

Drug Offences

Trafficking in Controlled Drugs

Possession of Drugs

Trafficking in Controlled Drugs

92A **Trafficking in Controlled Drugs**

92A Trafficking in Controlled Drugs Classification (1 of 4)

77/50 (S)	Manufacturing a scheduled substance. <i>Criminal Justice (International Co-operation) Act 1990 Sec 12.</i>	92/2, 6-8 (S)	Unlawful exportation of a drug controlled under the Misuse of Drugs Act 1971. <i>Customs and Excise Management Act 1979 Secs 68(pt), 170(pt).</i>
77/51 (S)	Supplying a scheduled substance to another person. <i>Criminal Justice (International Co-operation) Act 1990 Sec 12.</i>	92/10-15, 19,20-23	Production or being concerned in production of a controlled drug
77/52 (S)	Failure to comply with regulations made by the Secretary of State as regards documentation, record keeping, labeling etc. <i>Criminal Justice (International Co-operation) Act 1990 Sec 13.</i>	25,27-29, 93/55, 57-60, 62 (S)	(see table below for detail of individual offence classification). <i>Misuse of Drugs Act 1971 Sec 4 (2).</i>
77/53-55, 59, 65 (S)	Possession on a ship of a controlled drug intended for trafficking: 77/53 - class A drug 77/54 - class B drug 77/55 - class C drug 77/59 - class unspecified 77/65 – subject to temporary drug order <i>Criminal Justice (International Co-operation) Act 1990 Sec 19.</i>	92/30-35, 39-43, 45,47-49, 93/61, 63-66,68 (S)	Supplying or offering to supply a controlled drug (see table below for detail of individual offence classifications). <i>Misuse of Drugs Act 1971 Sec 4(3).</i>
77/56-58, 60, 66 (S)	Carrying or concealing on a ship a controlled drug intended for trafficking: 77/56 – class A drug 77/57 - class B drug 77/58 - class C drug 77/60 - class unspecified 77/66 - khat <i>Criminal Justice (International Co-operation) Act 1990 Sec 19.</i>	92/37 (S)	Import a drug subject of a temporary class order with intent to evade a prohibition/restriction. <i>Customs and Excise Act 1979 Sec 170 (1) (b) & (3) & (4) Sch 1 para 1 as added by Police Reform and Social Responsibility Act 2011 Sch 17 para 21.</i>
77/61 (S)	Operator failing to comply with requirements imposed by Article 3 of Community Regulation (EC) No 273/2004. <i>Controlled Drugs (Drug Precursors) (Intra-Community Trade) Regulations 2008 Reg 7.</i>	92/38 (S)	Export a drug subject of a temporary class order with intent to evade a prohibition/restriction. <i>Customs and Excise Act 1979 Sec 170 (1) (b) & (3) & (4) Sch 1 para 1 as added by Police Reform and Social Responsibility Act 2011 Sch 17 para 21.</i>
77/62 (S)	Operator who fails to comply with requirements imposed by regulation 6 - EXPORTS <i>Controlled Drugs (Drug Precursors) Community External Trade) Regulations 2008 Reg 6(5).</i>	92/70-75, 79-83, 85,87-89, 93/73, 75-78 80 (S)	Possession of a controlled drug with intent to supply (see table below for detail of individual offence classifications). <i>Misuse of Drugs Act 1971 Sec 5(3).</i>
77/63 (S)	Operator who fails to comply with requirements imposed by regulation 7- IMPORTS. <i>Controlled Drugs (Drug Precursors) Community External Trade) Regulations 2008 Reg 6(5).</i>	92/90, 91-93 (S)	Incite another to supply a class A , B or C or unspecified controlled drug. <i>Misuse of Drugs Act 1971 Sec 19.</i>
77/64 (S)	Operator who fails to comply with requirements imposed by Article 6 or 7 of Council Regulation (EC) No 111/2005 - licensing and registration of operators. <i>Controlled Drugs (Drug Precursors) Community External Trade) Regulations 2008 Reg 8</i>	Temporary Class Drug Order	
92/1, 3-5 17 (S)	Unlawful importation of a drug controlled under the Misuse of Drugs Act 1971: 92/1 - unknown class of drug 92/3 - class A drug 92/4 - class B drug 92/5 - class C drug 92/17 - khat <i>Customs and Excise Management Act 1979 Secs 50(pt), 170(pt).</i>	93/85 (S)	Produce or being concerned in the production of a drug subject of a temporary class drug order. <i>Misuse of Drugs Act 1971 Sec 2 (A) & 25 (2B) as added by Police Reform and Social Responsibility Act 2011 Sch 17.</i>
92/16 (S)	Concerned in the fraudulent evasion of a prohibition on the importation of a controlled drug – khat <i>Customs and Excise Management Act 1979 Sec 170 (2) (3), (4) and sch 1.</i>	93/86 (S)	Supply or being concerned in the supply of a drug subject of a temporary class drug order. <i>Misuse of Drugs Act 1971 Sec 2 (A) & 25 (2B) as added by Police Reform and Social Responsibility Act 2011 Sch 17.</i>
		93/88 (S)	Possess with intent to supply a drug subject of a temporary class drug order. <i>Misuse of Drugs Act 1971 Sec 2 (A) 5 (3) & 25 (2B) as added by Police Reform and Social Responsibility Act 2011 Sch 17.</i>
		93/89 (S)	Obstructing a PC in exercise of a Sec 23A (6) power to detain or search a person, vehicle or vessel regarding a drug the subject of a temporary class drug order. <i>Misuse of Drugs Act 1971 Sec 23 A (6) & 25 (3A) as added by Police Reform and Social Responsibility Act 2011.</i>

