

ADVISORY COUNCIL ON THE MISUSE OF DRUGS
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BIENNIAL REPORT
FINANCIAL YEARS 2001/2003

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INTRODUCTION

The Advisory Council on the Misuse of Drugs (“the Advisory Council”) is a statutory and non-executive non-departmental public body, which was established under the Misuse of Drugs Act 1971(MDA 1971).

This is the third general report to provide an overview of the work of the Advisory Council to meet the requirement of the Commissioner for Public Appointments that such reports by non-departmental public bodies should be made publicly available.

It provides details of the Advisory Council’s background and rôle, its membership, administration arrangements and the main issues which Council considered between May 2001 - April 2003.

Any enquiries about this report or about any aspect of the work of the Council should be addressed to:

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for the attention of Stuart Harwood ( 020 7273 4096, fax 020 7273 2671).

BACKGROUND AND TERMS OF REFERENCE

The terms of reference of the Advisory Council are set out in Section 1 of the Misuse of Drugs Act 1971. They state that:

“ It shall be the duty of the Advisory Council to keep under review the situation in the United Kingdom with respect to drugs which are being or appear to them likely to be misused and of which the misuse is having or appears to them capable of having harmful effects sufficient to constitute a social problem, and to give to any one or more of the Ministers, where either Council consider it expedient to do so or they are consulted by the Minister or Ministers in question, advice on measures (whether or not involving alteration of the law) which in the opinion of the Council ought to be taken for preventing the misuse of such drugs or dealing with social problems connected with their misuse, and in particular on measures which in the opinion of the Council, ought to be taken:

- a) *for restricting the availability of such drugs or supervising the arrangements for their supply;*
- b) *for enabling persons affected by the misuse of such drugs to obtain proper advice, and for securing the provision of proper facilities and services for the treatment, rehabilitation and after-care of such persons;*
- c) *for promoting co-operation between the various professional and community services which in the opinion of the Council have a part to play in dealing with social problems connected with the misuse of drugs;*
- d) *for educating the public (and in particular the young) in the dangers of misusing such drugs and for giving publicity to those dangers; and*
- e) *for promoting research into, or otherwise obtaining information about, any matter which in the opinion of the Council is of relevance for the purpose of preventing the misuse of such drugs or dealing with any social problem connected with their misuse”.*

A further duty is placed on the Advisory Council by the Act to consider any matter relating to drug dependence or the misuse of drugs which may be referred to them by any one of the Ministers concerned, and in particular to consider and advise the Home Secretary on any communication which he refers to the Advisory Council which relates to the control of a dangerous or otherwise harmful

drug and which is made to Her Majesty's Government by any organisation or authority established by treaty, convention or other agreement or arrangement to which Her Majesty's Government is a party.

Under the Act the Home Secretary is obliged to consult the Advisory Council before laying draft Orders in Council or making regulations.

MEMBERSHIP

Under the Act, members of the Advisory Council - of whom there should be not less than 20 - are appointed by the Secretary of State. They must include representatives of the practices of medicine, dentistry, veterinary medicine and pharmacy, the pharmaceutical industry, and chemistry other than pharmaceutical chemistry; and people who have a wide and recent experience of social problems connected with the misuse of drugs.

Appointments are limited to a term of three years and made in accordance with the guidance issued by the Office of the Commissioner for Public Appointments. Nominations come from a wide range of sources including the relevant professional bodies, Public Appointments Unit of the Cabinet Office, other Government Departments and self-nomination.

Further biographical information about the current members as at April 2003 and those members who left the Council during the two-year period is given at Annex A and B respectively.

COMMITTEES AND WORKING GROUPS

Committees and working groups may be appointed by the Advisory Council from time to time to report to it on any matter referred to them by the Advisory Council.

The committees are usually standing bodies. Ordinarily, each committee meets twice a year shortly before full Advisory Council meetings. When desirable, joint meetings are held. During this period, there were two committees, covering technical matters and statistics, information and research matters respectively.

The Advisory Council may also establish working groups. In this period there was one, the Prevention Working Group.

- During the two-year period the **Technical Committee** (TC) looked into numerous issues. These included its recommendation to reclassify cannabis to a Class C drug, the development of a Risk Assessment System to help the TC measure the harmfulness of individual drugs and its recommendation on the control of Gammahydroxy-butrate (GHB).
- During the two year period the **Statistics, Information and Research Committee** (SIRC) carried out research relating to the classification of cannabis. The group provided valuable material that was used in compiling the Advisory Council's final report – *The Classification of Cannabis under the Misuse of Drugs Act 1971*.
- During the two-year period the **Prevention Working Group** (PWG) considered the children of problem drug users. Its findings were published in June 2003, in the Advisory Council's report - *Hidden Harm: Responding to the needs of children of problem drug users*.

