New Psychoactive Substances

Strategy and Action Plan

2014 - 2017
1. Introduction

New psychoactive substances (NPS), also known as “legal highs” are an emerging threat, not only in the UK, but also across Europe and beyond. NPS are drugs which are not currently controlled under the UK’s Misuse of Drugs Act 1971, but which mimic the effects of illegal drugs. NPS are generally sold online or in shops, generally referred to as “head shops”.

2. About this Strategy.

This Strategy has been developed in partnership in recognition of the growing problem with NPS across the Borough of Scarborough. The development of the Strategy has been supported by the Public Service Executive Partnership (PSE), which holds the community safety partnership responsibilities for the Borough. The PSE will continue to drive the delivery of the plan and manage and monitor progress.

The partners on the PSE include:

North Yorkshire Police
Scarborough Borough Council
North Yorkshire County Council (NYCC)
Yorkshire Ambulance Service
Scarborough and Ryedale Clinical Commissioning Group
North Yorkshire Fire and Rescue
North Yorkshire Probation Service
University of Hull (Scarborough Campus)

The Strategy has been developed by a steering group of key stakeholders, who will manage the implementation of the strategy including:

Cambridge Centre (Local Drug and Alcohol Agency)
Compass (Local Drug Agency)
North Yorkshire Police
Scarborough Borough Council
Scarborough Hospital
Filey School
NYCC Youth Service
Youth Justice Service

3. Aims and Objectives

The purpose of the Strategy and Action Plan is to provide a framework through which the aim of reducing the harm caused by New Psychoactive Substances (NPS) within the borough can be effectively managed in an integrated and co-ordinated way, with better communication between public service organisations and key stakeholders. The plan has three key aims:
highlight potential risks and harms of using NPS to enable people to take personal responsibility for their decisions;
work with partners to enhance the knowledge and evidence on NPS;
make full use of the legislative framework and strengthen the enforcement response

4. About NPS

NPS are psychotic substances that are not controlled under the Misuse of Drugs Act 1971 but which mimic the effects of controlled drugs such as cocaine, ecstasy and cannabis. As the substances are newly created they are not automatically controlled under the 1971 legislation and in general can be bought and sold legally, although a number of NPS contain chemicals that are controlled drugs. NPS can include powders, pills and herbal material and they look like the substance they mimic. Little research has been conducted into their effects, treatment or long term illness, although reported effects to date include seizures, comas and in some cases death.

The Advisory Council on the Misuse of Drugs (ACMD) says NPS generally fall into four broad categories:

- products with names that give no indication of what they contain
- substances that are designed to be similar to specific controlled drugs
- substances related to medicines
- herbal or fungal materials or their extracts

NPS products cannot be marketed, sold or labelled as being intended for human consumption, which would make them subject to strict pharmaceutical legislation. To circumvent these laws they are often labelled as something else; for example, plant food, bath salts, research chemical or boat cleaner, with disclaimers saying they are ‘not for human consumption’.

Those manufacturing NPS are increasingly tweaking the chemical formulas of banned drugs to bypass bans on specific substances.

Although not a new phenomenon, the increasing availability of a wide range of NPS, the use of new modes of communication, changes in the patterns of drug use and the potential harms related to this use have thrust the NPS issue into the public spotlight. NPS are considered to be an increasing risk and there are now in excess of 300 NPS being used, with new drugs being developed and marketed on a weekly basis.

- The number of new substances reported by member states to the UN office on drugs and crime increased by 51% between 2009 and mid 2012.
The European Monitoring Centre for Drug and Drug Addiction’s annual report in 2012 estimated that around 10% of young people in the UK had used legal highs.

**Effects of NPS**

Nationally there is a lack of data about NPS. The substances are untested and unregulated for human consumption. Aside from these obvious risks, the contents of products are often variable and not specified on packaging, meaning people can never be sure exactly what they are taking, even if they have used a product before.

There is limited data available on these substances, however, nationally there appears to have been an increase in hospital admissions associated with legal highs. In addition, health services are starting to see health problems associated with regular use of legal highs, including, dependence that requires detoxification treatment.

- The number of deaths in the UK involving NPS increased by 79%, from 29 in 2011 to 52 in 2012.
- There was a 600 per cent increase in the number of deaths associated with legal substances in England between 2009 and 2012, whilst in Scotland there was a 400 per cent increase between 2010 and 2012.

**Head Shops**

The term ‘Head shop’ refers to any shop or market stall which sells paraphernalia and equipment used for
- using drugs including cannabis and cocaine
- bongs, pipes and snorting kits
- assisting of drug distribution including selling of digital scales and bags associated with drug supply
- articles for distribution of cannabis such as lights and seeds
- the covert concealment of drugs including stash cans
- the selling of psychoactive substances

Head Shops selling new NPS operate on the edge of legality, and they are often both vague and creative in the descriptions given of their products and their purported uses. NPS may be sold as research chemicals, plant food, bath salts, exotic incenses, room odourisers, pond cleaners etc., alongside more indicative descriptors such as party pills, ethno botanicals, herbal highs, and smoking blends. Most are labelled ‘Not for Human Consumption’.

