

# FREQUENTLY ASKED QUESTIONS

## *Public Health Perspectives for Regulating Psychoactive Substances*

A discussion paper by

The Health Officers Council (HOC)  
of British Columbia  
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- o to the individual, to enable more informed decisions, improved health care, and
- o access to substances regulated according substance harm potential.
- Seeing all psychoactive substance use as a health issue would allow government and communities to explore a wide range of tools to manage the problems in a more effective and risk-based way.

### **1. Is the HOC saying that it wants to legalize all drugs?**

- No. HOC is recommending that governments control the illegal drug market as well as the commercial market for alcohol, tobacco, and prescription drugs in a way that reduces harm to individuals, families, communities, the province and the country as a whole.
- The evidence reviewed by the HOC suggests that the focus on criminality in relation to drug use has not only failed to halt the spread of illegal drugs, but is also interfering with the ability to reduce harm.
- Thinking outside the box and taking courageous steps by employing public health oriented approaches will ensure long-term reductions in harms and reductions in the demand on health, social, and criminal justice services.
- The current system is not only costing taxpayers billions of dollars a year, but also has other negative societal impacts. HOC is proposing policies that will reduce harm:
  - o to society, by reducing crime, violence, excess medical costs,

### **2. Is HOC saying “yes” to drugs?**

- HOC is advocating that the approach to all psychoactive substances be based on measures that minimize the harms to individuals and society, thereby improving overall health. These measures could include creating a carefully controlled environment for use of currently illegal drugs in a way that diminishes the need for criminal activity, while creating a platform for public health and clinical programs to address addictions and other harms.
- HOC is saying “no” to crime and associated harms that stem from drug prohibition, which enriches and empowers organized crime in BC, Canada and around the world. The Auditor General of Canada in 2001 reported that drug money is the main fuel to organized crime.
- The HOC is recommending more effective ways of controlling drugs—including alcohol, tobacco, and prescription drugs—to minimize the direct and indirect harm to individuals and our society.
- HOC also recommends much closer monitoring of the distribution and consumption of substances to improve

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timeliness and accuracy of monitoring levels of use and harms.

#### **3. What exactly are “psychoactive substances”?**

- Psychoactive substances affect mental functions such as sensations of pain and pleasure, mood, consciousness, perceptions of reality, thinking ability, motivation, alertness, or other psychological or behavioural functions. These include alcohol, tobacco, caffeine, prescription substances with reinforcing properties such as sleeping pills and pain medications, solvents, and illegal substances such as marijuana, cocaine, methamphetamine, ecstasy, LSD and heroin.

#### **4. What about crystal meth, crack cocaine, and heroin?**

- HOC recommends a comprehensive public health approach to substances that tailors regulations according to respective risks and harms a drug poses. Specific approaches to particular drugs, such as methamphetamine, would need to be considered in light of best available evidence about harms and how to reduce them.

#### **5. We have not been harsh enough with drug users. Why doesn't HOC recommend hiring more police?**

- The research reviewed by the HOC shows that there is no long-term connection between increased enforcement and reduced drug use. In fact the evidence show that increased enforcement can lead to increased harms due to violence.

- Here in Canada, the Special Senate Committee on Illegal Drugs 2002 report reviewed the world literature and concluded that there is little connection between enforcement efforts and use of cannabis.
- In the United States, currently about 55 percent of all federal prisoners are jailed in connection to drug offences (with a prison population greater than all European countries combined), yet the US still has very high rates of problematic substance use.
- Organizations such as the US National Health Care for the Homeless Council and UNAIDS acknowledge that the behaviour of people who use drugs is not effectively influenced by criminal sanctions, but that a public health approach is much more effective at addressing homelessness, mental health, and addictions and preventing HIV transmission.

#### **6. Is the HOC worried that drug use will go up in the new system?**

- Evidence regarding decriminalization of cannabis does not suggest that use of other illegal drugs would increase if criminal penalties were lifted.
- HOC recognizes that it is important to monitor for increases in use. If changes are made incrementally as part of a comprehensive approach, and the effects are monitored, harms can be controlled.
- The paper recommends regulations based on public health principles to help reduce the harms that people who engage in problematic substance use do to themselves and others.
- The paper recommends that government move to a public health oriented regulatory

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approach as part of comprehensive provincial and national strategies. This could provide better controls on who has access to what drugs, when and where than currently exist.

