



Home Office



NPS Communications toolkit

May 2016

1. Introduction

This pack outlines possible communication activity on the ban of New Psychoactive Substances (NPS) to carry out in your local area. It has been written for enforcement partners and will:

- Update you on the Psychoactive Substances Act
- Give you key dates and timings around the ban
- Explain audiences
- List messages for sellers and users
- Answer frequently asked questions
- Give sample creative
- Signpost places to go for further help and advice

2. The Psychoactive Substances Act 2016

The Psychoactive Substances Act received Royal Assent on 28 January 2016. The Act will commence on 26 May and apply across the UK.

The PS Act will:

- make it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances; that is, any substance intended for human consumption that is capable of producing a psychoactive effect. The maximum sentence will be 7 years' imprisonment
- exclude legitimate substances, such as food, alcohol, tobacco, nicotine, caffeine and medical products, from the scope of the offence, as well as controlled drugs, which will continue to be regulated by the Misuse of Drugs Act 1971
- exempt specific activities, such as healthcare professionals and those undertaking approved research, who may have a legitimate need to use PS in their work
- include provision for civil sanctions – prohibition notices, premises notices, prohibition orders and premises orders (breach of the two orders will be a criminal offence) – to enable the police and local authorities to adopt a graded response to the supply of NPS in appropriate cases
- provide 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

You can find out more about the PS Act here:

<https://www.gov.uk/government/collections/psychoactive-substances-bill-2015>

3. Communication plans

The Home Office is working closely with NPCC to communicate the law change to both sellers of NPS and to those who use or are vulnerable to using them. Annex A sets out our communication plans in further detail. We encourage you to also use information on successful local operations to drive public awareness of the law change post-commencement.

We have also been working with partners such as Public Health England (PHE); devolved administrations; and drug and homelessness charities to target those vulnerable to using or those who already use psychoactive substances. We have created posters and leaflets that will be available for youth groups, schools, drug treatment centres and homelessness hostels. We will also ensure that up-to-date information is available on the Government's information service, FRANK.

We will be re-issuing the new psychoactive substances practitioners handbook for frontline youth workers, drug treatment workers and homelessness support workers.

4. Messages to sellers

1. From 26 May 2016, it will be illegal to **supply, including by retail sale**, psychoactive substances often referred to as “legal highs” for human consumption and you could face up to **seven years** in prison.
2. It will be also be an offence to **possess with intent to supply, offer to supply, produce, import or export** psychoactive substances for human consumption.
3. Psychoactive substances are substances that are capable of producing a **psychoactive effect** when consumed by a person, excluding substances such as alcohol, tobacco, nicotine, caffeine and medical products.
4. The new law will be enforced by **police, trading standards officers, Border Force** and **the National Crime Agency**.

5. Key information and messages to those who use or are vulnerable to using NPS

The law on so called “legal highs” has changed

So-called “legal highs” (psychoactive substances) are substances which seek to mimic the effects of drugs such as cocaine and ecstasy, but are not currently controlled as class A, B, or C drugs.

It is now illegal to supply any so-called “legal highs” for human consumption. This includes selling them or giving them away for free (even to friends) when they are going to be taken for their psychoactive effects.

Importing them from abroad will also be a crime.

Police will take action where they find people committing these offences. Punishments range from a prohibition notice, which is a formal warning, to 7 years in prison.

Police and other agencies also have new powers. They will be able to stop and search people they think are supplying and they will seize and destroy so-called “legal highs” where they find them.

Drugs that are already illegal, such as cocaine, ecstasy, heroin and a number of so-called legal highs that have already been controlled as class A, B or C drugs, are not affected by these changes to the law. It is a crime to have these drugs in your possession at all. Police will keep taking action when they find these substances as before.

What are the risks of so called “legal highs”?

A psychoactive substance is defined in the new law as a drug which is capable of affecting a person’s mental functioning or emotional state, but is not currently controlled as a class A, B or C drug. The sections below give examples of this in more detail.

Key messages for specific audiences

Young people

- From 26 May, it will be illegal to sell or supply drugs known as so called “legal highs”.
- With any drugs, you never know what you are getting and they can be incredibly harmful.
- Sharing drugs with your friends means you are putting them at risk and danger.
- The changes in the law mean you could face legal consequences for giving or selling any drugs to anyone.

Find out more at talktofrank.com

Frequent users

Psychoactive substances or so called legal highs can be highly addictive and have many associated risks, including negative consequences on your mental health.

Visit or contact your local drug treatment centre for drug use support and advice.

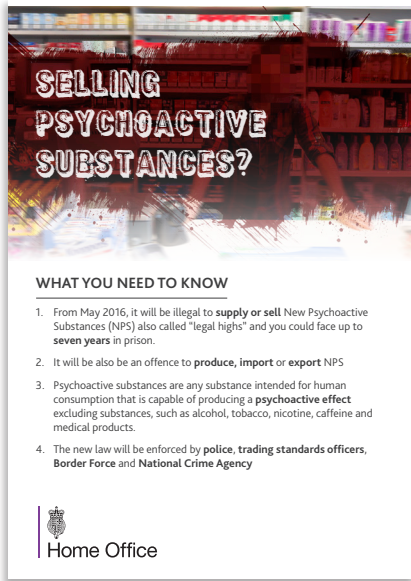
Homeless population

From 26 May, changes in the law mean you could face legal consequences for giving or selling psychoactive substances to anyone.

