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Vybrané aspekty drogové problematiky z pohledu občanů

Selected Aspects of the Drug Issue from the Citizens' Point of View

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Summary

In 2010, the Institute of Criminology and Social Prevention (ICSP) prepared and conducted survey into public opinion on selected questions on the subject of drugs. The *subject of research*, whose results are summarised in the monograph submitted, was public opinion on selected aspects of use of addictive substances and on drugs policy. The research concentrated specifically on the fundamental knowledge of the citizens of the Czech Republic on the development of penal legislation in the area of drug offences, on how citizens perceive the problem of drugs in a broader context and how they react to it, on how well informed they feel about the drugs scene and about separate elements of drug policy, and on their opinions and stances regarding various current issues such as support of a healthy lifestyle and also the possibility of using the cannabis plant for therapeutic purposes. *The aim of research* was, by means of a representative public opinion survey and using other methods, mainly to gain new insight into the public's knowledge, opinions and stances on the significant aspects of the problem of use of addictive substances in the context of the situation and development of use of legal and illegal drugs in the Czech Republic.

The research methodology included study and analysis of expert literature and relevant legislation, analysis of data on the situation and development of use of addictive substances in the Czech Republic, secondary analysis of results of research performed to date of public opinion on matters relating to the issue of use of addictive substances, and especially public opinion survey IKSP_D2010, which represents a major part of this research. The field phase of survey IKSP_D2010 was performed by an external provider (Factum Invenio, s.r.o.) by means of its interviewer network using a personal interviewing (face-to-face) method with a representative sample of 2044 respondents, aged 15 years and over. The respondents were chosen by quota sampling, where the quota criteria used were sex, age, education, size of place of residence and region.

The theoretical part of the study contains a summarisation of recent findings on the topics on which public opinion survey IKSP_D2010 concentrated.

The comprehensive instrument for *monitoring the situation in drug matters* in the Czech Republic, especially in the area of illegal drug use and its consequences, is the Drug Information System (DIS), which represents a compendium of the activities of institutions, and organisations that operate in the area of monitoring the use of drugs and its consequences. Since 1995, the Hygiene Centre of the City of Prague has been collecting and compiling information on drug users demanding treatment consultation or social service in any of the treatment or contact centres for the first time in their lives, which include medical and non-medical facilities providing these services. Since 2002, this system has been enlarged to include information also on clients undergoing long-term or repeated treatment at the treatment or contact centres. The national action plan of the Drug Information System for the year 2011 and 2012 is also planning collection and analysis of data on alcohol, tobacco and other legal addictive substances. Basic information on the scope and figures of drug use in society, on perception of the medical, social and other risks connected with drug use in the Czech Republic is provided by data from surveys of the general and the school-age population too, as well as a study targeted at the dance scene.

Drug-related crime is a phenomenon covering a fairly wide range on criminal acts. *Legislation concerning drug offences*, i.e. offences consisting in an unlawful handling of illegal drugs, or various forms of their propagation for use, was contained for almost 50 years in the criminal act no. 140/1961 Coll. The new Criminal Code No. 40/2009 Coll., effective as of 1st January 2010, has brought new legislation that, although to a certain extent based on the definitions of drug offences to date, also contains some significant changes. The main (conceptual) differences as against the preceding legislation can be seen in three aspects. Firstly, the Criminal Code lays down varying severity of sentences for unlawful possession of drugs for personal use of an amount greater than small in the case of cannabis-based drugs on the one hand and other narcotic or psychotropic substances (NPS) on the other. Secondly, it introduces new crimes such as illegal cultivation of plants containing narcotic or psychotropic substances for personal use of an amount greater than small, where the extent of sentence differentiates between cultivation of cannabis and cultivation of other plants containing NPSs. And finally it empowers the government to specify by decree what constitutes an amount greater than a small in the case of narcotic or psychotropic substances and products containing them. The government is also supposed to stipulate by decree plants or mushrooms, which shall be considered to be plants or mushrooms containing narcotic or psychotropic substances and what amount is greater than a small in this case. However, the complete change in concept of substantive criminal law brought by the Criminal Code, whose essence lies in the shift from a material concept

of a crime to a formal concept, also has significant implications for the area of punishment of drug offences.