92A Trafficking in Controlled Drugs Classification (2 of 4)

Table of Offence Classifications

Class	Drug	Production	Supply	Possession	Possession with intent to supply	Permitting premises to be used ***	Possession on a ship	Carrying on a ship	Unlawful Import Export	
A	Main Code	92A	92A	92D 92E	92A	92C	92A	92A	92A	92A
	Cocaine	92/10 (S)	92/30 (S)	92/50 (S)	92/70 (S)	93/10 (S)	77/53 (S)	77/56 (S)	92/3 (S)	92/6 (S)
	Heroin	92/11 (S)	92/31 (S)	92/51 (S)	92/71 (S)	93/11(S)				
	LSD	92/12 (S)	92/32 (S)	92/52 (S)	92/72 (S)	93/12 (S)				
	MDMA	92/13 (S)	92/33 (S)	92/53 (S)	92/73 (S)	93/13 (S)				
	Crack	92/14 (S)	92/34 (S)	92/54 (S)	92/74 (S)	93/14 (S)				
	Methadone	92/15 (S)	92/35 (S)	92/55 (S)	92/75 (S)	93/15 (S)				
	Other	92/19 (S)	92/39 (S)	92/59 (S)	92/79 (S)	93/19 (S)				
	Crystal Meths	93/55 (S)	93/61 (S)	93/67 (S)	93/73 (S)	93/79 (S)				
B	Amphet-amine	92/20 (S)	92/40 (S)	92/60 (S)	92/80 (S)	93/20 (S)				
	Other	92/25 (S)	92/45 (S)	92/65 (S)	92/85 (S)	93/25 (S)				
	Cannabis*	92/21 (S)	92/41 (S)	92/61 (S)	92/81 (S)	93/21 (S)				
	Synthetic cannabinoid receptor agonists	92/22 (S)	92/42 (S)	92/62 (S)	92/82 (S)	93/22 (S)				
	Ketamine	93/60 (S)	93/66 (S)	93/72 (S)	93/78 (S)	93/84 (S)				
	Mephedrone including cathinone derivatives**	92/23 (S)	92/43 (S)	92/63 (S)	92/83 (S)	93/23 (S)				
C	Anabolic Steroids	92/27 (S)	92/47 (S)	92/67** (S)	92/87 (S)	93/27 (S)	77/55 (S)	77/58 (S)	92/5 (S)	92/8 (S)
	GHB	93/59 (S)	93/65 (S)	93/71 (S)	93/77 (S)	93/83 (S)				
	Gamma-butyrolactone and 1,4-butanediol	93/58 (S)	93/63 (S)	93/69 (S)	93/75 (S)	93/81(S)				
	Piperazines (including BZP)	93/57 (S)	93/64 (S)	93/70 (S)	93/76 (S)	93/82 (S)				
	Other	92/28 (S)	92/48 (S)	92/68 (S)	92/88 (S)	93/28 (S)				
	Khat	93/62 (S)	93/68 (S)	93/74 (S)	93/80 (S)	93/90 (S)	77/66 (S)		92/17	92/18
Unspecified		92/29 (S)	92/49 (S)	92/69 (S)	92/89 (S)	93/29 (S)	77/59 (S)	77/60 (S)	92/1 (S)	92/2 (S)

