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BY EMAIL ONLY

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Dear Owen,

RE: ACMD WORK PROGRAMME 2020-2023

I am delighted to write to you to set out the Government's priorities for the ACMD work programme commissioned for the next three years.

The Advisory Council on the Misuse of Drugs has dedicated its expertise to a number of important matters relating to drug misuse over recent years. Most recently the ACMD has provided valuable reports on fentanyl, novel benzodiazepines, drug-related harms in homeless populations, custody-community transitions and on ageing cohorts of drug users. I acknowledge your letters of 18 October on the importance of continuing to have available Temporary Class Drug Orders and on independent prescribing rights for paramedics. I remain grateful for this advice and would once again like to thank you for your timely work on the COVID-19 response legislation. I would emphasise that tackling drug misuse and the harms that it causes is a top priority for this Government.

I look forward to receiving your advice on GHB, GBL and related substances, which I appreciate is being taken forward at pace, and the harm assessment being carried out on synthetic cannabinoids.

In December, you wrote to me about the Council's self-commission. This helpfully set out the areas you intend to consider over the coming period and I am pleased to endorse that set of issues for consideration.

The ACMD will also no doubt be interested in analysing how the COVID-19 pandemic and subsequent lockdown of many parts of society, most notably the night-time economy, has

impacted drug use. I believe that the ACMD's analysis will be most useful when a wider range of evidence is available in the coming 18 months to two years. I will therefore consider a potential commission in due course.

I have prepared this commission setting out my priorities for the ACMD's next three-year work programme. I would be grateful if the ACMD can liaise with my officials to prioritise its work appropriately. I am keen to draw on ACMD advice when we encounter new and emerging threats and when work on such issues may need expediting. When such occasions arise I would be grateful for your support in mitigating the impact on delivery of the Council's work programme.

The ACMD's 3-year commission is set out in the following paragraphs, in priority order.

Understanding drivers of powder cocaine use in young people

The Government is committed to taking a targeted approach to supporting those most at risk of misusing drugs. After successfully publishing Professor Dame Carol Black's independent review of drugs in February, I would ask the ACMD to give consideration to what lies behind some of the trends which her analysis identified.

In particular, Dame Carol identified that the number of powder cocaine users has increased sharply over the past five years. Use has increased across a wide range of demographic groups, but much of the increase in the number of users has been driven by white males aged under 30. Geographically, relative increases in use have been greatest in the South West of England and the East Midlands, with London seeing the largest decrease. And further, the demand for these drugs is strongly linked to the night-time economy and alcohol.

The issue of what is driving this type of drug use has been the subject of much interest and debate in recent months in the media and among the public. I would therefore be grateful for the ACMD's considered attention to this area of work, focusing on the following two questions:

- Why do some young people start using powder cocaine, and why do some of those continue to use it into adulthood?
- How could we use this insight to prevent young people using powder cocaine for the first time, and divert them from ongoing use?

Enforcement

The Government continues to take firm action to restrict drug supply. We remain focused on what more we can do within the criminal justice system to divert people away from crime and into treatment, to improve community sentences and better tackle misuse in prison, and to help recovery of those dependent on drugs whilst being mindful of the recent changing drug trends in this environment.

As the ACMD expertise in the field of law enforcement and tackling drug supply is increasing, I would like to receive your advice and analysis of trends in drug trafficking on the dark net, and how enforcement might most effectively intervene in the movement of drugs facilitated by both the clear and dark net. I would like the ACMD to address:

- What is known about effective enforcement in relation to the sale of drugs online, and how could this inform an effective guide for enforcement when monitoring and intervening in drug trafficking on the dark and clear net?

Legislation to clarify the legal status of alkyl nitrates

Alkyl nitrites, known as poppers, have been widely used recreationally since the 1970s and are used for their muscle-relaxing effects, especially by homosexual men as an aid to sex. In 2016 the ACMD advised that they did not fall within the scope of the definition of a psychoactive substance in the Psychoactive Substances Act 2016 because they did not have a direct effect on the central nervous system. However, a Court of Appeal judgment in 2018 confirmed that substances which have only an indirect psychoactive effect can still be captured by the 2016 Act. As a consequence the lawfulness of the supply of poppers is uncertain. I am minded to remove this uncertainty by explicitly exempting poppers from the 2016 Act. I would seek the ACMD's advice on an exemption. My officials will work with you to provide more detail on the proposed wording of an exemption as you consider the issue.

Further proposals for commissions to the ACMD will be discussed with you in due course in the usual way, and we will endeavour to provide early notice of these as issues arise.

Finally, I re-iterate my thanks to the members of the Council for their commitment to providing the highest quality expert advice and I look forward to continuing to strengthen the ACMD's relationship with Government over the course of the year.

With our best wishes


Rt Hon Priti Patel MP