

ADVISORY COUNCIL ON THE MISUSE OF DRUGS

ANNUAL REPORT

ACCOUNTING YEAR 2004-5

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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.

This is the Advisory Council's fifth Annual Report, which provides an overview of its work, in accordance with both the Cabinet Office's Code of Practice for Board Members of Non-Departmental Public Bodies and the Code of Practice for Scientific Advisory Committees. It gives details of the main issues the Advisory Council considered between April 2004 - March 2005 as well as general information about its terms of reference, membership and administration arrangements, as well as the work of its Committees and Working Groups.

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

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Secretary to the Advisory Council on the Misuse of Drugs

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COMMITTEES AND WORKING GROUPS SITTING IN THE ACCOUNTING YEAR 2004-5

- **TECHNICAL COMMITTEE**

This is a standing body of the Advisory Council whose purpose is to “consider and make recommendations to the Advisory Council about scheduling under the Misuse of Drugs Act 1971 and its Regulations of any substances which is being or appears to be misused and of which the misuse is having or appears to them capable of having harmful effects sufficient to cause a social problem”. It is currently chaired by Professor David Nutt.

During the course of the accounting year 2004-5, the Technical Committee considered and reviewed numerous issues. These included:

- The impact of the reclassification of cannabis from Class B to Class C
- Ongoing development of the risk assessment tool
- Detailed consideration of the outputs of the Ketamine Working Group
- Review of methylamphetamine, its harm and classification
- Ongoing consideration of Department of Health’s proposals on Independent and Supplementary Prescribing as well as Patient Group Directions relating to controlled drugs
- Classification of benzodiazepines
- Gamma-Butyrolactone (GBL)

- **METHYLAMPHETAMINE WORKING GROUP**

In response to a request from the Home Office, the Advisory Council established a working group in April 2004 to consider the issues relating to methylamphetamine. The Group met 3 times between April and October 2004, when it reported its findings to the Technical Committee, and subsequently to the Advisory Council. The Working Group was then asked to provide additional advice on (1) early warning systems to identify any emerging prevalence and (2) further areas of research. The Working Group’s further advice to the Advisory Council will be given in the next accounting period.

- **PREVENTION WORKING GROUP (PWG)**

The Prevention Working Group is a standing body of the Advisory Council whose purpose is to carry out major inquiries on substantial topical issues relating to drug misuse in the UK. It is currently chaired by Dr Laurence Gruer.

During the course of this year the current PWG continued its inquiry- examining pathways into hazardous use of tobacco, alcohol and illicit drugs by young people. It has been developing a

programme of commissioned work, receiving and discussing oral evidence from members and other experts in the field and shaping its draft report on this first stage of its work. Its second stage, due to begin in the next accounting period, will involve careful consideration of the assembled evidence with the aim of drawing up recommendations for government policy and relevant aspects of professional practice.

In keeping with previous PWG Inquiries, the outcome would be a report for Ministers that will subsequently be published, with a target date for publication in Summer 2006.

- **SHIPMAN COMMITTEE**

The Advisory Council established the Shipman Committee in January 2003 to consider the likely implications of The Shipman Inquiry's findings in respect of controlled drugs. It is chaired by Dr. Roy Robertson

The work of the Committee contributed to the Government Response to the Fourth Report of The Shipman Inquiry – Safer Management of Controlled Drugs – which was published in December 2004. The Advisory Council extended the Committee's term for a further 6 months, until May 2005, to enable it to monitor the early stages of the implementation of the Government Response and to provide further advice and support to the Department of Health's project team leading on this work. In particular, the Committee considered and advised the Advisory Council on the changes required to the misuse of drugs legislation and issues around extended prescribing.

- **HIDDEN HARM WORKING GROUP**

The Hidden Harm Working Group was established in 2004 to monitor the implementation of the recommendations of the Advisory Council's 2003 report "Hidden Harm: Responding to the Needs of Children of Problem Drug Users" and assess its impact on practice. It is chaired by Vivienne Evans.

The Group will be considering the Government's Response, publishing in March 2005.

The Group continues to hear evidence from its members, and policy-makers and practitioners on how the recommendations are being taken forward, as well as identifying the barriers and levers to implementation -individual, institutional, cultural or otherwise. It has also commissioned a repeat of the survey work completed for the original report to assess impact and changing work practice.

The Group has been greatly encouraged by the continuing interest in Hidden Harm through

various seminars and conferences, including the International Harm Reduction Conference and the Panorama Programme.

The Working Group is due to report to the Advisory Council in November 2006.

- During the accounting year, the Advisory Council has continued to attend the regular meetings of the Research and Information Working Group (RIWG), a cross Government group established to share information and research findings around drugs/statistics.

MEETINGS IN THE ACCOUNTING YEAR 2004-5

The table below sets out the dates on which the Advisory Council, its various Committees and Working Groups met during the year.