In addition many Head Shops promote and facilitate the cultivation, production, preparation and consumption of drugs. In addition to NPS, the type of products offered for sale in these shops can include cannabis seeds, practical ‘Bongs’ and pipes, snap seal bags, cannabis cultivation books and
magazines, extra large cigarette papers, ‘roach’ filters, small electronic weighing scales and cannabis grinders.

5. NPS Trends Locally

As part of the development of this strategy, a partnership intelligence gathering operation has been underway since April 2014. This has brought together information in a co-ordinated way from partners such as North Yorkshire Police, the Youth Service, schools, health and treatment agencies in an attempt to better understand patterns of usage of NPS locally, and to inform strategies for harm reduction.

The Safer Communities Partnership has also commissioned additional research, undertaken by the Cambridge Centre about the extent of NPS use amongst young people and within the Night Time Economy specifically.

In the three months since the intelligence gathering operation commenced on 30th April 2014, there have been 138 reports logged relating to NPS.

Key trends noted to date include:

- The age range of those taking NPS is between 12 years and 40 years, with the main age group being 15 yrs old.

- There is information to suggest that young people under the age of 18 are able to buy NPS over the counter and adults are also buying and supplying to younger people.

- To date the main known areas of concern for NPS use is in Scarborough Town Centre, Filey and Eastfield. There is no information for Whitby at the present time but we cannot conclude from this that NPS use is not happening in this or any other areas of the Borough.

- Intelligence indicates that some adult drugs users do use NPS as well as controlled substances and a number of young people and adult users use both cannabis and NPS.

- The picture that is emerging is that NPS use is a trend amongst young people who are using it in private dwellings, house parties and also on the beach. The age bracket that is being reported as doing this is as young as 13 up to late teens and early twenties.

- Information from partners working with young people suggests that whilst some young people are purchasing NPS over the Internet, in the main they are purchasing from the four “head shops” in Scarborough.

- Information from partners working with young people who are taking legal highs suggests that young people believe the substances to be
“safe” and because of the term ‘Legal High’ there is a false perception that just because a drug is technically legal it must be safe,

- There is also a perception amongst some young people that as the substances are “legal” there is “nothing the Police can do about it”.

**Local Retailers**

At the time of writing this strategy there were 4 known Head Shops in Scarborough Town Centre, Green World and Culture Counter

There are no known Head shops in Whitby and Filey at the time of writing this strategy, although we do know that there is use of legal highs in both Towns.

**NPS named substances being used across the Borough (description of type where known)**

Synthetic, Synth (Powder), Pandora's Box, Ching (powder), Genesis, blue monster (tablet), Cyclone, Exodus Blue (comes in three forms, granules/powder, shards and marshmallows), Dalmation (leaf), Exodus, Clockwork orange, Cryer, AMT, Clockwise, Extamination,


**Reported effects on individuals to date across the Borough**

The intelligence gathering operation has reported a range of effects associated with NPS use. These include:

- 12yr old boy treated in A&E after feeling ill from smoking several ‘drags’ from a roll up which contained some sort of ‘cannabis drug’.

- 14yr old boy is taking legal highs and has no sense of fear. He will do ‘free run’ across high buildings and become reckless before going into a ‘trance like’ state where he will present as being unconscious but will still be talking. He feels as if it is just like smoking cannabis. He is using 'HERBAL HAZE' and 'PANDORAS BOX' all bought by himself.

- 17yr old male uses legal highs on a daily basis - gets thoughts of harming people and recently decided to kill two specific unnamed males. He left his home address with a claw hammer in a bag however his girlfriend found the hammer and removed it from the bag.
Two 15yr old boys described as ‘going mental’ on synthetic cannabis, walking round town area punching adults in the face and ‘taxing’ vulnerable drug users for money and drugs.

16yr old male became violent and was arrested after he consumed the ‘legal high’ Pandora’s box. Initially began by pacing the room and looking agitated. He then jumped out of the top floor window and landed in the back garden uninjured. He has then gone back inside locked himself into the upstairs bathroom and tried to open the window to jump out of the property again. His father has managed to prevent him from doing this. He made various threats towards all his family members present, and caused them some physical injuries.

A 16yr old male has requested help to ‘get off’ NPS, he is now prescribed medication by his doctor and is engaging with Scarborough Hospital Alcohol and Drugs Outreach services.

A 51yr old male was taken to hospital due to him being under the influence of an NPS ‘GENESIS’. The male was in and out of consciousness.

A male was seen to take some of the ‘exodust’ and it caused severe vomiting. This was with the use of a bong and was the males first time taking it.

There have been many disturbing side effects reported associated with NPS use particularly the ones that are smoked including two young people that have reported issues with their eyesight and both have also complained of heart trouble.

6. Legal Powers and Tools

The Home Office has launched a review of NPS and published guidance for councils on legislative tools already available to tackle ‘head-shops’.

