



Professor Les Iversen  
Chair  
Advisory Council on the Misuse of Drugs  
2 Marsham Street  
London SW1P 4DF

20 December 2016

Dear Les,

Thank you for your letter of 2 December recommending the control via Temporary Class Drug Order (TCDO) of the opioid U-47,700, the benzodiazepine etizolam and a number of other designer benzodiazepines. I too am very concerned about the harms of these substances and agree that further action is required. I am grateful to you for bringing this matter to my attention and for meeting me to discuss your recommendations.

I am writing to accept your advice that the harms associated with the opioid U-47,700, the benzodiazepine etizolam and a number of other designer benzodiazepines require control under the Misuse of Drugs Act 1971. However, I am deeply concerned about the well established harms of these substances and believe they should be controlled permanently under the Misuse of Drugs Act 1971, rather than placed under a TCDO. I request that you provide further advice on the appropriate classification of these substances under the Misuse of Drugs Act 1971 at the earliest opportunity.

Etizolam and the other designer benzodiazepines have well established harms. In addition to the comprehensive data provided on harms in your report, recent information from a Drugs Early Warning System request showed that treatment services have reported users becoming dependent on diclazepam and suffering memory loss and exhibiting erratic behaviour from other designer benzodiazepines. There has also been a number of seizures of several of the listed benzodiazepines by the National Crime Agency.

Due to its significant harms, it has recently been confirmed that the World Health Organisation's Expert Committee on Drug Dependence has recommended that U-47,700 be controlled under Schedule I of the Single Convention on Narcotic Drugs 1961. This, combined with the death that has been recorded in the UK this year related to U-47,700, leads me to the conclusion that there is significant evidence also available on this substance.

I am particularly concerned about the effect that moving the substances from the Psychoactive Substances Act 2016 to control under a TCDO might have on NPS use in prisons. Whilst a TCDO brings in the stricter offences of the Misuse of Drugs Act 1971 to control production and supply, it removes the possession offence in custodial settings. As you are aware, the use of psychoactive substances in prison is particularly destructive and has been linked to specific acts of violence and erratic behaviour.

Until the drugs are assessed for permanent control under the Misuse of Drugs Act 1971, the production and distribution of these substances continues to be covered by the Psychoactive Substances Act 2016. We have proactively tested around 90% of substances encountered by Police Scotland and other enforcement agencies under the Act. This includes U-47,700 and etizolam and designer benzodiazepines that have been encountered in case-work. My officials will ensure that enforcement agencies are aware of the advice you have provided to encourage a focus on these harmful compounds.

I agree that it is absolutely necessary to raise awareness of the harms of U-47700, etizolam and the other benzodiazepines you have brought to my attention. I have asked my officials to expand the use of their information networks to disseminate information quickly on these compounds. This will involve disseminating key information promptly to frontline workers so they in turn can share it with their colleagues, something of crucial importance over the Christmas period. I want to ensure that whatever the legislative response, all agencies with an interest in the prevention of drug-related harm will be fully informed of the dangers.

I thank you for your advice and look forward to receiving further advice on permanently controlling these substances.

Yours sincerely,



**Sarah Newton MP**