

ERANID-IDPSO- Illicit Drug Policies and Social Outcomes
Work Package 3: Drug Policy Perceptions Dirk J. Korf

Expert interviews: Concise report – Italy

by the Italian Partner team

1. Methodology

The general objective of the Eranid-IDPSO project is:

Measure the impact that different legal frameworks related to drugs have on society (with particular attention to cannabis) and the WP3 specific study activity is related to:

Quantitative and qualitative study of stakeholder perception on drug laws (laws and policies).

For this purpose 10 interviews were conducted with experts, which consisted of questions on:

1. Any changes in drug policy, law in action and access to treatment (including barriers) during the years in the studio;
2. explanations for changes / interpretations;
3. perception of drug manufacturers 'and suppliers' responses to drug laws / drug law enforcement;
4. key concepts relevant to the aspects of WP2 (leximetric approach to the a priori evaluation of laws).

Each interviewed expert has a good knowledge of the drug law and / or drug policy in the country, but some of them know nothing about social outcomes¹.

It was decided to consider the period from 1991 to 2016 in Italy, even if for the other countries of the project the years from 1996 to 2006 are considered.

Some interviews were conducted face to face (5): 2 videos recorded and 3 recorded audio; 5 were conducted by e-mail.

Experts have accepted that the interviews were reported not anonymously and then all will be available on the Italian site of the project (in Italian).

The average time duration of face to face interviews was 50 minutes.

As regards, in particular, the aspects linked to the cannabis policy, we preferred to draw on the numerous auditions of various experts (choosing 10 representative experts); some subjects coincide with the experts interviewed; the auditions on the discussion of the law presented about cannabis legalization in Italy in the last legislation and again in the current one were carried out at the Chamber of Deputies in 2016. The

¹ Indeed one “expert” cannot be considered actually “expert”, as he is the politician who introduced the 2006 anti-drug law in Italy, which is absolutely ascientific.

recording of all the auditions is available online on the Italian site of the Eranid-Idpso project (in Italian).

The experts interviewed, as those audited regarding cannabis, are of various kinds: politicians, researchers, physicians, jurists, psychologists, operators....

Since the description of the changes to the law were reported by all the experts in a similar way, they are summarized only once.

In the following the names of the experts will not be reported in general, but at least their professions are available.

Anti-drug laws from 1991 to 2016 in Italy (according to all the experts).

The drug laws can be summarized as follows:

1. The law n. 162 of 1990 started a period of increased repression compared to the previous one, we detected this trend especially from the conduct of detention for personal use that, both for cannabis and hard drugs, was considered a criminal offence if the amount held exceeded the “daily average dose”.
2. In the 1993, it intervened a referendum that abolished the limit of the “daily average dose” so that personal consumption was decriminalized regardless the amount owned.
It also abolished the article 72 of the law mentioned: a “manifesto norm” that expressed the policy climate of the ‘war on drugs’.
It started a period that lasted until 2006 that, even in a general prohibitionist framework, we can define characterized by a less severe degree of repression against the drug related behaviors, at least for personal use.
3. The 2006 represents a turning point in the Italian drug legislation due to the law 49/2006, also known as Fini-Giovanardi’s law, that provided the same criminal penalties for all the conducts of possession, traffic, cultivation, production and distribution regardless the kind of drug the conducts were related to. It means that the cultivation of cannabis also for personal use was potentially punished with a period of prison from 6 to 20 years. From 2006 to 2014 it has been the most prohibitionist period Italy has lived.
4. In 2014 (February 12th) the Constitutional Court, with the sentence n. 32, declared anti-constitutional the law n. 49/2006 so that now is once again applied the law that comes out from the referendum of 1993, partially modified by the l. n. 79/2014.

The most representative² synthesized interviews

1. **Psychotherapist Leopoldo Grosso, honorary president of the Abele Group, founded by Don Luigi Ciotti in 1965 (face to face video available).**

Carla Rossi: So ... for the project, the first question I ask you: what changes have you observed in the drug policies since 1991, what big changes?

Leopoldo Grosso: Since 1991, the first: the victory of the referendum that abrogated some ultra-negative aspects of the 1990 law, which punished, alas, the small shop. We had in those years, just after the approval of the law of 1990, the drama of some boys who found themselves locked up in Italian prisons for a small shop, they found themselves confronted with absolutely unsustainable characters and with the dramas that were had.