Both the committees and the working group included co-opted members who are not members of the Advisory Council.

MEETINGS **in the Financial Years 2001-2003**

a) The Advisory Council met on :

- 31 May 2001
- 7 November 2001
- 15 January 2002
- 30 May 2002
- 28 November 2002

The Advisory Council also held an Away Weekend on the 21/ 22 February 2003.

b) The Statistics Information and Research Committee (SIRC) met on:

- 19 April 2001
- 15 October 2002

c) The Technical Committee (TC) met on:

- 2 May 2001
- 25 April 2002
- 29 October 2002

d) In addition, in order to consider the reclassification of cannabis, joint meetings of SIRC and TC were held on:

- 1 November 2001
- 15 January 2002

e) The Prevention Working Group met on average every six weeks throughout the two year period, except in the summer months.

SUMMARY OF MAIN ADVICE in the Financial Years 2001-2003

<u>MAIN ISSUES CONSIDERED BY THE COUNCIL</u>	<u>SUMMARY OF THE MAIN ADVICE</u>
➤ <u>The reclassification of cannabis.</u>	➤ The Council recommended that cannabis be reclassified from a Class B drug to a Class C drug under MDA 1971.
➤ <u>The misuse of Buprenorphine.</u>	➤ The Council recommended that Buprenorphine be reclassified from a Class C drug to a Class B drug under the MDA 1971.

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| <ul style="list-style-type: none"> ➤ <u>The misuse of Midazolam</u>
 ➤ <u>Section 8 of the 1972 Drugs Misuse Act.</u>
 ➤ <u>The Shipman Inquiry</u>
 ➤ <u>The control of Remifental and Dihydroetorphine.</u>
 ➤ <u>The control of Gammahydroxybutrate (GHB) and Zolpidem.</u>
 ➤ <u>The control of 4 anabolic substances: 4-Androstene-3, 17-dione, 19-Nor-4-Androstene-3, 17-dione, 5-Androstene, 17-diol and 19-Nor-5-Androstene-3, 17-diol.</u> | <ul style="list-style-type: none"> ➤ The Council recommended that Midazolam be rescheduled from Schedule 4 to Schedule 3 under the Misuse of Drugs Regulations 2001.
 ➤ The Council recommended that Section 8 (MDA 1971) should be extended to cover the possession of all drugs. An exemption should be made to protect drug workers and parents from prosecution in cases where misusers had illegal drugs on treatment agency premises.
 ➤ The Council appointed a sub-committee to consider the likely findings of the Public Inquiry into the issues arising from the case of Harold Shipman, with specific reference to the MDA 1971 and Misuse of Drugs Regulations 2001. Dr. Roy Robertson is its chair. It will have approximately twenty members, including at least one member from a working group that has been established by the Department of Health.
 ➤ The Council recommended that Remifentanil and Dihydroetorphine be controlled as Class A drugs under the MDA 1971 and listed under Schedule 2 of the Misuse of Drugs Regulations 2001.
 ➤ The Council recommended that GHB and Zolpidem should be controlled as Class C drugs under the MDA 1971 and both listed under Schedule 4, Part I of the 2001 Regulations.
 ➤ The Council recommended that 4-Androstene-3, 17-dione, 19-Nor-4-Androstene-3, 17-dione, 5-Androstene, 17-diol and 19-Nor-5-Androstene-3, 17-diol be controlled as Class C drugs under the MDA 1971 and listed in Schedule 4, Part II of the 2001 Regulations. |
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➤ Issues affecting the children of problem drug users.

➤ The development of a Risk Assessment framework for the purpose of assessing the harm of individual drugs.

➤ In its report 'Hidden Harm' the Council identified six key messages :

- The estimated number of children of problem drug users in the UK was between 250, 000 - 350,000: about one for every problem drug user.
- Parental problem drug use can and does cause serious harm to children at every stage from conception to adulthood.
- Reducing the harm to children from parental problem drug use should become a main objective of policy and practice.
- Effective treatment of the parent can have major benefits for the child.
- By working together, services can take many practical steps to protect and improve the health and well being of affected children.
- The number of affected children is only likely to decrease when the number of problem drug users decreases.

