



CIVIL NUCLEAR CONSTABULARY

Email

[REDACTED]

The Executive Office

Civil Nuclear Constabulary

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11th May 2022

Dear [REDACTED]

I am writing in response to your request for information regarding the below. Your request has been handled under Section 1(1) of the Freedom of Information Act 2000. In accordance with Section 1(1) (a) of the Act I hereby confirm that the CNC/CNPA does hold information of the type specified.

I am researching the level of training provided to new recruits / serving officers into illegal drugs...

1. Officers are trained in legislation relative to illegal drugs, such as the Misuse of Drugs Act. But what training is provided into the drugs themselves?

(for example - officers will learn that heroin is an illegal substance - but what are they taught about heroin; how it's made, the potential impacts on users, addiction, withdrawal, mixing with alcohol - etc.)

2. How many hours are dedicated to this form of training?

Please find attached a copy of the lesson plan on illegal drugs which will answer the above questions.

The Civil Nuclear Constabulary is a specialist armed police service dedicated to the civil nuclear industry, with Operational Policing Units based at 10 civil nuclear sites in England and Scotland and over 1600 police officers and staff. The Constabulary headquarters is at Culham in

Oxfordshire. The civil nuclear industry forms part of the UK's critical national infrastructure and the role of the Constabulary contribute to the overall framework of national security.

The purpose of the Constabulary is to protect licensed civil nuclear sites and to safeguard nuclear material in transit. The Constabulary works in partnership with the appropriate Home Office Police Force or Police Scotland at each site. Policing services required at each site are agreed with nuclear operators in accordance with the Nuclear Industries Security Regulations 2003 and ratified by the UK regulator, the Office for Nuclear Regulation (ONR). Armed policing services are required at most civil nuclear sites in the United Kingdom. The majority of officers in the Constabulary are Authorised Firearms Officers.

The Constabulary is recognised by the National Police Chiefs' Council (NPCC) and the Association of Chief Police Officers in Scotland (ACPOS). Through the National Coordinated Policing Protocol, the Constabulary has established memorandums of understanding with the local police forces at all 10 Operational Policing Units. Mutual support and assistance enable the Constabulary to maintain focus on its core role.

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write in the first instance to:

Kristina Keefe
Disclosures Officer
CNC
Culham Science Centre
Abingdon
Oxfordshire
OX14 3DB

E-mail: FOI@cnc.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by the CNPA.

The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you require any further assistance in connection with this request please contact us at our address below:

Kristina Keefe
Disclosures Officer
CNC
Culham Science Centre
Abingdon
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OX14 3DB
E-mail: FOI@cnc.pnn.police.uk

Yours sincerely
Kristina Keefe
Disclosures Officer

Drugs Offences (Misuse of Drugs Act 1971)

Recipients: Foundation Course
 Facilitator Requirements: 1 x L&D Facilitator
 Duration: 90 mins

Aim: To introduce students to the offences of possession and supply of a controlled substance as defined by the Misuse of Drugs Act 1971.

Lesson Reference Number	V3
Priority Rating	n/a
PPDR Reference: Competency Level 1 Module 1 Policing Skills Module 2 CNC Core Role	
Legal Reference	Misuse of Drugs Act 1971 Code G PACE 1984

Associated Material

Material	Reference
PowerPoint Presentations	Misuse of Drugs Act PPT
Media Clips/ Footage	n/a
Student Handouts	CLD Reference Guides (Eng/Sco)
Facilitator Notes	PPT Slide Reference Notes
Scenario's	n/a
Risk Assessments	Classroom Risk Assessment
Pre-Training Declarations	n/a
Safety Briefings	CLD Safety and Welfare brief
Knowledge Check Sheets	n/a
Learning Assessments	CLD KEE Tests / FTU IA Week
Student Evaluation Sheets	n/a

	Last Reviewed	By Whom	Signature
Author	18/6/2020	██████████	
QA Check	23/06/2020	██████████	

Objectives

By the end of the session the student will be able to:

- Name the categories of controlled drugs
- Define the offences of:
 - Unlawful possession of a controlled drug
 - Supply of a controlled drug
- Identify defences to possession and supply of a controlled drug
- Outline powers of search under s23 and Obstruction under 23(4) of the Misuse of Drugs Act 1971
- Identify commonly encountered controlled substances and drug taking paraphernalia

Time	Explanatory notes, content, indicative learning and teaching methods, assessment of learning, resources.
	<p>Teaching aids and materials required</p> <ul style="list-style-type: none"> • Flip charts / white boards/Smartboard • Pens • PowerPoint • Networked PC • Drugs Cases <p>Teaching methods adopted</p> <ul style="list-style-type: none"> • Facilitative style of delivery • Plenary session at start and throughout the session • Research and present <p>Maslow</p> <p>Health & Safety consideration, Fire drills, Bomb threat drills, First Aid, welfare issues will be discussed at this stage. Reference made to CLD S+W brief if first lesson of the day.</p> <p>Gestalt</p> <p>The Facilitator will outline the sessions' objectives / learning outcomes.</p> <ul style="list-style-type: none"> • To explore common societal views on drugs. • To show the students some commonly encountered drugs and drugs paraphernalia (Drugs cases) • To understand the simple offences of possession and supply of a controlled substance • State their powers of search, seizure and arrest in relation to drugs.

