



Independent Scientific Committee on Drugs

Embargo: 00.01 hours, Monday, March 29, 2010

Dear Mr Johnson,

Following the recent policy debate and press coverage concerning mephedrone, we know that, like us, you will be keen to ensure that any steps the current or future government might take regarding 'legal highs' will be based on the best possible scientific evidence available.

In our view, to ensure an effective evidence-based approach to policy-making on 'legal highs' is created, the following points need to be brought to the fore in the policy making process:

First, we are fortunate that the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) evidence gathering and evaluation process is well underway with regard to 'legal highs'. The report on mephedrone from all Member States will be going to the European Union Council and Commission at end of March 2010, and as a result, a decision is likely to be made within ten days of that report to carry out formal risk-assessment. Such an assessment would be carried out by the EMCDDA scientific committee in early July. This will undoubtedly produce a far more substantial assessment of harms than can be done at national level. In our view, it would make little sense to legislate prior to the findings of this authoritative body.

Second, it is imperative to avoid, particularly in the pre-election period, a knee-jerk reaction to press coverage of deaths that may or may not have been caused by mephedrone. We would hope that lead Home Office ministers and shadows will, in the public interest, bring together the best evidence available before moving to legislation. The results of several investigations into alleged deaths are still pending and at the very least, there should be time to consider the outcome of relevant coroners' reports and police investigations as and when they are made public.

Third, any control of 'legal highs' under the Misuse of Drugs Act would require a proper assessment of harms caused. As at present we have little more than anecdotes as a basis for policy, it is essential that a proper evidence base is assembled before taking action. The aim of classification is to prevent those that might be tempted to use drugs from coming to harm. However, the inconsistency and confusion about the role of classification has contributed greatly to the problems in creating a coherent drugs policy. The emphasis here should be on creating a coherent policy framework that promotes the safety of users and provides education about the risks involved rather than automatic criminalisation of users with the very real harms that it can entail.

Fourth, given that a substantial evidence base will be available in July, our view is that in order to take pressure off the Advisory Council on the Misuse of Drugs, and to

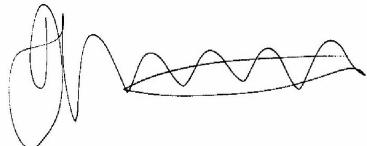
relieve any electoral pressures on party policy teams, the front benches should reach an agreement that further legislative proposals around 'legal highs' be postponed until the election is over and the EMCDDA has reported.

Finally, given the pending election, it is unlikely in any case that there will be enough time for parliamentary bodies to properly consider any legislative steps that might be taken.

This is a pivotal moment in UK drug policy: given the plethora of 'legal highs' that could follow in mephedrone's wake, the way in which this issue is handled could well set the tone for many years to come.

It is to be hoped that 2010 and a new term of government marks the beginning of an era of reasoned and scientifically sound drugs policy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Nutt'.

Professor David Nutt

A handwritten signature in black ink, appearing to read 'L King'.

Dr Les King