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Psychoactive Substances Act 2016 and the NPS Intelligence System

Commission on Narcotic Drugs Thematic Intersessional
27 October 2016

New Psychoactive Substances in the UK

A wide range of NPS are identified in the UK, with certain groups of users causing particular concerns

- The most commonly identified NPS in the UK are synthetic cannabinoids, although stimulant and hallucinogen NPS are also found.
- Synthetic cannabinoids are causing health concerns, and contribute to a high proportion of hospitalisations.
- Groups where NPS use is especially problematic are:
 - Homeless community
 - Prisoners

What is the Psychoactive Substances Act 2016?

The Psychoactive Substances Act 2016 is the UK's main legislative response to the problem of new psychoactive substances.

- It introduces a 'blanket ban' on all psychoactive substances
- Exemptions for controlled drugs; medicinal products; alcohol; nicotine and tobacco products; caffeine; food and substances used in research
- Came into force 26 May 2016

Background

Previously, NPS were controlled under the Misuse of Drugs Act 1971

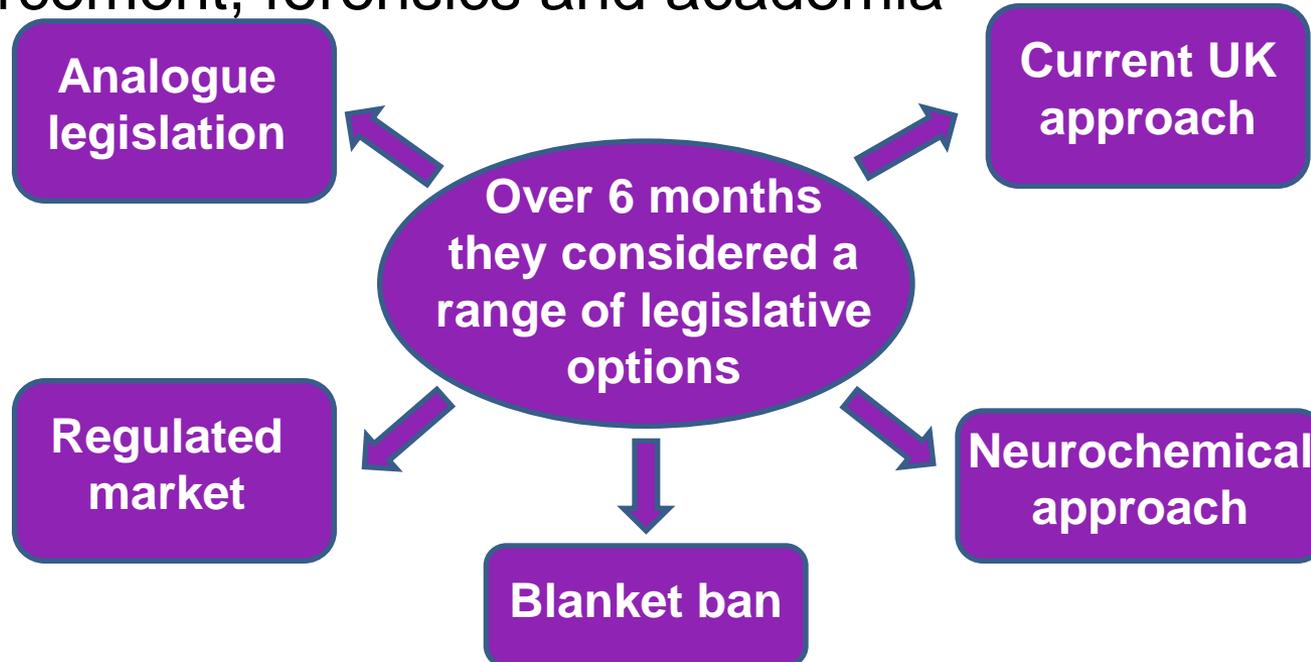
- This included generic controls to control groups of drugs
- It also included temporary banning orders – NPS could be banned in a few weeks

But the UK was still chasing the NPS market

Expert Panel

We set up an NPS Expert Panel to consider how to enhance our existing approach

- The panel included experts from civil society, law enforcement, forensics and academia



Psychoactive Substances Act 2016 - offences

There are a range of offences under the Act

Offer to supply

Supply

Possess with
intent to
supply

Import / export

Production

But no possession offence for users



Proportionate penalties

Law enforcement have a range of options for dealing with offenders, depending on the circumstances of the case

Prohibition/Premises Notice



Prohibition/Premises Order



Criminal sentence

Initial impact of the Psychoactive Substances Act?

The Psychoactive Substances Act has led to the closure of shops, the removal of websites and the arrest of individuals selling NPS

- The UK conducted an evaluation of the initial results of the Act three months after it came into force.
- The initial results are:
 - Hundreds of retailers either closed down or no longer selling NPS
 - Nearly 200 arrests
 - The removal of UK-based websites selling NPS
- The UK will conduct a full evaluation 30 months from when the Act came into force. This will be available in late 2018.

What is the NPS Intelligence System?

The NPS Intelligence System will enhance data collection on NPS in the UK, in particular on health harms

- The UK has a number of existing drugs intelligence networks, including the Forensic Early Warning System.
- But two challenges remain:
 - A. Limited options for frontline health workers to report health harms of NPS.
 - B. Data on NPS not always collected in one place;
- The NPS Intelligence System seeks to address these issues.

How will the NPS Intelligence System work?

The system will feed information from the frontline on health harms and from existing intelligence networks to a central point for analysis and distribution

- **Challenge A:** Limited options for frontline health workers to report health harms of NPS
- **Response A:** Simple online forms for health workers to report, similar to those used for medicines
- **Challenge B:** Data on NPS not always collected in one place
- **Response B:** A network of experts to analyse data from all existing sources and the new online forms. Results of this analysis to inform messages delivered to the frontline.

For more information...

- The Psychoactive Substances Act 2016:
<http://www.legislation.gov.uk/ukpga/2016/2/contents/enacted>
- Report of the NPS Expert Panel:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368583/NPSexpertReviewPanelReport.pdf
- Guidance documents:
<https://www.gov.uk/government/collections/psychoactive-substances-bill-2015>