So the referendum did some justice with respect to these rules and mitigated the impact of the 1990 law -

² Also from the statistical point of view.

which, as we know, was the punitive and pejorative correction of the first true 1975 drug law - that had decided that destiny was neither the prison nor the psychiatric hospital for the drug-addicted, but the new care services that began to be set up then.

So with 1990, in reality, there was a turnaround, we know that Craxi was very influenced by the policies that were conducted in USA and also, we say, perhaps, for consensus operations, he tried to introduce them in Italy. There was a debate, not only parliamentary, but also in the "hard" country, and the 1990 law that emerged was a sort of compromise between these two positions. But certainly worse than the 1975 law.

From then on we can say that in Italy, and it seems to me that the EU recognizes it, we are in the vein of countries that tend to decriminalize consumption in some way. Nevertheless we had heavy regurgitations and the heaviest regurgitation was at the time of the Government in which, let us say, the great drug tsar was Minister Giovanardi who, with his conception of war on drugs that he had, introduced into a bit fraudulent in the Olympic decree, which concerned my city, Turin, the Winter Olympics, even the articles relating to the change, in a pejorative sense, of the 1990 law which further punished the punishment of consumers with equalization between soft and hard drugs and a whole series of other consequences.

Fortunately, in 2014 the Constitutional Court, for a procedural defect, decreed that this legislation was unconstitutional and therefore a law was returned to Italy which, despite being worse than the 1975 law, nevertheless enters the great riverbed of European countries that are within the decriminalization of consumption. While all this question still remains much debated with respect to the real efficacy that can involve all that the contraption, the fact that the referral to the prefecture of consumers, above all because of the pejorative elements that had been introduced, for which the same officials of the prefect do not have more discretion than to tell the young boys they consume, maybe even just cannabis, because we know that 80% of the referrals are referred for cannabis use, the possibility of saying "If you do a treatment, if you go to the SERT, you are not sanctioned ", but now the power is in the hands of the prefectural logic and very often sanctions are applied, including, the most feared that is the suspension of the license, which very often, alas, does not have the effect of suspending consumption, but it is simply that of suspending a person's work, because if he cannot use the car or motorcycle he cannot work. There could be much debate on this, one of the important questions still remains, as is important the question that although it is partly decriminalized by the Constitutional Court the transfer of some substance, for a friendly purpose, among the group of consumers who consume together is still forbidden. Which, we know, is a typical practice of adolescence and of a certain developmental age, the idea that this was considered to be dealing and imputed directly to the criminal is an idea that, in part, the Constitutional Court has questioned and therefore not for everyone, fortunately, prosecutable. But this says a lot about the cultural climate, which in Italy continues to be very persistent, because on the drug question it is not possible to make a discourse of scientific evidence and, therefore, of a legislation that is consequent to scientific evidence, but of an ideological war that becomes a speculative tool for electoral bases. Then this aspect is a particularly painful aspect that causes many consumers who may even incur or make mistakes with respect to the quantity held, or because in the small shop they do their business to get the drugs, incurring incarceration and what was the measure of the Giovanardi law, which says that in reality, a little instrumentally, prison would be the instrument to send people into community, this was the total and absolute failure because despite the possibility raised for employees of going to the community even for a heap of penalties of six years, indeed a small minority goes to the community and all the others serve their sentences in prison. So what can we say about the impact of drug policies in Italy? Well, that is the result of a series of compromises between opposing political needs: on the one hand there are those who want harsh repression and on the other hand there are those who believe that drug addicts, who use substances, are people who must to be helped and therefore not to be at the head of a criminal system, but to be the head of a regime that takes care of the turning point and the choice of the well-being and health of people.

C. Rossi: Two other questions: one, what happened in Italy throughout this period with respect to harm reduction, more or less?

L. Grosso: Yes, harm reduction in Italy has struggled to assert itself, even if a positive result of the 1990 law was the widespread distribution of services that Europe envies us, because at least that, both in terms of structures of services rooted in the territory, even if then there has been a process of plan, plan drainage of these resources both for the number of operators present in the service, for quantity of services, but also with respect to the number of therapeutic communities which is a typically Latin and in particular Italian phenomenon. Well, let's say that as far as harm reduction is concerned, this was born in Italy from the bottom, that is, from the experience that the operators, whose evidence said, "plan, plan, said". Look, unfortunately, many people do not come out. And so, if we really want to help them, it's not obstinacy about the totally drug-free treatment in which methadone must be scaled up to zero, we realized that many people fell as they climbed and many people also went into overdoses. "And so we had in the 90s in particular very high overdose peaks (1990-1996). Here there were the operators to plead the cause, can't we get a *restitutio ad integrum* as hoped could be? Well, let's try to contain the harm and reduce the damage.