* As a result of the reclassification of cannabis (including cannabis resin, cannabinol and cannabinol derivatives) to a Class B drug on 26 January 2009, the codes for recording cannabis offences have reverted back to the codes used when cannabis was previously a Class B drug (Misuse of Drugs Act 1971 (Amendment) Order 2008). ** It is only legal to possess, or import/export anabolic steroids if they are intended for self administration and are in the form of a medicinal product. *** For permitting premises to be used read in conjunction with the legal definition under 92C other drug offences classification (1 of 1). **** Includes naphyrone.

92A Trafficking in Controlled Drugs Classification (3 of 4)

CLASSIFICATION - MONEY LAUNDERING

Money laundering that relates to drug trafficking should be coded under class 38 codes 38/1-8. There is no longer specific codes for money laundering that is linked to drug trafficking.

CLASSIFICATION - LEGAL: CONTROLLED DRUGS

MISUSE OF DRUGS ACT 1971 SCH 2

Controlled drugs are as listed in Schedule 2. Class A drugs are those listed in part I, class B in part II, and class C in part III.

CLASSIFICATION - LEGAL: SCHEDULED SUBSTANCES

CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 SCH 2

Scheduled substances are listed in Schedule 2 of this Act as substances useful for manufacturing controlled drugs.

DEFINITION - LEGAL: DRUG TRAFFICKING

DRUG TRAFFICKING ACT 1994 SEC 1

Section 1 of this Act defines drug trafficking offences by listing all the offences that are included in HO class 92A.

DEFINITION - LEGAL: MANUFACTURE OR SUPPLY OF A SCHEDULED SUBSTANCE

CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 SEC 12(1)

"It is an offence for a person to manufacture a scheduled substance, or to supply such a substance to another person, knowing or suspecting that the substance is to be used in or for the unlawful production of a controlled drug."

92A Trafficking in Controlled Drugs Classification (4 of 4)

DEFINITION - LEGAL: SHIPS USED FOR ILLICIT TRAFFIC

CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 SEC 19

"(1) This Section applies to a British ship, a ship registered in a State ... party to the Vienna Convention and Ships not registered in any country or territory."

92A Trafficking in Controlled Drugs Counting Rules (1 of 2)

GENERAL RULE: ONE CRIME FOR EACH OFFENDER OR GROUP OF OFFENDERS.

EXAMPLE 1: Three men caught manufacturing a controlled drug together.

One crime (class 92A).

EXAMPLE 2: One person detained in possession of various class A, B and C controlled drugs with intent to supply.

One crime (class 92A).

EXAMPLE 3: A police operation results in the apprehension of three separate groups of drug pushers.

Three crimes (class 92A).

EXAMPLE 4: A person is reported by a neighbour to possess various controlled drugs and for producing cannabis plants, all for personal use and police enquiries confirm this.

One crime of production of cannabis (class 92A).

