

# National Assembly for Wales

## Health and Social Care Committee

### Inquiry into New Psychoactive Substances

In September 2014 the Health and Social Care Committee started looking into the issue of new psychoactive substances (“NPS”). The Committee finished its inquiry and published a **report** in March 2015.

## Background

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### What was the inquiry about?

NPS are commonly marketed as safer and legal alternatives to illegal drugs, often made in laboratories and sold via the internet or in so-called “head shops” that exist on the high street. This marketing is misleading – their side effects can be as serious as those caused by illegal drugs, and they can be as addictive too. Often, they also contain traces of substances that are against the law to sell and take. You can find more information about NPS, including how you can get help and support if you have used them, on the **DAN 24/7 website**.

### Why did the Committee hold this inquiry?

The Committee decided to look into this issue because the use of NPS has grown in Wales, and elsewhere, in recent years. In 2013, 60 deaths in England and Wales involved NPS, 15 per cent higher than the previous year. Members were concerned about the health and social harms caused by NPS, and wanted to shine a light on the steps that need to be taken to allow people to make more informed decisions about their use of NPS.

### How did the Committee gather people’s views for this inquiry?

The Committee used a number of different ways to ask people what they think about NPS, including:

- inviting people to **write their views on paper** (22 responses were received, with a further 7 pieces of additional evidence received during the course of the inquiry);
- asking the public to fill in a **survey** about NPS and their use (1072 people responded to the survey from all four corners of Wales);
- inviting representatives from the following organisations to speak with Members in **official meetings** at the Senedd in Cardiff Bay:

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| – <b>Gwent Police</b>       | – <b>WEDINOS</b>                                | – <b>Her Majesty’s Inspectorate of Prisons</b>                     |
| – <b>DrugScope</b>          | – <b>NHS representatives</b>                    | – <b>Home Office, UK Government</b>                                |
| – <b>Angelus Foundation</b> | – <b>Welsh local government representatives</b> | – <b>Minister for Health and Social Services, Welsh Government</b> |

Focus groups were also held in Merthyr Tydfil and Wrexham to hear directly from front-line staff, and Committee members visited the LOTS project, Forsythia Youth Club and DrugAid to speak to those who have been affected by NPS. Members also visited the headquarters of DAN 24/7, Wales’ national



substance misuse helpline. **Pictures from Wrexham and Merthyr, videos**, and a **blog** about these visits have all been published so that you can see them. The Committee also used **storify** to keep people updated on the inquiry's progress.

## What did people tell the Committee and what has the Committee done about it?

### What the Committee was told

### What the Committee said in its report

<p><b>More needs to be done to increase public awareness of the harms caused by using NPS. This should be done by:</b></p> <ul style="list-style-type: none"> <li>– running targeted media campaigns;</li> <li>– improving education in schools;</li> <li>– raising parents' awareness of NPS and what harms they can cause; and</li> <li>– making sure that staff who provide front-line services like health care, and social and housing services, know what NPS are and what impact they can have.</li> </ul>	<p>The Committee recommended that:</p> <ul style="list-style-type: none"> <li>– the current drugs education programme in schools should be reviewed urgently to make it better and more consistent across Wales, and to make sure it is delivered by people who are suitably trained and qualified;</li> <li>– more needs to be done to educate parents about NPS, so that they can provide accurate information that enables their children to make informed choices. Leaflets, training courses, and awareness campaigns targeted at parents need to be developed to do this;</li> <li>– a national training programme on NPS should be developed for all staff providing public services (e.g. doctors, nurses, police, social workers, prison officers etc.)</li> </ul>
<p><b>The term "legal highs" is really unhelpful. It suggests that using these substances is a safe and legal thing to do. In reality, they are often really harmful and contain illegal substances.</b></p>	<p>The Committee recommended that the Welsh Government's 2015 public awareness campaign on NPS in should:</p> <ul style="list-style-type: none"> <li>– include targeted information for young people;</li> <li>– have a strong media and social media focus;</li> <li>– emphasise that legal does not mean safe.</li> </ul> <p>The Committee has also recommended that those working in this field, including the media, should stop using the term "legal highs" as it is very misleading.</p>
<p><b>The UK Government, which is responsible for drugs policy, should ban the supply of NPS, making "head shops" and market stalls that sell NPS illegal. Those using NPS should not be given a criminal record - that could make things even worse for users who</b></p>	<p>The Committee recommended that the Welsh Government should encourage the UK Government to move as quickly as possible to implement the suggested ban the supply of NPS. The Committee has emphasised, however, that changing the law will not answer the issue altogether – it believes that improved education, awareness and treatment services are just as important for ensuring that</p>



