

Cannabis:

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Introduction

On 10 July 2002, the Home Secretary, David Blunkett MP, announced that cannabis will be reclassified as Class C. This guide has been produced to help clarify what reclassification means in practice by providing information on the legal position in Scotland, the effects of cannabis, and the risks to health associated with its use. It is likely that the relevant legislation will be amended to reclassify cannabis by July 2003. At the end of the guide, details are given of where further information and help can be obtained.

The guide carries the "Know the Score" logo, which is used on several other materials designed to encourage the public to find out the facts about drugs in Scotland.

The Legal Position

What is meant by reclassification?

The classification of drugs is set out in the Misuse of Drugs Act 1971 (which applies across the UK). Classification is based on the harm which individual drugs may cause, including risks to physical and mental health, withdrawal reactions (ie the effects on users when they stop using drugs, or reduce their consumption), and the harm which misuse may bring to families and society at large. Class A covers the most harmful drugs such as heroin and cocaine, Class B includes amphetamines and barbiturates, and Class C contains drugs such as anabolic steroids, benzodiazepines and growth hormones. The Home Secretary's decision means that cannabis will be shifted from Class B to Class C, once the necessary change to the legislation is made.

Does reclassification mean that cannabis is harmless?

No. All drugs are potentially harmful, and cannabis is no exception. As explained later in this leaflet, there are serious health risks associated with using cannabis. Reclassification just means that the harm associated with cannabis is considered to be relatively less severe than that associated with other drugs currently contained in Class B.

Does this mean that cannabis has been legalised?

No. Possession of cannabis for personal use or the supply of cannabis to another or possession of cannabis with the intention of supplying it to another remain criminal offences. The Home Secretary has announced his intention to increase, to 14 years, the maximum prison sentence for supplying Class C drugs, or possession with the intention of supplying them to another. The present maximum prison sentence for simply possessing cannabis will be reduced from 5 years to 2 years,

when cannabis is reclassified to Class C. Fines and other non-custodial sentences can also be imposed in addition to prison sentences.

It is also illegal for the occupier or any person concerned in the management of premises to (a) allow a person to produce or attempt to produce cannabis there; or (b) to allow a person to supply or attempt to supply or offer to supply cannabis there, or (c) to allow the smoking of cannabis while there.

Media reports suggest that people can no longer be arrested for possessing cannabis?

The police have powers to arrest, where they have grounds for concluding an offence has been committed, which may be used depending on the circumstances of the case. If you are apprehended by the police and found to be in possession of cannabis, the drug will be seized as evidence in all cases, and you may be charged with the offence. The matter will then be reported to the Procurator Fiscal, who will determine if a prosecution is in the public interest. The Procurator Fiscal has a range of disposals available when a person is reported for possession of cannabis including prosecution, fiscal fines and warnings.

What about those people who intend to set up cannabis cafés in Scotland?

Anyone trying to establish a cannabis café risks imprisonment or a heavy fine or both. Supply of cannabis will remain a criminal offence, and those who sell it to others risk severe penalties. It is also an offence for occupiers or managers of premises to allow smoking or supply, or attempting to supply, or offering to supply, cannabis on their premises. Reclassification of cannabis makes no difference to this position.

The Legal Position

Will reclassification make any difference to those people who use cannabis to relieve pain caused by severe illness?

No. The possession of cannabis remains a criminal offence. Use of cannabis for pain relief is no defence.

What is happening about developing legal cannabis-based medicines?

The Government is already exploring whether cannabis-based medicines can help as a form of pain relief. Scientific and clinical tests are well advanced, and the Home Secretary has made it clear that he is willing to change the law to allow cannabis-based medicines if these tests prove to be successful. It is possible that new cannabis-based medicines could be available early in 2004.

What happens if I am stopped by the police while driving, and found to have cannabis in my system?

Cannabis, like other illegal substances and some legally obtainable drugs, greatly impairs the ability to drive safely. This puts other road users at risk. Prison sentences, heavy fines and disqualification from driving can be imposed if you are convicted of being unfit to drive or unfit to be in charge of a vehicle due to taking illegal drugs. New roadside tests (known as Field Impairment Tests) are being carried out by the police to help determine whether motorists are unfit to drive through taking drugs. A suspect will be examined by a doctor and police may also require the suspect to provide a blood or urine sample which can be analysed to detect the presence of drugs.

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Health Factors

Can cannabis affect my physical health?

There are a number of risks to health associated with misuse of cannabis. Cannabis affects blood pressure and increases heart rate. This can be particularly dangerous for people with diseases of the cardiovascular system, especially those with coronary artery disease, high blood pressure and those people at risk of strokes. Cannabis can worsen asthma. Frequent misuse of cannabis may also decrease sperm counts in men and suppress ovulation in women.

Cannabis is most frequently smoked. Smoking in any form is harmful, and tobacco smoking is the largest single cause of ill-health and premature death in the United Kingdom. Smoking cannabis, therefore, presents a real health risk, potentially similar to that of tobacco, with increased incidence of bronchitis, asthma, and lung cancer, as well as disorders of the heart and circulation. Smoking cannabis may be more harmful than smoking tobacco, since cannabis has a higher concentration of certain chemicals which can cause cancer.

Are there risks to mental health associated with cannabis?

Yes. Using cannabis can lead to panic attacks, paranoia and confused feelings. In some cases, acute cannabis intoxication can produce a psychotic state, which may continue for some time, and which may require treatment with prescribed drugs. Cannabis can unquestionably worsen schizophrenia, and other mental illnesses, among people who already suffer from them. Anyone who has a mental illness should, therefore, avoid using cannabis.

What are the risks of using cannabis when pregnant?

Tobacco smoking and alcohol use cause significant harm to unborn children. Birth weights of babies born to women who use cannabis during pregnancy tend to be lower than expected. Using cannabis during pregnancy may also increase the risk of birth defects and abortion, and, like tobacco smoking, cannabis smoking seems to increase the risk of sudden infant death syndrome.

All the available information suggests that cannabis use in pregnancy is certainly harmful. Pregnant women should avoid using alcohol, tobacco or cannabis.

Any other risks associated with cannabis?

Yes. Cannabis impairs performance of tasks which require concentration and co-ordination. It can be dangerous to drive or operate machinery when under the influence of cannabis. The danger increases if alcohol and cannabis are both consumed.

Is it possible to become "hooked" on cannabis?

There is no doubt that it is possible to become dependent on cannabis. Between 5% and 10% of drug users seeking treatment report that cannabis is their main problem drug. Studies among cannabis dependent users reveal that when they stop, they experience physical withdrawal symptoms, such as decreased appetite, weight loss, lethargy, irritability, mood changes and insomnia.

Health Factors

What treatment is available to help those who have problems with cannabis?

You can speak to your local GP, who may refer you to a specialist service. There are also other agencies (eg local authority social work departments, the police and local drug information services) who can provide advice. However, there is no simple or rapid treatment for people who have come to depend on cannabis. Depending on the circumstances of an individual, behaviour therapy, counselling, prescribed medicines and residential care, or a combination of these, may be helpful.

Can I find out more about cannabis without having to approach my GP?

Your GP will always provide advice and treatment on a confidential basis. However, you can phone the "Know the Score" information line (0800 587 5879) where a trained operator will be happy to speak with you. Alternatively, you can log on to the "Know the Score" website www.knowthescore.info which gives you access to the websites of Scotland's leading drugs agencies, including a directory of services available throughout the country.

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