

## **BRIEFING NOTE**

SUBJECT: New Psychoactive Substances (NPS) AKA 'Legal Highs'

### ISSUE:

A wave of psychoactive substances has flooded the UK over the last few years and as these substances are not quality controlled, it means they are not safe for human consumption.

They have been sold legally in the UK on our high streets and through websites, although the **Psychoactive Substances Act** has been approved by government which makes 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. This came into force on the **26th May 2016** and has the power to shut down shops and websites selling and trading in 'legal highs' in the UK after this date.

In Warrington there is local data and reports evidencing the detrimental effect NPS is having on our residents and communities. This has created issues and pressures on local services such as the police, ambulance service, drug treatment services, hospital, housing, health and prisons.

### CONSIDERATIONS:

There are several different types of NPS which all mimic the effects of illegal drugs. When taken, the effects can vary depending on what NPS has been taken, the amount taken and by whom (*an identical packet purchased from the same vendor could have completely different contents, due to the lack of consistency with these products*).

Reported side effects include glazed eyes, slurred speech, sweating, dizziness, fainting, erratic behaviour, anxiety, palpitations and spasms. Effects should subside within an hour. Additional NPS should not be consumed within 3 hours to ensure it has left the system, and if taken with other substances (*other drugs or alcohol*) the effects could be more serious.

NPS are man-made and have been sold as research chemicals, herbal incense, bath salts, potpourri and plant food to get around the law and ensure legal sales, but the new legislation will now prohibit this. They can be inhaled as a gas (e.g. Nitrous Oxide / Laughing Gas), swallowed in tablet or liquid form (e.g. 'Spaced Chill Pill') or more frequently smoked as a dried 'plant' matter (e.g. synthetic cannabinoids such as Spice).

Popular brands include Pandora's Box, Clockwork Orange, Happy Joker, Black Mamba, Exodus, Cherry / Berry Bomb, Annihilation, Obliteration, Vertex, Spice, Fiji Wave / Wild and Hipster. They are packaged in small bright foil packets emblazoned with eye catching images, patterns and fonts. Nitrous Oxide is sold in individual small steel pressurised canisters and the gas is usually inhaled using a balloon.

### LEGISLATION:

Possession of a psychoactive substance is not an offence, except in a 'custodial institution' (prison, young offender centre, removal centre etc.). Possession with intent to supply, importing or exporting a psychoactive substance is an offence.

Exempted substances include controlled drugs, medicinal products, alcohol, nicotine and tobacco products which do not contain any psychoactive substance, caffeine and food.

Nitrous oxide (when used as a propellant for whipped cream) would be exempt as a food preparation, but would be considered a psychoactive substance if it was sold with the likelihood of being used to get high. The onus will be on the supplier to ensure the product was not intended for this purpose.

Nutmeg (which is psychoactive) is used as an example in the government's commentary document of a psychoactive substance that would be classed as a food and be exempt unless it was specifically sold for psychoactive purposes.

### Penalties under the Psychoactive Substances Act 2016:

| Offence   | Summary (Magistrates Court)    | Indictment (Crown Court)    |
|---|--------------------------------|-----------------------------|
| Possession  | <b>Not an offence</b>          | <b>Not an Offence</b>       |
| Possession in a custodial institution                   | Up to 12 months and/or a fine* | Up to 2 years and/or a fine |
| Possession with intent to supply                        | Up to 12 months and/or a fine* | Up to 7 years and/or a fine |
| Supply/offer to supply etc.                             | Up to 12 months and/or a fine* | Up to 7 years and/or a fine |
| Production  | Up to 12 months and/or a fine* | Up to 7 years and/or a fine |
| Importation/exportation                                 | Up to 12 months and/or a fine* | Up to 7 years and/or a fine |
| Failure to comply with a Prohibition or Premises notice | Up to 12 months and/or a fine* | Up to 2 years and/or a fine |

### CONCLUSION:

Data is being collected to build up a local picture in Warrington, which is helping to target the support at a local level.

NPS training is being delivered to a range of front line staff to ensure an overall basic understanding of the issues, signs, symptoms and referral routes so signposting for help and support can be offered, as well as harm reduction advice and information.

If effects last longer than an hour, if symptoms become severe or if an individual becomes unconscious then medical assistance will be required. Always put the casualty into the recovery position and call for urgent help.

### RECOMENDATIONS:

Anyone aged 13 - 19 can get specialist support and intervention from the Young Person's Drug and Alcohol Team, Orford Youth Base, Capesthorpe Road, 01925 851029

Anyone aged 18 or over can access Pathways to Recovery, 14-16 Bold Street, 01925 416176

Anyone affected by someone else's substance misuse can get support from family support service Footsteps, the Gateway, Sankey Street, 01925 244524

If you would like NPS training please contact [publichealthtraining@warrington.gov.uk](mailto:publichealthtraining@warrington.gov.uk) or for more information on NPS please contact Jackie Burns, Public Health Team, 01925 443426 or [jacqueline.burns@warrington.gov.uk](mailto:jacqueline.burns@warrington.gov.uk)