Start of Session**Slide 1: Title Slide – Misuse of Drugs Act 1971****Slide 2: Objectives**

Trainer reads through the objectives

Activity

Trainer splits the class into three groups and gives each group one of the following questions:

1. What do we mean by the term 'drug'?
2. What do we mean by a controlled drug?
3. Why are some drugs controlled?

Groups are to take a piece of flip chart and pen, and record their ideas - they should take approximately 5-10 mins. Once completed, trainer reassembles all groups in the classroom and has a member of each group present their answers to the class. Trainer then facilitates a discussion within the group around the flip chart answers.

Additional Info:

Notes around the meaning of 'drug', 'controlled drugs', and reasons why some drugs are controlled are contained in the power point notes

Trainer then asks students if anyone has any prior experience of dealing with people using drugs, and facilitates discussion based on any student input

Slide 3: Misuse of Drugs Act 1971

Trainer explains that prior to 1971 the UK had relatively liberal drugs policy; controlling incidental drug activities was employed to effectively criminalise drug use.

The Misuse of Drugs Act 1971 creates three classes of controlled substances – Classes A, B, C (*discussed on following slides*) and that controlled drugs are classified based on their:

-benefit when used in medical treatment

and

-their harm if misused

Trainer also states that, although some drugs are controlled, many are still freely available as they are difficult to abuse and provide positive benefits with minimal risk; anyone who has drunk a cup of coffee or taken Paracetamol today has used drugs.

Trainer Note – For Information Only – added to PPT notes regarding the introduction of the Psychoactive Substances Act 2016 in January 2016

Slide 4: Classes of Controlled Drugs

Trainer asks students if they can name any controlled drugs and which class they think the drug is classified as.

Trainer then reveals the slide and goes through the list of drugs, stating that this is not an exhaustive list

Trainer emphasises that the only way to determine what a drug is would be through forensic examination.

Trainer Note:

More information about each drug is also contained in the power point notes

Slide 5: Signs of Drug Use

Trainer shows heading and asks students if they are aware of any of the physical signs of drug use; student answers can be recorded on flip chart.

Trainer then reveals the remainder of the slide, and states that this is not an exhaustive list

Slide 6: Signs of Drug Use cont'd

Trainer emphasises that not all drug users display physical signs such as those mentioned on the previous slide, and that such symptoms can also be present in people with certain illnesses or injuries.

Over the counter medication – Some over the counter medication can cause side effects, such as drowsiness. This will be stated on the packaging, along with appropriate warnings about driving, operating machinery, etc, and it is the responsibility of the person taking the medication to take appropriate action/precautions if affected.

Being unfit to drive – Should an officer encounter a person who is driving/attempting to drive/or in charge of a vehicle whilst adversely affected by medication, there is action that can be taken as detailed below:

Driving Whilst Unfit Through Drink or Drugs, Contrary to Section 4 (1) Road Traffic Act 1988 - If the person seems in any way impaired, and you suspect they have been drinking or taken drugs, legal or not, and they are driving, attempting to drive or in charge of a mechanically propelled vehicle on a road or other public place, that is all the elements needed to make an arrest under this section.

Trainer Note:

There is more information contained within the trainer notes of the power

point in relation to Driving Whilst Unfit

Slide 7: Drug Paraphernalia

Trainer shows slide heading and asks students if they can name any drug paraphernalia.

Trainer then reveals slide and goes through the list, stating that this is not an exhaustive

Slide 8: Unlawful Possession of a Controlled Drug S5(2)

Trainer shows the slide and reads through this. Trainer emphasises that all elements of the offence must be proved, however this would be a job for the prosecution.

Slide 9: Points to Prove – Unlawful Possession of a Controlled Drug

Trainer shows the slide and emphasises each of the points shown in bold, stating that these are the points to be proved by the prosecution

Trainer again emphasises that the only way it can be proved that the drug is a controlled drug, and what type of controlled drug it is, is through forensic examination; an officer would always arrest 'on suspicion of possession of a controlled drug'.

Points to prove will be discussed in more detail in following slides.

