

PCC/Police Chiefs Covering letter:

Dear Police and Crime Commissioner,

'Seed our Future' is a National campaign group who are actively investigating the foundation evidence to justify cannabis being placed as a Class B controlled drug within the Misuse of Drugs Act 1971 and its Schedule 1 status within the Misuse of Drugs Regulations 2001.

Following our research, we have produced a report entitled: 'Cannabis and the Law – No Evidence, No Crime?' (**See attached**) which clearly demonstrates that cannabis laws are unsatisfactorily un-evidenced and in fact based on antiquated, ideological, political and racist basis. This report provides a wealth of evidence which counteracts the Home Office's claim that:

"Cannabis is controlled as a Class B drug under the Misuse of Drugs Act 1971 as there is clear scientific and medical evidence that cannabis is a harmful drug which can damage people's mental and physical health, and harms individuals and communities."

Following Freedom of Information requests to every PCC in the UK, the CPS and the Home office, it has become clear that the 'clear scientific evidence' for the above statement does not exist and the inclusion of cannabis within the 1971 MoDA is entirely political and unfounded.

The report details how this lack of evidence can bring the law into disrepute as stated by the Police Federation: **'If, as we argue, the present classification of cannabis is not justified, it follows that the response of the law is disproportionate to the drug's harm and may bring the law into disrepute.'**

The report also states that the police have to follow the Police and Criminal Evidence Act (PACE) code when carrying out their duties. When it comes to enforcing cannabis laws without carrying out due-diligence, not for the offence within the 1971 MoDA but the evidence for the law itself, they are breaching PACE Code G 1.3 as they have no justification for arrest, which would mean that evidence procedures have not been followed calling in to question any arrest under G 1.4, therefore making any arrest unlawful as per G 2.1

The damning report **'Drug Classification: Making a hash of it?' Published 2006 by the House of Commons Science and Technology Committee'** makes it clear that the MoDA classification system and scale of harm are based on political objectives with no scientific evidence on which to draw in making policy decisions.

Police officers have authority under the Crown for the protection of life and property, maintenance of order, prevention and detection of crime and prosecution of offenders against the peace. With the imposition of central and politically set targets there are dangers that officers' discretion and operational independence is being compromised.

Police officers must be apolitical, impartial and accountable for their actions. If not, how and what is policed will become subject to political whim and electioneering. The operational independence of our police service comes with the Office of Constable.

This would mean that Police Officers who enforce these laws may be in breach of their attestation, PACE code G and may be subject to:

G 1.3 The use of the power must be fully justified and officers exercising the power should consider if the necessary objectives can be met by other, less intrusive means. Absence of justification for exercising the power of arrest may lead to challenges should the case proceed to court. It could also lead to civil claims against police for unlawful arrest and false imprisonment. When the power of

*arrest is exercised it is essential that it is exercised in a non-discriminatory and proportionate manner which is **compatible with the Right to Liberty under Article 5.***

The attached report was released in the public domain on the 16th October 2020, it is being picked up by the media and now every PCC and Police Chief in the UK has been passed this report, **we ask that this report is disseminated to every serving member of the police force irrespective of rank to ensure that every PC has the opportunity to carry out their full due diligence and operational independence.**

We're sure that you are aware that several Police Forces have already implemented a form of 'De Facto Discretionary Decriminalisation of Cannabis Laws' as the harms of prohibition hugely outweigh the harms of cannabis to individuals or society.

We would like the opportunity to collaborate with you on this so if you have any questions/feedback, please don't hesitate to contact us.

Kind regards,

Guy Coxall (Founder)

Seed our Future