



# Use of data in the public debate on the legal approaches to the possession of drugs for personal use

## A French case study

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- **Policy context**
- **Background**
- **Methodology and sources (empirical data)**
- **Routine monitoring data commonly used in drug policy debates (or not used)**
- **Using the data : conflicts of interpretation**

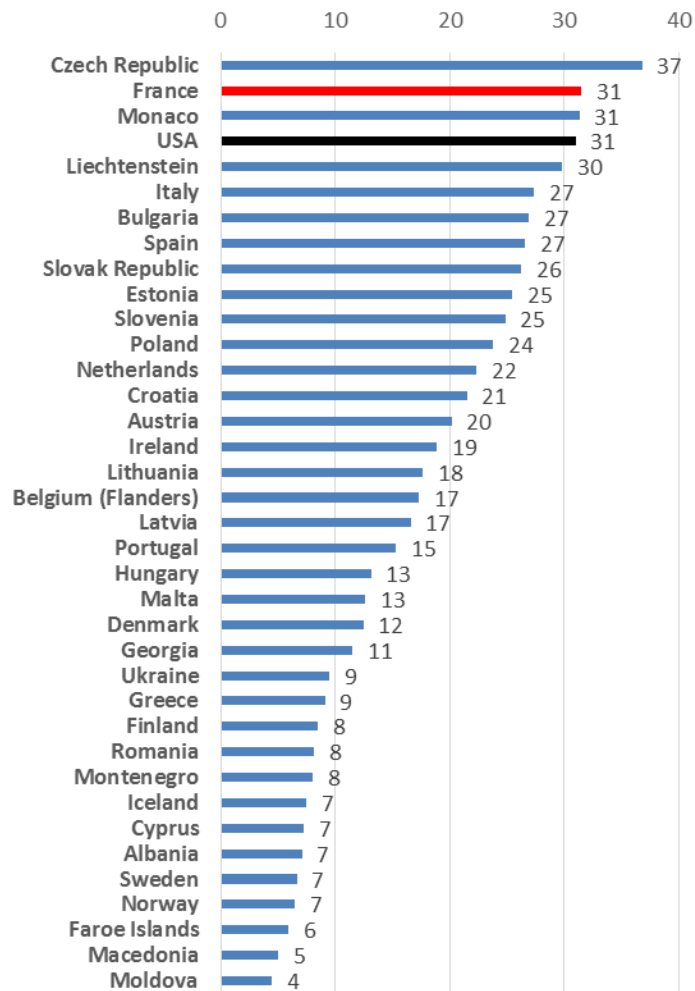
# Policy context

## The « French paradox »

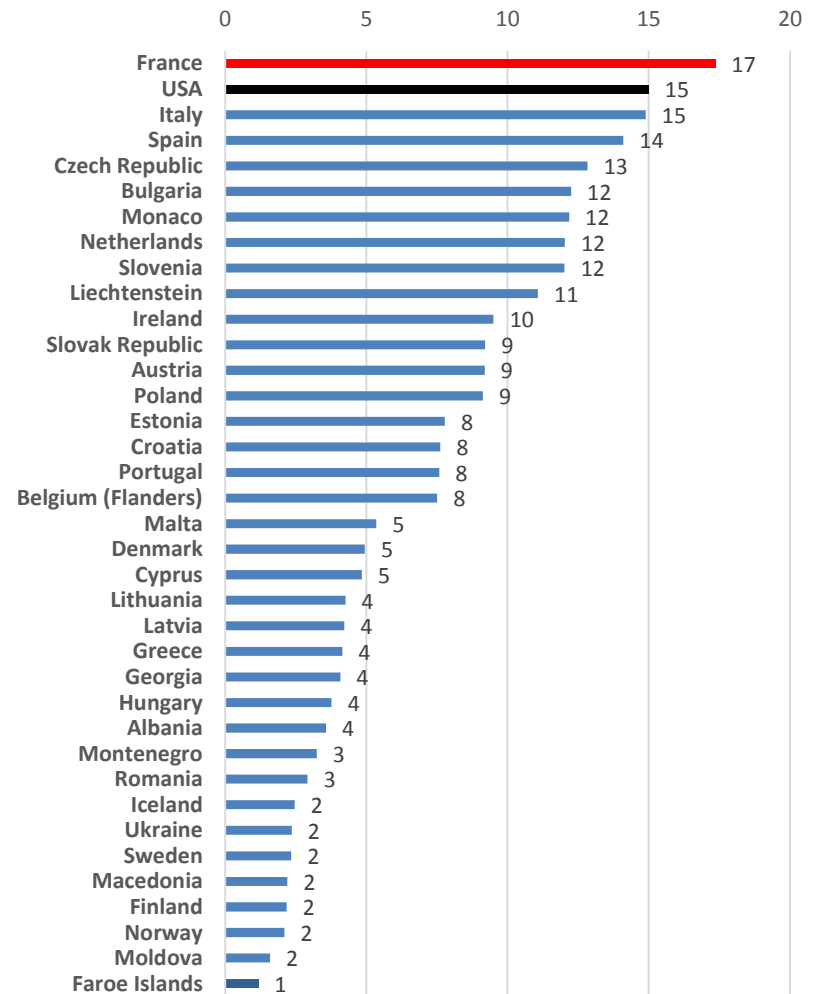
- **Criminalisation of drug use and all « preparatory offences » under the 1970 Drugs Act**
  - Drug use = maximum penalty of one year in prison and a 3 750 € fine
  - No drug differentiation, no legal possession thresholds
- **The « French paradox » : the highest levels of cannabis use in one of the harshest legal regimes in the EU**

