

Friday, 30 May 2025

Class B vs Class C: Rethinking Cannabis Policy for a Fairer Future

Marika Graham-Woods

There comes a moment in every industry where the conversation must shift from rhetorical debate to actionable reform. For cannabis in the UK, that moment is long overdue. The classification of cannabis as a **Class B** drug under the Misuse of Drugs Act 1971 (MoDA) is no longer fit for purpose. The London Drugs Commission (LDC), in its comprehensive 2025 report *The Cannabis Conundrum*, has brought us to a critical juncture: continue with an outdated framework that criminalises personal use disproportionately, or take a rational step forward and reclassify cannabis as a **Class C** substance—or better yet, remove it from the MoDA entirely.

This article examines the distinction between Class B and Class C classifications, and the significant implications that downgrading cannabis would have for policing, criminal justice, public health, and equity in the UK. Drawing from the LDC's evidence-based conclusions, I argue that a reclassification is not only necessary but inevitable.

Understanding the Class System

Under the MoDA, drugs are classified into Classes A, B, and C according to their perceived harm to individuals and society. Class A includes substances like heroin and cocaine. Class B includes cannabis, amphetamines, and barbiturates. Class C covers drugs deemed less harmful, such as benzodiazepines and certain anabolic steroids.

The maximum penalty for possession of a Class B drug is **five years in prison** and/or an unlimited fine. For supply or production, it's up to **14 years**. For Class C drugs, possession carries a **maximum of two years**, and supply offences attract up to **14 years**, though sentencing guidelines typically reflect the lower classification.



The 2004 Experiment: A Lesson in Missed Opportunity

We have been here before. In 2004, the UK government reclassified cannabis as a Class C drug, following the recommendations of the Runciman Report and the Advisory Council on the Misuse of Drugs (ACMD). The change was intended to reduce criminalisation, free up police resources, and reflect a more proportionate approach to the harms posed by cannabis.

Initially, the data showed promise: arrests for possession fell by **one-third**, saving an estimated **199,000 police hours** in the first year alone (*LDC Report*, p. 40). But the police, dissatisfied with a perceived loss of operational discretion, lobbied successfully for a reversal. In 2009, cannabis was returned to Class B. The government overrode ACMD advice, driven not by evidence, but political pressure (*LDC Report*, pp. 40-41).

The London Drugs Commission: A New Evidence Base

Fast forward to 2025, and the London Drugs Commission, chaired by Lord Falconer, offers one of the most exhaustive policy reviews on cannabis in UK history. Its findings are clear:

“The law with respect to cannabis possession is experienced disproportionately by those from ethnic minority (excluding white minority) groups, particularly London’s black communities... continuation of the law as it currently stands cannot be justified.” (*LDC Executive Summary*, p. 11)

The Commission does not call for full legalisation. Instead, it recommends **removing cannabis from the MoDA** and placing it under the **Psychoactive Substances Act 2016 (PSA)**. This would end criminal penalties for personal possession while maintaining sanctions for production, supply, and trafficking.

But short of full removal, reclassifying cannabis to **Class C** would be a vital intermediary step—one that is grounded in logic, evidence, and fairness.

Policing and Criminal Justice: Misallocated Priorities

The LDC Report highlights the ineffectiveness and disproportionality of current enforcement:

In 2023, **only one-third** of police stop-and-searches for drugs resulted in any criminal evidence being found (*LDC Report*, p. 11).

Black Londoners are significantly more likely to be stopped on suspicion of cannabis possession than white Londoners, yet no more likely to be carrying the drug (*LDC Report*, p. 11).

Cannabis possession is not a priority for policing but remains a common basis for interaction between police and the public, often resulting in mistrust and trauma.



Reclassifying cannabis as Class C would restrict police powers to stop individuals based solely on suspicion of possession, dramatically reducing unnecessary confrontations and rebuilding community trust.

Public Health Over Punishment

Cannabis, while not harmless, does not warrant the punitive approach reserved for Class B drugs. According to the LDC, around **10%** of users may experience negative health impacts such as Cannabis Use Disorder or psychosis. Yet the vast majority—approximately **90%**—consume cannabis without any adverse health consequences (*LDC Report*, p. 12).

Moreover, the criminalisation of cannabis has had the unintended consequence of stigmatising use and deterring individuals from seeking support. Class B status criminalises people who could benefit more from health interventions than legal penalties. The LDC rightly notes that “drug treatment services are overwhelmed” and not equipped to respond to any increase in demand that might follow reform (*LDC Report*, p. 12).

Reclassification would begin to change the narrative: from cannabis as a criminal matter to cannabis as a health and social issue.

Equity, Access, and Economic Justice

Another moral failing of the current Class B status is the **inequity it creates between legal medical cannabis users and those who cannot afford prescriptions**. The LDC notes:

“People who find the drug alleviates symptoms of ill health and who have a cannabis prescription are not at risk of criminal sanction. Those who rely on illegal cannabis to ease the same symptoms are, however, liable to be so... This seems unjust.” (*LDC Report*, p. 13)

Reclassifying cannabis as Class C would ease these disparities. It would also reduce the long-term consequences of criminal records, which impact employment, education, housing, and travel. The LDC recommends that cannabis possession offences be protected from disclosure in criminal background checks—a vital step in restoring justice (*LDC Report*, Recommendation 32).

Home Cultivation: A Safe Step Forward

The LDC makes a subtle but potentially game-changing proposal: to explore the legalisation of **limited home cultivation** for personal use. Under a Class C model, this could be more safely trialled without undermining public health or enabling large-scale diversion.



This approach would reduce dependence on illicit markets, decrease public dealing, and give users better control over product strength and safety. According to the LDC:

“Home cultivation should not be legalised until such time as there is clear evidence it significantly reduces connection with illegal suppliers, and has public health benefits.” (*LDC Report*, Recommendation 33)

Yet reclassification could be the enabling mechanism for this evidence to be gathered.

Public Opinion and Political Will

Polling shows that the British public is not in favour of full cannabis legalisation, but nor do they support punitive criminalisation. The LDC found that while people are concerned about cannabis use in public, they do not want to see lives ruined over a joint.

Reclassification is the compromise that the public—and politicians—are ready for. It would allow the government to appear responsive, without committing to full commercial legalisation, which many fear could mimic the exploitative models of "Big Cannabis" seen elsewhere.

Conclusion: A Necessary Step, Not a Final Destination

We must move beyond political inertia and embrace a regulatory model that is evidence-based, proportionate, and equitable. Reclassifying cannabis from Class B to Class C is a clear, manageable step that allows the UK to recalibrate its drug policy without leaping into the unknown.

As the LDC concluded:

“We do not rule out the possibility of [legal regulation] in the future, though equally accept it may never be a realistic prospect for this country... [But] prohibition does not, in our view, present the best, or least problematic, option.” (*LDC Report*, p. 16)

Whether the ultimate destination is removal from MoDA or regulation under a non-commercial framework, reclassification is an essential waystation on that journey.

It's time to be brave. Not radical. Not reckless. Just responsible. We must reclassify cannabis to Class C and begin to undo the decades of damage caused by an outdated and inequitable law.

Marika Graham-Woods is the Managing Director of the Cannabis Trades Association and a long-standing advocate for evidence-based cannabis reform in the UK.