

Stirring the pot Cannabis and rational policy

Steve Allsop
National Drug Research Institute

Evidence-based policy is a challenge

- In general there is disappointment at how research has influenced policy

“There has been disappointment at the lack of progress in promoting evidence-based policy & management compared with the relative success of evidence-based medicine ... the consumers of policy & management research have not found the outputs sufficiently relevant & useful, & researchers have become frustrated by the lack of uptake of the results of such systematic reviews by policy makers & managers.” Sheldon 2005

The role and risks for researchers advocating for policy

- Researchers can:
 - Provide quality evidence that can inform policy debate, formation and implementation
 - Identify gaps in knowledge
 - Challenge models that contribute to poor policy
 - Challenge the marginalisation of people affected by drug problems (personal/moral weakness/bad/self-inflicted)

The role and risks for researchers advocating for policy

- Researchers can:
 - Provide quality evidence that can inform policy debate, formation and implementation
 - Identify gaps in knowledge
 - Challenge models that contribute to poor policy
 - Challenge the marginalisation of people affected by drug problems (personal/moral weakness/bad/self-inflicted)
- In this case, they have provided quality evidence, identified gaps and challenged the premise and nature of international conventions
- But what of the notion that people who are affected by illicit drug use are fundamentally flawed, weak, law breakers, immoral, bad etc

The role and risks for researchers advocating for policy

- Policy and evidence do not coincide:
 - Gap between commonly supported treatment and evidence
 - Gap between evidence about impact of cannabis policy and strict enforcement and penalty
 - There is almost an inverse relationship with evidence and what the community and governments will support

The distinct challenges of policy influence

- Treatment practitioners might actively seek out evidence, policy makers are less likely to actively seek out evidence (Lenton 2004)
- Policy makers may actively seek for the simple explanation or solution or seek out that which is consistent with their position, but ignore or even trivialise/demonise that which is inconsistent
- Competing with evidence is:
 - Party politics
 - Public perceptions
 - Political ‘deals’
 - Policy history
 - Timing

Contention about the role of researchers

- Some (e.g. Doll) argue there is a critical role for researchers to engage in advocacy
- Others argue that:
 - Researchers can help create a context for evidence-based practice, or engage in advocacy, but they are not always the most appropriate to engage in such strategies and the risks are too great
 - Research and policy are like oil and water - research is about evidence, fidelity and logical argument while politics is about the next election, perceptions, bargains and timing

The distinct challenges of policy influence

- Altering one part of the system puts pressure on others and bureaucracies resist change
- For every research finding there is an anecdote that negates it Sweedler and Stewart (2006)
- The language we use matters
 - The language contributes to the continued marginalisation of consumers
 - Choice of words, not logic or evidence, changed support for changes to cannabis legislation
 - Comments such as “allowed to grow for personal use”

What creates windows for policy change?

- Alternatives arise in the policy stream from the “policy primeval soup”. Policies that survive this process are:
 - Seen as a response to an identified problem/issue
 - Possible (technically feasible)
 - Congruent with community values and acceptable
 - Politically attractive
 - Feasible within budgetary and other (practical) constraints

What are the lessons for researchers?

- Accumulate evidence
- Identify how to make it relevant
 - identify the problem and ensure the research outcome can be perceived as a viable solution that is relevant to the policy makers and community
- Look for emerging windows of opportunity that occur in the problem and political spheres
- Better understand the policy process and create partnerships
- What might these be in UN?

Some observations of information in the Beckley report

- The cannabis market, at least now seems to be distinguished from the other illicit drug markets (e.g. forms of distribution – home grown, supplied by friends; lack of violence etc)

- Risk of apprehension small (1 in 1000 joints) most drug arrests are for cannabis possession and most do not result in “criminal consequence”
 - “punishments other than fines are rare”
 - Few apprehended, few punished other than by fine or referral to treatment
- Many more people in treatment – but still large number of those potentially in need not accessing help

Current systems under the Convention

- The current problem is that the systems create the potential for confusion which undermines sensible debate and is then used to argue for tougher penalties
- Also allows more discrimination in application

- They highlight the complexity of interpreting the data on the impact of different approaches, which leaves the door open for injudicious, sometimes mischievous interpretation – e.g. complexity of comparing criminalised with de-penalized states
- The significant gaps in our knowledge base are also highlighted

- They observe that policy appears to have limited impact on cannabis use – e.g. number of jurisdictions show recent declines in use despite different policy approaches across jurisdictions
- E.g. Significant decreases in use in WA prior to and after change in legislation

Some critical areas where we need more informed debate

- Potency – more complex than just “stronger stuff” that causes mental health problems
 - Discourage some users, increase risk of dependence for others, reduce inhalation of particle matter for given level of intoxication, titration of dose, increase dose leading to more adverse effects??
 - Cannabidiol (CBD) and THC ratio?
- Frequency of use
- Age of onset – particular needs and risks of younger consumers
 - increased numbers of adolescent users, decreased age of onset, poor engagement – loss of what to do
- Impact of use on ageing population

Some critical areas where we need more informed debate

- Limited effort to deter use in particular circumstances
- Significant gaps in our knowledge of risks and corresponding limited education/information/perception of risks
- Access to/attractiveness of treatment and barriers to treatment
- The challenge of separating strategies aimed at individual possession supply and the interconnectedness of these – the issues dealing with supply, including “self-supply” are often the most contentious

Some critical areas where we need more informed debate

- The role of price is poorly understood but authors introduce attractive, early stage calculation of cost calculation – “It only costs \$5 to get high”
 - “... the drug is readily available in many Western societies at a cost that allows cannabis to compete with alcohol as a source of intoxication”

- Significant changes in cannabis use since 1961 that occur at the local/state level require a flexible system that allows variation across countries
 - The international drug control conventions have served as a limit on the outer boundary of policy initiatives on decriminalization and legalization

Two key criticisms

- Judge a strategy on its capacity to harm as well as do good
 - Point well made in relation to current laws but perhaps need more discussion on potential harms of strategies proposed in the report
- The case of HOW to change the Convention is well made, although it is largely argued on the grounds of the technical process. The argument is not well linked to models of policy change – the case for WHY the Convention should be challenged is implicit but must be made explicit
 - e.g. the Convention currently limits actions that can be adopted to varying severity of penalties