# Cannabis among youths aged 15-16

## Lifetime use



## Recent use (in the past month)



# Policy context

## Recent policy developments

- **2017 : drug reform in the presidential campaign**
- **2018 : a tortious 200 € flat-rate fine for drug use (*'amende forfaitaire délictuelle'*)**
  - Drug use treated as a routine traffic penalty
  - Systematization and simplification of law enforcement
- **Increasingly prescriptive parliamentary and expert reports advocating for legal regulation of cannabis**

- **A highly debated topic since the 1970s...**
  - A significant body of expertise reports calling for decriminalization (Pelletier 1978, Roques 1998,..) or, more recently, legalization (CAE, 2019)
  - Isolated parliamentary (2004, '11, '14, '18) & interministerial consultation initiatives (2003, '15)
  - Repeated media coverage (drug policy reform = a mainstream issue)
- **... with little legal outcomes :**
  - What is mostly pointed out is the ambiguities of the legal framework (no victim, user= patient & offender) : adjustments & directives
  - « Change in continuity » (adjustements & directives// rise in arrests)

- **A low-profile mobilisation on drug legal issues :**
  - Sporadic demonstrations requesting changes in cannabis legislation
  - A few civil society initiatives, no organized advocacy coalition
  - The public opinion remains divided (EROPP survey, OFDT)
  
- **A highly contentious issue :**
  - Controversies surrounding the health effects of cannabis
  - Strong ideological positions + Semantic confusion = Evidence seems inaudible

# Analysis of contributions to debate

## Empirical data

1. Positions from the NGOs and civil society organizations (conferences, symposiums, websites, publications, white papers)
2. Academic, evaluation & think tank reports
3. Parliamentary and committee debates
4. Media coverage
5. Government (unpublished) reports (2003/2004, 2015/2016)
6. Policy documents (Governmental Action Plans on Drugs)



# Routine monitoring data used in drug policy debates & associated issues

- Prevalence of use in adolescents (youth protection) : gold standard indicator
- Supply data (purity, price, seizures, etc.)... numbers rather than ratios
- Drug-related expenditure (social costs, including health costs, law enforcement resources)
- Arrests... rather than referrals to the criminal justice system (the social justice argument)