It was the 80s, the years in which AIDS was grafted onto intravenous drug addiction. There is a study by LILA (Italian League against Aids) which said that until 1996, the year in which antiretrovirals for AIDS treatment arrived in Italy and then, somehow, they overturned, have begun to overturn an AIDS situation as a chronicle of death announced to the possibility, instead, of having some future on which to invest and hope, well, until 1996 between the deaths from overdoses and the deaths from AIDS, because of the infection for an infected needle, about 50,000 were estimated, a veritable massacre, which was the massacre of the 1980s and which had its long spur in much of the 1990s. Therefore the harm reduction was imposed, as it was imposed from first in England and then in the countries of northern Europe, above all because it was evident that or they were able to produce life-saving interventions with the objective: first we do not let them die, for, then, to have the space and the time to carry on a discourse also of care. We say that we have had the turning point subsequently with the decrees, including ministerial decrees, of which we must acknowledge the possibility of using methadone maintenance treatment. A great controversy raged on methadone, an absurd clash, illogical, not based on scientific evidence, but also with clear electoral purposes, for which it was said that methadone was nothing but the state drug. Without realizing that overdose deaths are vertically reduced through this tool, which had services in hand. And then based on the first harm reduction policies, on the first mobile units on the street that came out, to meet the drug addict population that did not ask for help from the services, to reduce the possibility of HIV infection. A reduction of the damage that, then, in Italy, made its way precisely for ... let's say ... the good experiences of the practice that where the local administrations have recognized them, they have also, then, supported, valued and were no longer mere activities sporadic volunteering, but became institutional activities.

The proof was that our mobile unit, that of the Abele Group, was born in the early 1990s, then it was hired by the ASL that absorbed our operators and carried it forward as an institutional choice. So, let's say ... harm reduction in Italy has established itself where it has not found obstacles, which were legislative obstacles. The major legislative obstacle was a clash we had on the question of injection rooms, so we said: "Our legislation does not allow it, we cannot do it ...", obviously on the medical prescription of heroin, for which the Swiss model could not be imported and, finally, however, margins are opening on this that many operators have risked and many associations also, instead, on drug-checking, on controlling what is present in the substances when they are the kids who buy them consume them, so they risk because they don't know what they bought. Then a tool is available to help you understand what they contain.

C. Rossi: That it is fundamental especially on new drugs, because they really don't know what they take.

L. Grosso: They don't know what they take, they don't know what they take because we know that they are widespread in Europe, before they used to say above all in Eastern Europe, then they used to say in northern

Europe, but probably also in Italy ... here ... laboratories as a small chemist in which it is enough to change a few molecules for which the substance can also be sold via the internet and reach the goal.

C. Rossi: I don't know if it's really your sector, but I really think so: on the prevention made ...

L. Grosso: On prevention ... well, prevention is the great rhetoric that does not correspond to the facts. In the sense that in the meantime with the financial crisis from 2008 to the present, with cuts in welfare spending, health care, prevention has been the privileged victim, so if there are spending items to which a 50% cut has been given it was precisely prevention. So, from this point of view, the prevention, beyond the ways in which it was implemented ... had its own ... the legs were basically sawn at the base. Then prevention ... it is clear that the WHO itself invites us to distinguish between universal prevention, selective prevention, indicated, etc. We realized that the most effective prevention was what was called old secondary and tertiary prevention, because on universal prevention, those alarmist messages that were packaged at great expense, which were television commercials, I don't know if you remember anyone, but ... I also publicly criticized one who was ... that in the commercial you could see that taking the drug the person turned into a vampire and infected, he vampirized the person who bit, just when the vampire TV series were in vogue. So we really risked a paradoxical effect, a boomerang effect that, among other things, some US researches have indicated that it exists. If we talk too much and badly about a certain use of a substance we risk making propaganda and induction to use.

