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Professor Les Iversen
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Dear Professor Iversen

NEW PSYCHOACTIVE SUBSTANCES

The Advisory Council will be aware of the Government's commitment last October to explore the feasibility of a UK wide ban on the distribution of new psychoactive substances. As you are know, this followed an expert panel review led by the Home Office. The review examined how the UK's legislative response could be enhanced to ensure that law enforcement agencies have the best available powers to tackle the reckless trade in these substances. As we have discussed in our annual meetings, the Misuse of Drugs Act 1971 alone does not provide a sustainable legal response to the threat to public health from new psychoactive substances.


Further to our manifesto commitment, it is the Government's intention to introduce a Bill as soon as possible, to be announced in the Queen's Speech, which will create a blanket ban on the production, distribution and supply of psychoactive substances in the UK.

This Bill will provide the much needed legislative framework for potentially harmful psychoactive substances not – or not yet – controlled under the Misuse of Drugs Act 1971. It is intended to complement, not replace, the 1971 Act. It will be cast in proportionate terms, with a focus on suppliers. I remain committed to a balanced approach to tackling this issue and we will also continue to strengthen our actions across prevention and education, treatment and information sharing.

The passage of the Bill through both Houses will provide an opportunity for engagement with ACMD members on its detail. I have greatly valued the scientific advice the Council has already given on new psychoactive substances. This has led to over 500 new psychoactive substances being controlled under the 1971 Act. There are a number of aspects of our proposed approach that would greatly benefit from the Council's input. This will ensure that we underpin the legislative framework with a sound scientific evidence base in advance of implementation – for example, in regard to the need to strengthen forensic capacity and capability. I would welcome the Council's views on how best we can

establish a comprehensive scientific approach for determining psychoactivity for evidential purposes. I would also welcome the Council's views on how the department will look to monitor the impact of new legislation. I hope that this will build on our collaborative work under the Forensic Early Warning System.

I would be grateful if Council members would be willing to meet with my officials from policy, legal, social science and the Centre for Applied Science and Technology (CAST) in June. At that meeting, my officials can explain the provisions of the Bill and discuss future engagement with your members. In the meantime, we will keep the Secretariat informed of any planned announcements on this matter so that they can be passed on to the membership.

Yours sincerely

RT HON THERESA MAY MP