Release
Drugs, The Law & Your Rights

OHCHR Report on Human Rights and Drug Policy (A/HRC/RES/60/26): Human rights challenges in addressing and countering all aspects of the world drug problem, in particular on the impact of drug policies on the rights of women and girls

1. Release is the national centre of expertise on drugs and drug laws in the United Kingdom, where we provide medical and legal advocacy to individuals who use drugs, as well as campaigning and research for drug policy reform. This submission is focused on the impact of drug policies on the rights of women and girls in the U.K.

2. The U.K.'s drug law framework criminalises those involved in the drug trade, as well as those possessing drugs or drug-using equipment ('paraphernalia')[1]. In recent decades – and despite emerging evidence in support of decriminalisation globally – the U.K. Government has increased its commitments to "*tougher and more meaningful consequences*" for drug-related activities[2].

3. The U.K. Government's Drug Strategies have renewed focus on "*supporting people to live a drug free life"*[3] and "*drug-free living"*[4], whilst falling behind many other countries in terms of harm reduction interventions, such as drug-checking or Drug Consumption Room ('DCRs').

4. The harms of criminalising people who use drugs are well-evidenced[5] and have been recognised by several UN bodies[6]. In the U.K. context, these punitive drug policies

[1] Misuse of Drugs Act 1971. (1971) *c. 38*. Available at: https://www.legislation.gov.uk/ukpga/1971/38/section/5 (Accessed: 25 March 2026).
[2] HM Government (2021) *From harm to hope: A 10-year drugs plan to cut crime and save lives*. Available at: https://www.gov.uk/government/publications/from-harm-to-hope-a-10-year-drugs-plan-to-cut-crime-and-save-lives (Accessed: 25 March 2026)
[3] HM Government (2010) *Drug strategy 2010: Reducing demand, restricting supply, building recovery: Supporting people to live a drug free life*. Available at: https://www.gov.uk/government/publications/drug-strategy-2010 (Accessed: 25 March 2026).
[4] HM Government (2021) *From harm to hope: A 10-year drugs plan to cut crime and save lives*. Available at: https://www.gov.uk/government/publications/from-harm-to-hope-a-10-year-drugs-plan-to-cut-crime-and-save-lives (Accessed: 25 March 2026)
[5] UNAIDS (2026) Decriminalization of drug use in the context of HIV: a guidance note, See 1.5, https://www.unaids.org/en/resources/documents/2026/20260310_Decriminalization-drug-use-HIV
[6] See, for example: United Nations System Chief Executives Board for Coordination (2018) UN system common position on drug policy. Available at: https://unsceb.org/sites/default/files/2021-01/2018%20Nov%20-%20UN%20system%20common%20position%20on%20drug%20policy.pdf (Accessed: 31 March 2026). UN Committee on Economic, Social and Cultural Rights (2010) Concluding Observations: Mauritius. E/C.12/MUS/CO/4. Available at: https://www.refworld.org/policy/polrec/cescr/2010/en/73334 (Accessed: 31 March 2026). Human Rights Council (2021) Arbitrary detention relating to drug policies: Study of the Working Group on Arbitrary Detention. A/HRC/47/40. Available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Call/A_HRC_47_40_AdvanceEditedVersion.pdf (Accessed: 31 March 2026). United Nations Human Rights Council (2024) Drug use, harm reduction and the right to health: Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. A/HRC/56/52. Geneva: United Nations. Available at: https://documents.un.org/doc/undoc/gen/g24/069/12/pdf/g2406912.pdf (Accessed:

have gendered human rights implications, particularly in the contexts of policing, imprisonment, access to healthcare and harm reduction (particularly in prison), child removal, and housing.

Policing

5. In the U.K., 60.9% of suspicion-based police stop and search were for drugs[7]. Though women and girls represent the minority of stop and search, stop and search of women and girls increased by 7% from 2023 to 2024[8]. Drug-based stop and search is a key context for police intervention into the lives of women and girls.