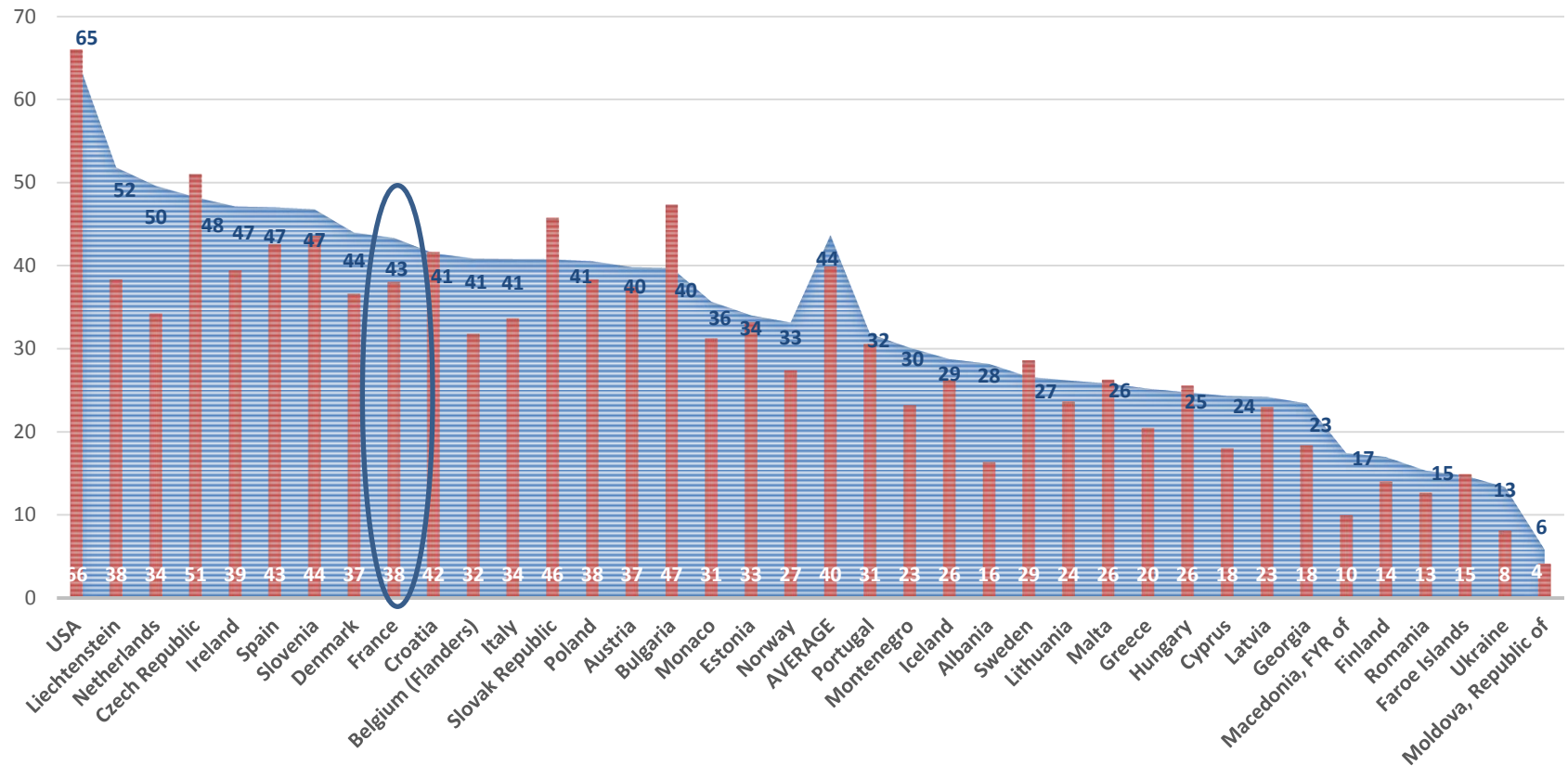
# Using the data : conflicts of interpretation

## A few examples

- The link between prevalence and law severity
- The state of public opinion : more and more pros or not ?
- A public debate strongly shaped by moral values and stereotypes of cannabis users (young suburbans)
- The growing importance of the THC issue in both legal and illegal markets : « Today's cannabis is not the one your parents used to smoke »
- The persistent belief in the gateway theory : the importance of social representations in the opinions and attitudes about legal approaches

