

Cannabis: The law has changed



BACKGROUND

The previous ten year drug strategy included a range of measures to tackle cannabis use, from education through to specialist treatment. This strategy has proved to be successful, with cannabis use falling significantly for users of all ages. For young people, it has fallen from 13.4% in 2001 to 9.4% in 2007.¹ But although use is falling, cannabis is still the most commonly used illegal drug. A 2008 study showed that 80% of street-seized cannabis was the strong cannabis known as 'skunk'. It had an average potency of 16%.²

Reclassification

In July 2007, the Government asked the Advisory Council on the Misuse of Drugs (ACMD) to review the classification of cannabis. The ACMD report stated that cannabis continued to produce immediate and longer term harm to physical and mental health.³ The report confirmed that cannabis poses a real threat to the health of those who use it because:

- Most of the cannabis around today is much stronger than it used to be.
- Some young people may 'binge smoke' strong cannabis to try and get as stoned as possible, which is a particular concern because of the risks of cannabis to long-term mental health.
- Cannabis can worsen the symptoms of schizophrenia and lead to relapse.
- As well as its short-term psychological effects, there is a probable, though weak, casual link between cannabis use and the later development of psychotic illness (such as schizophrenia).

On January 26 2009, cannabis was reclassified up from a Class C to a Class B drug.

As a key stakeholder in the Government's strategy to tackle drugs, you need to know why cannabis has been reclassified and how the new cannabis laws will be enforced.

The Government decided to reclassify cannabis as a preventative measure rather than risk the potential impact on health in the future. The 'B' classification takes into account the known risks of cannabis and the potential health risks where conclusive evidence is not yet available. Reclassification also reinforces the message that cannabis is harmful and illegal, backed up by a stronger approach to enforcement.

HOW THE NEW LAWS WILL BE ENFORCED

Reclassification and a strengthened approach to enforcement will mean more severe penalties for people caught in possession of cannabis for personal use or who are involved in the production and supply of cannabis.

Possession

- The maximum prison sentence for people who are convicted of the possession of cannabis has increased from two to five years and they can also be given an unlimited fine.
- However, for people dealt with by the Magistrates' Courts, the maximum sentence for possession will stay the same at three months but the maximum fine will increase from £1,000 to £2,500. These changes apply to both adults and young people.

Supply/Production

- The penalties for supply and production will stay the same with maximum sentences of 14 years and/ or unlimited fines. However, the courts will take into account the upgraded classification. People who sell cannabis near school premises could face stiffer sentences.

References

1. Drug use, smoking and drinking among young people in England in 2007, The NHS Information Centre for Health and Social Care, July 2008
2. Home Office Cannabis Potency Study, Home Office, May 2008
3. Cannabis Classification and Public Health, Advisory Council on the Misuse of Drugs, April 2008