EXAMPLE 5: An offender is caught producing cannabis in a hydroponics system. In addition he has used illegally abstracted electricity to supply the hydroponics system.

One crime of production of cannabis (class 92A) and one crime of dishonest use of electricity (class 43).

EXAMPLE 6: Police execute a search warrant on a house that turns out to be unoccupied. It is evident that cannabis production is being carried out on the premises. Enquiries to establish the occupiers of the premises have confirmed false details have been used to gain the tenancy of the house hence there are no identified suspects.

One crime of production of cannabis plant (class 92A).

EXAMPLE 7: During a covert police operation, an offender supplies drugs to an undercover police officer on three separate occasions.

Three crimes of trafficking (class 92A). The general principle is one crime per offender or group of offenders per incident of supply.

EXAMPLE 8: A gang are caught trafficking drugs and are found to have committed money laundering offences linked to drug trafficking.

One crime of trafficking (class 92A) and one crime of money laundering (class 38).

92A Trafficking in Controlled Drugs Counting Rules (2 of 2)

APPLICATION OF THE RULE

As drug trafficking is a victimless crime, it should be counted in addition to crimes with a victim.

Example 1: A person supplies drugs to a user and commits ABH on him for not paying.

One crime of assault with injury (class 8N – dependent on injuries), one crime of trafficking (class 92A) and one crime of possession (class 92D or 92E) by the user. (The possession is assumed, and is counted additionally).

Finished Incident: see also General Rules Section E. Further reports or discoveries of previous drug activities by the same offender or group of offenders should not be recorded separately, as they are likely to be discovered in the initial investigation (i.e. before the decision to record is made). Further crimes, which come to the notice of the police (e.g. physically witnessed in surveillance operations), should be counted.

Example 1: Offender detained on the street in possession of controlled drug and admits it is for personal use. A search of his home address reveals further quantities of controlled drugs in his possession with the intent to supply.

One crime of trafficking (class 92A).

Example 2: An offender caught supplying a controlled drug. A search of his home yields facilities for producing the controlled drug.

One crime of trafficking (class 92A).

Example 3: During a police operation an offender is supplying drugs on three separate occasions.

Three crimes of trafficking (class 92A).

Possession of Drugs

92C **Other Drug Offences**

92D **Possession of Controlled Drugs
(excluding Cannabis)**

92E **Possession of Controlled Drugs (Cannabis)**

92C Other Drug Offences Classification (1 of 2)