<p><b>are trying to get their lives back on track.</b></p>	<p>the number of the NPS users in Wales is reduced.</p>
<p><b>NPS use among prisoners is likely to become a significant problem in Wales if the pattern in England is anything to go by.</b></p>	<p>The Committee recommended that more work needs to be done by the Welsh and UK Governments to understand:</p> <ul style="list-style-type: none"> <li>– why NPS use has become a problem in English prisons;</li> <li>– what that is likely to mean for Wales; and</li> <li>– what steps need to be taken to address the problem.</li> </ul> <p>The Committee recommended that targeted training is given to prisoners and prison staff about the harms caused by using NPS.</p>
<p><b>Not enough is known about how many people are taking NPS and what harms they can cause.</b></p>	<p>The Committee recommended that the Welsh Government should work with the other UK countries to identify the best way to measure the use of NPS. The aim of this is to make sure we know more about who is using NPS and what services are need to help those people who are using or thinking about using them.</p>
<p><b>Treatment services for NPS users are not always as flexible or accessible as they need to be.</b></p>	<p>The Committee recommended that the Welsh Government should think of ways to adapt existing support services to meet the needs of NPS users. The Committee thinks that:</p> <ul style="list-style-type: none"> <li>– this should include more drop-in services; and</li> <li>– it would be helpful if drug treatment services could be provided in the same building as other services, so that they are easier to access and that any stigma associated with using them is reduced.</li> </ul>

## Key inquiry facts and figures

<ul style="list-style-type: none"> <li>– 22 consultation responses</li> <li>– 1072 survey responses</li> <li>– 8 evidence sessions with 23 witnesses</li> <li>– 1 factual briefing from Gwent Police</li> </ul>	<ul style="list-style-type: none"> <li>– 14 recommendations in the report</li> <li>– 2 focus groups: <ul style="list-style-type: none"> <li>– 20 participants in south Wales</li> <li>– 17 participants in north Wales</li> </ul> </li> <li>– 4 regional visits to service users and providers</li> </ul>
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## What's happened in Wales since the Committee published its report?

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In May 2015, the **Welsh Government responded** to the Committee's report by accepting all 14 of the Committee's recommendations. This response, along with the Committee's report, informed a **Plenary debate on the impact of NPS** held in the Assembly's debating chamber on 13 May 2015.

In its response the Government stated that it would carry forward a number of the Committee's recommendations in its next substance misuse delivery plan **Working Together to Reduce Harm – Delivery Plan for 2016 -18**. The Government published its delivery plan in January 2016 for consultation; this consultation will run until 30 March 2016.

## What's happened at the UK and EU levels since the report's publication?

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### UK level

The Committee received a supportive **response to its report from the then UK Home Office's Minister for Crime Prevention** in March 2015. After the UK general election in May 2015, a new Bill was introduced to the UK Parliament to address the issue of new psychoactive substances. This Bill became the Psychoactive Substances Act after receiving Royal Assent on 28 January 2016. It contains a number of provisions of relevance to Wales, including:

- making it an offence to produce, supply or offer to supply any psychoactive substance if the substance is likely to be used for its psychoactive effects
- providing the police with powers to stop and search individuals and premises *[it should be noted that possession of a psychoactive substance will not be an offence, except in a custodial institution e.g. prison, young offender centre etc.]*
- defining a psychoactive substance as “any substance which is capable of producing a psychoactive effect in a person who consumes it, and is not an exempted substance” *[exempted substances include: nicotine, alcohol, and caffeine; medicinal products as defined by legislation; and drugs already controlled by the Misuse of Drugs Act 1971]*

### European level

Negotiations on the basis for an EU-wide provision for the regulation of new psychoactive substances remain on-going. The UK Government believes that flexibility should remain for national parliaments and governments to react to new substances when they enter the market. It is concerned that current European proposals may hinder this and is negotiating with other member states to change the EU Commission's approach.

## How to find out more about the Committee

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To learn more about the Committee and its work, you can visit the website [www.assembly.wales/seneddhealth](http://www.assembly.wales/seneddhealth) or follow [@seneddhealth](https://twitter.com/seneddhealth) on Twitter.