Committee/Group	Meeting Date
The Advisory Council (in Full Council)	<ul style="list-style-type: none"> • 1 April 2004 • 4 November 2004
The Technical Committee	<ul style="list-style-type: none"> • 21 October 2004
The Methylamphetamine Working Group (a Working Group of the Technical Committee)	<ul style="list-style-type: none"> • 16 June 2004 • 28 September 2004 • 10 September 2004 • 25 November 2004 • 18 February 2005
The Prevention Working Group (PWG)	<ul style="list-style-type: none"> • 28 April 2004 • 23 June 2004 • 1 September 2004 • 16 December 2004 • 26 January 2005
The Shipman Committee	<ul style="list-style-type: none"> • 10 June 2004 • 14 September 2004 • 25 October 2004 • 27 January 2005
The Hidden Harm Working Group	<ul style="list-style-type: none"> • 7 May 2004 • 22 June 2004 • 10 September 2004 • 25 November 2004 • 18 February 2005
Foresight (The Advisory Council held a one day event to discuss the implications of the -Brian Science, Addiction and Drugs Foresight project)	<ul style="list-style-type: none"> • 9 February 2005

SUMMARY OF THE MAIN RECOMMENDATIONS MADE BY THE ADVISORY COUNCIL IN THE ACCOUNTING YEAR 2004-5

- The Advisory Council recommended that **Ketamine** be controlled as a Class C drug under the Misuse of Drugs Act 1971. This recommendation followed from the work of the Ketamine Working Group of the Technical Committee.
- The Advisory Council recommended the inclusion of **ascorbic acid** into the list of drug injecting paraphernalia that are legally allowed to be provided to injecting drug users for harm minimization.
- The Advisory Council wrote to the Medicines and Healthcare products Regulatory Agency (MHRA) to encourage them to consider legalising the provision of ampoules of sterile **water for injections** for harm reduction. The MHRA have subsequently addressed this issue.
- The Advisory Council made available to the Government the findings of its Shipman Committee which were subsequently embedded into the Government Response to The Shipman Inquiry's Fourth Report.
- Members of the Advisory Council held a joint meeting with the Commission on the Safety of Medicines to review additional controlled drugs it was proposing to be included in the Extended Nurse Prescribing Formulary.

UPDATE ON SOME PREVIOUS RECOMMENDATIONS OF THE ADVISORY COUNCIL

- The Government published its UK response to the ACMD's Hidden Harm report in March 2005. (The Scottish Executive published the Scottish response in October 2004). The Government accepted most of the ACMD's recommendations.
- The Advisory Council's recommendation that nurses and pharmacists should be allowed to act as supplementary prescribers for all controlled drugs came into force with the Misuse of Drugs (Amendment) Regulation (SI 2005/271) on 14 March 2005.

FORWARD LOOK

- **Cannabis**

In March 2005, the Home Secretary wrote to the Advisory Council asking for its further advice on cannabis; specifically, about the effects of cannabis use on mental health and the reported increase in potency of cannabis products – skunk - currently available. The Chair of the Advisory Council, Professor Sir Michael Rawlins wrote to the Home Secretary to confirm that the Advisory Council would be happy to undertake this work and report by the end of 2005. This review will be undertaken by the Advisory Council in the next accounting year, in full Council rather than working group.

- **Khat**

During the passage of the Drugs Bill (now the Drugs Act 2005) through Parliament, the Conservative Party tabled a new clause to the Bill to make Khat a controlled Class A drug. The Drugs Minister Caroline Flint resisted the amendment but agreed to ask the Advisory Council to undertake a comprehensive review of Khat, and to report back to the Home Office by the end of 2005. The Advisory Council will establish a new working group to take this forward in the next accounting year.

- **Methylamphetamine**

The Advisory Council aims to conclude its work on methylamphetamine and provide its recommendations to the Home Secretary in the next accounting year.

- **Prevention Working Group**

The Group will be concluding the first stage of its Inquiry and then start to consider its findings and draw up a series of recommendations for government policy and professional practice.

- **Hidden Harm Working Group**

With the publication of the UK Government Response to Hidden Harm in March 2005 the work of the Group will now be able to take a more focused approach. As well as continuing to monitor implementation and assess impact, it will identify where the influencing opportunities now lie for the Advisory Council within the *Every Child Matters* change agenda.

TERMS OF REFERENCE

The terms of reference of the Advisory Council are set out in Section 1 of the **Misuse of Drugs Act 1971** (the Act) which states as follows :

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

MEMBERSHIP

Under the terms of the Act, members of the Advisory Council - of whom there should be not less than 20 - are appointed by the Secretary of State. There is a statutory requirement that they must include representatives from 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 ordinarily 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.

