



## DEBATE PACK

Number CDP 2018-0237, 5 November 2018

# Reclassification of synthetic cannabinoids

## Summary

A debate on the Reclassification of synthetic cannabinoids is scheduled for Tuesday 6 November at 9.30am in Westminster Hall. Ben Bradley MP will open the debate.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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# 1. Reclassification of synthetic cannabinoids

A debate on the reclassification of synthetic cannabinoids has been tabled for 9.30 on 6 November 2018 in Westminster Hall. The subject of the debate was decided by the Backbench Business Committee, and the debate will be led by Ben Bradley MP.

Synthetic cannabinoids are a type of new psychoactive substance that have been developed to have similar effects to the psychoactive substances within cannabis. These substances are sold under a number of street names, common ones include Spice and Mamba.

There has been increasing concern about the impact of these substances on the physical and mental health of users, which include some of the most vulnerable groups such as young people, prisoners and the homeless, and wider impacts on communities.

Some synthetic cannabinoids are controlled under the *Misuse of Drugs Act 1971*, the main piece of legislation used to control illicit drugs in the UK. The Act makes it illegal for people to possess, supply, produce, or import/export controlled drugs.

There have been calls for these substances to be rescheduled under the *Misuse of Drugs Act 1971* from class B to class A substances.

This debate pack provides an overview on synthetic cannabinoids. It includes information on the effects of these substances, their use, their control under the law, and calls for their reclassification.

## 1.1 What are synthetic cannabinoids?

Synthetic cannabinoids (also called Synthetic Cannabinoid Receptor Agonists (SCRA)) are new psychoactive substances that have been developed to have similar effects to the psychoactive substance in cannabis, tetrahydrocannabinol (THC). The potency of the substance will depend on which synthetic cannabinoids have been used and in what volumes. It is thought that these substances can now be up to 800 times more potent than cannabis.<sup>1</sup>

Synthetic cannabinoids are sold under various street names, some of the more common ones include Spice and Mamba. A substance labelled as Spice could be a number of different substances within this category. Spice is also increasingly used as a generic term for all synthetic cannabinoids.

### Health effects of synthetic cannabinoids

[A July 2017 briefing for healthcare professionals](#) produced by Manchester Health and Care Commissioning, provides the following

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<sup>1</sup> [New Psychoactive Substances Briefing for professionals: Spice, Synthetic cannabinoids, Manchester Health and Care Commissioning, July 2017](#)

referenced information about the physical and mental health effects of synthetic cannabinoids:

- **The Physical effects of Spice**
- **Duration of Effects**
- The full effects are felt within seconds if smoked, before tailing off after 30 minutes to a more manageable state. Effects usually last 1-2 hours but can last much longer with some SCRA. Spice is often smoked continuously throughout every waking hour (while supplies last).
- **Common physical effects**
- Tight chest, racing & irregular pulse, breathing difficulties, collapse, dizziness, numbness and vomiting are commonly reported physical effects of Spice.
- **Physical problems**
- Seizures, cardiac toxicity, sympathomimetic toxidrome (poisoning), chest pain, heart attack, renal injury, hypertension, hypokalemia (low potassium levels), skin rash have been reported, while other effects such as bleeding from the eyes and other orifices, teeth falling out are described by some long term users but have yet to be recognised in the literature.
- **Emergency hospital admissions**
- There are no national figures for emergency admissions for Spice-related incidents, but could be estimated in the thousands per year. In one day in April 2017 in Manchester there were 58 ambulance call-outs reported that were related to Spice in the city centre, although some of these may have been related to the same incident.
- **Death**
- Although ambulance call-outs and A&E admissions are common, deaths are relatively rare. 8 deaths associated with Spice were reported in England and Wales in 2015.
- **The mental effects of Spice**
- For new users, the mental effect of large doses or potent Spice the mental effects can be overpowering. Effects are unlike cannabis and often described as, more akin to the effects of ketamine or solvents.
- Spice can cause frightening visions or hallucinations. It can take you to what feels like a different reality, almost the same as this one, but a lot more scary. The mental effects together with the physical effects can cause panic.
- **Tolerance** develops in a matter of days of regular use.
- The effects seem more exaggerated over time so a state often described as ‘zombie-like’ is commonly and constantly experienced by heavy Spice users. However, large doses or (as there does not appear to be cross tolerance) a different SCRA can bring on the more extreme state described even among experienced regular users.
- **There are a wide range of mental effects described:**

anxiety, irritability and psychosis-like effects, inappropriate or uncontrolled laughter, anger, sadness, flat affect, depression and suicidal thoughts, excitability, agitation, combativeness, aggression, thought disorganisation, panic attacks, paranoid thinking, delusions,

auditory and visual hallucinations, changes in perception, acute psychosis.

- Short-term memory and cognitive deficits, confusion, sedation and somnolence, thought blocking, nonsensical speech, amnesia and increased focus on internal unrest are also reported.

#### **Psychotic symptoms**

“Psychotic symptoms appear to occur relatively frequently following SCRA consumption. More research is needed, but this may be linked to the high potency of the drugs and the fact that, unlike natural cannabis, SCRAAs do not contain cannabidiol (CBD), a chemical which appears to possess antipsychotic properties.”<sup>2</sup>

For further information on the health effects of synthetic cannabinoid use, see the [Talk to Frank website](#) and the [US Government National Institute of Drug Abuse](#).

## **Use of synthetic cannabinoids**

The Home Office statistics on drug misuse currently report on the use of generic, rather than specific, new psychoactive substances (NPS).