➤ The Council agreed to consider the development of a risk assessment framework, similar in some ways to the Dutch system; which could be used by Council members as part of wider considerations of appropriate classification of individual substances. Such a system would contribute to transparency and consistency in such considerations.

PUBLISHED REPORTS **in the Financial Years 2001-2003**

- **HIDDEN HARM : RESPONDING TO THE NEEDS OF CHILDREN OF PROBLEM DRUG USERS**

This is a groundbreaking report in which the Advisory Council considers the impact on children of parental problem drug use. For the first time ever, an assessment was made on the number of affected children in the UK. It examines the evidence for significant harm to their health and well-being. It considers what is currently being done to help them and what more can be done in the future.

Copies of the Report are available free of charge from the Secretariat.

- **THE CLASSIFICATION OF CANNIBIS UNDER THE MISUSE OF DRUGS ACT 1971**

This is a report responding to the Home Secretary's request to the Advisory Council to review the classification of cannabis preparations in the light of current scientific evidence.

FORWARD LOOK

A project on "Brain Science and Drugs" advanced by the Advisory Council is still being considered as the next Government "Foresight" programme. Members at the Away Weekend recognised that, if selected, this would be an exceptional opportunity for the Council to be at the forefront of a national project.

The next topic of inquiry for the Prevention Working Group will be “Pathways to Substance Misuse by Young People in the United Kingdom in the Early 21st Century and Their Implications for Policy and Practice”. This was adopted by Council following Dr. Laurence Gruer’s presentation to the Council on the 15th May 2003. This new inquiry is due to start its work in September 2003 and will be Chaired by Dr. Laurence Gruer.

The Council also agreed to the Technical Committee forming a new sub-group to consider whether the Council should recommend ketamine be made a controlled drug under the MDA 1971.

ADMINISTRATIVE MATTERS

- **FINANCE**

The Advisory Council had an annual budget of £23,000 for each of the financial years 2001/02 and 2002/03 which formed part of the budget of the Drugs Legislation and Enforcement Unit (DLEU) of the Drugs Strategy Directorate of the Home Office. The vast majority of the budget was spent on members’ travelling and subsistence expenses.

The Advisory Council generates no income of its own.

- **SUPPORT ARRANGEMENTS**

The Advisory Council has no staff or budget of its own. Administrative support is provided by a secretariat comprising of staff from the DLEU of the Drug Staregy Directorate in the Home Office. The Council wishes to express its appreciation for the support of the officials involved in these duties over the last two years: Simon Hewett, Julia Wright, Sue Mitchell, Chris Kottler, Christopher Saint, Jeremy Sare, Robert Boscott and Taryn Paul.

ANNEX A

ADVISORY COUNCIL ON THE MISUSE OF DRUGS

CURRENT MEMBERS AS AT APRIL 2003.

Re-appointed Members

Professor Sir Michael Rawlins

- Chairman of the Council.
- Re-appointed from 1st January 2002 – 31st December 2005.
- Professor of Pharmacology, University of Newcastle.

Mr Norman Bettison

- Re-appointed from 1st January 2002 – 31st December 2004.
- Chief Constable, Merseyside Constabulary.

Reverend Martin Blakeborough

- Re-appointed from 1st January 2002 – 31st December 2004.
- Director, Kaleidoscope Drugs Project, Kingston upon Thames.

Mr Raj Boyjooauth

- Re-appointed from 1st January 2002 – 31st December 2004.
- Specialist Manager, The Riverside Mental Health Service, London.

Ms Vivienne Evans

- Re-appointed from 1st January 2002 – 31st December 2004.
- Chief Executive of ADFAM (formerly of DrugScope)

Dr Laurence Gruer

- Re-appointed from 1st January 2002 – 31st December 2004.
- Consultant in Public Health, NHS Health Scotland, Glasgow.

Mr Russell Hayton

- Re-appointed from 1st January 2002 – 31st December 2004.
- Manager of Drug and Alcohol Services, Plymouth NHS Trust.

Mr Peter Housden

- Re-appointed from 1st January 2002 – 31st December 2004.

- Chief Executive, Nottinghamshire County Council.

Mr Roger Howard

- Re-appointed from 1st January 2002 – 31st December 2004.
- Chief Executive, DrugScope.

Mr Alan Hunter

- Re-appointed from 1st January 2002 – 31st December 2004.
- Secretary to the Association of British Pharmaceutical Industry.

