



House of Commons  
Northern Ireland Affairs  
Committee

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**Government Response  
to the Committee's  
Sixth Report on the  
Illegal Drugs Trade and  
Drug Culture in  
Northern Ireland:  
Interim Report on  
Cannabis**

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**Sixth Special Report of Session 2002–  
2003**

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## The Northern Ireland Affairs Committee

The Northern Ireland Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Northern Ireland Office (but excluding individual cases and advice given by the Crown Solicitor); and other matters within the responsibilities of the Secretary of State for Northern Ireland (but excluding the expenditure, administration and policy of the Office of the Director of Public Prosecutions, Northern Ireland and the drafting of legislation by the Office of the Legislative Counsel).

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### Committee staff

The current staff of the Committee are Elizabeth Hunt (Clerk), Tony Catinella (Committee Assistant), Camilla Brace (Secretary).

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# Sixth Special Report

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The Committee published its Sixth Report of Session 2002–2003 on 13 May 2003. The response from the Northern Ireland Office was received in the form of a memorandum on 2 July 2003 and is published as the Appendix to this Report.

## Appendix

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### Introduction

1. The Government welcomes this interim Inquiry Report on cannabis as part of its overall Inquiry into “The Illegal Drugs Trade and Culture in Northern Ireland”.
2. The Government concurs with the Committee that the drug problem in Northern Ireland is different from that in the rest of the UK. The main drug in use in Northern Ireland is cannabis, and while Class A drugs are abused, the abuse of addictive drugs such as heroin and cocaine is not at the same level as other parts of the UK, though ecstasy is also a popular drug of choice. In turn, a significant element of time, effort and resources are invested in Northern Ireland in tackling cannabis use, by the Health Service, enforcement agencies and the voluntary and community sectors. The Government acknowledges that the Committee have also highlighted the influence of organised crime and paramilitaries in the drug trade, another problem which is not similar to other parts of the UK.
3. The Government has considered the **five Conclusions and Recommendations** included in the Interim Report and has provided a response to each point in this Memorandum. However, the Government would also make some observations in relation to the main body of the Report, which are set out below.

### Introduction (Paragraphs 1–3)

4. The Government agrees with the view that the Committee’s Report should be available to the House when it comes to consider the Government’s proposal to reclassify the drug. We believe that it will provide individual Members with valuable information and help to guide their considerations. In addition, we would recommend that the House should also study in detail the Advisory Council on the Misuse of Drugs report on cannabis and our response to the Committee’s Report.

### The Proposed Reclassification of Cannabis (Paragraphs 4–7)

5. We believe that the Committee’s Report is extremely valuable in drawing attention to the fact that reclassification of cannabis will affect certain parts of the UK in different ways and in particular to the experience of the misuse of that drug in Northern Ireland. Nevertheless, the Government believes it is important to maintain the principle that classification of drugs is based on the relevant medical and scientific evidence available and that classification is applied in a uniform manner across the UK. To do otherwise, for

example by introducing subjective assessments or particular geographical experiences, would in our opinion, destroy credibility in the system of classification.

### **Cannabis Use in Northern Ireland (Paragraphs 8–11)**

6. The Committee makes reference to the continued increase in the prevalence of cannabis use in Northern Ireland. While Government accepts that cannabis is available and used in Northern Ireland, most recent figures (from 1998 ) show that the prevalence rates are lower in Northern Ireland than for England and Wales, as evidenced by the figures for the Northern Ireland Crime Survey compared with those in the appropriate British Crime Survey. This does not of course mean that we are complacent in tackling this issue, or that it is not a problem, but it is useful to set this in context in terms of the wider UK experience.

7. The Government also agrees that the over-riding concern of those involved in treatment services must be those individuals with high risk behaviour such as injecting heroin addicts who expose themselves to blood borne viruses, as set out in paragraph 9 of the Report. However, we also consider that it is important we continue to measure the harmful effects of cannabis. For example, we know that a number of cannabis users do present for formal treatment, as evidenced by data from the Northern Ireland Drug Misuse Database. For the period April to Sept 2002, the statistics indicate that 44% of all individuals seeking treatment reported that cannabis was their main drug of misuse. This percentage has increased by 15% for the same period in the previous year.