The latest Home Office publication indicates that in 2017/18 around 0.4% of the population of 16 to 59 year olds in England and Wales had used new psychoactive substances in the past year.<sup>3</sup>

Questions on the use of individual substances have been included in some past surveys and use of synthetic cannabinoids (‘Spice’) was measured in the 2010/11 and 2011/12 surveys. These surveys estimated that 0.1% and 0.2% of 16 to 59 year olds in England and Wales had used Spice in the past year.<sup>4</sup>

### **Drug Treatment**

Data from the National Drug Treatment Monitoring Service includes figures on people entering treatment due to new psychoactive substances. In 2017/18 a total of 1,223 people started treatment due to problems with new psychoactive substances. This was a 16% reduction on the 2016/17 figure of 1,450 people starting treatment and a 40% decrease on 2015/16, when 2,042 people started treatment.<sup>5</sup>

## **1.2 Control of psychoactive substances**

Some synthetic cannabinoids are controlled under the [Misuse of Drugs Act 1971](#), the main piece of legislation used to control illicit drugs in the UK. The Act makes it illegal for people to possess, supply, produce, or import/export controlled drugs.

Psychoactive substances, including synthetic cannabinoids, that are not controlled under the *Misuse of Drugs Act 1971* are controlled under the *Psychoactive Substances Act 2016*, which bans the sale, supply, import

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<sup>2</sup> [New Psychoactive Substances Briefing for professionals: Spice, Synthetic cannabinoids, Manchester Health and Care Commissioning](#), July 2017

<sup>3</sup> [Home Office: Drug Misuse Findings 2017/18](#)

<sup>4</sup> [Home Office: Drug Misuse Declared 2011/12](#).

<sup>5</sup> [NDTMS: Adult Substance Misuse Treatment Statistics 2017/18](#)

and export of psychoactive substances but does not ban simple possession.

## The Psychoactive Substances Act 2016

The [Psychoactive Substances Act 2016](#) came into force on 26 May 2016 and applies across the UK. The Act bans the sale, supply, and import of psychoactive substances (previously known as “legal highs”) in the UK. Simple possession is not an offence under the Act. In brief, the Act:

- makes it an offence to produce, supply, offer to supply, possess with intent to supply, possess on custodial premises, import or export psychoactive substances; that is, any substance intended for human consumption that is capable of producing a psychoactive effect. The maximum sentence is 7 years’ imprisonment
- excludes legitimate substances, such as food, alcohol, tobacco, nicotine, caffeine and medical products from the scope of the offence, as well as controlled drugs, which continue to be regulated by the Misuse of Drugs Act 1971
- exempts healthcare activities and approved scientific research from the offences under the act on the basis that persons engaged in such activities have a legitimate need to use psychoactive substances in their work
- includes provision for civil sanctions – prohibition notices, premises notices, prohibition orders and premises orders (breach of the 2 orders will be a criminal offence) – to enable the police and local authorities to adopt a graded response to the supply of psychoactive substances in appropriate cases
- provides powers to stop and search persons, vehicles and vessels, enter and search premises in accordance with a warrant, and to seize and destroy psychoactive substances

## The Misuse of Drugs Act 1971

The [Misuse of Drugs Act 1971](#) is the main piece of legislation used to control illicit drugs in the UK. The Act makes it illegal for people to possess, supply, produce, or import/export controlled drugs. The Government can add a drug to the *Misuse of Drugs Act 1971* by making a Parliamentary drug control order.

[The Misuse of Drugs Act 1971](#) separates illegal drugs into three classes: A, B and C. This aims to classify drugs according to their relative harmfulness when used and the classes carry different levels of penalty for possession and dealing. The substances are listed under parts I, II and III in [Schedule 2 to the Act](#).<sup>6</sup>

The maximum penalties for offences for different classes of controlled drugs are set out in the table<sup>7</sup> below:

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<sup>6</sup> [Schedule 2: controlled drugs, Misuse of Drugs Act 1971](#)

<sup>7</sup> Gov.uk, [Drug Penalties](#) (accessed 2 November 2018)

Class	Drug	Possession	Supply and production
A	Crack cocaine, cocaine, ecstasy (MDMA), heroin, LSD, magic mushrooms, methadone, methamphetamine (crystal meth)	Up to 7 years in prison, an unlimited fine or both	Up to life in prison, an unlimited fine or both
B	Amphetamines, barbiturates, cannabis, codeine, ketamine, methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (eg mephedrone, methoxetamine)	Up to 5 years in prison, an unlimited fine or both	Up to 14 years in prison, an unlimited fine or both
C	Anabolic steroids, benzodiazepines (diazepam), gamma hydroxybutyrate (GHB), gamma-butyrolactone (GBL), piperazines (BZP), khat	Up to 2 years in prison, an unlimited fine or both (except anabolic steroids - it's not an offence to possess them for personal use)	Up to 14 years in prison, an unlimited fine or both
Temporary class drugs*	Some methylphenidate substances (ethylphenidate, 3,4-dichloromethylphenidate (3,4-DCMP), ethylmethylphenidate (HDMP-28), isopropylphenidate (IPP or IPPD), 4-methylmethylphenidate, ethylmethylphenidate, propylphenidate) and their simple derivatives	None, but police can take away a suspected temporary class drug	Up to 14 years in prison, an unlimited fine or both

Current penalties associated with convictions for drug offences are provided in a 2012 Sentencing Council guideline.<sup>8</sup>

#### Control of synthetic cannabinoids under the Misuse of Drugs Act

The Advisory Council on the Misuse of Drugs (ACMD) is an advisory non-departmental public body. It makes recommendations to government on the control of harmful drugs, including classification and scheduling under the Misuse of Drugs Act.