Professor David Nutt

- Re-appointed from 1st January 2002 – 31st December 2004.
- Director of Psychopharmacology Unit, University of Bristol.

Mrs Kay Roberts

- Re-appointed from 1st January 2002 – 31st December 2004.
- Area pharmacy Specialist-Drug Abuse, Greater Glasgow Community and Mental Health Services NHS Trust.

Mrs Patricia Roberts

- Re-appointed from 1st January 2002 – 31st December 2004.
- Director of the Drug Studies Unit, Ruskin.

Dr Roy Robertson

- Re-appointed from 1st January 2002 – 31st December 2004.
- General Medical Practitioner, Edinburgh.

New-appointments from 1 January 2002 – 31 December 2004

Dr Dima Abdulrahim

- Appointed 1st January 2002.
- Social Scientist, Nation Treatment Agency.

Lord Victor Adebawale

- Appointed 1st January 2002.
- Chief Executive, Turning Point.

Dr Margaret Birtwistle

- Appointed 1st January 2002.

- General Medical Practitioner.

Dr Cecilla Bottomley

- Appointed 1st January 2002.
- Doctor – Specialist Registrar in Obstetrics and Gynaecology.

Ms Carmel Clancy

- Appointed 1st January 2002.
- Senior Lecturer (Mental Health and Addictions).

Professor Ilana Crome

- Appointed 1st January 2002.
- Professor of Psychiatry.

Ms Robyn Doran

- Appointed 1st January 2002.
- Director of Substance Misuse for Brent, Kensington & Chelsea and Westminster Mental Health Trust.

Mr Robert Eschle

- Appointed 1st January 2002.
- School Teacher and Councillor.

Professor Hugh Edmondson

- Appointed 1st January 2002.
- Consultant Maxillo Facial Surgeon, Emeritus Professor.

Professor C Robin Ganellin FRS

- Appointed 1st January 2002.
- Professor of Medicinal Chemistry.

Mr Paul Hayes

- Appointed 1st January 2002.
- Chief Executive – National Treatment Agency.

Mr Andrew Hayman

- Appointed 1st January 2002.
- Chief Constable of Norfolk (formerly Deputy Assistant Commissioner in the Metropolitan Police).

His Honour Judge Thomas Joseph

- Appointed 1st January 2002.
- Circuit Judge.

Dr John Marsden

- Appointed 1st January 2002.
- Research Psychologist.

Mr Peter Martin

- Appointed 1st January 2002.
- Chief Executive, Addaction.

Mr Richard Pates

- Appointed 1st January 2002.
- Consultant Clinical Psychologist.

Mr Trevor Pearce

- Appointed 1st January 2002.
- Deputy Director General, National Crime Squad.

Mr Authur Preddy

- Appointed 1st January 2002.
- Chief executive, West Glamorgan Council on Alcohol and Drug Abuse.

Dr Mary Rowlands

- Appointed 1st January 2002.
- Consultant Psychiatrist.

Dr Polly Taylor

- Appointed 1st January 2002.
- Veterinary Surgeon.

Ms Monique Tomlinson

- Appointed 1st January 2002.
- Deputy Director of Mainliners.

ANNEX B

ADVISORY COUNCIL ON THE MISUSE OF DRUGS

MEMBERS WHO LEFT THE COUNCIL DURING THE FINANCIAL YEARS, 2001/2003

Mr Vivian Ahmun	Professor Otto Meth-Cohn
Mrs Joy Barlow	Mr Michael Narayn Singh
Mr Alexander Cameron	Dr Diana Patterson
Dr William Clee	Mr Hywel Sims
Dr Michael Donmall	Dr Sue Ruben
Dr Anthony Duxbury	Mr Ian Sherwood
Ms Kim Hager	Professor John Strang
Mr Peter Hampson	Mr Peter Walker
Professor Ronald Jones	Mrs Barbara Whiteley

**The ACMD would like to pay tribute to former ACMD members
Lorraine Hewitt and Dame Judith Kilpatrick both of whom
sadly died during 2002.**

Lorraine Hewitt joined the ACMD in January 1993 making a highly significant contribution and was re-appointed twice to serve a full 9 years until December 2001. In view of Lorraine's enthusiasm, hard work and expertise she was then co-opted to the Technical Committee. Her last major contribution was to the specially convened Advisory Council meeting in January 2002 on the reclassification of cannabis.

Dame Judith Kilpatrick had just joined the ACMD but had already made her mark and would have provided valuable contribution to the Prevention Working Group's report on the Children of Problem Drug Users.