8. The Government is also mindful of the health issues caused by smoking cannabis. The Secretary of State for Northern Ireland's Priorities and Plans identified "Working for a Healthier People" as one of his key themes. Tobacco is the single greatest cause of premature death and avoidable illness in Northern Ireland, being responsible for 18–20% of all deaths each year. Smoking cannabis, therefore contributes to the high incidence of premature deaths and avoidable illness. Cannabis is a harmful drug that can cause psychological dependency and depression, and our treatment agencies will continue to see people suffering from its effects.

9. Therefore it is important that we maintain a close watch on the effects of cannabis and take the necessary steps both to ensure that the public are aware of the dangers of cannabis use and that we have the systems and programmes in place to deal with this.

### **Demand and Supply (Paragraphs 12–14)**

10. While we accept the Committee's view that many people believe that cannabis is readily available in Northern Ireland (paragraph 12), we are not convinced, following reclassification, that it is highly probable this will confirm to young people that cannabis is mostly harmless and socially acceptable and ultimately lead to an increase in its overall use. The Advisory Committee on the Misuse of Drugs report clearly indicates that reducing penalties in other jurisdictions, such as the USA, Australia and the Netherlands (in other words potentially signalling that use of the drug was more acceptable in a similar manner to reclassification) has not led to a significant increase in use. However, the Advisory Council has agreed that should reclassification proceed, it would monitor prevalence rates.

The Government agrees this is an important role, because as the Committee rightly points out, this affects issues such as trafficking which can provide significant challenges for enforcement agencies.

## Conclusions and Recommendations

11. In the next paragraphs, the Government sets out its views on the specific conclusions and recommendations reached by the Committee.

### Conclusion / Recommendation 1

**We do not question the arguments for the reclassification of cannabis, in terms of its relative standing in the schedule of controlled drugs under the Misuse of Drugs Act 1971. However, it is essential that the Government recognises the message sent by reclassification, not only to the individual user but also to the drug trafficker and to enforcement agencies, nationally and internationally**

### Government Response

12. The Government welcomes the fact that the Committee have not questioned the arguments for and the decision to reclassify cannabis, based on the Report of the Advisory Committee on Drug Misuse.

13. The Government acknowledge and recognise the Committee's concerns as to the perceived message sent by reclassification. It will be important to ensure the general public and especially those who use or trade in cannabis or may be tempted to do so, know that cannabis use and trafficking in the drug remains illegal and understand that severe penalties will apply to those detected engaging in these activities.

14. However it is also important for the credibility of the Government's messages about the use of drugs that proper distinction is drawn between those drugs which cause most harm, through the classification system. While we will continue to highlight the significant dangers in using cannabis and the effect this can have on individual's health, we must also acknowledge there are other drugs in use, especially those which are addictive, that can cause greater harm.

15. In terms of messages sent to enforcement agencies by reclassification, the Government believes that the present proposals contained in the Criminal Justice Bill whereby the penalties for trafficking in all class C drugs will be the same as for class B drugs demonstrates the fact that we view trafficking in cannabis as a serious offence. Furthermore, the proposal in the same Bill that possession of cannabis (in particular circumstances) will remain an arrestable offence, underscores our continued concern about use of cannabis. Re-classification is not a softening of our stance on cannabis, but a recognition that the relevant medical and scientific evidence concludes that cannabis should be categorised with other drugs that could have a similar harmful effect.

## Conclusion / Recommendation 2

**Cannabis remains overwhelmingly the most widely available controlled drug in Northern Ireland. The demand for it is exploited by organised criminals and paramilitaries who use profits from the trade to sustain their other criminal activities. While we welcome the increase in the penalty for supply of Class C drugs, it is unlikely that this action alone will be a sufficient counterbalance to the opportunities for extending criminal activity which the reclassification may provide.**

## Government Response

16. The Government accepts the Committee's view that cannabis is the most widely available drug in Northern Ireland and that organised criminals and paramilitaries use the profits from trading in this drug (and others) to sustain and further their criminal activities.

17. The Government views supplying and dealing in all illegal drugs, including cannabis, very seriously. It is vital that we protect vulnerable members of our society, who may be attracted to experiment with illegal drugs, by limiting the supply of such drugs. A key weapon in tackling supply is to ensure that appropriate maximum penalties for trafficking offences are in place. This sends a powerful message to all criminals that this activity will not be tolerated.

