

Drug prohibition is fueling the overdose crisis: Regulating drugs is the way out

July 7 2024, by Kora DeBeck



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Should heroin and cocaine be legally available to people who need and want them? If we are serious about stopping the crisis of drug overdose deaths, that is exactly the kind of profound change we need. Yes,

extensive regulations would be necessary. In fact, the whole point of regulating drug production and sales is that we can better control what is being sold and to whom.

After British Columbia's Provincial Health Officer Dr. Bonnie Henry testified to the [all-party health committee](#) in Ottawa in May that regulating these controlled drugs would minimize harms, B.C. Premier David Eby [said he disagreed](#). He is quoted saying "[in a reality-based, real-world level, \(it\) doesn't make any sense](#)." But does our current approach of drug prohibition "make sense?"

Since the overdose crisis was declared in 2016, illicit drug toxicity deaths have become the [leading cause of unnatural death](#) in B.C. and the leading cause of death from all causes for those aged 10 to 59. More than 44,000 people have died from drug poisoning in Canada since 2016, and [more than one-third of those were in B.C.](#) An [average of 22 people](#) are dying every day in Canada because the illicit supply of drugs is toxic.

Toxic drug supply

Why is the drug supply so toxic? Because we are letting [organized crime](#) manufacture drugs instead of regulated licensed industries that are required to follow health and safety standards.

In the context of drug prohibition, organized crime and drug cartels are incentivized [to make highly potent products](#) because it is cheaper and hence more profitable. This is what happened during [alcohol prohibition](#) in the 1920s. Organized crime ran rampant, and people were poisoned because there were no health and safety standards for production.

The failure of alcohol prohibition in meeting its key objectives of eliminating the supply and demand of alcohol are the same [failures of](#)

[drug prohibition](#). Illegal drugs are easy to find regardless of their illegal status. [Reliable estimates](#) are that 225,000 people are using illegal substances in B.C.

What is the way out? Our knowledge of research evidence and decades of collective experience—including as a researcher (Kora DeBeck), a B.C. provincial health officer (Perry Kendall) and chief coroner (Lisa Lapointe) during the overdose crisis—brings us to drug regulation. When we regulate a substance, we have the most control over its production, distribution and consumption.

Lessons from tobacco

Some may argue that regulating drugs sends the "wrong message" and will encourage [drug use](#), most concerningly among young people. However, if we look to lessons from tobacco regulation, we can see that public health-based regulations can actually be strong and effective substance-use deterrents.

By strictly controlling tobacco marketing, packaging, purchase price, purchase age and consumption locations alongside educating people about the health risks, [tobacco consumption](#) and [associated health harms](#) have been significantly reduced without all the additional risks of banning tobacco products (for example, criminal black markets controlling production and sales).

The same kinds of [regulatory tools](#) would be available to control the use of currently illegal drugs if we moved from prohibition to regulation.

Addiction treatment is not enough

But what about addiction treatment? Isn't that what we really need?

While it's true that eliminating wait times and increasing access to effective, evidence-based treatment are critically important and much needed, the reality is that many people who use drugs [don't have an addiction](#) and [many others](#) are [not currently seeking treatment](#). Yet all people who use drugs face the deadly consequences of an unregulated toxic drug supply.

It is also important to remember that [addiction recovery is complex](#) and [relapse is common](#) in [the recovery journey](#). In today's toxic drug environment, people who relapse after a period of abstinence face a significantly higher risk of death [due to their reduced tolerance](#). We also know that substance treatment is not regulated or standardized, and treatment outcomes are not reported.

While supporting people to recovery is important and can be lifesaving, [addiction treatment](#) is not the straightforward solution many believe it should be. Thousands of lives remain at risk every day.

A regulated drug supply

Taking the production and sale of currently illegal drugs away from organized crime and [drug cartels](#) is the most promising way to keep our kids and communities safe. With strict health and safety standards for the production of these drugs and stringent public health-based regulations on their distribution and sale, we have the best shot at reversing the carnage of overdose fatalities and managing drug-related harms.

Regulating drugs may seem to some like a radical proposition but governments regulate the production and distribution of potentially dangerous goods all the time. The regulation of firearms in Canada includes licensing that requires passing a [firearms safety course](#). Mandatory ingredient lists that disclose the amount of sugar, sodium and

fat in the foods we eat is another example of a government regulation that is designed to protect the public and provide information that may shape consumption patterns and reduce [health risks](#).

Implementing an effective regulatory framework for currently illegal drugs will be a complex undertaking requiring close monitoring and evaluation and inevitably corrections and revisions along the way. While the task may appear daunting, allowing overdose deaths to continue at the current rate is unconscionable.

Transformational and life-saving [drug regulation is urgently required](#) because, borrowing terminology from Premier Eby, at the "reality-based, real-world level," our current approach is a catastrophic failure.

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