Slide 10: Possession with intent to Supply S5 (3)

Trainer explains - Supply is the simple act of passing a controlled drug from one person to another. It does not matter if it was for profit or not. The issue of financial gain is only relevant for the purposes of sentencing. Supply can, therefore, range from passing a joint between friends to large scale supply of crack cocaine for profit.

Section 5(3) is more for the street dealers

Officers would arrest on suspicion of Drugs and add on the intent to supply (there is no lower limit as to how much a person has on them with regards to supply)

Exp: if a person is searched and found with 2 – 3 small snap bags of a controlled substance then you may consider arresting for possession. However if during search you find same amount and a large some of cash and mobile phones, you might consider intent to supply

Slide 11: Points to prove – Possession with intent to supply

Trainer asks what students think are the points to prove for supply

Slide 12: Points to Prove - Possession

Trainer shows the heading and states that there are two possible categories of possession. Trainer asks if anyone knows what these are, then facilitates a discussion around student input.

Trainer reveals the slide and explains each category of possession:

Actual Possession is where the person has physical possession of the substance

Constructive Possession is where the person can control the movement of the drugs but they are not physically on the person (e.g. they are stored in a secured locker in another room, or locked in their house two miles away)

Slide 13: Points to Prove – Lawful Authority

Trainer shows the heading and asks students to state who they think may have lawful authority to possess a controlled drug; trainer records student input on flip chart

Trainer then reveals slide and goes through the list, emphasising that this is not an exhaustive list

Slide 14: Point to Prove – Knowledge and Reason to Believe

Knowledge

Trainer reveals the first part of the slide – Knowledge – and reads through this. Trainer then explains that if the subject didn't know they had the drug then they may have a defence – an example of this may be if a male borrows his friend's jacket, not knowing there are controlled drugs in the pocket.

Reason to Believe

Trainer then reveals the second part of the slide – Reason to Believe – and reads through this. Trainer then explains that an example this would be when a person has bought a bag of white powder believing they are buying cocaine, but the powder is actually talc (they have still potentially committed the offence of unlawful possession).

Slide 15: Defence to Possession S5(4)

Trainer reveals the slide and states that this and the next slide provide a defence to possession only.

Trainer reads through the slide, emphasising that part (a) relates to a person taking possession of a controlled drug in order to prevent another committing or continuing to commit an offence in connection with that drug.

Trainer states that in this situation the drug can either:

-be destroyed (through a means which render the drug unusable, such as burning or flushing – not burying (as it could be dug up))

or

-delivered to the custody of a person lawfully allowed to take custody of it (e.g. taking to police station)

Trainer emphasises that the destruction of the drug or delivering it to another who may have lawful custody must be done as soon as possible

Slide 16: Defence to Possession cont'd

Trainer reveals the slide and states that part (b) of the defence to possession relates to where a person finds a controlled drug and takes possession of it in order to deliver it into the custody of someone lawfully

entitled to take custody of it (e.g. take to a police station).

Trainer emphasises that in part (b) of the defence, where a drug has been found, there is no option to destroy the drug, as there was with the part (a).

Trainer also emphasises that, once again, the drug must be delivered as soon as possible to the other's custody.

Slide 17: Supply of a Controlled Drug

Trainer reveals the slide and reads through this.

Trainer emphasises that supply involves more than a mere transfer of physical control of the item from one person to another; the person to whom the drug is given must derive some benefit from it (*R v Maginnis (1987)*)

Trainer states that the points to prove for the offence of supply are:

- Makes the arrangements, whether for a fee or not
- Makes the actual supply (i.e. handing over the drug)
- Provides the money, regardless of any contact with the drug or supplier

Trainer states that if CNC officers were to encounter a situation involving controlled substances and an arrest was necessary, the officer would arrest on suspicion of possession of a controlled drug

Trainer states that it is important to build good relationships with site employees, as they can be valuable sources of information and intelligence.

Slide 17: General Defences

Trainer reveals the slide and explains that these are potential defences to any drug related offence (e.g. possession, supply, etc).

Trainer talks through each point:

1. Lack of knowledge of some fact

The defendant must prove that:

- they did not know the existence of some fact
- they lacked suspicion of that fact, and
- they had no reason to suspect the existence of that fact.

2.Lack of knowledge of a controlled drug

The defendant must prove that they:

- did not believe it was a controlled drug,
- did not suspect it was a controlled drug, and
- had no reason to suspect it was a controlled drug

3.Belief that it was a drug he or she was entitled to possess

The defendant must prove that he/she believed it was a particular controlled

drug that they were entitled to possess (e.g. their prescribed medication)
(More notes and examples for each aspect can be found in the power point notes)

Slide 18: General Defences S28 Misuse of Drugs Act 1971

1. lack of knowledge of the alleged fact
2. lack of knowledge of a controlled drug
3. the belief that it was a drug he or she was entitled to produce, supply, and possess.