93/10-15, 19-23, 25,27-29 79, 81-84 90 (S)	Permitting premises to be used for unlawful purposes (see class 92A classification page for offence detail). <i>Misuse of Drugs Act 1971 Sec 8.</i>	93/44 (S)	Possess a psychoactive substance with intent to supply. <i>Psychoactive Substances Act 2016 Sec 7.</i> <i>CJS Code: PS16004</i> Commencement date: 26 May 2016
93/30 (S)	Obstructing powers of search etc. or concealing drugs etc. <i>Misuse of Drugs Act 1971 Sec 23(4).</i>	93/45 (S)	Import a psychoactive substance. <i>Psychoactive Substances Act 2016 Sec 8 (1).</i> CJS Code: PS16005 Commencement date: 26 May 2016
93/40 (S)	(i) Offences relating to opium. <i>Misuse of Drugs Act 1971 Sec 9.</i>	93/46 (S)	Export a psychoactive substance. <i>Psychoactive Substances Act 2016 Sec 8 (2).</i> CJS Code: PS 16006 Commencement date: 26 May 2016
93/40 (S)	(iii) Contravention of directions relating to safe custody of controlled drugs. <i>Misuse of Drugs Act 1971 Sec 11(2).</i>	93/47 (S)	Possess a psychoactive substance in a custodial institution. <i>Psychoactive Substances Act 2016 Sec 9 (1).</i> <i>CJS Code: PS 16007</i> Commencement date: 26 May 2016
93/40 (S)	(vi) Doctors or pharmacists providing false information about the prescriptions, supply etc. of drugs. <i>Misuse of Drugs Act 1971 Sec 17(4).</i>	93/48 (S)	Fail to comply with a prohibition / premises order re psychoactive substances. <i>Psychoactive Substances Act 2016 Sec 26 (1).</i> <i>CJS Code: PS 16008</i> Commencement date: 26 May 2016
93/40 (S)	(vii) Offences against Misuse of Drugs Regulations etc. <i>Misuse of Drugs Act 1971 Sec 18.</i>	93/87 (S)	Permit the use of premises for the supply or production of a drug subject of a temporary class drug order. <i>Misuse of Drugs Act 1971 Sec 2 (A)8 (b) & 25 (2B) as added by Police Reform and Social Responsibility Act 2011 Sch 17.</i>
93/40 (S)	Contravention of directions prohibiting prescribing, possessing, supply etc. of controlled drugs by practitioners or pharmacists: (iv) Class A, B drugs (v) Class C drugs <i>Misuse of Drugs Act 1971 Sec 12(6), 13(3).</i>	193/11 (S)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs. <i>Misuse of Drugs Act 1971 Sec 17(3)</i>
93/41 (S)	Produce a psychoactive substance. <i>Psychoactive Substances Act 2016 Sec 4 (1).</i> CJS Code: PS16001 Commencement date: 26 May 2016	193/46 (S)	Supply etc. of articles for administering or preparing controlled drugs. <i>Misuse of Drugs Act 1971 Sec 9A.</i>
93/42 (S)	Supply a psychoactive substance. <i>Psychoactive Substances Act 2016 Sec 5 (1).</i> CJS Code:PS16002 Commencement date: 26 May 2016		
93/43 (S)	Offer to supply a psychoactive substance. <i>Psychoactive Substances Act 2016 Sec 5 (2).</i> CJS Code:PS16003 Commencement date: 26 May 2016		

92C Other Drug Offences Classification (2 of 2)

DEFINITION - LEGAL: OCCUPIERS OF PREMISES TO BE PUNISHABLE FOR PERMITTING CERTAIN ACTIVITIES TO TAKE PLACE THERE

MISUSE OF DRUGS ACT 1971 SEC 8

"A person commits an offence if, being the occupier or concerned in the management of any premises, he knowingly permits or suffers any of the following activities to take place on those premises, that is to say –

- (a) producing or attempting to produce a controlled drug ...;
- (b) supplying or attempting to supply a controlled drug to another ... or offering to supply a controlled drug to another ...;
- (c) preparing opium for smoking;
- (d) smoking cannabis, cannabis resin, or prepared opium."

DEFINITION - LEGAL: OFFENCE OF SUPPLY OF INTOXICATING SUBSTANCE

INTOXICATING SUBSTANCES (SUPPLY) ACT 1985 SEC 1

"It is an offence for a person to supply a substance other than a controlled drug -

- (a) to a person under the age of 18 whom he knows or has reasonable cause to believe, to be under that age; or
- (b) to a person -
 - (i) who is acting on behalf of a person under that age; and
 - (ii) whom he knows, or has reasonable cause to believe, to be so acting,

if he knows or has reasonable cause to believe that the substance is, or its fumes are, likely to be inhaled by the person under the age of 18 for the purpose of causing intoxication ...".

92C Other Drug Offences Counting Rules (1 of 1)

GENERAL RULE: ONE CRIME FOR EACH OFFENDER OR GROUP OF OFFENDERS.

APPLICATION OF THE RULE

Example 1: A property owner is found to have permitted five of his premises to have been used for drug trafficking.

One crime (class 92C).

Example 2: A shopkeeper admits having sold pots of glue to three boys under 18 knowing that they would be used by them for glue-sniffing. No previous allegation had been made.

One crime (class 92C).

Example 3: A person is reported to have supplied materials to a group specifically for the preparation of controlled drugs.

One crime (class 92C).

Finished Incident: see also General Rules Section E.