Following recommendations from the ACMD, the Government has amended the Misuse of Drugs Act three times in recent years, through drug control orders, in order to control increasingly broader types of synthetic cannabinoids as class B drugs. The most recent change to the legislation enabled the control of third generation synthetic cannabinoids in December 2016.<sup>9</sup>

#### Debate on reclassification of synthetic cannabinoids

There has been some recent debate on the classification of synthetic cannabinoids. In August 2018, twenty Police and Crime Commissioners wrote to the Home Office calling for synthetic cannabinoids to be reclassified as a class A drug. The letter highlighted the effects of synthetic cannabinoids on individuals and communities, stating these are worse than cannabis (also a class B substance) and calls for a new national strategy to deal specifically with synthetic cannabinoids:

We are very supportive of Government's wish to tackle illegal substance misuse in general and to aid this would respectfully suggest the following. A specific strategy for synthetically produced drugs such as these would be very welcome to deliver

<sup>8</sup> Sentencing Council, [Drug Offences Definitive Guideline](#), 2012

<sup>9</sup> [The Misuse of Drugs Act 1971 \(Amendment\) Order 2016](#)

an effective and consistent approach; making clear to all agencies to public health, mental health and addiction services their responsibilities to provide appropriate financial provision and support to tackle the issue. We would urge that synthetic cannabinoid products are reclassified from class B to class A. At present, the current justifications for the classification of B are rooted in the chemical similarities which Spice shares with cannabis. However, such parallels are purely chemical as the physical and psychological effects these substances have on their users are on a much more extreme scale to those of cannabis. In practice they are more comparable with class A drugs such as heroin and it is therefore imperative that it and the dealers who peddle this misery are treated with the same severity and concern. It is also vital that the level of support to those hooked on spice is placed firmly on the agenda including pathways away from criminalising the vulnerable where possible and ensuring appropriate services are in place to treat their addiction. It must be made clear to the public and young people in particular just how dangerous and serious the taking of Spice is and the current classification as B does not do that.<sup>10</sup>

However, there has been opposition to a change in the classification of synthetic cannabinoids. For example, the drugs charity, Release, have said that reclassification would mean that vulnerable people using these substances would be subject to lengthier sentences which would further marginalise these groups. It also argues that drug control and classification does not have a deterrent effect on drug use.<sup>11</sup>

In response to a Parliamentary question on 31 October 2018 about reclassifying synthetic cannabinoids, the Minister of State at the Home Office, Nick Hurd said that the Government recognise how dangerous these drugs are and the impact of the current controls will continue to be monitored:

A wide range of synthetic cannabinoids are misleadingly supplied under the street names Black Mamba and Spice.

We recognise how dangerous these drugs can be. That is why we acted to control this group of substances as class B drugs under the Misuse of Drugs Act 1971 and give the police the powers they need to take action, including making possession illegal and making longer sentences for dealers possible.

Following two previous changes to legislation, the most recent controls for 'third generation' synthetic cannabinoids came into effect in December 2016 on the advice of the Advisory Council of the Misuse of drugs. As with all controlled drugs we will continue to monitor the impact of these controls.<sup>12</sup>

### 1.3 Current Government Drug Strategy

In July 2017, [the Government published a new drug strategy](#). This includes information about ongoing and new approaches to psychoactive substances:

<sup>10</sup> [Letter to Home Office from Police and Crime Commissioners on synthetic cannabinoids](#), August 2018

<sup>11</sup> Release, [Briefing Paper on Proposed Re-classification Synthetic Cannabinoid Receptor Agonists \(SCRAs\)](#), October 2018

<sup>12</sup> HC Written Question 184364, Synthetic Cannabinoids, 31 October 2018

- The continued emergence of NPS (eg synthetic opioids) – the content and harms of which are not known due to their rapidly changing make up and/or novel patterns of use - has created additional dangers to some of our most vulnerable groups e.g. young people, the homeless and prisoners. We have already taken a range of action to reduce harms from the continuing evolution of these substances including implementation of the Psychoactive Substances Act 2016, development of local toolkits, a refreshed resource pack for educators, and world-leading NPS treatment guidelines.
- In addition, PHE is developing a NPS intelligence system, which aims to reduce the length of time between drug-related health harms emerging and effective treatment responses to these harms. There are two key components of this work:
  - piloting a new system (RIDR - Report Illicit Drug Reactions) to collect information about adverse reactions and harms caused by NPS and other drug use; and
  - establishing a NPS clinical network of leading clinicians and experts to analyse the data coming from RIDR and other existing drugs intelligence systems, to identify patterns and harms, and agree appropriate clinical responses to NPS problems. NHS England has carried out an extensive review of its specification for substance misuse treatment in prisons and consequently increased the focus of provision on NPS.<sup>13</sup>

An October 2018 Parliamentary question response sets out what the Government are doing to disrupt the supply of synthetic cannabinoids:

[...]Our Drug Strategy emphasises the importance of a joined-up approach to tackling the harms caused by drugs to prevent substance misuse, restrict the supply of drugs and support people to recover from drug dependency. We strongly support multi-agency approaches being taken in local areas to respond to this issue in order to prevent harm to those who take them and reduce the burden they place on public services.