6. In the U.K., policing has impacts on women and girls in terms of their right to no discrimination based on race, freedom from inhuman, degrading treatment or punishment, arbitrary arrest, and indeed freedom to movement due to risks of police harassment[9].

7. Black and Brown women face disproportionate stop and search compared to white women, also reporting aggression and sexualised humiliation during police interactions[10], violating their right to freedom from degrading treatment[11]. This includes a widely reported case of a 15-year-old Black girl being strip searched for cannabis by police at school without an appropriate adult[12].

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31 March 2026) United Nations Office on Drugs and Crime (2025) World Drug Report 2025. Available at: https://www.unodc.org/documents/data-and-analysis/WDR_2025/WDR25_B2_Contemporary_drug_issues.pdf (Accessed: 31 March 2026)

[7] Home Office (2025) *Police powers and procedures: Stop and search, arrests and mental health detentions, England and Wales, year ending 31 March 2025*. Available at: https://www.gov.uk/government/statistics/stop-and-search-arrests-and-mental-health-detentions-march-2025/police-powers-and-procedures-stop-and-search-arrests-and-mental-health-detentions-england-and-wales-year-ending-31-march-2025 (Accessed: 25 March 2026).

[8] StopWatch (2025) *The girls and young women's research project: Executive summary*. Available at: https://stopwatch.ams3.cdn.digitaloceanspaces.com/documents/20250331_--_The_girls_and_young_womens_research_project_EXEC_SUMMARY.pdf (Accessed: 25 March 2026).

[9] Articles 2, 5, 9, and 13 respectively. United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)

[10] See Akintoye, B., Ali, A. and Stevens, A. (2022) 'The ongoing impact on the racialised policing of Black communities', in Crome, I., Nutt, D. and Stevens, A. (eds.) Drug Science and British Drug Policy: Critical Analysis of the Misuse of Drugs Act 1971. Sherfield-on-Loddon: Waterside Press. ISBN 978-1-914603-26-6. Also StopWatch (2025) *The girls and young women's research project: Executive summary*. Available at: https://stopwatch.ams3.cdn.digitaloceanspaces.com/documents/20250331_--_The_girls_and_young_womens_research_project_EXEC_SUMMARY.pdf (Accessed: 25 March 2026).

[11] Article 5. United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)

[12] Young Hackney (2022) Child Q. Available at: https://www.younghackney.org/advice/staying-safe/child-q/ (Accessed: 25 March 2026).

8. Black women are also disproportionately imprisoned for drugs offences, threatening their right to equality before the law[13]: a 2016 Ministry of Justice review found they were 2.3 times more likely to receive a custodial sentence for drugs offences compared to white women – the highest rate of disparity within the system for all offences, all genders, and all races[14].

9. Drug-based stop and search for possession also facilitates harmful over-policing of and violence towards women who are sex working and using drugs, who are also criminalised for offences such as soliciting sex and working together indoors for safety purposes ('brothel-keeping')[15]. Studies based in the U.K. have shown that police interventions can increase risks of client violence against sex workers, for example through forced displacement from safer locations [16]; that police are often the perpetrators of violence against street-based sex workers[17]; and that increased police presence led to riskier customer-related decisions[18]. It has been acknowledged by the UN Working Group on discrimination against women and girls that these intersecting criminalisation frameworks cause severe harm to women[19].

Access to healthcare and harm reduction:

10. Women face gendered barriers to accessing drug treatment services and harm reduction. Women who are injecting drugs and sex working may be particularly under-served[20].