2. Physician specialized in the therapy of drug addicts (e-mail written interview).

The sector in which he operates is that of the Dependency Department of the ASL NA1, more precisely in the services for addictions and the consumption of legal and illegal drugs aimed at free citizens and prisoners. According to him the Fini-Giovanardi law has tightened penalties and has worked a lot on the "repressive-punitive" model with respect to soft drugs. He says that changes in drug consumption patterns and styles are linked to market strategies, migration and impoverishment caused by the economic crisis. While the models for combating the use of substances provided for by the law do not intercept these changes, the harm reduction and risk limitation services have more specific competences for the new realities that are being formed. He states that the unconstitutionality of Law 49/2006, better known as Fini-Giovanardi's law, was recognized after a long period of pressure from civil society, but also from a substantial part of Parliament, contrary to the punitive system repressive of the law. The change on drug policies through harm reduction has had some positive consequences, among which is the reduction of overdose deaths with naloxone. He considers the entry of the web into the drug trade one of the major changes regarding drug dealing and production from 1991 to today, certainly cannabis, its derivatives and stimulants are at the center of this new type of drug dealing. The changes regarding the expansion of the drug market began between the end of the 80s and the beginning of the 90s and continues. Surely among the negative consequences of these changes is the spread of new substances of which neither the composition nor the substances with which they are cut are known. In his opinion, access to treatments is increasingly difficult and young consumers are turning more and more rarely.

3. Criminal Lawyer (e-mail written interview).

The criminal lawyer, president of the Antigone Puglia Association, replied to the questionnaire that among the fundamental changes from 91 to today there is the referendum of 1993 that decriminalized the use of drugs of any kind, even if with the law 49/2006 there was a deterioration given that the Fini-Giovanardi's law mainly affects consumers and small market. Law 49/2006 was abolished by a Constitutional Court ruling. With the law 79/2014 a step forward was instead made: the inclusion of all types of cannabis among soft drugs, the division of substances into 5 tables, the confirmation of the difference between hard and soft drugs. Surely, still according to what was said by her, the Fini-Giovanardi's law increased the inputs in prison

for consumers. For the "penitentiary community" this was especially a health problem, an increase in the transmission of diseases such as HIV and hepatitis among prisoners was recorded. The shocking but now sadly known fact, confirmed by the lawyer, is that during the period in which the Fini-Giovanardi's law was applied, no positive data was recorded. The negative data, on the other hand, are the increase in complaints, the increase in detainees, the increase in reports for possession of drugs, the increase in suicides in prison. Recent changes in users' treatments have had positive consequences such as the decline in consumers in prisons and the protection of patients who treat themselves with cannabis. Access to antiretrovirals has become simpler, but there are still many HIV-positive people who cannot be cured even though there is a law that establishes the citizen's right to access health protection services.

4. Research Jurist (e-mail written interview).

She works in the field of research and considers the changes in drug policies since 1991, which occurred above all with the entry into force of the Presidential Decree of October 9, 1990 and which contained the elimination of the discretionary concept of the modest quantity, have particularly concerned the discipline of the conduct on the cultivation, production, manufacture, etc., of soft and hard drugs. Then there was the 1993 referendum which sanctioned the non-punishment of consumers and the discretionary power of the judge was reintroduced on the concept of average daily dose. With the entry into force of the Fini-Giovanardi's law in 2006, there was a tightening of the penalties for drug crimes and the abolition of the distinction between soft and hard drugs. Law 49/2006 was later declared unconstitutional by the Constitutional Court.

Drug policy changes have depended on the dynamics of the market and the ease of applying sanction laws. Surely the appearance of new drugs, unknown until now and harmful because sometimes unpredictable was the biggest change in the production / supply of drugs recently in Italy. These changes concern two types of drugs in particular: the Designer Drugs, or those substances created to circumvent the law in force and the Smart Drugs, drugs of natural or synthetic origin that contain active ingredients of natural origin such as caffeine which stimulates the nervous system, or eco-drugs derived from herbs or plants. The biggest change in Italy occurred in schools in the 1990s with a prevention work that was based on fear for a long time, while now we have moved on to evidence tactics, showing the effects and results of a social nature deriving from the use of drugs. This prevention was mainly focused on the transition between soft and hard drugs.

The change of greatest impact regarding the treatments of the users was the passage from a single cure to a cognitive and behavioral treatment. These changes began in the 1990s also with the help of private associations. Access to treatments is not yet easy, bureaucracy and regulations do not allow for facilities in this area.

The other interviews, except that of the politician Carlo Amedeo Giovanardi, add nothing to what is reported above in the 4 summaries. In particular the prison physician (e-mail interview written) is completely represented by Leopoldo Grosso, as well as the psychologist (face to face audio interview).