It is a matter for individual forces as to whether and how they use drug testing.<sup>14</sup>

## Treatment

New psychoactive substances, including synthetic cannabinoids present new challenges with regard to treatment approaches.

In 2014, Public Health England (PHE) published a [toolkit](#) for substance misuse commissioners on New Psychoactive Substances (NPS). This aimed to help local CCGs and NHS England when responding to NPS use and problems in their areas. A toolkit on addressing the use of NPS in prisons was also published in January 2016, more information on this is provided in [this PHE blogpost](#).

In March 2017, PHE also announced the launch of a pilot of a national system to monitor the negative effect of NPS and share best treatment practice. More information is provided in a press release.

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<sup>13</sup> Home Office, [Drug strategy 2017](#), July 2017

<sup>14</sup> [HC Written Question 183940. Drugs Misuse](#), 30 October 2018

Project Neptune (a Novel Psychoactive Treatment UK Network) has produced [clinical guidance](#) on the management of harms resulting from the use of club drugs and NPS.

## 1.4 Psychoactive substances in prisons (England and Wales)

High levels of drug use and particularly new psychoactive substances (NPS) is one factor identified as contributing to the decline in prison safety. The Government's November 2016 White Paper, *Prison Safety and Reform*, stated that NPS have played a big part in the recent rise in violence.<sup>15</sup>

Recent inspections carried out by HM Inspectorate of Prisons have commented on the effect of NPS on prisons. For example, an inspection of HMP Birmingham published in June 2017 said that the safety and stability of the prison were being adversely affected by the high volume of illicit drugs, particularly new psychoactive substances.<sup>16</sup>

The Prisons and Probation Ombudsman's Annual Report 2017–2018 noted particular concern about the prevalence of psychoactive substances and said:

Their effect on prisons has been profound: they continue to heighten levels of violence in prisons and have been found to cause or contribute to the deaths of prisoners.<sup>17</sup>

In answer to a recent PQ the Prisons Minister, Rory Stewart, set out the steps being taken by the Ministry of Justice to try to address the use of psychoactive substances in prisons:

We have formed a Drugs Taskforce working with law enforcement and health partners across government to reduce substance misuse including psychoactive substances (PS) in prisons. The Taskforce is developing a Prison Drugs Strategy for publication this autumn which supports and complements the National Drugs Strategy published by the Home Office in 2017. Our approach is centred around the same three objectives: restricting supply, reducing demand and building recovery. We are supporting prisons in reducing all types of drug use, with a particular focus on PS and the unique challenges they bring. In September 2016, we became the first prison service in the world to introduce innovative mandatory drug tests for psychoactive substances, a significant step in tackling the supply and use of them. We have made it a criminal offence to possess psychoactive substances in prison and trained more than 300 sniffer dogs specifically to detect these drugs. We will shortly be providing guidance on how to counter the evolving methods used by suppliers such as impregnated paper. The creation of a new specialist Financial Crime Unit to identify and disrupt the organised crime gangs fuelling drug dealing in prisons was announced by the Secretary of State for Justice at the Conservative Party Conference. The unit is staffed by members of the Police and Prison Service and is able to freeze bank accounts linked to organised crime and to make arrests. This action will cut

<sup>15</sup> Ministry of Justice, [Prison Safety and Reform](#), Cm 9350, November 2016, p41

<sup>16</sup> HMIP, [Report on an unannounced inspection of HMP Birmingham](#), 28 June 2017, p5

<sup>17</sup> [Prisons and Probation Ombudsman Annual Report 2017-18](#), October 2018, p39

the supply of drugs to prisoners and prevent money reaching criminal kingpins. We are supporting Bim Afolami MP's Private Member's Bill on substance testing in prisons. This legislation will simplify and strengthen the drug testing framework, allowing us to test for all psychoactive substances, as well as prescription-only and pharmacy medicines, helping to identify where they are being abused.<sup>18</sup>

The Health and Social Care Committee's report on prison health, published on 1 November 2018, commented that psychoactive substances are a "serious risk to the health and safety of users, fellow prisoners and staff alike" and that evidence given to their inquiry suggested that "the Government and the prison service are some way from having this under control".<sup>19</sup>

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<sup>18</sup> [PO 180298](#), 24 October 2018

<sup>19</sup> Health and Social Care Committee, [Prison health](#), HC 963, 1 November 2018, p3

## 2. Press articles

Guardian, 11 October 2018

['Out of control': prison watchdog warns of synthetic drug crisis](#)

The Economist, 4 Oct 2018

[Why "spice" is worse than other drugs](#)

The Economist, 27 Sep 2018

[Spice is throwing up problems not seen with other drugs](#)

Guardian, 20 Sep 2018

[Huge rise in ambulance callouts to deal with spice users](#)

FT, 12 Sep 2018

[So-called legal highs more risky than illegal drugs, scientists warn](#)

Telegraph, 1 Sep 2018

[Inside Britain's prisons where inmates are addicted to spice - and 999 calls are made every 40 minutes](#)

Independent, 29 Aug 2018

[Spice should be upgraded to Class A drug, say police and crime commissioners](#)

Telegraph 15 May 2018

[Prison nurses are ending up in hospital because of levels of 'Spice' fumes](#)

The Week, 17 April 2018

[How photocopiers are reducing drug use in prisons,](#)

BBC news, 30 Mar 2018

[Black Mamba warning after seven Birmingham deaths](#)

Guardian, 25 Dec 2017

[Prison staff struggling to cope as spice epidemic grows in UK's jails](#)

Guardian, 25 Jul 2017

[Prison officers off sick from inhaling smoke after 5.6kg spice haul](#)

## 3. Press releases and blogs

### **Transform**

Blog

[Dealing with Spice - Why More Enforcement Won't Help](#)

11 Oct 2018

### **Kent Police and Crime Commissioner**

[Call for the drug 'spice' to be reclassified from class B to class A](#)

29 Aug 2018

### **European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)**

[EMCDDA publishes latest insights into NPS in Europe](#)

7 June 2018

### **Public Health England**

News

[System launched to help tackle harms from new psychoactive substances](#)

New online system, Report Illicit Drug Reaction, launched today to improve knowledge of the harmful effects of new psychoactive substances.

