

## Statement by Professor Alex Stevens

I am Professor in Criminal Justice at the University of Kent (UK). I served as President of the International Society for the Study of Drug Policy from 2015 to 2019 and as a member of the UK Advisory Council on the Misuse of Drugs from 2014 to 2019. I am now a board member of two charities, Harm Reduction International and the Criminal Justice Alliance.

In 2018, I wrote a report (with Dr Caitlin Hughes) for the Irish Department of Justice and Equality on *Alternatives to Criminalisation for Simple Drug Possession*. In that report, we laid out options for reducing the criminalisation of people who use drugs. This is not just a binary choice between complete prohibition or a free market for drugs. The intermediate options include a range of practical and legal steps:

- Depenalisation involves no change in the law, but taking the practical decision not to enforce punishments for low level drug possession.
- Diversion means using educative or therapeutic interventions instead of punishments for such offences. It can be done by changing practice (*de facto*) or by changing the law (*de jure*).
- Decriminalisation means changing the law so that simple drug possession is no longer a criminal offence.
- Legalisation means changing the law so that it is legal to produce and sell these substances, as well as to possess them for personal use.

All of these policies comes with a range of detailed options to consider. These include:

- What people will be covered. Will it be adults, children, or both?
- What drugs they will cover. Will it be cannabis only, or a wider range of substances?
- What amount of drugs will be covered. Will the policy set a weight threshold, or will it rather rely on the police and prosecution to prove intent to supply?
- Will home production be allowed?
- Repeat incidents. How many times can a person be found in possession before legal sanctions are imposed?
- In the case of diversion, to what intervention will people be diverted, and will this be targeted by the type of drug or person, and who will pay for this intervention?
- In the case of decriminalisation, will use in public remain an offence?
- In the case of legalisation, what will be the model of sale (e.g. online, at licensed premises, pharmacists, or shops), and will product diversification, advertising, and price promotions be allowed?

The knowledge that is emerging from international examples of such alternative policies so far suggests that:

- Reducing penalties for drug possession does not necessarily lead to an increase in use. It is therefore a net positive, as it reduces the harms and costs of criminalisation, while not increasing the harms of drug use.
- With legalisation, there is trade-off to be had between reducing the size of the illicit market by allowing a larger and more commercial legal market, or restricting the size of the legal market through tight regulation, and so leaving much of the illicit market in place.

I look forward to discussing these issues with you.