The way in which people *perceive drugs issues* depends not only on personal experience, but also to a certain extent on the opinions of the social groups to which they belong. Evaluative stances may be relative, depending on who is assessing the problem and from which viewpoint. Each problem seems greater if we are in direct contact with it, while it depends on the degree and spread of the phenomenon in question (i.e. there is growing discussion on the influence of drug-related public nuisance upon the stance of citizens and their quality of life). With the increase of illegal drug abuse, even Czech society has begun to address this matter more. Drug abuse had been seen as more of a social phenomenon for a long time, but as the lifestyle of drug users has turned into common inflexible to antisocial behaviour, it has gained the status of a legal problem. As is the case with the majority of socio-pathological phenomena, the media plays a significant role in formulation of public opinion and stances, because it is from the media that the vast majority of citizens gains information concerning the issue of drugs. The issue of drugs has also become a component of political rivalry.

Separate states and international organisations react to problems related with drug use through formulation of their *drug policy*. Complex information on the drugs issue within the Czech Republic is brought every year in the Annual Report on the Drug Situation in the Czech Republic, issued by the Czech National Monitoring Centre for Drugs and Drug Addiction, which is an organisational component of the Government Council for Drug Policy Coordination. The founding conceptual document, defining the main foundations, principles and approaches of drug policy, is the National Drug Policy Strategy. Its aims are specified in connected Action Plans. The drug policy of the Czech Republic in the long term rests on four fundamental pillars – primary prevention, treatment and social inclusion, harm reduction, and reduction of availability of drugs. The present strategy for the period 2010 - 2018 was approved by a government resolution in May 2010. Alongside the National Strategy, individual regions also form their own drug strategy documents, with regard to the local situation. Regional drug coordinators are responsible for coordination at a regional level. They use a network of local drug coordinators working at council offices of municipalities.

The potential of *use of the cannabis plant for therapeutic purposes* has already been widely described in literature, in spite of which this topic still bears a hint of controversy. Some of the areas for possible use of cannabis for therapeutic purposes claimed by specialist sources most often include elimination of nausea and vomiting from chemotherapy of cancer,

treatment of HIV/AIDS and other illnesses, treatment of glaucoma, multiple sclerosis, epilepsy, Parkinson's disease and other neurodegenerative illnesses, pains and inflammations. The fundamental framework for handling of cannabis, including its possible use for therapeutic purposes, is created at an international level by the UN drug conventions. The Conventions do not preclude the use of cannabis or its active ingredients for therapeutic purposes or the cultivation of cannabis for such a purpose. They do, however, require that signatory states apply a licensing system under very strict state control. The legislation applied to the handling of cannabis in the Czech Republic is Act No. 167/1998 Coll., on Addictive Substances, as amended. This Act at present contains two general bans, which practically preclude the use of cannabis from domestic sources for therapeutic purposes. These are a ban on extraction of cannabis resin and tetrahydrocannabinols of the plant and a ban on cultivation of genera and species of the cannabis plant which may contain more than 0.3 % of tetrahydrocannabinols.

A separate part of the study presents a *summary of results of some previous research* on the stance and opinions of the citizens of the Czech Republic in the area of drugs issues performed by ICSP and other bodies. It contains an overview of the results of ten public opinion surveys on topics divided into several sections – the perception of drugs as a problem, the risks connected with using addictive substances, the acceptability of using addictive substances, the punishment of drug users, the attitudes to users of addictive substances, the drug addiction and the matter of legalisation.

The practical part of the study summarises the results of *survey IKSP_D2010*, which has been divided into several mutually related areas:

- changes in penal legislation for drug criminality;
- perception of the open drug scene;
- supporting life without drugs and care for the users;
- perceived awareness of the drugs issues;
- ways of solving the individual's problems with drugs;
- possibility of using cannabis for therapeutic purposes.