22 March 2017

Blog

[Rise of new psychoactive substances: new toolkit helps prisons address a growing problem](#)

5 January 2016

### **POA**

[Parliamentary Briefing - New Psychoactive Substances \(NPS\) in Prisons](#)

The POA have for a number of years now consistently and repeatedly expressed concerns about the increasing use, by offenders held in our prisons, of New Psychoactive Substances (NPS). These concerns are not limited to offenders with a history of drug misuse prior to entering the prison system but those who previously had no history of such use.

26 April 2016

**Ministry of Justice**

[Blitz on drugs in prison underway.](#)

A £9 million project to clamp down on drugs supply and consumption at a single prison, with a major emphasis on tackling addiction, has been announced by Justice Secretary David Gauke.

26 July 2018

## 4. Parliamentary coverage

### 4.1 PQs

- [Synthetic Cannabinoids](#)

**Asked by:** Coaker, Vernon | **Party:** Labour Party

To ask the Secretary of State for the Home Department, what plans he has to reclassify black mamba as a class A drug; and if he will make a statement.

**Answering member:** Mr Nick Hurd | **Party:** Conservative Party |

**Department:** Home Office

A wide range of synthetic cannabinoids are misleadingly supplied under the street names Black Mamba and Spice.

We recognise how dangerous these drugs can be. That is why we acted to control this group of substances as class B drugs under the Misuse of Drugs Act 1971 and give the police the powers they need to take action, including making possession illegal and making longer sentences for dealers possible.

Following two previous changes to legislation, the most recent controls for 'third generation' synthetic cannabinoids came into effect in December 2016 on the advice of the Advisory Council of the Misuse of drugs. As with all controlled drugs we will continue to monitor the impact of these controls.

31 Oct 2018 | Written questions | Answered | House of Commons | 184363

- [Drugs: Misuse](#)

**Asked by:** Jarvis, Dan | **Party:** Labour Party

To ask the Secretary of State for the Home Department, what steps his Department is taking to disrupt supply networks of the drug Spice.

**Answering member:** Mr Nick Hurd | **Party:** Conservative Party |

**Department:** Home Office

A wide range of synthetic cannabinoids are misleadingly supplied under the street name Spice.

We recognise how dangerous these drugs can be. That is why we acted to control this group of substances as class B drugs under the Misuse of Drugs Act 1971 and give the police the powers they need to take action, including making possession illegal and making longer sentences for dealers possible.

Our Drug Strategy emphasises the importance of a joined-up approach to tackling the harms caused by drugs to prevent substance misuse, restrict the supply of drugs and support people to recover from drug dependency. We strongly support multi-agency approaches being taken in local areas to respond to this issue in order to prevent harm to those who take them and reduce the burden they place on public services.

It is a matter for individual forces as to whether and how they use drug testing.

30 Oct 2018 | Written questions | Answered | House of Commons | 183940

- [Topical Questions](#)

**Asked by:** Ruth George (High Peak) (Lab) | **Party:** Labour Party

What will the Home Secretary do to help police forces to prioritise resources when they are faced with cannabis clubs, of which most members require cannabis for medicinal reasons, and an epidemic of Spice at the same time, which poses very serious risks to both health and law and order—both are class B drugs?

**Answered by:** Mr Hurd | **Party:** Conservative Party | **Department:** Home Department

Operating priorities are local decisions, but what I can tell the hon. Lady is that the priority of the Department is to make sure that the police have the resources that they need to do their job, which is why we took steps to increase public investment in our police.

29 Oct 2018 | Topical questions - 1st Supplementary | Answered | House of Commons | House of Commons chamber | 648 cc166-649

- [Topical Questions](#)

**Asked by:** Ben Bradley (Mansfield) (Con) | **Party:** Conservative Party

Following on from my Adjournment debate on the subject and a letter from 20 police and crime commissioners, will the Minister confirm that he shares my concerns about the impact of Mamba and Spice on communities such as Mansfield and consider potential solutions to support local police and other services in tackling this issue?

Oral questions - Supplementary

**Answering member:** Mr Hurd | **Party:** Conservative Party | **Department:** Home Department

I salute the tireless campaigning by my hon. Friend and others. Spice is a scourge of many town centres at the moment. We take independent advice on classification and we keep that independent advice under review.

29 Oct 2018 | Oral answers to questions | House of Commons | House of Commons chamber | 648 c650

- [Psychoactive Substances Act 2016](#)

**Asked by:** Campbell, Mr Gregory | **Party:** Democratic Unionist Party

To ask the Secretary of State for the Home Department, whether he plans to review the Psychoactive Substances Act 2016.

**Answering member:** Victoria Atkins | **Party:** Conservative Party | **Department:** Home Office

The Home Office will publish a review of the Psychoactive Substances Act 2016 in November 2018, 30 months after the introduction of the Act.