The magistrate responsible for prison surveillance (face-to-face audio interview) has similar opinions to the physician specialized in treating drug addicts and, in part, is also represented by the criminal lawyer, while the opinions of the Harm Reduction Service operator (written interview) is fully represented by that of Leopoldo Grosso, as well as that of the manager, for over 40 years, of the largest non-governmental organization linked to the Red Cross and the Red Half Moon (face to face video interview).

Therefore these other 5 interviews are not included explicitly in this report. In any case, all the interviews will be available on the Italian site of the project.

A brief summary is included of that of Carlo Amedeo Giovanardi, very different from those of the experts.

Minister in two Berlusconi governments, legislator who proposed the law 49/2006.

Having made many positive comments about such law then he stated:

- Until 2011 (end of last Berlusconi government) there was intense activity between Department of Antidrug Policy, regions, communities and SerT for the fight against drugs. In the last 6/7 years the activity of prevention and recovery has been reduced. This was due to market dynamics and purely political reasons. For example, there are important investments in cannabis light (legal market) that differ from the previous policy. There is a contradiction between norms that have decriminalized the personal use of drugs and rules that heavily penalize certain behaviors related to the use of drugs, see for example the rules on road murder.
- The legalization of cannabis would extend consumption and even crime.
- Even if 90% of drug dealers are not taken it would not be good to legalize cannabis. Even for theft 90% of the subjects who steal are not taken, but we do not decide to legalize the theft, similarly we must never legalize cannabis.

Summary of cannabis audits

1. Researcher (Full Professor).

I analysed the data of the European Monitoring Centre (EMCDDA) on the prevalence of cannabis use in the general population of various countries. In particular, I have highlighted three different countries: Italy, Poland and Portugal because they have three different legal approaches; that is, Italy is the most restrictive, Portugal is the most tender - let us say so - and Poland in the middle because it is not mandatory to prosecute anyone who is discovered in possession of cannabis. Analysing the data on consumption one understands that Italy has the maximum use compared to the other two countries: that is, where the law is more restrictive, cannabis is used even more.

In confirmation of the above, it should be noted that France has a law even more restrictive than the Italian one, and records even higher consumption than Italy.

I also analysed the National Research Council (CNR) data on cannabinoid consumption in upper secondary schools (young people between 15 and 19 years). From these data a substantial stability of consumption emerges over time; however, and this is the worrying thing, there has been a significant increase in the frequency of use; so we can say that, in spite of the severity of the law, the market instead of contracting, extends.

Moreover, from the 2014 report of the DIA (Anti-Mafia Investigative Directorate), we find what we have demonstrated with numbers, the dealers annually intercepted are equal to about five percent of the total of drug dealers and, in fact, prices have not undergone particular alterations.

Further work in a European project has shown that - for a regular consumer - procuring cannabis does not require more than half a day, confirming the widespread supply. It is important to stress that cannabis users often work or have regular productive activities.

Regarding toxicity, there are several European articles that analyse it. From these studies it appears that the toxicity of non-altered cannabis is much less than that of tobacco and alcohol, not to mention cocaine and heroin.

This is confirmed (data from the San Camillo Hospital in Rome) by the fact that there is little positivity of cannabis alone in the emergency room patients following road accidents.

The danger of cannabis lies not in it, but in the alterations made by traffickers, in particular the increase in THC.

The conclusion is that if cannabis were legalized, it could be controlled in quality and therefore, as mentioned,

less harmful than other licit substances such as tobacco or alcohol.

2. Chemist pharmacist, for ten years Director of the military establishment in Florence.

I have always considered the plant as the only pharmaceutical company in the state and, as such, could and should intervene in a series of situations in which public health needs could not refer to private pharmaceutical facilities. Until 2013 cannabis for therapeutic use was exclusively imported, while now it is partly produced in the establishment of which I was Director.

Presidential Decree 309/90 regulates the matter relating to the non-medical use of cannabis and would like to modify this decree, relative to the recreational use of cannabis.

Personally, I would always distinguish the two aspects - medical and recreational, each regulated by a special law.

These laws should first of all guarantee the quality and safety of the product, through a strict control of the production chain and for this reason I am against the personal cultivation of cannabis. This is because there is a great variety of cannabis plants, with extremely high THC contents and only a rigorous control of the crops (possibly indoors, to avoid accidental pollinations that can alter the product) is important; this is especially true for crops for medical use.

