

More cash than Class

For the second time in just over two years, the home secretary asked drug experts to review the dangers of cannabis. The most high profile voice in the debate so far has been that of Britain's police chiefs. But, says Max Daly, their logic is a little hazy.

The Association of Chief Police Officers (ACPO) originally supported the decision by government drug advisers to reclassify cannabis to Class C in 2004. They said reclassification would free up police officers' time to focus on Class A drugs such as heroin and crack cocaine.

However, ACPO's advice to the Advisory Council on the Misuse of Drugs' cannabis review meeting in February, was that cannabis should return to being a Class B drug.

One of the key reasons given by ACPO for its change of mind was that the downgrading of the drug has been a major factor in the rapid spread, of gang-run cannabis farms in the UK, the extent of which was first revealed in a *Druglink* investigation last year.

The ACPO submission, widely reported in the press and believed to be given great weight by Home Secretary Jacqui Smith, stated: "The 2004 change in classification of cannabis has inadvertently provided an opportunity for the greater and now flourishing illegal market in the production, distribution and use of cannabis throughout the UK and potentially beyond." It is ACPO's thinking that after reclassification, criminals felt that cannabis offences had become lesser crimes and that cultivation was less of a risk than before, because officers were less interested in policing the drug.

But this conclusion is, at best, highly questionable.

For one thing, the 2004 reclassification certainly did not offer cannabis producers any respite in the courts. As part of the move from Class B to C, sentencing powers for those caught supplying, producing,

cultivating or trafficking Class C drugs were actually increased from five years to 14 years.

The reality is that the proliferation of commercial cannabis cultivation farms was linked to the one thing that motivates most criminal activity: money.

Organised criminals of this nature are rarely deterred by the powers of courts, a fact which was backed up by a Home Office study of 222 jailed drug dealers in November which revealed that prison is not seen as a serious deterrent and is only regarded as an "occupational hazard or an unlikely risk".

Will organised criminals really be deterred by cannabis becoming a Class B drug?

It was the demand in the UK for strong herbal cannabis that ensured a ready market. Ten years ago only 11 per cent of cannabis sold on UK streets was grown here, a figure which has now passed 60 per cent. Home grown marijuana filled the gaping hole left by both widespread disillusionment with the quality of imported cannabis resin among drug users and a government cannabis eradication scheme which halved production in Morocco, a key source of imported UK cannabis resin.

Cannabis farms can offer growers a swift return for their money. After an initial start-up cost of around £20,000, maintaining a cannabis farm is not expensive. Gangs bypass electricity meters and pay 'gardeners' low or zero wages, making the running costs of a

typical farm little more than the rental of the property each month. Three months after being established, a property can generate cannabis crops maturing on a monthly basis with a street value in excess of £25,000.

This makes the production of cannabis potentially more profitable than the distribution of drugs such as cocaine and heroin. Motivated by such healthy profits, will organised criminals really be deterred by cannabis becoming a Class B drug?

In summing up, ACPO advised the ACMD that the drug be reverted to Class B for four main reasons: the rise of cannabis farms, the drug's increasing potency, the fact reclassification has failed to save police time and the "perception that cannabis possession and use are no longer criminal offences and therefore not a policing priority".

There is no evidence to show that moving the drug to Class B would have any effect on cannabis farms or potency. The likely reason police are spending no less time than they were pre-2004 on cannabis is because of the cannabis farm phenomenon – which takes up many hours of police and court time.

Without the farms, police would undoubtedly have spent less time policing cannabis and therefore have had more time to tackle Class A drugs. Lastly, the perception that cannabis is now legal is not an issue of law, but a sign that the government has failed to get its message across.

As the ACMD considers its decision in April, the government must take on board the only fact that was universally accepted by those giving evidence to the cannabis review: that fiddling with its legal status is no short cut to a strong public health message on cannabis.