold as *saving* police time. Byrne speaks of confused public views on cannabis; he and his colleagues are now ***strongly for re-classification to B***. Re-classification would reinforce the perceptions of harm. Is anyone listening?

Next witness is Lenton again, this time on behalf of Beckley Foundation. “Is cannabis use a contributory cause of psychosis”? He is reading a presentation prepared by Wayne Hall & Robin Room. Yes it is a cause, and more, 1 in 10 users become *dependent*. Really? Age of first use is important. Well we agree. We just do not agree on a part of the solution, telling the public the truth by classifying the cannabis in the right place.

There is a brief open forum, I manage to chide Lenton for his ignorance about the reasons behind the desire for re classification, I speak about parents and supporting them, telling the truth about cannabis, there is applause from some of the public. An ACMD member says they are not forgetting the individual sad cases they have heard about (from the mums), he looks at me, he is, I think, defensive, a man with a conscience. I remind the ACMD that Robin Murray’s 1500 schizophrenia cases a year are the tip of an iceberg, there are a quarter of a million people under 35 unable to work and claiming sickness benefits through mental illness, often associated with drug use. There are thousands of others not in the statistics because their illness is not clinically diagnosed; the prisons are full of those who are said to be mentally ill.

A few other speakers, first a mum, then a legalise cannabis advocate, and more, it comes to an end. It is over. Lenton follows me and speaks to me outside. He is uneasy and edgy. We debate changing the UN conventions, he wants it, I do not. The best kept international conventions of all I say. Their strength is in the fact that everyone keeps to them. I know but he appears not to, that the UK Government has explicitly said it wishes no change in the conventions. He wants “more freedom for States to do their own thing”. What are those things I say, what can states not do that you want them to do? We in the UK have prescribed heroin for years to a minority of users, the British system. He struggles to answer. He wants the Dutch to be able to deal with and control, (legitimise he means), their cannabis growers. Why I ask? Do neighbours want that? Does he not understand that one European country can not do that independently of the rest? Do the Dutch, most of them, even want that? (We know from an opinion poll that 70% do *not* want it). I remind him that Dutch drug policy has made the Netherlands, which is a first world country and economy, have a third-world drugs manufacturing, warehousing and distribution problem. Astonishing levels of drugs based criminality feeding ATS (amphetamine type substances) to the whole world, including Australia. . He has no other ideas when challenged. He is plainly not

used to being properly challenged. Why is someone with his views here, in this meeting, priming people who are going to advise our government? Who invited him?

As I travel home, I reflect, we have heard very strong messages about the harms of cannabis, is the ACMD about to change its position? I very much doubt it. They seem to be set in their ways, closed off to the harms, controlled tightly by Rawlins, most of them not taking part in the debate. I remember the question “do users mix cannabis with tobacco”. Quite extraordinary, he is in another world.

We have though, I think, seen the cannabis legalisation argument holed below the waterline; they will keep trying but that legalisation debate is surely over in the UK. If it is really over here perhaps it will be over everywhere else. What happens in the UK is of enormous influence because of the English language and the Internet.

Will UK Prime Minister Gordon Brown and Home Secretary Jacqui Smith reclassify cannabis even if the ACMD is not with them? Yes probably. They will have the support of most MPs; the Conservative parliamentary opposition is supporting it. Even some important Liberal Democrats including the then leader (our third party) who have historically been weak and wrong on drug policy have been seen at Debra Bell’s meetings, that is really good. They are also getting the cannabis harm message. Drug Policy is best when all parties are in broad agreement. Britain’s drug policy failure can I think, be tracked back to the breaking of that unanimity in the mid 90s.

Prime Minister Brown has “*made his views clear*” on cannabis, he said that this week at “Prime Ministers Questions” in the House of Commons. Brown has widely been accused by his opponents of dither and “government by review”, of putting off decisions. On this I think, based on the evidence, he means business.

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