Slide 19: Power to Search – s23 Misuse of Drugs Act 1971

Trainer reveals the slide and reads through this.

Trainer asks the class to explain what 'reasonable grounds to suspect' means, and facilitate discussion around their input, ensuring that SHACKS is discussed.

SHACKS

Seen
Heard
Actions
Conversation
Knowledge
Smell

Trainer emphasises that search under s23 MDA would be conducted in the same way as any other search (e.g. s1 or s32 PACE (Eng) or Common Law/S14 (Scots)) – JOG, GOWISELY, etc

Extent of Search in Public

You cannot remove, in public, more than:
Jacket
Outer Coat
Gloves

English/Welsh Officers: GOWISELY

Grounds for search
Object of search
Warrant card
Identity of officer
Station
Entitlement to a copy of the search record
Legal power used
'You are detained...'

Scottish Officers: IDEAS

Identify of officer

Detain

Explain

Articulate

Slip - issue

Slide 19: Power of Search – Obstruction Sec 23 (4)

Section 23 (4) explains about obstructing police when searching:

a) Is more for what CNC officers will come across during searching a subject. *EXP: whilst searching a subject, that subject throws a bag of drugs down the drain = Obstruction*

Slide 20: Search

Trainer reveals the slide and emphasises the need to be cautious and consider safety when carrying out any search under s23 MDA, for the following reasons:

Needles – these may be carried on the person, in bag, secreted in vehicles or in the area immediately around the subject. They may also be strategically planted by the individual in order to injure officers; should an officer injure themselves it will distract them and the subject can make their escape

LSD – this is absorbed through the skin so gloves must be worn when handling this, otherwise the officer will suffer the full effects of the drug!

Escape - Officers should be aware that subjects involved with controlled drugs will go to many lengths in order to avoid detention or enable their escape, such as putting razor blades under car door handles, etc

Trainer Note:

There are additional notes within the power point reference notes detailing actions to be taken in the event of an officer sustaining an injury

Slide 21: Power of Arrest (England and Wales)

Trainer reveals heading and asks English/Welsh officers what power of arrest they have.

Trainer then reveals the slide and explains that the power of arrest comes from s24 PACE 1984. Trainer links this to previous arrest lesson, and asks students to explain what s24 PACE allows an officer to do.

Trainer then emphasises that, in order to arrest a subject, there must be a necessity to do this, and asks the students to identify the necessity reasons in IDCOPPLAN

IDCOPPLAN

Investigation – to carry out prompt and effective investigation

Disappearance – to prevent disappearance of the subject
 Child/vulnerable person – to protect a child or vulnerable person
 Obstruction – to prevent obstruction of the highway
 Public decency – to protect public decency
 Physical injury – to prevent causing or suffering physical injury
 Loss/damage – to prevent loss or damage to property
 Address – unknown, doubted, cannot be ascertained
 Name – unknown, doubted, cannot be ascertained

Slide 22: Power of Arrest (Scotland)

Trainer reveals the slide and explains that Scottish officers have a power of arrest without a warrant under S1 of the Criminal Justice (Scotland) Act 2016 as S24 Misuse of Drugs Act 1971 was repealed within the CJ(S)A 2016 (Consequential and Supplementary Modifications) Regulations 2017:

Slide 23: Objectives

Trainer reveals slide and revisits each objective, checking student understanding of each.

Trainer outlines likely scenarios where CNC officers may encounter drugs, such as encounters or stop & search near to site, in-coming and out-going search at site by security force

Activity

Trainer directs students to look at each of the drugs cases

Close Session

File flip chart blasts (if applicable)
 Prepare classroom for next session

Lesson Review			
Brief description of changes/ amendments/ updates made	Date	Author	New version required? Y/N

OFFICIAL

Quality Assurance checked (minor amendments. No reason for version change)	29/01/2014	████████	N
NCALT slides removed due to amendments in legislation/classification. Power point restructured, and additional slides added to replace NCALT slides, along with additional information (Warning, Knowledge, and Reason to Believe)	05/02/2015	████████	Y
Quality Assurance checked. Reviewed according to the amendments above.	11/02/2015	████████	V2.0
Note added to Trainer Notes in PPT regarding the introduction of the Psychoactive Substances Act 2016 in January 2016	09/05/2016	████████	V2.1
Updated PPT and lesson plan with power of arrest in Scotland to CJ(S)A wef 25.01.18	10.01.2018	██████	V2.2
Updated PPT added 3 new slides S5(3), 23(4), Points to prove	18/6/2020	████████	V3.0
Quality Assurance checked. Reviewed in line with the amended slides.	23/06/2020	████████	V3.0
Cosmetic changes made to lesson plan front cover including changing the banner to the current CLD logo	25/06/2020	████████	N