The main legal powers available for dealing with head shops are:

- Seizure of intoxicating material, under the Misuse of Drugs Act 1971.
- Selling an intoxicating substance to a person under the age of 18 years under Section 1 of the Intoxicating Substances (Supply) Act 1985.
- Seizure of paraphernalia for preparing controlled drugs under the supplying articles used to administer or prepare controlled drugs.
- General Product Safety Regulations 2005.
Options for Local Authority Consideration and Agreement

- The passing of appropriate Bylaws to establish a local compliance framework which imposes controls on these types of establishments supplying NPS within Borough, adopting similar principles to those currently used to control sex shop establishments.
- Where a business currently operates within a SBC owned premises, consideration to changing current tenancy arrangements to prohibit the sale of such products from Council owned properties which would safeguard our young people.

Options for Trading Standards

Consumer Protection from Unfair Trading Regulations 2008 (CPR’s);
- The General (Product) Safety Regulations 2005;
- The Consumer Protection Act 1987, which includes The Cosmetic Products (Safety) Regulations 2006;
- The Medicines Act, 1968 is also a potential legislative tool. The Medicines and Healthcare Products Regulatory Agency (MHRA) is responsible for administering and enforcing medicine legislation.

7. Priorities for Action

Nationally partnership working has been identified as the best way of tackling this issue identifying the most appropriate tools to tackle the identified local situation and ensure a coordinated response.

The priority areas for action detailed below will support the overall delivery of the aims for this plan to stop the number of retailers selling NPS irresponsibly and try to keep people safe through education and harm reduction work. Given the current intelligence and information picture of the issue, the initial focus will be on Scarborough and Filey.

To reduce the risk of harm to individuals there are three main areas of work to be undertaken across the Borough.

7.1 Work with partners to enhance the knowledge and evidence on NPS.

Locally the use of NPS appears to be growing and it is essential that agencies are focused on the scale of use and that front line workers are aware of what NPS is and potential known risks to health and criminal behaviour. There is also a need to continue to increase local information and intelligence from a range of agencies, including those working with young people to enhance understanding locally about the issue.
**Actions to Include**

- The up skilling of professionals to develop some basic competence in being able to provide NPS information, identify NPS-related problems and intervene or refer people for help.
- To increase awareness of and submission by agencies of the local intelligence gathering forms.
- Analysis of the intelligence and information submitted to inform action planning.

**7.2 Highlight potential risks and harms of using NPS to enable people to take personal responsibility for their decisions;**

The safeguarding of those using NPS is a key priority, in particular there is a need to ensure the effective identification and protection of vulnerable people, to minimise harm. Good quality drug education can impact on changes in specific drug using patterns and reduce the use of drugs and associated problems for young people and adults. It can also contribute towards decreased harm and increased safety for young people, their families and communities. However care should be undertaken with the wider reporting and dissemination of information on NPS so as not inadvertently to encourage wider experimentation and use particularly among the under 16s.

**Actions to Include**

- The inclusion of NPS in drug education programmes in schools, colleges and out of school education establishments to increase knowledge and awareness of harms of NPS.
- Targeted prevention with individuals that are known to use NPS through tailored information (particularly on the risks of poly-drug and alcohol use and injecting `unknown substances``)
- Raise public awareness around NPS including the availability of website based information.
- Brief interventions to reduce or stop use (such as those provided for stimulant use and alcohol misuse)
- Localised information on support at pubs, clubs at other environments with a high likelihood of use
- Referral pathways in each local area for users to substance misuse services.
7.3 Make full use of the legislative framework and strengthen the enforcement response

To safeguard the community a strong approach to enforcement and regulation of the head shops will be taken. This will be undertaken in partnership and will include the key agencies which hold enforcement powers such as the police and local authorities, including Trading Standards, informed by the views of other partners.

The approach will consider the following options

- Seek to secure voluntary agreements with premises selling NPS products to discourage sales and to raise awareness of the impact and potential harm caused by NPS substances.
- Where voluntary agreements cannot be secured proactive enforcement action will be considered. Particular triggers will include where sales to under 18’s are suspected, where there are safeguarding issues or suspicions about exploitative practices, where there is associated ASB with a particular premise, where shops are considered to be promoting or glamorising use of NPS or other controlled substances, where there is evidence of controlled substances contained within NPS products.
- Wider issues and impact will be considered, including “unintended consequences” such as NPS sales moving “underground” with consequent risks of exploitation.
- The Borough Council position is to seek to prevent the sales of NPS within properties owned or leased by the Borough Council.

Actions to Include

- Establish an enforcement group including representatives from SBC, The Police and Trading Standards to develop multi agency protocols for dealing with the current and emerging Head Shops. This includes specific action plans developed in relation to each individual head shop taking into account issues and potential powers available.
- Robust safeguarding action to be undertaken if young people under the age of 18 are in possession of what they believe to be a controlled drug
- Robust enforcement action to be undertaken against those who are selling to young people under the age of 18
- Use of drugs dog to detect illegal drugs that may be mixed with NPS