Currently the law regulating the medical use of cannabis requires that the pathology for which cannabis is prescribed be indicated; however a doctor may decide to also prescribe low-THC cannabis for common pathologies that should not be indicated.

As far as experimentation is concerned, there should be no limits between public and private structures, without checking the activity and production of the second.

3. Psychotherapist, honorary president of the Abele Group.

I will focus in particular on the three objectives of the bill:

- The drying up of the illegal market;
- The gain over health;
- Economic savings.

I will highlight the difficulties that can be encountered in pursuing these objectives:

1. How to move consumers from the illegal market to the legal market: the economic proposal must be favorable (i.e. not more than 10-12 euros per gram);
2. The control must be of the State Monopolies, because a decentralized production can influence the price of the goods. As regards personal or associative self-production, it is necessary to keep in mind the risks of excessive fragmentation, which would make the control of the production-consumption chain more difficult and less uniform. Furthermore, it would be advisable to provide equipped sales and consumption points, which are also attentive to the protection of consumer privacy, as long as possible. This solution would also allow problematic consumers to be intercepted, with greater chances of starting them on recovery routes and would also be suitable places for prevention work.
3. I have no illusions about the possibilities of profit, but certainly savings would be possible with respect to the costs of prohibition and harm reduction attempts.

As a final consideration, once these difficulties have been brought to light, I think that we should proceed gradually and prudently, with attention, control and rigor to pursue the objectives of the bill.

4. First researcher of the Agricultural Research and Agriculture Economics Research Council.

I state that, as noted by others, cannabis is less toxic than alcohol and tobacco.

I am personally opposed to personal cultivation: suppose a family head with minor children starts cultivating cannabis "for personal use". It is inevitable that the child is driven by the curiosity to know and to try, perhaps

involving equally minor friends and, therefore, increasing the risk of new addictions. Furthermore, the excessive fragmentation that would result would make it very difficult to control the quality of the production, the seeds and their origin, the consistency of the substances and could also lead to a proliferation of production sites and, therefore, to a lower efficacy of the organs control.

Furthermore, since private growers would be allowed to hold quantities greater than the maximum allowed for the so-called "personal consumption", private cultivation would be encouraged if nothing else to avoid the crime of holding quantities greater than those permitted.

I would also add that the private cultivation of cannabis is not easy and requires adequate knowledge, in the absence of which we could favor the infiltration of narco-traffickers.

The production must be, if not state, at least regional and entrusted to organizations that can respond to the quality of the product as a whole, so as to be able to trace the origin in case of complications related to the consumption of that particular product.

Furthermore, as for alcohol and cigarettes, it should be distributed through specialized and controlled exercises.

Like tobacco, the damage is only minimally due to the active ingredient, as to the toxic substances that are inhaled. A controlled production would limit the damage.

In this regard, I would point out that a high concentration of the active ingredient would reduce the inhalation of other harmful substances for the underwriters, because a lower intake would suffice. This assumes, however, that the underwriters are "experts" and able to judge and choose.

5. Director of the Prison Health Unit of the Padua Local Health Unit.

As mentioned by others who preceded me, cannabis has less toxicity than other legal substances, particularly alcohol and tobacco. I would add that there is no scientific evidence that cannabis leads to the use of heavier substances.

There is scientific evidence that cannabis does not cause, but unmasks, that is, it makes latent mental disorders visible.

Among the negative effects of prohibitionism, I quote: an increase in incarceration, the costs of justice and an increase in the so-called "criminal subculture in schools", with an increase in school drop-outs, marginalization, etc.

As regards a model of legalization to be taken as an example or as a reference, I quote the model of legalization of cannabis applied by the State of California, in the USA.

This model provides for the lawfulness, for adults over twenty-one, to hold up to one ounce (about 28 grams) for personal use and punishes the minor cannabis users with administrative sanctions.

Prohibits the cultivation and sale by private individuals and / or, however, by unauthorized persons and companies.

From the five years of application of the legislative model, there are no increases in consumption; arrests related to the use of substances have decreased and, absurdly, the consumption of other substances has decreased.

Returning to Italy, I stress that the law 309/90 currently in force no longer fits the new consumption models and should therefore be revised.

I underline the importance of prevention, alongside a legalization model, by taking an adequate share of the revenues to be allocated specifically for prevention.

It is also essential to distinguish, even at the legislative level, recreational use from medical consumption.