26 Oct 2018 | Written questions | Answered | House of Commons | 182711

- [Prisons: Synthetic Cannabinoids](#)

**Asked by:** O'Mara, Jared | **Party:** Independent (affiliation)

To ask the Secretary of State for Justice, what strategy his Department has to tackle the use of synthetic cannabinoids in prisons.

**Answering member:** Rory Stewart | **Party:** Conservative Party | **Department:** Ministry of Justice

We have formed a Drugs Taskforce working with law enforcement and health partners across government to reduce substance misuse including psychoactive substances (PS) in prisons. The Taskforce is developing a Prison Drugs Strategy for publication this autumn which supports and complements the National Drugs Strategy published by the Home Office in 2017. Our approach is centred around the same three objectives: restricting supply, reducing demand and building recovery. We are supporting prisons in reducing all types of drug use, with a particular focus on PS and the unique challenges they bring. In September 2016, we became the first prison service in the world to introduce innovative mandatory drug tests for psychoactive substances, a significant step in tackling the supply and use of them. We have made it a criminal offence to possess psychoactive substances in prison and trained more than 300 sniffer dogs specifically to detect these drugs. We will shortly be providing guidance on how to counter the evolving methods used by suppliers such as impregnated paper. The creation of a new specialist Financial Crime Unit to identify and disrupt the organised crime gangs fuelling drug dealing in prisons was announced by the Secretary of State for Justice at the Conservative Party Conference. The unit is staffed by members of the Police and Prison Service and is able to freeze bank accounts linked to organised crime and to make arrests. This action will cut the supply of drugs to prisoners and prevent money reaching criminal kingpins. We are supporting Bim Afolami MP's Private Member's Bill on substance testing in prisons. This legislation will simplify and strengthen the drug testing framework, allowing us to test for all psychoactive substances, as well as prescription-only and pharmacy medicines, helping to identify where they are being abused.

24 Oct 2018 | Written questions | Answered | House of Commons | 180298

- [Prisons: Crimes of Violence](#)

**Asked by:** Morris, Grahame | **Party:** Labour Party

To ask the Secretary of State for Justice, what recent assessment he has made of the underlying causes of violence within HM Prisons Service; and if he will make a statement.

**Answering member:** Rory Stewart | **Party:** Conservative Party |  
**Department:** Ministry of Justice

The Ministry of Justice has recently published a summary of the evidence base from a number of countries on prison violence. This examines evidence of which prisoners are most likely to commit violence, when and where incidents are likely to occur, and what the strongest drivers of prison violence are. The study concluded that in addition to imported characteristics specific to individual prisoners, lower rates of assault are associated with legitimate and consistent regimes, better physical conditions, together with greater availability of meaningful activity within the prison. The study is available on GOV.UK at:

<https://www.gov.uk/government/publications/understanding-prison-violence-a-rapid-evidence-assessment>

Our assessment of the increase in violence in prisons in England and Wales in recent years is that key drivers in our own system include poor staff-prisoner relationships in some prisons, lack of purposeful activity, and changes in the nature of the illicit economy in prisons (for example the significant increase in the use of psychoactive substances). We are taking significant steps to address these drivers.

Across the prison estate, we are improving staff-prisoner relationships and regimes through recruiting an extra 3,500 staff and using these extra numbers to move to a new key worker model. This model will enable prison officers to mentor, challenge and support a small caseload of prisoners. The increased staffing levels will also support prisons to run full and consistent regimes. We are working to restrict supply of drugs, reduce demand and build recovery through a Drugs Taskforce working with law enforcement and health partners across government. The Taskforce is developing a national Drug Strategy, underpinned by advice and guidance that will support the whole of the estate.

In addition to these estate-wide measures, we are investing £10 million in 10 prisons to trial new approaches to improve standards and security, to serve as a model of excellence for the rest of the estate to follow. Under the programme, governors at each prison will be provided with new scanners capable of detecting packages inside bodies, and sniffer dogs trained to detect new psychoactive substances. Further investment will go into repairing basic infrastructure such as broken windows. Management will train and support staff to set the highest expectations for prisoners and challenge disruptive and violent behaviour fairly, consistently and firmly to restore order and control.

13 Sep 2018 | Written questions | Answered | House of Commons | 172601

- [Synthetic Cannabinoids](#)

**Asked by:** Double, Steve | **Party:** Conservative Party

To ask the Secretary of State for the Home Department, whether his Department plans to reclassify synthetic cannabinoid substances as class A drugs.

**Answering member:** Mr Nick Hurd | **Party:** Conservative Party |  
**Department:** Home Office

We have regular discussions with the National Police Chiefs' Council on the issue of synthetic cannabinoids and we recognise how dangerous they can be and the devastating impact that they can have on communities, families and the individuals taking them.

That is why we acted to control these substances as class B drugs under the Misuse of Drugs Act 1971 in 2016, to give the police the powers they need to take action, including making possession illegal and delivering longer sentences for dealers.

This followed recommendations from the Advisory Council on the Misuse of Drugs that their harms are commensurate with other class B drugs.

However, we will continue to monitor their impact.

12 Sep 2018 | Written questions | Answered | House of Commons | 170369

- [Prisons: Synthetic Cannabinoids](#)

**Asked by:** Moore, Damien | **Party:** Conservative Party

To ask the Secretary of State for Justice, what steps he is taking to reduce the usage of Spice in prisons.