Approximately half of the citizens asked have heard of the change in penal legislation concerning drug offences, which occurred in connection with the adoption of the new Criminal Code. Approximately three quarters of respondents stated correctly that a list of narcotic and psychotropic substances is laid down in law. According to another 10 % of respondents, the list of NPSs is strictly specified by bodies of criminal justice system, specifically by the police (5 %), by the courts (4 %) or by the public prosecutor (1 %).

Approximately the same portion of respondents (11 %) was unable or unwilling to answer the question and approximately 4 % of citizens assume that the group of NPSs is not stipulated at all. The next question was directed at how, at present, cultivation of cannabis plants for personal use is classified. Some media interpretations could evoke the mistaken supposition that the new legislation brings with it legalisation of such actions. This opinion was held by 6 % of respondents. The correct answer, that this is a misdemeanour or a criminal offence, depending on the numbers of plants cultivated, was given by 41 % of those asked. It is safe to say, however, that although the public is aware that growing cannabis plants is not completely legal and is sanctioned in some way, it does not have a clear idea of the nature of this penalty. This is illustrated by the fairly large proportion of people asked, in whose opinion such an offence is a misdemeanour (15 %), eventually either a misdemeanour or a criminal offence depending on the concentration of the active ingredient (THC) in the plants (18 %), as well as a fifth of citizens who failed to give an answer whatsoever.

A total of 38 % of those asked noticed over the past year that somebody in their near vicinity uses drugs in public and 17 % of respondents in the same period noticed sale of drugs. The survey also investigated if consumption or distribution of drugs in public worries citizens. A third of those asked said that they had not been exposed to drug use in public, however this phenomenon worries almost a half of those asked (49 %). However, exposure to drug use in public does not instil a feeling of worry for 15 % of citizens. Of respondents who had already noticed public consumption of drugs and who answered the question, whole three-quarters (76 %) felt worried by such an experience. A full 40 % of citizens are worried by exposure to sale of drugs, although it should be borne in mind that almost half (48 %) of those asked had not yet noticed sale of drugs in public. In the case of respondents who have already however experienced this, the results showed that 79 % of them felt worried by aforementioned phenomenon. Only 10 % of respondents are not worried by the sale of drugs in public.

As their age increases, the attention of respondents clearly declines regarding use and sale of drugs in public; at the other end of the scale, respondents from a younger age group are significantly more tolerant about such phenomena, especially with regard to drug use in public. In this respect, two groups of respondents stood out: one of persons of up to 30 years of age on the one hand and persons over 50 years of age on the other.

In the opinion of almost one fifth of respondents (18 %), care provided to users of illegal drug in its region is at a wholly satisfactory level and almost one quarter (25 %) assess it as fairly satisfactory. Prevailing satisfaction with regional care of drug users was expressed by 43 % of respondents. On the contrary, more than a quarter of those asked think

that the care provided to users is unsatisfactory (9 %) or fairly unsatisfactory (18 %). Almost one third of the respondents (30 %) did not take any stance on the matter. As concerns the nationwide level of measures in the area of prevention of drug use, not quite half of respondents (44 %) estimate the level of encouragement of a healthy lifestyle without drugs in the Czech as being positive. An identical proportion of respondents have the opposite opinion to the level of encouragement of a healthy lifestyle (44 %). In this case, 13 % of those asked failed to answer the question posed.

In order to be able to interpret the public's opinions on selected aspects of drugs issues obtained, it is important to know how well-informed the public feels in this area. The survey, therefore, also mapped their feeling of awareness on various topics regarding the consequences of drug use, the drug scene and drug prevention measures implemented. More than three-quarters (78 %) of those asked have the feeling that they have enough information *on the medical risks connected with drug use*, and the same proportion of respondents feel sufficiently informed *on the negative social impacts of drug use*. About a half of those asked have, in their opinion, a sufficient knowledge of *what drugs are used in the Czech Republic*, and less than a half feel that they are sufficiently aware about *how widespread drug use in the Czech Republic is*. Almost half of the respondents also declared that they have enough information *on the legal consequences of unauthorised production, possession and distribution of drugs*. 42 % of those asked have, in their opinion, information *on treatment of drug addiction* of a sufficient level. Approximately a third of the respondents (35 %) assume that they have enough information at their disposal *on measures intended to prevent people from using drugs*. Not even one third of respondents feel they have sufficient information *on advisory services for drug users*, or *on field services for drug users*. The respondents feel that they have the least information *on the activities of regional and local drug prevention coordinators*; less than one fifth of respondents claim that they are sufficiently aware of the coordinators' activities.

