

Opening Statement to the Joint Committee

I would like to thank the Joint Committee for giving me the opportunity to give my thoughts on this very important issue.

I have worked as a doctor in the area of addiction treatment for almost 25 years. In many ways I started in at the deep end treating heroin addiction. This was at a time when the methadone treatment protocol was implemented which helped people address their addiction. What struck me in those days was that almost all the people I encountered were in the criminal justice system for possession of drugs charges, many of them over many years. I would be lying if I said, looking back to those early naïve days as a doctor cutting his teeth in an area where there was little or no training, that I thought anything of this at the time. I didn't. I just accepted it. People committed the crime and people did the time.

As the years progressed and I became more experienced and picked up qualifications through my training it began to dawn on me that here I was treating a recognised illness (drug addiction) and yet the patients I was treating had to break the law to keep that addiction going. Thankfully opioid substitution treatment with a stellar international evidence base of effectiveness is able to treat the problem and remove opioid withdrawal symptoms and craving so the need to use large amounts of heroin is significantly reduced. Without treatment the problem is usually overwhelming and causes huge harm to sufferers, their families and their communities. Why, in those circumstances, do we criminalise the very same people for showing symptoms of their disease?

In the course of my work I also encounter people who don't have addiction issues as such but may have been referred to me or as part of a court order been required to seek help for possession of usually small amounts of cannabis or cocaine. They are irregular users but because of the illegality of the drugs they use they find themselves facing conviction (and a criminal record) for an endeavour they would see no more abnormal than going out and have a few drinks with their friends. The implications of a criminal conviction can be severe. Stigma, shame and potential restriction on travelling abroad are very real concerns. To put one person through the criminal justice system for simple possession is costly in human and financial terms and yet the international evidence shows that it has little or no effect on the likelihood of that person using drugs again.

I believe that we need a fresh approach to this problem and one that is rooted in evidence rather than moral ideology. We know from the experiences in Portugal, where in 2001 drugs were decriminalised and a health led system replaced a punitive one that the country reversed their trends in terms of overdose and HIV transmission prevalence. Presenting for treatment for an addiction problem was no longer stigmatising. It was normal.

Whilst Ireland has no plans currently to regulate illicit drugs there it is worth noting that in countries that have regulated, for example cannabis, the sky has not fallen in. In Ireland people who use cannabis (many now for medical as well as recreational reasons) are criminalised for possession for personal use. Many have had to go abroad to be able to access cannabis for chronic medical conditions. The inhumane and just plain wrong.

You will doubtless hear in the course of the statements today about how harmful cannabis is and that the drug causes psychosis and other mental health problems and that people who use it should be prosecuted and criminalised because that will be "better for them". I treat cannabis problems and whilst the majority of cannabis users use the drug without much problems there is a significant

minority that develop consequences of addiction, including mental health problems. You have to remember that these problems are occurring in a paradigm of prohibition and criminalisation so none of these problems can be blamed on a legalised, regulated system. We don't have one in Ireland.

Whatever the views people may have on legalising cannabis there is no justification for criminalising people who use the drug. I urge the Joint committee not be swayed by arguments that criminalising people is good for them because it acts as a deterrent for further drug use. There is no evidence internationally that this is the case. All the evidence suggests that a more humane, health led approach to the drugs is better for everybody. As Abraham Lincoln once said *"Prohibition goes beyond the bounds of reason in that it attempts to control a man's appetite by legislation and makes a crime out of things that are not crimes. A prohibition law strikes a blow at the very principles upon which our government was founded"*. Many years later another US President Jimmy Carter remarked (and which is particularly relevant to today's debate) that *"penalties against possession of a drug should not be more damaging to an individual than the use of the drug itself"*

Thank you.

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