A list of current members as at March 2005, together with a note of their professional background is set out below. During the reporting year we undertook an appointments process for all members with the exception of the Chair. A number of members left the Advisory Council, and a number of new appointments were made. These are indicated by * (left the Advisory Council in December 2004) and ** (joined the Advisory Council in January 2005) in the table below. The Committees and Working Groups also have members that are not members of the Advisory Council, but who are "co-opted" because of the expertise and knowledge.

	Members	Professional Background
1	Professor Sir Michael Rawlins (Chair)	Professor of Pharmacology, Newcastle University
2	Dr Dima Abdulrahim	Briefings Manager, National Treatment Agency (NTA)
3	Lord Victor Adebowale	Chief Executive - Turning Point
4	Mr Martin Barnes**	Chief Executive, Drugscope
5	Chief Constable Norman Bettison*	Chief Constable, Merseyside Constabulary
6	Dr Margaret Birtwistle	General Practitioner (Sub Misuse), Clinical Tutor, Forensic Medical Examiner
7	Rev Martin Blakebrough	Chief Executive, Kaleidoscope
8	Dr Cecilia Bottomley	Specialist Registrar in O&G
9	Mr Raj Boyjoonauth*	Deputy Director/Lead Nurse Central and North West London Mental Health Trust
10	Ms Carmel Clancy	Lecturer in Mental Health and Addictions, Middlesex University

11	Professor Ilana Crome	Professor of Addiction Psychiatry, Keele University
12	Ms Robyn Doran	Mental Health Nurse and Director of Substance Misuse Services CNWL MHT
13	Ms Dianne Draper**	Young People's Substance Misuse Commissioner, Bradford Department of Social Services
14	Mr Robert Eschle	Magistrate & Essex County Councillor
15	Professor Hugh Edmondson	Consultant Maxillo Facial Surgeon
16	Ms Vivienne Evans	Chief Executive, Adfam
17	Professor C Robin Ganellin	Emeritus Professor of Medical Chemistry, UCL
18	Dr Clare Gerada**	General Practitioner, London
19	Dr Laurence Gruer	Director of Public Health Medicine NHS Scotland
20	Mr Paul Hayes	Chief Executive, National Treatment Agency
21	Assistant Commissioner Andrew Hayman	Assistant Commissioner of Metropolitan Police and Chair of the Association of Chief Police Officers
22	Mr Russell Hayton	Clinical Nurse Specialist and Manager of Drug & Alcohol Services Plymouth NHS
23	Ms Caroline Healy**	Health Adviser to Sure Start, London
24	Dr Matthew Hickman**	Deputy Director, Centre for Research on Drugs & Health Behaviour, Senior Lecturer in Public Health
25	Mr Peter Housden*	Chief Executive, Nottinghamshire Council
26	Mr Roger Howard*	Chief Executive, Crime Concern
27	Mr Alan Hunter	Director, Law, Regulatory & Intellectual Property and Secretary to British Pharmaceutical Industry
28	Professor Les Iversen**	Professor of Pharmacology, University of Oxford
29	His Honour Judge Thomas Joseph	Resident Judge, Croydon Crown Court
30	Dr John Marsden	Senior Lecturer in Addictive Behaviour, Institute of Psychiatry, King's College London
31	Mr Peter Martin	Chief Executive, Addaction
32	Professor David Nutt	Professor of Psychopharmacology, Bristol University
33	Dr Richard Pates	Consultant Clinical Psychologist, Clinical Director - Community Addiction Unit, Cardiff
34	Mr Trevor Pearce	Acting Director General, National Crime Squad
35	Mr Arthur Preddy*	Chief Executive West Glamorgan Council Alcohol and Drug Abuse
36	Mrs Kay Roberts	Pharmacist, Glasgow
37	Mrs Patricia Roberts*	Teaching (Substance Misuse) Oxford University
38	Dr Roy Robertson	General Practitioner, Muirhead Medical Group
39	Dr Mary Rowlands	Consultant Psychiatrist (Substance Misuse), Devon Partnership Trust
40	Dr Polly Taylor	Veterinary Surgeon, Gravelhead Farm
41	Ms Monique Tomlinson	Freelance Consultant, Substance Misuse
42	Mr Arthur Wing**	Assistant Chief Officer, Sussex Probation Area

ADMINISTRATIVE ARRANGEMENTS

- **FINANCE**

The Advisory Council had an expenditure of approximately £135,000 in the accounting year 2004-5, financed by the Drugs Strategy Directorate of the Home Office. Their costs were associated with the provisions of facilities for meetings of the Advisory Council (and its Committees and Working Groups), expenses of members properly incurred, and commissioned research.

The Advisory Council generated no income of its own.

- **ADMINISTRATIVE ARRANGEMENTS**

The Advisory Council has no staff or budget of its own. Administrative support is provided by a Secretariat comprising of staff from the Drugs Legislation and Enforcement Unit of the Drug Strategy Directorate in the Home Office.