Another subject of the survey was the potential reaction of citizens in a situation where they might find out that a person close to them uses drugs him/herself. The largest proportion (35 %) of those asked would try to resolve the situation themselves, possibly a quarter with the help of the drugs advisory service. A fairly high large proportion of respondents (14 %) would not know what to do at all, and 8 % of those asked would deliberately not do anything. 8 % of those asked would seek the help of a general medical practitioner, 6 % would turn to the police and 3 % would inform the user's school or place of work. The potential reaction of citizens to a situation in which somebody close to them wanted to stop using drugs and turned to them to request advice or help was investigated similarly.

The vast majority of those asked (92 %) would try to help this person and only 8 % would not know where to turn for help. Only 8 % of respondents would refuse to provide any help. About a third would recommend the help of a drugs advisory service, almost a fifth of respondents would suggest seeking help with a specialist doctor, and around the 10 % level there appeared suggestions of contact centres and specialised non-government, non-profit organisations. The results of the survey nevertheless show that citizens often have only minimal information on specific options for helping drug users locally. Only 24 % of all of those asked know of a concrete facility in their surroundings where drug users can turn for help.

The final part of the survey addressed the topical matter of using cannabis for therapeutic purposes. A significant majority of citizens (87 %) have already heard that use of cannabis plants can have therapeutic effects. Czechs are fairly open to the possibility of using cannabis plants for therapeutic purposes. Almost 70 % of those asked would allow this possibility (27 % without needing further research in this area and 42 % under condition that research confirmed sufficiently the therapeutic effects of cannabis plants). Approximately 14 % of citizens refused the possibility of using cannabis plants for therapeutic purposes. A fairly large (17 %) group of those asked have not formed an opinion on this matter.

As far as actual knowledge of the aspects of the drugs issue under scrutiny are concerned, in addition to the expected influence of education (the greatest knowledge was demonstrated by people with university education and secondary school graduates), the survey showed that citizens between the ages of 20 and 50 years old and those from high-income households oriented themselves better in the topic in question. On the other hand, respondents over the age of 60 and juveniles demonstrated markedly more limited knowledge. On the whole, however, the citizens' knowledge regarding the selected matters was barely average. Answers to questions relating to the perceived (subjective) awareness of the respondents suggest that they are aware of their deficit of information and are willing to admit the fact. Respondents who have used some illegal drug during the past year feel more aware than the rest of the population; answers to questions of a knowledge type did not, however, confirm their impression entirely.

The survey proved indirectly that the drugs issue is fairly attractive for citizens, although it is almost an unpleasant topic for members of the older generation. The stance of citizens to the use and users of illegal drugs (unlike alcohol and tobacco) are, however, unaffected by their own experience or knowledge of the issue. For a significant part of the population this is a topic of no great priority that does not affect them directly. For this reason the population is more willing to accept superficial and simplified information

and more likely in the form of secondary information alongside mainstream areas. The result is that the opinions and stances of the Czech public in the area of drug use are formed from one-sided information aimed at the negative and shocking (and therefore attractive) aspects of this complicated and complex issue.

The implications of survey IKSP_D2010 for the formulation and implementation of the drug policy of the Czech Republic lie mainly in the area of provision of information on the drugs issue to citizens, while it can be summed up as follows: provide information to those who are interested in it in a amenable form, of sufficient scope and quality, corresponding to the latest scientific findings, and provide an essential minimum of information (prevention, harm reduction) to citizens who are not interested in this issue, and create among them an awareness of where to find this type of information if they need it.

Translated by: Presto