6. Secretary of the Ascia (Association for the awareness of self-produced cannabis in Italy).

I state that we have already brought our contribution of ideas into a hearing of the Justice Commission of

2013 when the so-called "Fini-Giovanardi" law was in force, highlighting the contradictions so that the Constitutional Court took this into account by modifying the law.

Here I would like to dispel three common places:

1. Cannabis use is not a teenage phenomenon: there are many consumers in adulthood, between 40 and 60, as anyone who attends cannabis fairs can notice. Wanting to refer to the consumption of legal substances but whose abuse can be more harmful than that of cannabis, I point out that in the past we had, in Italy, a high rate of alcoholism, due to the habit of adults / elderly to find themselves in places in where the use of alcohol was part of socialization. An education in the use of the substance has greatly reduced the rate of problematic consumers (alcoholics). A similar path should be made towards cannabis users.

I would add that in countries where the substance has been legalized there have been no increases in road accidents, emergency room admissions or other problematic events.

2. The second common place concerns the subdivision of the use of cannabis exclusively between "therapeutic" and "recreational", neglecting the "spiritual / religious" use, a negligible phenomenon in Italy, but not worldwide.

Personally I underwent a small process for a small cultivation for personal use. The Magistrate has literally said: "In Italy the moderate consumption is tolerated but not the production". At this point I wonder what I have to do to get the substance if not from the illegal market, which also offers much more harmful substances such as MDMA, heroin, cocaine, etc., in which, especially young adolescents can run into.

3. The third and final commonplace concerns the fact that some claim that the cannabis that circulated in the 1970s and 1980s was less strong than that currently circulating. As for the vines, which can produce wines of different alcohol content, so there are different species of cannabis plants, which produce a substance with a more or less high rate of THC and, as for wine, there is a controlled production and a production "Of the farmer", which is not necessarily inferior to the controlled quality.

I therefore defend the right of habitual consumers to associate and to ask politics to adapt to the changed current situation.

7. President of the Free Weed Board Association.

We of the Free Weed Board commit ourselves every day to grant to every adult citizen the right to grow cannabis for personal use and to this end we have also drawn up and deposited the Charter of Rights of Consumers and Cannabis Growers, prepared and deposited in the European Parliament, signed by over two thousand five hundred people.

Our demand for full legality from the cultivation of cannabis for personal use rests on social, economic and even medical-scientific reasons which in our opinion should be seen as complementary and not separate and which add to the simple right of the consumer to produce a good for your personal consumption.

Currently, the consumer is forced to turn to the black market - generating profits for tens of billions a year -, since the modest consumption is sanctioned only administratively, while the self-production is punishable by law.

On the other hand, only 5% of the illegal traffic is intercepted by the police and there is obstinacy against little of irrelevant danger, while they do not hit big traffickers; all with enormous cost for the community in the face of very modest results.

We also defend the right to use cannabis for therapeutic purposes, which are probably even wider than those ascertained until now, because the state must take responsibility for the well-being and health of its citizens. With regard to the communication of the beginning of cultivation that the new law would provide, we are against because in practice it would be a form of filing of small farmers that could then be subjected to subsequent checks.

We are also in favor of revising the regulation of drug tests carried out on drivers of cars, which currently

often give a positive result even for the effects of the cessation of cannabis use.

8. Past contract professor of psychology at the La Sapienza University of Rome.

Over the past few years, I have heard this need to formalize the recreational use of cannabis in terms of the State's lack of repression for judicial procedures resulting in net proceeds from the sale valued at between seven and nine billions euro a year.

As a psychologist, however, I refer to the damage caused by the use of the cannabis. According to psychologists, in adolescence, cannabis compromises brain development which, as is known, continues until the age of twenty-five. In general, it can produce psychosis, bipolarity and other forms of mental distress, which can persist over time even after the cessation of employment.

Therefore I do not think that the State, which has the institutional duty to protect the health and social inclusion of its citizens, can authorize its use and cultivation: just think that the limit of five plants can already produce a considerable quantity of product (up to about one kg), which could turn into a small shop.

If we legalize cannabis today, we could find ourselves facing a substantial increase in health and pension benefits due to disability, as well as lost revenue from processed activities, and this cancels the economic advantages deriving from the hypothesized legalization.

As part of the hearings, the opinion of the Anti-Mafia Investigative Directorate (DIA) is also available in written form and is reported below in summary.