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[13] Article 7. United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)
[14] Ministry of Justice, Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales, 2016, https://assets.publishing.service.gov.uk/media/5a75928440f0b6360e475224/bame-disproportionality-in-the-cjs.pdf
[15] Street Offences Act 1959. (1959) c. 62. Available at: https://www.legislation.gov.uk/ukpga/Eliz2/7-8/62 (Accessed: 25 March 2026).
[16] Walker, J.G., Elmes, J., Grenfell, P., Eastham, J., Hill, K., Stuart, R., Boily, M.-C., Platt, L. & Vickerman, P. (2024) 'The impact of policing and homelessness on violence experienced by women who sell sex in London: a modelling study', Scientific Reports, 14, article 8191. doi: 10.1038/s41598-023-44663-w.
[17] Walker, J.G., Elmes, J., Grenfell, P., Eastham, J., Hill, K., Stuart, R., Boily, M.-C., Platt, L. & Vickerman, P. (2024) 'The impact of policing and homelessness on violence experienced by women who sell sex in London: a modelling study', Scientific Reports, 14, article 8191. doi: 10.1038/s41598-023-44663-w.
[18] Jeal, N., Salisbury, C. & Turner, K., 2008. *The multiplicity and interdependency of factors influencing the health of street-based sex workers: a qualitative study*. Sexually Transmitted Infections, 84(5), pp.381–385. doi:10.1136/sti.2008.030841.
[19] United Nations Human Rights Office of the High Commissioner (OHCHR) (2023) *Guidance document of the Working Group on discrimination against women and girls: Eliminating discrimination against sex workers and securing their human rights*, A/HRC/WG.11/39/1, published 07 December 2023. Available at: https://www.ohchr.org/en/documents/tools-and-resources/guidance-document-working-group-discrimination-against-women-and (Accessed: 31 March 2026). See paragraph 12
[20] Emanuel, E., Slater, L., Croxford, S., Edmundson, C., Ibitoye, A., Njoroge, J., Ijaz, S., Hope, V., Platt, L., Phipps, E. & Desai, M. (2023) 'Adverse health outcomes among people who inject drugs who engaged in recent sex work: findings from a national survey', Public Health, 225, pp. 79–86. doi:10.1016/j.puhe.2023.09.024.

11. The U.K. has locally commissioned drug & alcohol treatment services, which offer Opioid Agonist Therapy, psychosocial support, group sessions, and access to needles and syringes. These services struggle to engage women who are using drugs or who are homeless, yet remain the predominant, and in many regions the sole, offer for women and girls in the U.K.[21]

12. The U.K.'s Local Authorities operate competitive procurement processes for drug & alcohol services, contracting national charities for a fixed term to provide the local service. It was observed by the expert body, the Advisory Council on the Misuse of Drugs, that this tendering process creates a churn of services, resulting in "*loss of key staff; breakdown of links to mental health services; problems in new partnership working"*[22]. This has gendered consequences for women who require particular expertise and partnership working around issues such as domestic violence, pregnancy, homelessness, and sex work; or who may feel less trusting of treatment services, and value long-standing relationships with trusted staff.

13. There are further reasons why women may not engage with these services, including lack of anonymity on access, failure of services to meet the needs of primary caregivers, and risks attached to treatment access, including of child removal (discussed separately below). In addition, group therapy is often a condition of treatment, where mixed gender settings do not provide a safe environment for women. Particularly troubling is the impact of the recent Supreme Court decision[23] on the exclusion of trans women from single-gender spaces, forcing them to only access mixed gender services despite being at higher risk of experiencing violence.

14. The use of Multi-Agency Risk Assessment Conferences (MARAC), an intervention for victims of domestic abuse, has also been observed by Release as common practice in the drug treatment sector. MARAC allows for extensive information-sharing between health, social services and the police, without the consent of the individual about whom it is conducted. Anecdotally, Release has been made aware of the targeting of women sex working via the use of MARAC meetings, and the consequential discrimination caused to women accessing drug treatment who, based on domestic abuse or sex work, see their rights to privacy violated[24].

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[21] Millington A., Fixing a Gendered System, Camurus, 2024 Available at: https://addictionprofessionals.org.uk/media/5jpprm1b/camurus-fixing-a-gendered-system-part-2-updated-280524.pdf

[22] UK Government (2015) *Final commissioning report (Version 5.15, 6th September)*. Available at: https://assets.publishing.service.gov.uk/media/5a82d5f5ed915d74e3403d00/Final_Commissioning_report_5.15_6th_Sept.pdf (Accessed: 26 March 2026).