Example 1: A shopkeeper is caught selling solvent to two boys who he knows to be under 18 years of age, knowing that it is to be used for intoxication. He admits to having sold it to these same and other boys on numerous other occasions.

One crime (class 92C).

Principal Crime: see also General Rules Section F and Annex C. All class 92C crimes, except the summary ones, take precedence over possession (class 92D and 92E).

Example 1: A landlord of a rented flat admits permitting his tenants to use the flat for drug trafficking as they are supplying him as well. The trafficking offences have already been recorded.

One crime (class 92C). (Permitting premises to be used).

92D Possession of Controlled Drugs (excluding Cannabis) Classification (1 of 2)

**PLEASE NOTE: OFFENCES OF POSSESSION OF CANNABIS SHOULD BE RECORDED
UNDER CLASSIFICATION 92E.**

92/50-55 Having possession of a controlled drug
59-60,62,63 (see table below for detail of individual offence
65,67*-69 classifications).
93/67, *Misuse of Drugs Act 1971 Sec 5(2).*
69-72,74
(S)

92D Possession of Controlled Drugs (excluding Cannabis) Classification (2 of 2)

Table of Offence Classifications

Class	Drug	Production	Supply	Possession	Possession with intent to supply	Permitting premises to be used ***	Possession on a ship	Carrying on a ship	Unlawful Import Export	
A	Main Code	92A	92A	92D 92E	92A	92C	92A	92A	92A	92A
	Cocaine	92/10 (S)	92/30 (S)	92/50 (S)	92/70 (S)	93/10 (S)	77/53 (S)	77/56 (S)	92/3 (S)	92/6 (S)
	Heroin	92/11 (S)	92/31 (S)	92/51 (S)	92/71 (S)	93/11(S)				
	LSD	92/12 (S)	92/32 (S)	92/52 (S)	92/72 (S)	93/12 (S)				
	MDMA	92/13 (S)	92/33 (S)	92/53 (S)	92/73 (S)	93/13 (S)				
	Crack	92/14 (S)	92/34 (S)	92/54 (S)	92/74 (S)	93/14 (S)				
	Methadone	92/15 (S)	92/35 (S)	92/55 (S)	92/75 (S)	93/15 (S)				
	Other	92/19 (S)	92/39 (S)	92/59 (S)	92/79 (S)	93/19 (S)				
Crystal Meths	93/55 (S)	93/61 (S)	93/67 (S)	93/73 (S)	93/79 (S)					
B	Amphetamine	92/20 (S)	92/40 (S)	92/60 (S)	92/80 (S)	93/20 (S)	77/54 (S)	77/57 (S)	92/4 (S)	92/7 (S)
	Other	92/25 (S)	92/45 (S)	92/65 (S)	92/85 (S)	93/25 (S)				
	Cannabis*	92/21 (S)	92/41 (S)	92/61 (S)	92/81 (S)	93/21 (S)				
	Synthetic cannabinoid receptor agonists	92/22 (S)	92/42 (S)	92/62 (S)	92/82 (S)	93/22 (S)				
	Ketamine	93/60 (S)	93/66 (S)	93/72 (S)	93/78 (S)	93/84 (S)				
	Mephedrone including cathinone derivatives ****	92/23 (S)	92/43 (S)	92/63 (S)	92/83 (S)	93/23 (S)				
C	Anabolic Steroids	92/27 (S)	92/47 (S)	92/67** (S)	92/87 (S)	93/27 (S)	77/55 (S)	77/58 (S)	92/5 (S)	92/8 (S)
	GHB	93/59 (S)	93/65 (S)	93/71 (S)	93/77 (S)	93/83 (S)				
	Gamma-butyrolactone and 1,4-butanediol	93/58 (S)	93/63 (S)	93/69 (S)	93/75 (S)	93/81(S)				
	Piperazines (including BZP)	93/57 (S)	93/64 (S)	93/70 (S)	93/76 (S)	93/82 (S)				
	Other	92/28 (S)	92/48 (S)	92/68 (S)	92/88 (S)	93/28 (S)				
	Khat	93/62 (S)	93/68 (S)	93/74 (S)	93/80 (S)	93/90 (S)	77/66 (S)		92/17	92/18
Unspecified		92/29 (S)	92/49 (S)	92/69 (S)	92/89 (S)	93/29 (S)	77/59 (S)	77/60 (S)	92/1 (S)	92/2 (S)