**Answering member:** Rory Stewart | **Party:** Conservative Party |  
**Department:** Ministry of Justice

We have made it a criminal offence to possess new psychoactive substances in prison and trained more than 300 sniffer dogs specifically to detect these drugs.

We have launched a Drugs Taskforce, working with law enforcement and health partners from across government to restrict supply, reduce demand and build recovery from drug use, including psychoactive substances.

Our Taskforce is working with 10 of the most challenging prisons to understand their situation and will invest £6 million to tackle drug supply in these establishments, alongside its wider work to provide support and guidance across the prison estate.

We are also adopting pioneering approaches such as our 'Drug Recovery Prison' pilot at HMP Holme House, which is leading the way in tackling the supply of drugs and putting offenders on a long-term path to recovery.

11 Sep 2018 | Written questions | Answered | House of Commons | 169856

- [Synthetic Cannabinoids](#)

**Asked by:** Bradley, Ben | **Party:** Conservative Party

To ask the Secretary of State for the Home Department, what recent representations he has received on the current classification level of synthetic cannabinoids.

**Answering member:** Mr Nick Hurd | **Party:** Conservative Party |  
**Department:** Home Office

We receive a range of representations on the current classification level of synthetic cannabinoids and we recognise how dangerous synthetic cannabinoids can be and the devastating impact that they can have on communities, families and the individuals taking them.

That is why we acted to control these substances as class B drugs under the Misuse of Drugs Act 1971 in 2016, to give the police the powers they need to take action, including making possession illegal and delivering longer sentences for dealers.

This followed recommendations from the Advisory Council on the Misuse of Drugs that their harms are commensurate with other class B drugs.

However, we will continue to monitor their impact.

11 Sep 2018 | Written questions | Answered | House of Commons | 169839

- [Prisons: Synthetic Cannabinoids](#)

**Asked by:** Bradley, Ben | **Party:** Conservative Party

To ask the Secretary of State for Justice, what recent assessment he has made of the level of use of synthetic cannabinoids in prisons.

**Answering member:** Rory Stewart | **Party:** Conservative Party |  
**Department:** Ministry of Justice

In 2017/18, the rate of positive tests for new psychoactive substances in random mandatory drug testing was 12.2%.

New psychoactive substances (NPS) are a game changer for prison safety, and this statistic reinforces the scale of the challenge.

We are addressing this head on, and our £7m investment in prison security will further bolster defences via airport-security style scanners, improved searching techniques and phone-blocking technology.

We have also launched a drugs taskforce with law enforcement and health partners across government to restrict supply, reduce demand and build recovery.

We are also adopting pioneering approaches such as our 'Drug Recovery Prison' pilot at HMP Holme House, which is leading the way in tackling the supply of drugs and putting offenders on a long-term path to recovery.

11 Sep 2018 | Written questions | Answered | House of Commons | 169838

- [Drugs: Crime](#)

**Asked by:** Foster, Kevin | **Party:** Conservative Party

Whether she has made an assessment of the effectiveness of measures to tackle the illegal trade in the drug commonly known as Spice.

**Answering member:** Mr Nick Hurd | **Party:** Conservative Party |

**Department:** Home Office

The Government's approach to drugs is working. We are tracking the use of new psychoactive substances (which captures synthetic cannabinoids such as those in 'spice') though the annual Drug Misuse publication, which found that NPS use in England and Wales has fallen from 0.7 per cent in 2015/16 to 0.4 per cent in 2016/17. We recognise that some areas still have problems with synthetic cannabinoids and strongly support the multi-agency approach taken to tackle this.

16 Apr 2018 | Written questions | Answered | House of Commons | 904761

- [Drugs: Misuse](#)

**Asked by:** Foster, Kevin | **Party:** Conservative Party

To ask the Secretary of State for the Home Department, what assessment she has made of the appropriateness of the current classification of the drug commonly known as Spice as a class B substance; and if she will reclassify Spice as a class A substance.

**Answering member:** Victoria Atkins | **Party:** Conservative Party |

**Department:** Home Office

The group of third generation synthetic cannabinoids, commonly referred to using the brand name 'spice', were controlled under the Misuse of Drugs Act 1971 in December 2016. This followed recommendations from the Advisory Council on the Misuse of Drugs that their harms are commensurate with other class B drugs.

The Government has no plans to reclassify these synthetic cannabinoids at the present time, but we will continue to monitor their misuse.

29 Jan 2018 | Written questions | Answered | House of Commons | 124009

- [Drugs: Misuse](#)

**Asked by:** Coaker, Vernon | **Party:** Labour Party

To ask the Secretary of State for the Home Department, what assessment she has made of the prevalence of the drugs (a) black mamba and (b) spice; and if she will make a statement.

**Answering member:** Victoria Atkins | **Party:** Conservative Party |

**Department:** Home Office

We have regular conversations on tackling illegal drugs with the National Policing Lead for Drugs, including on the prevalence of synthetic cannabinoids, such as those sold under the brand names of Spice and Black Mamba.

We recognise how dangerous synthetic cannabinoids can be and the devastating impact that they can have on communities, families and the individuals taking them.

That is why we acted to control these substances as class B drugs under the Misuse of Drugs Act and give the police the powers they need to take action, including making possession illegal and delivering longer sentences for dealers.

We are monitoring the prevalence of these drugs, and new psychoactive substances more widely, through a range of sources such as survey data from the Crime Survey for England and Wales, and data on the numbers of people in treatment.