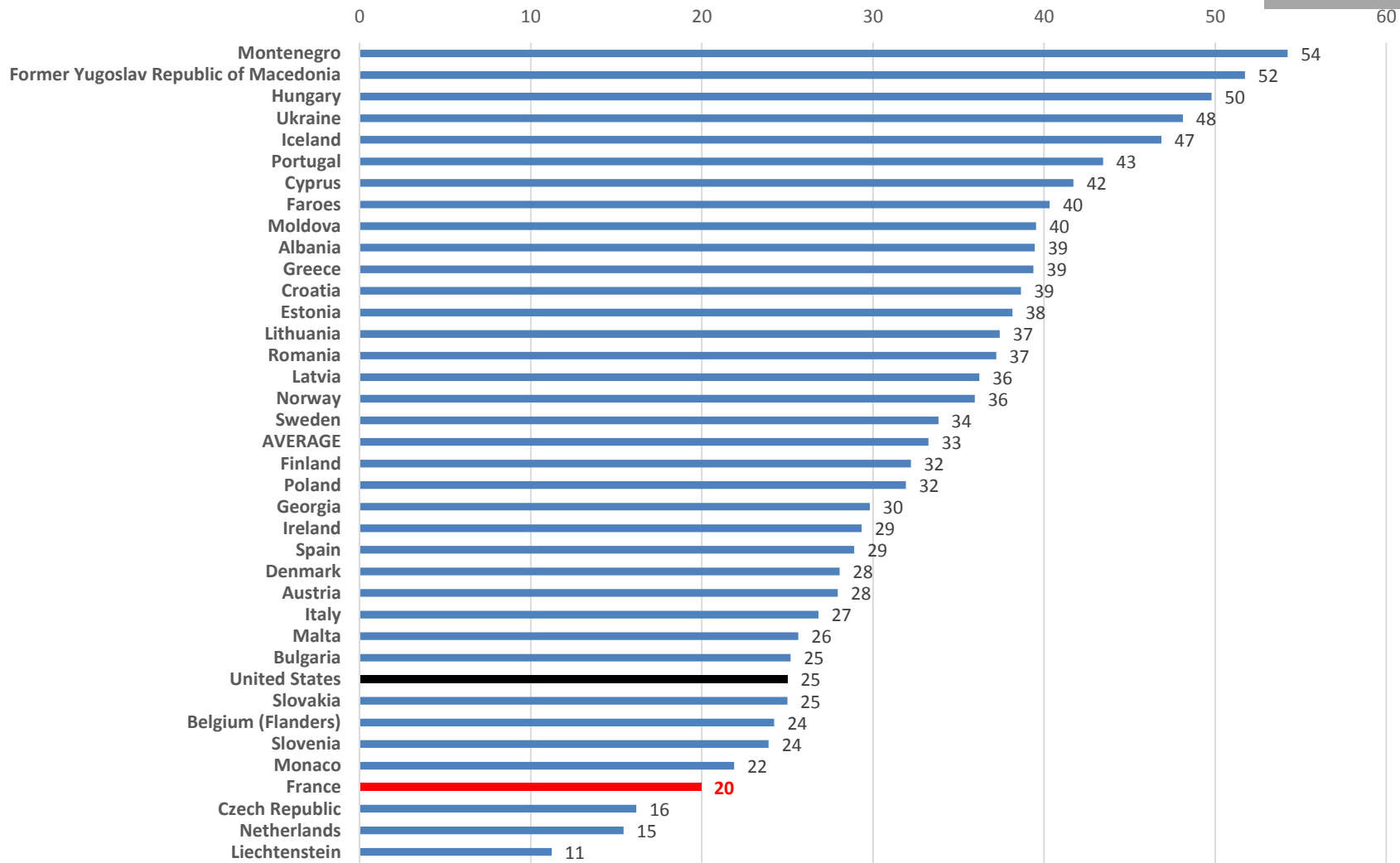
# Perceived availability of cannabis (youths aged 15-16)