Summary of the hearing of the Anti-Mafia Investigative Directorate (DIA).

With reference to the legislative proposals relating to "Provisions on the legalization of the cultivation, processing and sale of cannabis and its derivatives", this Office expresses a substantially favorable opinion, albeit with some reservations and some considerations that are considered important to protection of public health, in particular that of minors and adolescents.

Considerations in favor of the legalization of cannabis and its derivatives

The first, and perhaps decisive, arises from the observation that, despite all attempts to suppress the illegal market, the consumption of cannabinoids has taken on worrying proportions. It is estimated (UNODC) that in Italy there are about three million consumers, occasional or habitual and a high percentage of the total population registers at European level (Lisbon Drug Observatory). Since the greatest propensity to consume is recorded among the young, it could be said, absurdly, that the very expensive repression works have encouraged rather than reduced the use of cannabis and derivatives, perhaps due to the fascination of the prohibition characteristic of age youth.

The second consideration is that, according to all the experts, cannabis, if controlled in the rate of the active ingredient THC, is much less dangerous and harmful to the health of substances, such as tobacco and alcohol, regularly on the market. It is therefore worth subtracting it from the control of organized crime (which derives, in Italy alone, figures of the order of seven to ten billion euros a year), with the triple advantages of:

- allowing the State to collect, through excise duties, this huge mass of money, taking it away from organized crime and terrorism, which also draws strong funding (cannabis from Afghanistan);
- to abolish, or at least reduce, the costs of the repressive action which has shown itself, as mentioned, to be absolutely ineffective;
- to place on the market products of controlled quality and, therefore, less toxic and less addictive.

The third consideration is the protection of young people and adolescents, who would obviously be prohibited by law from buying cannabinoids, as well as buying and consuming tobacco products for a long time.

To whom to entrust the production and distribution of the legalized product

Here it seems useless to resort to fanciful and dangerous measures, such as self-production (and we will further motivate our opposition) or the preparation of dedicated "places of smoke".

The production and sale should instead be entrusted, exclusively, to the State Monopolies, which have a consolidated experience gained with tobacco and have a widespread and reliable distribution network throughout the national territory. The sale should be subject, and perhaps with greater severity, to the same restrictions already in force for the sale of cigarettes to those under eighteen.

The State Monopoly would be, and is capable of being, completely responsible for the identifiability and traceability of the product of legal origin and its THC content, which should be limited to a lower rate than that capable of inducing addiction.

Regarding the limits of possession on the person or at home, and always in the case of a product of legal origin, the current criteria (5 grams per person and 15 in one's home) can be adopted or even others can be evaluated, in consideration of the fact that the purchase would no longer constitute a criminal offense.

Self production.

This Office, on the other hand, is absolutely opposed to any form of self-production, both personal and in association, both provided for by the aforementioned bills.

The reasons for this attitude are essentially the following:

- It would be extremely difficult to control the quantity and quality of cannabis produced by a myriad of small producers (the bill provides for up to five female plants for cultivation), as well as the actual personal use not accompanied also by cession, for any reason;
- There are various qualities of plants with different THC levels and it would be almost impossible to check that all the cultivated plants are low in this active ingredient;
- The eventual producers' associations could be easy prey to infiltrations of the organized crime, very able to create pseudo-no-profit associations dedicated, in reality, to criminal activities or, in any case illicit, as happened for gambling, or in the scope of personal services. We would risk, basically, to see who came back from the window who, with great difficulty, had been put at the door.

Protection of minors

Both the legal sale (i.e. in the tobacconists) and the transfer, for whatever reason, of substances legally held must be prohibited. For the transfer to minors of illegal substances should also be provided for criminal penalties, similarly to what is already provided for the sale to minors of other kinds of monopoly. Evidently, the sanction should be aggravated in the case of transfer of a substance of illegal origin commensurate with the quantity of drug sold.

Conclusively

A law that legalizes and regulates the production and sale of cannabis and its derivatives is highly desirable, provided that production and trade take place under the direct control of the State, through the Monopolies and its already tested and reliable structures.

The State would derive a double advantage: that of depriving organized crime of a considerable "turnover", which instead would incur the State itself through excise duties, and that of saving the huge economic resources hitherto invested without success, in repression. Furthermore, there would be greater protection for consumers, who would no longer need to commit an offense (purchase from drug dealers) to exercise a right recognized to them (holding the small amount for personal use).