[23] For Women Scotland Ltd v The Scottish Ministers [2025] UKSC 16, UK Supreme Court, 16 April 2025. Available at: https://supremecourt.uk/cases/uksc-2024-0042 (Accessed: 31 March 2026).

[24] United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)

15. Due to inflexibility of treatment regimens, women face barriers accessing services, undermining their rights to health and non-discrimination[25]. OAT regimens are typically not conducive with responsibilities of primary caregivers, due to daily supervised pick-up of medication, and limited to no adjustments at services to support women with childcare responsibilities (most treatment services do not permit entry to under-18s, nor do they provide child care facilities, including at sites where there is no controlled medication dispensing).

16. In view of the barriers accessing the dominant treatment model, a more diverse range of service may better meet the needs of women and girls. However, the drug policy framework in the U.K. creates a disenabling legal environment for alternative harm reduction initiatives or interventions. This has gendered consequences on rights to health[26], and to the highest attainable standard of physical and mental health[27].

17. The U.K. operates a strict licensing system for establishing drug-checking services and has reiterated its opposition to DCRs[28]. The opening of a DCR in Glasgow, Scotland[29], is welcomed; however, the prosecutorial guidance regarding those operating and accessing a DCR[30] is not sufficiently clear to provide certainty for women wishing to access[31]. DCRs can offer unique benefits to women who are homeless by providing safer spaces to inject and be at ease, given experiences of street-based violence[32].

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[25] See Articles 25 and 2 respectively: United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)

[26] United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)

[27] Article 12. United Nations (1966) International Covenant on Economic, Social and Cultural Rights. Available at: https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights (Accessed: 31 March 2026)

[28] UK Parliament (2023) Written question HL770: Drugs: Misuse, 30 November 2023. Available at: https://questions-statements.parliament.uk/written-questions/detail/2023-11-30/hl770 (Accessed: 31 March 2026).

[29] Glasgow City Council (2025) *Glasgow opens UK's first safer drug consumption facility*, 14 January 2025. Available at: https://www.glasgow.gov.uk/article/11760/Glasgow-opens-UK-s-first-safer-drug-consumption-facility (Accessed: 31 March 2026).

[30] Crown Office and Procurator Fiscal Service (2025) Lord Advocate's Guidelines in relation to the reporting of offences detected within the Glasgow Health and Social Care Supervised Drug Consumption Facility. Available at: https://www.copfs.gov.uk/publications/lord-advocate-s-guidelines-safer-drug-consumption-facility/html/ (Accessed: 31 March 2026)

[31] Scottish Affairs Committee (2025) Problem drug use in Scotland follow-up: Glasgow's Safer Drug Consumption Facility, Third Report of Session 2024–25, HC 630. Available at: https://committees.parliament.uk/publications/49512/documents/269209/default/ (Accessed: 31 March 2026). See conclusion at paragraph 67

[32] Fairbairn, N., Small, W., Shannon, K., Wood, E. and Kerr, T. (2008) 'Seeking refuge from violence in street-based drug scenes: Women's experiences in North America's first supervised injection facility', Social Science & Medicine, 67(5), pp. 817–823. Available at: https://www.sciencedirect.com/science/article/abs/pii/S0277953608002517 (Accessed: 31 March 2026)

18. The U.K. has not exempted crack pipes from section 9A of the Misuse of Drugs Act 1971[33], despite being a key harm reduction tool. This is detrimental to women who are using drugs and sex working, for whom crack cocaine can commonly be a drug of choice[34].

19. Similarly, despite improvements to the U.K.'s naloxone policy, naloxone remains a prescription-only medication and ring-fences those services that can lawfully supply it. As above, women face gendered barriers accessing these services, thus their access to naloxone is also impacted, as are their rights to health and the highest attainable standard of physical and mental health.

20. A key recommendation to governments must therefore be drug law reform to ensure an enabling legal environment for a wider array of services, particularly peer led.