* As a result of the reclassification of cannabis (including cannabis resin, cannabiol and cannabiol derivatives) to a Class B drug on 26 January 2009, the codes for recording cannabis offences have reverted back to the codes used when cannabis was previously a Class B drug (Misuse of Drugs Act 1971 (Amendment) Order 2008).** It is only legal to possess, or import/export anabolic steroids if they are intended for self administration and are in the form of a medicinal product. *** For permitting premises to be used read in conjunction with the legal definition under 92C other drug offences classification (1 of 1). **** Includes naphyrone.

92D Possession of Controlled Drugs (excluding Cannabis) Counting Rules (1 of 2)

GENERAL RULE: ONE CRIME FOR EACH OFFENDER.

EXAMPLE 1: A group of four youths picked up by the police, and each found to be in possession of a controlled drug (not cannabis).

Four crimes (class 92D).

EXAMPLE 2: A person is searched by the police and found to be in possession of various class A, B and C drugs (including cannabis). There is no evidence of intent to supply.

One crime of possession (class 92D). (Do not count an additional offence of possession of cannabis).

EXAMPLE 3: A quantity of drugs are found in the street and handed in to the police. There are no indications as to where they came from or how they got there.

Register an incident in accordance with NSIR but do not record a crime.

EXAMPLE 4: A quantity of drugs are seen to be thrown out of a passing vehicle into a hedge. A passer-by witnesses this and retrieves the drugs, handing them into the police. The details of the vehicle are unknown. The quantity of the drugs are found to be cocaine and in sufficient quantity to suggest that if found on a person then an offences of possession with intent to supply would be made out.

Register an incident in accordance with NSIR but do not record a crime.

EXAMPLE 5: Drugs are found in premises during a search. The drugs cannot be attributed to any of the occupants.

Register an incident in accordance with NSIR but do not record a crime.

EXAMPLE 6: Drugs are found in a vehicle during a search. The drugs cannot be attributed to any of the occupants.

Register an incident in accordance with NSIR but do not record a crime.

Finished Incident: see also General Rules Section E. If a person being apprehended for another crime, is found to be in possession of drugs, the drug offence should be counted additionally unless there is a close link with the other crime (thus becoming part of the same incident).

Example 1: A person is reported in possession of a class B drug (not cannabis), some time after being cautioned for the same crime.

One crime of possession (class 92D) in addition to the original one.

Example 2: A person admits buying controlled drugs (not cannabis) many times for his own personal use, but this is the first time the police have been aware of it.

One crime (class 92D).

92D Possession of Controlled Drugs (excluding Cannabis) Counting Rules (2 of 2)

Finished Incident: (Continued)

Example 3: A person is apprehended for a burglary, and is found to be in possession of cocaine.

- (i) The cocaine was for his own personal use, and unconnected with the burglary (except that the motive for the burglary was to feed his drug habit).

One crime of drug possession (class 92D) in addition to the burglary.

- (ii) The cocaine is established as being one of the items stolen in the burglary.

One crime of burglary only.

Example 4: A person is apprehended for assaulting someone in the street, and found to be in possession of a controlled drug (not cannabis).

Record two crimes. One of either assault with intent to cause serious harm (class 5D) or assault with injury (class 8N) depending on the level of injury and intent of the offender **and** one of possession (class 92D).

Example 5: In the course of a police drugs operation an officer calls on a dealer and purchases two bags of heroin. The dealer still has several bags of heroin left in his possession for supply.

One crime of trafficking (class 92A). Do not count the crime of possession.