18. In recognition of this, and the extent of the cannabis problem locally, the Secretary of State for Northern Ireland lobbied extensively for penalties for trafficking in cannabis to be increased beyond the current level for Class C drugs following the Home Secretary's announcement to reclassify cannabis. We consider this argument contributed to the current legislative changes in respect of penalties that are contained in the Criminal Justice Bill.

19. The Government accept that maintaining the current penalties for trafficking in cannabis will alone not deter organised criminal gangs and paramilitary groups from supplying cannabis. However, together with effective national and international co-operation between enforcement authorities and targeting the known dealers locally, appropriate custodial penalties will make a significant contribution to tackling this problem.

## Conclusion / Recommendation 3

**Northern Ireland is different from Great Britain, both in its choice of controlled drugs and in the problems associated with its drugs trade. It has a relatively small population and at present it does not have a large scale problem of hard drug abuse. The Government must keep this in mind and monitor closely what happens in Northern Ireland following the reclassification of cannabis. We call on the Government to reaffirm, clearly and publicly, that the supply of cannabis remains a high priority for law enforcement in Northern Ireland. It must support the enforcement authorities fully in tackling this trade.**

## Government Response

20. The Government welcomes the Committee's recognition that Northern Ireland does have a different drug problem compared to the rest of Great Britain, both in terms of drugs used and the problems associated with the drug trade. Northern Ireland does not have the significant "hard" drug problem found in other part of the UK or Republic of Ireland. Monitoring the changes in the drug culture is a vital activity.

21. The Government is unambiguous in its affirmation that the supply of cannabis remains a high priority for law enforcement in Northern Ireland. This is underscored by the fact that the Organised Crime Task Force have clearly indicated in the recently published Threat Assessment and Strategy for 2003–04 that illegal drugs, including the supply of cannabis will continue a strategic priority for the law enforcement agencies in Northern Ireland (copy attached). In addition the Criminal Justice Working Group on Alcohol and Drugs has and will continue to provide funding to enforcement agencies to assist with operations to tackle all drug dealing, including cannabis.

## Conclusion / Recommendation 4

**The Government, and the Northern Ireland Executive, must intensify their efforts to communicate the fact that the use of cannabis remains illegal, and harmful.**

22. The Government recognises that confusion could exist especially among young people about the status of cannabis both currently and following reclassification. We accept that the reclassification is perceived by some as sending a mixed message to young people and that we must find ways of informing young people that cannabis is harmful without damaging the credibility of the messages about other Class A drugs. Work has already commenced to provide information on the current legal status of cannabis and on the health risks associated with misuse.

23. The Health Promotion Agency, which carries out public information campaigns on behalf of the Department of Health, Social Services and Public Safety (and on behalf of the NI Drugs Campaign) has already been commissioned by the DHSSPS led Drugs and Alcohol Strategy Team, in conjunction with the Criminal Justice Working Group on Drugs and Alcohol, to develop and provide information on their website, on the current legal status of cannabis. This is specifically aimed at those professionals (youth workers, school-teachers, GPs etc) working with young people. This will provide them with the appropriate information to pass on to young people in an informed manner.

24. In due course and to coincide with reclassification, extensive information will be developed for both cannabis users and those who work with them clarifying the legal status of cannabis and highlighting the health impact of cannabis use. It is the Government's intention that whenever reclassification occurs it will take the opportunity to provide the media with a briefing pack.

**25. The key messages in any information released by Government will be that cannabis is both harmful and illegal.**

## **Conclusion / Recommendation 5**

**The NIO has recently proposed that the maximum penalty for driving while under the influence of drink or drugs should be increased from 10 to 14 years. We welcome this proposal. We note that research into the techniques for testing field impairment – whether a driver is unfit to drive because of the influence of drugs – is due to conclude shortly. We urge the Government to implement any recommendations arising from this research as soon as possible.**

## **Government Response**

26. As part of the Review of road traffic penalties for Northern Ireland, the Government proposes to give new powers to the Police Service of Northern Ireland to require motorists suspected of being impaired due to drug abuse to undertake a test of their impairment. The consultation period ended on 9 June and received a significant number of responses. A report on this and all the other issues raised in the consultation will be prepared for John Spellar, the Minister with responsibility for Criminal Justice in Northern Ireland.