« FAIRLY EASY » OR « VERY EASY » TO FIND CANNABIS



Source : ESPAD 2015, OFDT

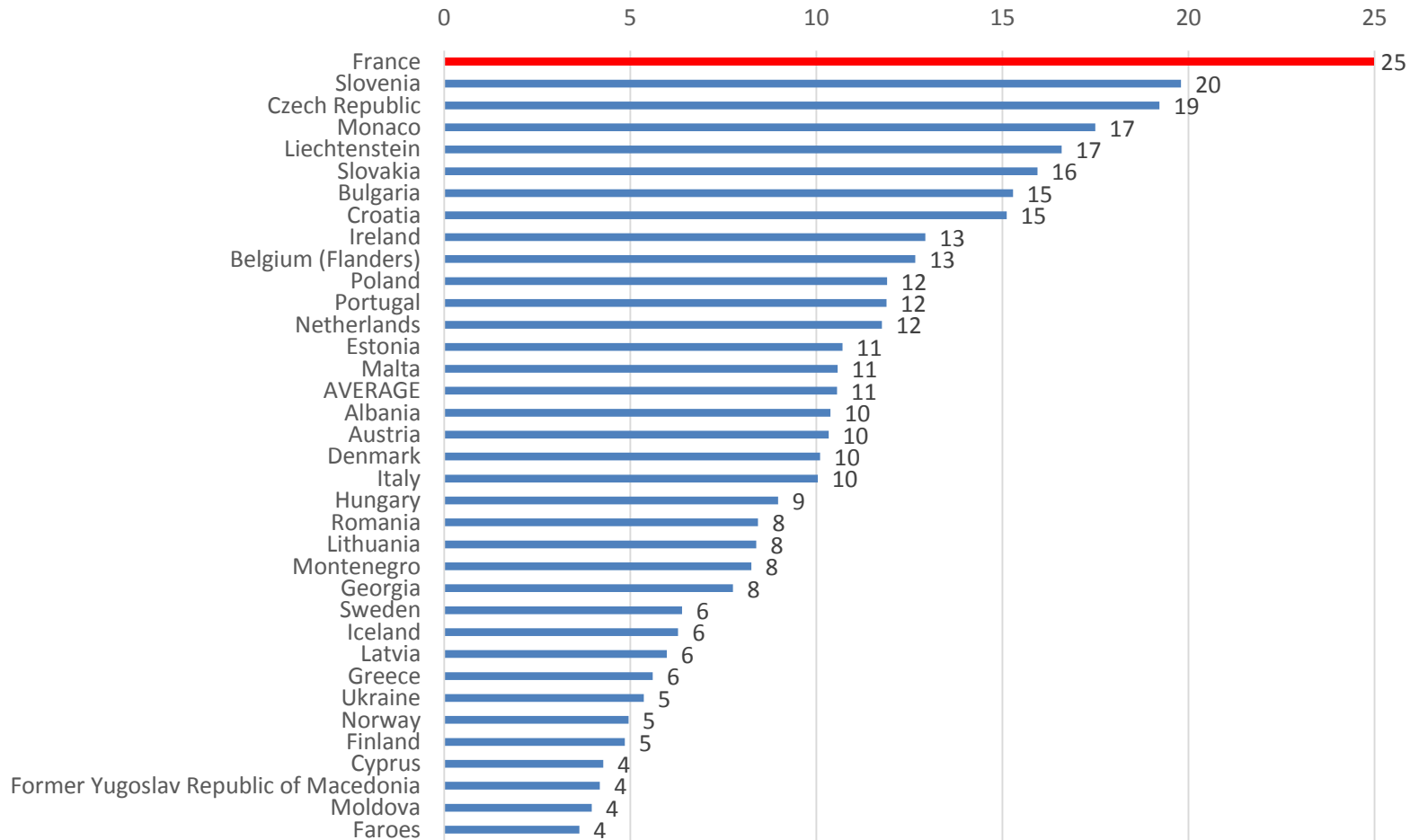
# Risk perception related to occasional cannabis use (youths aged 15-16)



Source : ESPAD 2015, OFDT

# Social incentives (youths aged 15-16)

3 invitations or more in the past month among cannabis-abstinent adolescents



Source : ESPAD 2015, OFDT

# Conclusion

- Actual availability may be more important than the legal status
- Little legal change in 50 years but, more important, poor integration of evidence in the French public debate
- Current domestic policy discussions (ongoing parliamentary group)
  - Reframing the debate ? A strong interest for the cannabis regulation experiments in the US, Uruguay & Canada (public funding on ASTRACAN)
  - Society evolutions: a generation effect (most of 2019 French adults have experimented cannabis // recent decline among the youngest)
- Uncertainty on what kind of public action has the highest impact on levels of drug use (accessibility matters !)



**Thanks for your attention**

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