

# Drugs policy and road safety

David Davies, Executive Director, PACTS. October 2022

Where are we headed on UK drugs policy and what are the consequences for road safety?

President Biden has pardoned thousands of people in the United States who were charged with possession of marijuana. Since 2001, Canada and many states in the U.S. have legalised or decriminalised cannabis. In Europe, the Netherlands seems to have a pretty tolerant approach and other countries are heading that way. Most recently, Germany's coalition government has agreed on a plan to legalise recreational cannabis use among adults.

There are plenty of calls for the UK to take a similar line – to treat cannabis use as a public health issue, rather than a criminal one. The Lib Dems have supported this. The former Commissioner of the Metropolitan Police argued against decriminalisation but indicated her support for a public health approach.

At the same time, we have had recent calls from Police and Crime Commissioners for cannabis to be reclassified as a class A drug, recognising that the more innocent weed has been supplanted by skunk – much more powerful and likely to harm. With the return of Suella Braverman as Home Secretary this seems the more likely route.

The road safety community has been closely involved in drug driving issues.<sup>1</sup> However, it has generally stayed out of these wider drug policy debates. Is that now tenable? When the government set the legal levels for drug driving offences in 2015 it set 'Per se' levels because it did not wish to appear to sanction illegal drug use at any level. Consuming an illegal drug is not an offence in the UK (the offence is possession or supply). The new legislation made the car the situation in which it became an offence to have drugs in one's body.

Drug driving incidents appear to have risen over the past decade, although it is hard to tell how much of this is a genuine increase or a reflection of the new legislation, the roadside screeners and increased police focus. This increase may accelerate as the laboratory confirmation blockage is reduced and if other procedural issues are addressed.

It is harder to assess just what impact this is having on road casualties. Using coroners reports and other in-depth sources, the Department for Transport suggests that illegal drug use by a driver could be a factor in some 200 road deaths per annum. That's about the same

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<sup>1</sup> [PACTS-Drug-Driving-The-tip-of-an-iceberg-3.0.pdf](#)

as from drink driving, possibly higher. If this is even near accurate, the situation is deeply worrying.

The laboratory blood tests in drug driving prosecutions show that cannabis is the drug most frequently involved. (Cannabis is found in about two-thirds of sample, while cocaine is around one third and poly drug use in one third or more.) If cannabis use is legalised in the UK, or just widely tolerated it, seems likely this will lead to more drug driving and road casualties. Drug driving may also become the main point of conflict between cannabis users and the police.

What should the police and road safety community do?

I'd welcome views. I'd be glad to be proved wrong.

**David Davies, Executive Director, PACTS**