16 Nov 2017 | Written questions | Answered | House of Commons | 112501

- [Drugs: Misuse](#)

**Asked by:** Reynolds, Jonathan | **Party:** Labour Party · Cooperative Party

To ask the Secretary of State for the Home Department, what plans the Government has to tackle trends in the incidence of the drug known as Spice.

**Answering member:** Sarah Newton | **Party:** Conservative Party |

**Department:** Home Office

Use of new psychoactive substances has fallen significantly since we introduced the Psychoactive Substances Act, hundreds of retailers have shut and the first offenders have been convicted.

However, the Government recognises how dangerous synthetic cannabinoids, such as those found in spice, can be and the devastating impact that they can have on those taking them. That is why we acted to control these substances as class B drugs under the Misuse of Drugs Act and give the police the powers they need to take action, including making possession illegal and delivering longer sentences for dealers

Our new Drug Strategy, emphasised the importance of a joined up approach to tackling the harms caused by drugs to prevent substance misuse, restrict the supply of drugs and support people from drug dependency. We strongly support the multi-agency approach being taken in areas to respond to this issue to reduce burden on public services and to prevent harm to the individuals themselves.

13 Sep 2017 | Written questions | Answered | House of Commons | 8685

## 4.2 Debates

[Drugs Policy](#)

23 Oct 2018 | Proceeding contributions | House of Commons | Westminster Hall | 648 cc64-90WH

[Addiction: England and Wales](#)

12 Sep 2018 | Proceeding contributions | House of Lords | House of Lords Grand Committee | 792 cc209-225GC

[Mamba: Societal Effect](#)

23 Jul 2018 | Proceeding contributions | House of Commons | House of Commons chamber | 645 cc835-846

[Psychoactive Substances](#)

23 May 2018 | Proceeding contributions | House of Commons Parliamentary proceedings | 641 cc422-437WH

[Drug Addiction](#)

22 Nov 2017 | Proceeding contributions | House of Commons | Westminster Hall | 631 cc414-438WH

[Drugs Policy](#)

18 Jul 2017 | Proceeding contributions | House of Commons | House of Commons chamber | 627 cc724-810

### 4.3 Prisons (Substance Testing) Bill 2017-19

A Private Members' Bill (under the Ten Minute Rule) to make provision about substance testing in prisons and similar institutions, the [Prisons \(Substance Testing\) Bill 2017-19](#), was due to be read a second time on Friday 26 October 2018.

The [Explanatory Notes](#) to the Bill provide an overview:

1. The purpose of the Bill is to improve the capability of prisons in England and Wales to test for the use of illicit substances by prisoners. This will help staff in Her Majesty's Prison and Probation Service (HMPPS) and other agencies to understand the full extent and nature of substance misuse in prisons, and to take appropriate action to prevent it.
2. The Bill simplifies the current process for adding newly identified psychoactive substances to existing prison officer powers to carry out mandatory tests on prisoners for drugs. It also creates powers for prison officers to carry out mandatory tests on prisoners for prescription only and pharmacy medicines, in response to growing evidence of these substances being misused in prisons. Finally, the Bill also sets out a clear statutory framework for the established practice of prevalence testing.

## 5. Further reading

### **Public Health England**

#### [Continuity of care for prisoners who need substance misuse treatment](#)

An audit toolkit and guidance on data recording, for prison and community treatment providers and commissioners.

13 August 2018

#### [New Psychoactive Substances: the response by probation and substance misuse services in the community in England](#)

A joint inspection by HM Inspectorate of Probation and the Care Quality Commission

November 2017

#### [A Review of New Psychoactive Substances in Secure Mental Health Settings Summary document](#)

September 2017

#### [Neuro-psychiatric and other effects of NPS Quality Network for Prison Mental Health Services Annual Forum 2017](#)

6 July 2017

#### [System launched to help tackle harms from new psychoactive substances](#)

New online system, Report Illicit Drug Reaction, launched today to improve knowledge of the harmful effects of new psychoactive substances.

22 March 2017

#### [New psychoactive substances toolkit: prison staff](#)

This toolkit supports custody and healthcare staff in prisons to manage the challenge of NPS use in secure environments. This includes young offender institutions and immigration removal centres.

1 January 2017

### **Ministry of Justice and Public Health England**

#### [The effect of drug and alcohol treatment on re-offending](#)

A report on the links between substance misuse treatment and its impact on re-offending by people after they leave prison.

26 October 2017

### **Advisory Council on the Misuse of Drugs**

['Third generation' synthetic cannabinoids](#)

Report to the Minister for Crime Prevention, which recommends a revised generic description of 'third generation' synthetic cannabinoids.

Published 27 November 2014, last updated 15 November 2016

### **Home Office and Advisory Council on the Misuse of Drugs**

[Advice on 'third generation' synthetic cannabinoids](#)

Lynne Featherstone writes to the ACMD chair regarding synthetic cannabinoids.

Published 11 March 2015

### **Police and Crime Commissioner for Lincolnshire**

[Letter to Home Office ministers](#)

The growing public health concern of synthetic cannabinoid substances often known as 'Spice' within the United Kingdom

28 August 2018

### **Release**

[Briefing Paper on Proposed Re---classification Synthetic Cannabinoid](#)

[Receptor Agonists \(SCRAs\)](#)

### **Commons Library**

[The human and financial costs of drug addiction](#)

This briefing provides an overview of drug misuse, the recent increase in drug related deaths and estimates of drug misuse costs. It will also look at the publication of the new Government Drug strategy and responses to this.

CDP-2017-0230, 21 Nov 2017

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