- The position of the HOC is that people who use illegal drugs are marginalized in the current system.
- In the recommended system, people dependent on drugs could be engaged in the health system by having access to places like supervised injection sites (or smoking rooms) that are staffed by nurses, addictions counselors, and mental health professionals, who could provide on-going advice, education, health care, and referrals.
- Money that is currently spent on enforcement could be redirected to social, education and health services, where evidence suggests it will have a much greater impact.
- Part of a public health approach includes close monitoring of levels of drug use in order to identify areas of concern, allow responses to be tailored more efficiently, and assure the public about the true situation regarding drug use.

#### **7. Isn't the HOC worried about young people?**

- Current studies tell us that youth can access some illegal drugs more easily than alcohol. For drugs, HOC recommends tighter controls than exist for alcohol – that way we could actually reduce youth access.
- At this time, drugs can be found in all schools and youth are involved in either purchasing or selling. Both the easy availability and the attraction to the easy money keep many youth connected to the

drug scene as both users and suppliers.

- The HOC is recommending a public health oriented regulated market that could help improve this situation by regulating where drugs are sold and who has access to them, with the intent to minimize access.

#### **8. The HOC paper shows that though alcohol and tobacco are regulated, these two substances have the highest health and economic impacts. Won't we see higher impacts from other drug use if we move to market regulation?**

- Evidence does not support duplicating the existing controls used for alcohol and tobacco for drugs. Rather, lessons about problems in alcohol and tobacco control can be learned from and acted upon. This would include greater regulation of tobacco and alcohol as part of a comprehensive approach.
- To better prevent the harms from tobacco and alcohol, improvements in current regulations for these substances are needed.
- Public health oriented regulations are about controlling availability to all substances, and who has access to what substances, when and where.
- The HOC recommendations suggest that using a public health oriented framework as a model will help society manage tobacco and alcohol more effectively.
- Historically, corporations have marketed tobacco and alcohol to increase consumption, including among young people. By applying lessons learned from alcohol and tobacco, governments could develop better regulatory tools that would be appropriate for currently illegal drugs.
- Public health oriented regulation is not

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based on a free market system, and government could use many techniques not currently in use to control alcohol and tobacco to make this effective.

#### **9. How about pressure from the USA?**

- There is growing interest, both in Canada and abroad, in re-examining current models of illegal drug control and their questionable effectiveness.
- Research shows that cultures that have used drugs in traditional manners have not had problems associated with substance use prior to the implementation of prohibition policies.
- The HOC is suggesting Canada has the opportunity to be a world leader in changing international agreements by working with other countries that are exploring unconventional ways to address drug-related harms—such as Australia, Switzerland, the Netherlands, Portugal, Spain, and a number of South American countries—to draft new agreements and engage other countries that may not yet be looking at these options.

#### **10. Will we see a criminal market selling drugs to the USA?**

- This distribution route exists already. At this time, drugs flow both ways across the border.

#### **11. Is the HOC suggesting that drugs be sold openly in stores?**

- No. The HOC is recommending government regulate and control distribution of drugs in a way that puts the criminals out of business, and puts public health first.

- Public health oriented regulation is about, controlling availability, accessibility, who is allowed to buy substances, and when and where they can use them.
- Physicians in the United Kingdom have legally prescribed heroin on a medical basis to people who have an opiate dependence for nearly a century. Patients have their prescriptions filled in pharmacies.
- A recent study in BC on heroin prescription found that this is feasible and beneficial in the BC context.

#### **12. What is the problem with the criminal market – is it not the lesser of two evils?**

- The HOC's position is that criminal markets for drugs produce more violence, crime, disease, corruption and death than would occur with a public health oriented regulatory system.
- British Columbia learned this lesson when it attempted a full prohibition of alcohol from 1917 to 1921—the United States had a similar experience with its failed attempt at alcohol prohibition from 1921 to 1933.
- The existence of an enormous criminal market for drugs empowers and enriches criminals, makes drugs widely available and engages our youth.
- For example, currently youth have greater access to drugs than alcohol because dealers do not ask customers for age ID.
- If steps were taken to implement policies in keeping with the HOC recommendations, access to drugs would be restricted for youth.

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#### **13. What about our international agreements?**

- Policy experts in many countries around the world are discussing options for drug control other than prohibition.
- The HOC is suggesting Canada has the opportunity to be a world leader in changing international agreements by working with other countries that are exploring unconventional ways to address drug-related harms—such as Australia, Switzerland, the Netherlands, Portugal, Spain, and a number of South American countries—to draft new agreements and engage other countries that may not yet be looking at these options.