Access to healthcare and harm reduction for women in prison:

21. From July to September 2025, 10% of immediate custodial sentences for women were for drug offences[35]. The drug law framework is a driver in prison overcrowding in the U.K., as it is globally.

22. Research by the HM Chief Inspector of Prisoners determined that 40% of women entering prison self-disclose a drug and/or alcohol dependence[36], not accounting for those who do not feel safe to disclose it. 19% of women report *developing* a drug dependency in prison[37]. Pregnancy is only a mitigating circumstance for women facing custodial sentences[38], even though Rule 64 of the Bangkok Rules makes it clear that,

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[33] Misuse of Drugs Act 1971. (1971) *c. 38*. Available at: https://www.legislation.gov.uk/ukpga/1971/38/section/5 (Accessed: 25 March 2026).
[34] See Emanuel, E., Slater, L., Croxford, S., Edmundson, C., Ibitoye, A., Njoroge, J., Ijaz, S., Hope, V., Platt, L., Phipps, E. & Desai, M. (2023) 'Adverse health outcomes among people who inject drugs who engaged in recent sex work: findings from a national survey', Public Health, 225, pp. 79–86. doi:10.1016/j.puhe.2023.09.024. See also: National Treatment Agency for Substance Misuse (2010) A long-term study of the outcomes of drug users leaving treatment. London: National Treatment Agency for Substance Misuse. Available at: https://www.drugsandalcohol.ie/13944/1/NTA_outcomes_of_drug_users_leaving_treatment.pdf (Accessed: 26 March 2026).
[35] Ministry of Justice (2026) Offender management statistics quarterly: July to September 2025. Available at: https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-july-to-september-2025/offender-management-statistics-quarterly-july-to-september-2025 (Accessed: 26 March 2026).
[36] HM Inspectorate of Prisons (2025) *Time to care: what helps women cope in prison?* London: HM Inspectorate of Prisons. Available at: https://cdn.websitebuilder.service.justice.gov.uk/uploads/sites/19/2025/02/Time-to-care-web-2025-3.pdf (Accessed: 26 March 2026).
[37] House of Commons Justice Committee (2025) *Tackling the drugs crisis in our prisons*. HC 557. London: The Stationery Office. Available at: https://publications.parliament.uk/pa/cm5901/cmselect/cmjust/557/report.html
[38] Sentencing Council (2025) *Imposition of community and custodial sentences guideline*. Available at: https://sentencingcouncil.org.uk/guidelines/imposition-of-community-and-custodial-sentences/ (Accessed: 26 March 2026).

wherever possible, pregnant women and mothers with infants should not be given custodial sentences, with the child's best interests coming first[39].

23. The U.K.'s drug policy in prisons is a highly concerning departure from evidence-based treatment and harm reduction. The U.K.'s most recent strategy for drugs and prison makes no reference to harm reduction[40]. Recent pilots include 'incentivised substance free living wings in prisons', where "*addicts will be supported to get clean from all drugs, including substitutes like methadone, through abstinence*"[41]. This policy approach goes against decades of evidence showing the efficacy of OAT and the UNGASS Outcome Document, which commits to promoting and strengthening access to medication-assisted treatment, including in prison and with special attention to the needs of women[42].

24. The Ministry of Justice made recent and welcome references to harm reduction advice for prisoners yet also notes that prison policy is to segregate or put into cellular confinement individuals who test positive on a Urine Drug Screen[43]. The U.K. does have community-based Needle & Syringe Programmes but does not provide an equivalent in prison; this is contrary to the UNGASS recommendation to ensure non-discriminatory access to health services and treatment programmes in prison, equal to that which is available in the community[44]. In the absence of these life-saving measures, women using drugs in prison do so in highly dangerous conditions.

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[39] United Nations Office on Drugs and Crime (UNODC). (2015). United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) [PDF]. United Nations. Available at: https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf (Accessed: 31 March 2026)

[40] HM Prison and Probation Service (2019) *Prison drugs strategy*. London: HM Prison and Probation Service. Available at: https://assets.publishing.service.gov.uk/media/5ca4844b40f0b625e7f496aa/prison-drugs-strategy.pdf (Accessed: 26 March 2026).