Field Testing Drugs Possession Only

Where persons are arrested in possession of what police believe to be controlled drugs the drug type should be confirmed by either laboratory testing or by using one of the Home Office approved field testing methods.

However, in the event that the police decide that taking into account the full circumstances laboratory analysis or field testing is not justified then the crime to be recorded will be possession of the controlled drug based on the admission of the suspect.

Example 1: A person is arrested in possession of what police believe to be ecstasy; the offender admits that substance is ecstasy. The police decide that laboratory analysis to determine the precise nature of the drug is not justified.

One crime of possession of controlled drugs (class 92/53).

Example 2: A person is arrested in possession of what police believe to be cannabis and the offender admits it to be cannabis. The police decide that field testing or laboratory analysis to determine the exact nature of the drug is not justified.

One crime of possession of controlled drugs (class 92/61).

92E Possession of Controlled Drugs (Cannabis) Classification (1 of 1)

**PLEASE NOTE: OFFENCES OF POSSESSION OF CONTROLLED DRUGS OTHER THAN
CANNABIS SHOULD BE RECORDED UNDER CLASSIFICATION 92D**

92/61 Having possession of cannabis.
(S) *Misuse of Drugs Act 1971 Sec 5(2).*

92E Possession of Controlled Drugs (Cannabis) Counting Rules (1 of 1)

GENERAL RULE: ONE CRIME FOR EACH OFFENDER.

EXAMPLE 1: A group of four youths picked up by the police, and each found to be in possession of cannabis.

Four crimes of possession (class 92E).

Finished Incident: see also General Rules Section E. If a person being apprehended for another crime, is found to be in possession of drugs, the drug offence should be counted additionally unless there is a close link with the other crime (thus becoming part of the same incident).

Example 1: A person is reported in possession of cannabis some time after being cautioned for the same crime.

One crime of possession (class 92E) in addition to the original one.

Example 2: A person is caught in possession of cannabis. He then admits buying cannabis many times for his own personal use, but this is the first time the police have been aware of it.

One crime of possession (class 92E).

Example 3: A person is apprehended for a burglary, and is found to be in possession of cannabis.

(i) The cannabis was for his own personal use, and unconnected with the burglary (except that the motive for the burglary was to feed his drug habit).

One crime of possession (class 92E) in addition to the burglary.

(ii) The cannabis is established as being one of the items stolen in the burglary.

One crime of burglary only.

Example 4: A person is apprehended for assaulting someone in the street, and found to be in possession of cannabis. The victim sustained a black eye.

Two crimes. One of assault with injury (class 8N) and one of possession (class 92E).

Principal Crime:

Where persons are found in possession of various drugs of different classes then only record the most serious class of drug found.

Where persons are found in possession of more than one type of class B drug including cannabis, then the cannabis possession under class 92E will be the principal crime.

Example 1: A person is stopped and found to be in possession of cannabis and amphetamines.

One crime of possession (class 92E).

Example 2: A person is stopped and found to be in possession of cocaine and cannabis.

One crime of possession (class 92D).

Maximum Sentence - Drug Offences								
Life	19 years	15 years	14 years	7 years	5 years	2 years	6 months	Fine
77/53, 56, 59, 60	93/19	93/15	77/50-51	92/50-55, 59	77/55, 58	77/52	193/46	193/11
92/1-3, 6			77/54, 57, 65, 66	92/69	92/60-63,65	77/61-64		
92/10-15, 19			92/4-5, 7, 8	93/67		92/67-68		
92/29-35, 39			92/16-18, 20-23, 25, 27, 28, 37, 38	93/41-46		93/30, 69-72,74, 89		
92/49			92/40-43, 45, 47, 48			93/47-48		
92/70-75, 79			92/80-83, 85, 87, 88					
92/89, 90			92/91-92					
93/55, 61, 73			93/10-14					
92/93			93/20-23, 25, 27-29,					
			93/57-59, 60,62 63-66,68					
			93/75-79,80 81-88, 90					
93/40 - Depends on class of drug and Act, the maximum ranges from 2 to 14 years								