

ACMD

Advisory Council on the Misuse of Drugs

Chair: Professor Les Iversen
Secretary: Will Reynolds
3rd Floor Seacole Building
2 Marsham Street
London
SW1P 4DF
020 7035 0454
Email: ACMD@homeoffice.gsi.gov.uk

Professor Sir John Beddington,
Government Office for Science,
1. Victoria Street
London
SW1H 0ET

15th December 2010

Dear John,

Re: Advisory Council on the Misuse of Drugs – recent media speculation

I am writing to you, in your capacity as Government Chief Scientific Adviser, to assure you and the scientific fraternity that the ACMD are, and will remain committed to providing high quality, independent, expert advice unfettered by Government. The provision of this advice is underpinned by a diverse membership of expert individuals which will of course include those with scientific expertise.

It is with some dismay that I have read the recent claims in the media that the changes to the Misuse of Drugs Act 1971 contained in the recently published Police Reform and Social Responsibility Act will enable "ministers to set drug policy without scientific evidence" [Times News, Monday December 6th]. These articles have prompted this letter to you, on behalf of the Council, to explain that the claims are entirely without foundation.

It is important to recognise that members of the Advisory Council on the Misuse of Drugs (ACMD) *were* fully consulted by ministers on changes to its constitution and the proposed introduction of the temporary banning power as

part of the Police Reform and Social Responsibility Bill. The ACMD have indicated in a letter to the minister (available from the ACMD website) that it is supportive of these changes.

The present requirement for six statutory posts (of a current total of 26 members) means that the Council is not statutorily constituted if any one of these falls vacant, as was the case for the first few weeks of 2010. The removal of this legal requirement should prevent this happening in the future. In its letter to the minister the ACMD describe that a published working protocol, that would describe the working relationship between the ACMD and government, could articulate expertise requirements. This document would not be statutory, but would be a published commitment, thus retaining the flexibility of the ACMD to be reactive to the changing requirements that developments in the drugs field present. The ACMD entirely refute the accusation that this is a negative development that has been imposed by Government.

Furthermore, it is false to consider that the ACMD will be bereft of scientific expertise in years to come. Disciplines such as pharmacology, chemistry, psychopharmacology are all important to the work of the ACMD – particularly in the context of the issue of ‘legal highs’ and the proposed temporary banning power. Changing the constitution of the ACMD is not a move to shun those disciplines presently enshrined in the legislation, but a positive move to allow greater scope for the added inclusion of modern disciplines. Indeed, as well as yourself the Home Office Chief Scientific Adviser consulted with a number of Learned Societies and National Academies to ensure that there was proper consideration, by the scientific community, of these proposals. The responses reflect an acceptance of the need to be flexible and for change. Your comments, supportive of the proposed changes, also indicated that it would allow the Council to access appropriate expertise and scientific advice depending on the issue being considered. I also note that you consider it essential that there is transparency in the expertise required on the Council. It is important that the ACMD is progressive and that its membership provides an expertise fit for a modern purpose. We believe that a revised constitution and working protocol will allow for this.

It should also be noted that as Chair of the ACMD I have been closely involved with the recruitment process for new members as part of the interview panel. The final decision for appointment is the responsibility of the Home Secretary, however, as ACMD Chair it is important that I maintain input – this has been integral to the current recruitment campaign. This year’s recruitment campaigns, run by the Home Office for members to the ACMD, have attracted a large number of high calibre candidates – from scientific disciplines and a breadth of other experts from the drugs field. To me this indicates the continued willingness of highly qualified experts prepared to give freely their expertise and time to join the Council.

The ACMD welcomes the proposed introduction of a temporary banning power, which may help to provide a more rapid response to new psychoactive substances as they emerge in the rapidly changing drugs market in this

country. If such a power had been available in December 2009, when ACMD first alerted the then Home Secretary to the rapidly growing misuse of mephedrone, it might have helped to slow the dramatic increase in the availability and use of this drug during the early part of this year, before ACMD were able to prepare a detailed recommendation that it be banned. These proposals should not be seen as a panacea to new 'legal highs', however, it is a measure that we welcome as a positive step to controlling the harms of new synthetic drugs.

The ACMD maintains an open dialogue with Government in a shared objective of reducing the harms of drugs. I personally uphold and defend the ACMD's continuing scientific independence, but I must reiterate that recent criticism of the Government levelled at the ACMD is, for the most part, inaccurate reporting and speculation.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Les Iversen'. The signature is written in a cursive style with a large initial 'L'.

Professor Les Iversen