[41] Ministry of Justice, HM Prison and Probation Service & Raab, D. (2022) *Drive to get offenders drug-free and cut crime*. GOV.UK, 22 July. Available at: https://www.gov.uk/government/news/drive-to-get-offenders-drug-free-and-cut-crime (Accessed: 26 March 2026).

[42]United Nations General Assembly (2016) Outcome document of the 2016 United Nations General Assembly Special Session on the World Drug Problem: Our joint commitment to effectively addressing and countering the world drug problem. Section: Treatment of drug use disorders, rehabilitation, recovery and social reintegration; prevention, treatment and care of HIV/AIDS, viral hepatitis and other blood-borne infectious diseases. New York: United Nations. Available at: https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf (Accessed: 31 March 2026).

[43] Ministry of Justice (2024) *Tackling drug misuse in prisons: a qualitative study into the lived experience of drug testing and Incentivised Substance Free Living wings*. London: Ministry of Justice. Available at: https://assets.publishing.service.gov.uk/media/674ed5a87cbc7f3d295da90c/tackling-drug-misuse-prisons-report.pdf (Accessed: 26 March 2026).

[44] United Nations General Assembly (2016) Outcome document of the 2016 United Nations General Assembly Special Session on the World Drug Problem: Our joint commitment to effectively addressing and countering the world drug problem. Section: Operational recommendations on cross-cutting issues: drugs and human rights, youth, children, women and communities. New York: United Nations. Available at: https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf (Accessed: 31 March 2026).

25. Through Release's helpline, advocacy, and legal clinics, the withdrawal and reduction of OAT is commonplace, as is minimal continuity of care between prisons and local drug services.

Family and child removal:

26. Many women accessing Release's clinics, based in drug & alcohol treatment services, are facing public law proceedings for child removal, threatening their rights to privacy and family[45]. These women describe these processes are traumatic and unjust, and research has shown that many women in drug treatment attribute their drug use to trauma caused by social service interventions[46].

27. Proceedings can be triggered by access to drug treatment, particularly for women who are pregnant[47]. Release has also supported women whom, having sought state assistance for domestic abuse, have been required to undertake specimen drug testing and faced child removal proceedings, when their drug use has been weaponised against them by their ex-partner. There have been calls for an urgent review of the over-reliance on hair strand drug testing of women in the family courts and their use in the absence of other evidence[48].

[45] Article 12. United Nations (1948) Universal Declaration of Human Rights. Available at: https://www.un.org/en/about-us/universal-declaration-of-human-rights (Accessed: 31 March 2026)
[46] Page, S., McCormack, F., Oldfield, S., Whitehead, S. and Jeffery, H. (2025) *Raising a Public Health Concern: Women Overlooked in UK Drug Policy and Disadvantaged in Mixed-Gender Community Services*. International Journal of Environmental Research and Public Health, 22(10), Article 1584. doi: 10.3390/ijerph22101584. Available at: https://pmc.ncbi.nlm.nih.gov/articles/PMC12562850/ (Accessed: 26 March 2026).
[47] Radcliffe, P., Smith, E., Lewis, S., Honeybul, L., Gilmour, L., Maxwell, M., Neale, J., Featherstone, B., Utrilla, M.G., Aladangady, N. and Cheyne, H. (2026) *Navigating surveillance: The experience of prenatal women who use or who are in treatment for using drugs*. *British Journal of Social Work*, 56(1), pp. 86–105. doi: 10.1093/bjsw/bcaf161. Available at: https://academic.oup.com/bjsw/article/56/1/86/8220408?login=false (Accessed: 26 March 2026).
[48] Birth Companions (2025) Taking a Strand. Available at: https://www.birthcompanions.org.uk/initiatives/taking-a-strand (Accessed: 26 March 2026).