

Review of the Animal Procedures Committee (APC) and Advisory Council on the Misuse of Drugs (ACMD)

In line with Cabinet Office guidelines, the Home Office is commencing a review of two of the department's non-executive, advisory, non-departmental public bodies (NDPBs), the Advisory Council on the Misuse of Drugs (ACMD) and the Animals Procedures Committee (APC).

The purpose of the review will be to satisfy ministers that the ACMD and APC, for which they are accountable, are discharging the functions that they were set up to deliver and that they continue to represent value for money for the public taking account of the likely future workload of the committees and key future issues. The full Terms of Reference for the review are detailed below. The review will focus on the process and function of the committees and not their Terms of Reference, which are set out in legislation (Animal (Scientific) Procedures Act, 1986 and Misuse of Drugs Act, 1971).

Sir David Omand, visiting Professor at King's College London and a former Home Office Permanent Secretary has been appointed to lead the review (see below for a short biography of Sir David Omand).

We are keen that the review is inclusive of the views of stakeholders. We would therefore welcome contributions from stakeholders, commenting on how either or both advisory committees operate in line with their Terms of Reference. Please send submissions to Sir David Omand at science@homeoffice.gsi.gov.uk, by Wednesday 30 November 2009.

The review will commence in October and it is anticipated that it will be completed and report to Home Office Ministers by early 2010.

Professor Paul Wiles

Home Office Chief Scientific Advisor

Terms of Reference for the review of the Advisory Council on the Misuse of Drugs and the Animal Procedures Committee

Background

In line with Cabinet Office guidelines, the Home Office is committed to reviewing its non-departmental public bodies (NDPBs).

The Terms of Reference below relate to the review of two of its NDPBs that are non-executive, scientific advisory committees – the Animal Procedures Committee (APC) and the Advisory Council on the Misuse of Drugs (ACMD). Both these committees are statutory and set up under the Animal (Scientific) Procedures Act 1986 and the Misuse of Drugs Act 1971, respectively.

The Terms of Reference for each of the committees is set out in the respective Acts of Parliament and are summarised below.

For further details on the scope, current membership and recent work of the committees see www.apc.gov.uk and www.drugs.homeoffice.gov.uk/drugs-laws/acmd/

The Home Office has appointed Sir David Omand, Visiting Professor at King's College London, a former career civil servant, and former Permanent Secretary of the Home Office to conduct the review.

Terms of Reference

The overall aim of the review is to satisfy ministers that the Animal Procedures Committee (APC) and Advisory Committee on the Misuse of Drugs (ACMD) for which they are accountable, are discharging the function that they were set up to deliver within the existing legislation, and that they continue to represent value for money for the public, taking account of the likely future workload of the committees and key future issues.

The Home Secretary asked that the review consider the functioning and processes of the APC and ACMD to assess how they undertake their duties.

The review is likely to consider:

- the composition of the bodies and the roles of members, secretariat and officials;
- the resources available to the bodies and the costs in undertaking their duties;
- the process by which the agenda of the bodies agenda are set, and how decisions on what to investigate are made;
- how the bodies arrive at their decisions and general working practices; and,
- how the bodies advice is provided, including issues relating to transparency and communication.

During the process of the review, the reviewer will consider the views of the committee members and their chairs; the Home Office; and, the views of other key stakeholders and interested parties.

Note that the review will not include revisiting the specific advice made by either body, the legislation under which each body is established, or, the Terms of Reference of each of the bodies (which are set out in legislation).

Timeframe

It is proposed that the review will commence in October 2009 and provide its conclusions to Ministers in early 2010.

Contact

If you have any questions regarding the review, or wish to submit evidence regarding how either the APC and ACMD conduct their business please email science@homeoffice.gsi.gov.uk.

Please ensure that any evidence is submitted by 30 November 2009.

In submitting evidence please note that information provided, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want other information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The department will process your personal data in accordance with the DPA and in the majority of circumstances; this will mean that your personal data will not be disclosed to third parties.

Sir David Omand

Sir David Omand is a Visiting Professor, Dept of War Studies, King's College London and a former career civil servant.

His last post in government was as Permanent Secretary in the Cabinet Office and UK Security and Intelligence Coordinator, responsible to the Prime Minister for the professional health of the intelligence community, national counter-terrorism strategy and "homeland security".

He was previously Permanent Secretary of the Home Office from 1997 to 2000, and before that Director of GCHQ (the UK Signals Intelligence Agency). Previously, in the Ministry of Defence as Deputy Under Secretary of State for Policy, he was particularly concerned with long term strategy, with the British military contribution in restoring peace in the former Yugoslavia and the recasting of British nuclear deterrence policy at the end of the Cold War. He was Principal Private Secretary to the Defence Secretary during the Falklands conflict, and served for three years in NATO Brussels as the UK Defence Counsellor.

He is a Trustee of the Natural History Museum, and a non-Executive Director of Babcock International plc and Finmeccanica UK and an honorary Fellow of Corpus Christi College, Cambridge.

Summary of the Terms of Reference for the Animal Procedures Committee

The role of the Animal Procedures Committee is to advise the Home Secretary on matters concerned with the Animal (Scientific) Procedures 1986 Act and her functions under it, relating to any experimental or other scientific procedures applied to a protected animal which may have the effect of causing that animal pain, suffering, distress or lasting harm; and also, to examine other related subjects considered worthy of further study.

Summary of the Terms of Reference for the Advisory Council on the Misuse of Drugs

It is the duty of the Advisory Council on the Misuse of Drugs 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 further duty is placed on the Advisory Council to consider any matter relating to drug dependence or the misuse of drugs which may be referred to it by any Government Minister (as defined in the Act).

Ministers - ordinarily the Home Secretary - are obliged to consult the Advisory Council before laying Orders before Parliament or before making Regulations (or any changes to the same) under the Act.