#### **14. If we shut down (or greatly reduced) the criminal market would the criminals find other ways of doing crime?**

- The federal auditor general in 2001 said that drug money is the main fuel to organized crime
- A 2004 report by British Columbia's RCMP criminal analysis section indicates that the lucrative marijuana trade bankrolls other criminal activities.
- If you take away the ability of organized crime to participate in the illegal drug trade market, the incentive that brings new players in and keeps existing criminals going is taken away.

#### **15. Why is HOC recommending government move forward with these policy changes?**

- The paper argues that seeing drug use as essentially a public health issue would allow government to explore a wide range

of tools to manage the problems in a more effective, holistic and humane way.

- Bold, courageous steps in early intervention, education and preventive programs will ensure a long-term reduction in the demand on health and social services, and lost productivity.
- The current system in place which primarily revolves around dealing with criminal activity and enforcement is not only costing taxpayers billions of dollars a year, but also has other negative societal impacts.
- The HOC is proposing policies that will reduce harm to society (e.g. crime, violence, excess medical costs) and to the individual (e.g. better access to information, health care, access to drugs regulated according to age and harm potential of drugs).

#### **16. Wouldn't these steps just enable drug addicts?**

- No. Evidence suggests that effective regulations would protect public health and minimize the costs and impacts of drug use on society and individuals. Experience with heroin prescription in Europe and Canada show that alternatives to prohibition can be effective public health measures to deal with addiction.
- The recommended steps will assist drug dependent people in getting the services they need to stay healthy.
- The HOC recommendations suggest that using a public health framework as a model will help government and communities manage these problems more effectively.

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**17. How are timeliness and accuracy of monitoring levels of consumption and harms being improved?**

- BC has established an Alcohol and Drug monitoring system that is leading the country in monitoring the harms of these substances.
- The ongoing Canadian Alcohol and Drug Use Monitoring Survey and the Canadian Tobacco Use Monitoring Survey regularly collect information to help track these issues.

**18. Would resources be shifted to a more balanced approach?**

- The 2001 report by the Auditor General of Canada indicated that 95% of federal funding for addressing illegal drug use was devoted to supply-reduction (i.e. enforcement) interventions.
- Evidence from various jurisdictions around the world, such as some European countries, and locally, such as the city of Vancouver's Four-Pillars Plan, suggests that a balanced approach is the most effective way to prevent and respond to harms associated with substances.
- Enforcement would still play a role in a public health oriented system such as that proposed by the HOC.

**19. Is HOC concerned about prescription psychoactive drugs?**

- Yes. HOC recognizes that many prescribed psychoactive drugs such as sleeping pills, tranquilizers, and pain medications can produce very harmful effects.

- HOC supports the prescription method as one way of controlling access and use, but encourages closer monitoring of this issue.
- Research and education about reducing the harmful effects of prescribed psychoactive drugs—including training for physicians health care professionals and restricting promotion such as advertising of these products—is one way to do this.

**20. Does the Health Officers' Council (HOC) speak for health authorities and the provincial government?**

- The HOC does not speak for government, or for health authorities.
- The HOC is the network of medical health officers and other public health physicians who advise and advocate for public policies and programs directed to improving the health of populations. HOC provides recommendations to and works with a wide range of government and non-government agencies, both in and outside of BC.

**21. How does this initiative differ from the "Stop the Violence" initiative?**

- Stop the Violence is a coalition of academics, health workers, past/present members of law enforcement, and the general public concerned about the links between cannabis prohibition and the growth of organized crime and related violence in BC.
- Stop the Violence is calling for cannabis to be governed by a strict regulatory framework aimed at limiting use while also starving organized crime of the profits they currently reap as a result of prohibition. The initiative is based on an educational campaign seeking to improve community

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safety by broadening the public's understanding of the link between cannabis prohibition and gang violence.

- The HOC paper is focused on all psychoactive substances. The regulatory framework proposed in the HOC paper could be used a starting point to explore public health oriented regulatory options for cannabis.

#### **22. Since tobacco is so harmful, should we not just ban it?**

- Public health efforts to reduce tobacco use and harms have been quite successful, reducing rates of smoking from around 60% in the mid-1960s to less than 15% currently.
- Bans create illegal markets fueling organized crime, violence, and corruption; result in loss of controls over the product; create an extra burden on the police, courts, and jails, and create criminals from law abiding citizens which leads to many negative individual and social consequences.
- Society has many legal and other tools at its disposal to further reduce the harms associated with tobacco, without risking the negative consequence of a tobacco prohibition.