

Annex B - Guidelines for providing evidence of the identification of khat

These guidelines summarise the mechanisms that apply to khat in policing the related offences including the seizure of khat.

- Visual identification by law enforcement is only applicable to khat warnings and Penalty Notice Disorders (PND) cases where there is a guilty admission. It can not be used in non-guilty plea cases.
- Law enforcement officers who regularly encounter 'khat' can easily identify it by its appearance. Visual aids are also available; it is recommended that any officer who has not previously encountered khat or needs further information on its identification contacts the force's Scientific Support Unit or equivalent.
- When dealing with any suspected khat offence, a photograph should be taken. If further confirmation is needed to identify khat the photo can be sent to the Force's drug team or forensic science provider for a tentative visual identification in this manner. Contact details may be obtained from the force's Scientific Support Unit or equivalent.

Scientific Evidence Requirements for Seizures of Khat

- A submission procedure specifically for khat should be agreed locally between the force and the forensic providers, because the forensic science laboratory can only identify plant samples as khat if it contains both of its active ingredients, cathinone and cathine. The cathinone is unique to the khat plant but degrades quickly if it is not preserved adequately.
- Whenever khat is seized and an arrest made for a suspected khat offence, the locally agreed submission procedure should be followed.
- The submission procedure needs to consider cases where seizures of khat are made out of hours or it is not possible to contact the forensic science laboratory at the time of the seizure for any other reason.

Any enquiries should be addressed to the Home Office Drugs and Alcohol Unit (DAU) to Cyrille.Marcel2@homeoffice.gsi.gov.uk. DAU can also provide internal copies of the forensic strategy for providing evidence of the identification of seized khat. The document includes two case studies and has been prepared following consultation with law enforcement leads and forensic science providers to ensure consistency with national policing guidance on khat, Border Force operational guidance, the Ministry of Justice's updated guidance on the use of Penalty Notices for Disorder.