Psychoactive substances or so called legal highs can be highly addictive and have many associated risks, including negative consequences on your mental health.

Visit or contact your local drug treatment centre for drug use support and advice.

6. Activity for sellers



Forces are already developing enforcement work to warn sellers about the ban. To support you, you may want to use the leaflet below which is targeted to those selling psychoactive substances in your area. Some forces have carried out publicity following their warning to head shops. Some examples of press articles are below.

'Legal highs' warning given to shops in Sutton Coldfield and Erdington

By Sutton Coldfield Observer | Posted: January 27, 2016

A CRACKDOWN on 'legal highs' has seen shops in Sutton Coldfield and Erdington warned about an upcoming ban on selling psychoactive substances which can have potentially lethal consequences.

Officers from Birmingham City Council's Trading Standards team and West Midlands Police took part in a joint operation last week to warn traders across the city about an upcoming ban New Psychoactive Substances (NPS).

They found 14 shops, including two in Sutton Coldfield and two in Erdington, selling the so called 'legal highs' which the police said should more appropriately be called 'lethal highs'. The exact locations of the shops were not disclosed.

NPS mimic the effect of illegal drugs and currently, they are structurally different enough to avoid being classified as illegal substances under the Misuse of Drugs Act. However, the law is due to change in April so police will be able to seize the products and arrest anyone suspected of supplying them.

The substances are considered illegal under current medicines legislation to sell, supply, or advertise for human consumption. To avoid this sellers often refer to them as research chemicals, plant food, bath crystals or pond cleaner.

Chief Inspector Simon Inglis, WMP force lead for NPS said: "The term 'legal high' is incredibly misleading and lures people into thinking the substances they consume are safe. But this often couldn't be further from the truth and people are playing Russian roulette with their lives when they take them.

“The fact that Trading Standards officers from across all seven West Midlands local authorities are came together last Thursday (January 21) shows just how much of a threat these substances are.

“We will be standing shoulder to shoulder with them on the day and working in partnership to warn of the dangers these products pose. These drugs are causing real harm in our communities and we are want proprietors to do the right thing and take them off their shelves.

“It is alarming that people are buying these and taking them without any idea of the short or long term consequences they could have.

“Once the legislation changes - we’ll be back. Any person still offering these products for sale will face the full force of the law.”

Deputy Police and Crime Commissioner Yvonne Mosquito said: “The prospect that so called ‘legal highs’ are available to purchase across a counter is particularly worrying. These substances are potentially life threatening. In reality they are lethal, not legal, highs.

“I welcome this day of action and hope that businesses will take note and remove any stock they currently hold from their shelves.”

Owners of businesses found selling NPS were issued with an official letter highlighting the dangers and advising them to remove the products from their shelves.

Cllr Barbara Dring, chair of the city council’s Licensing and Public Protection Committee, said: “Trading Standards officers, working in partnership with West Midlands Police, visited 21 shops across Birmingham, advising that it will be illegal to sell New Psychoactive Substances (NPS) under new legislation, due to come into effect in April.

“Of those, 14 premises were selling NPS and were given advice letters explaining the coming change in the law. In light of this 13 businesses vowed to stop stocking NPS products to comply with legislation.

“Many NPS products are labelled as ‘research chemicals’ or ‘not for human consumption’, so these should be described as ‘lethal highs’. People who choose to use NPS should keep the packaging so, should they experience ill effects, medics will know what has been taken.”
Leaflets from Reach our Recovery - a Birmingham-based drug and alcohol support service - were also handed out.

'Legal highs' seized in crackdown ahead of Spring law change

West Midlands Police 25 January 2016

Trading Standards officials have seized 298 ‘legal highs’ in a joint operation with West Midlands Police in the first blitz of its kind anywhere in the region.

Seventy shops were visited in all towns and cities in the West Midlands with representatives for each of the seven councils backed up by local officers during the joint day of action last Thursday (21 January).

Fifty one of the stores were believed to be selling the products with information to suggest a further 19 could be offered them to stock on their shelves ahead of the ban.

New psychoactive substances (NPS) - often referred to as 'legal highs' – will be banned under new criminal laws

The aims of the joint visits were to raise shopkeepers' awareness of the new legislation and the potentially lethal consequences of taking the products they sell.

In Wolverhampton trading standards officials seized 40 substances, in Walsall 228 NPS packets were confiscated, with 20 removed from shelves across Sandwell.

All were taken under current product safety legislation with those councils having already served notices on the stores highlighting the dangers of these products.

Chief Inspector Simon Inglis, WMP force lead for drugs, said: "There is a growing amount of evidence that new psychoactive substances –or legal highs - are causing considerable harm to young and vulnerable people in the region.

"This operation shows people that West Midlands Police and all seven council Trading Standards units are not prepared to wait until the new legislation is introduced in order to intervene and prevent harm. We are acting now because lives depend on it.

"Too many people have suffered significant harm up and down the country for us as a region to wait for it to occur here.

"This is just the start of this journey with these substances and we will continue to tackle those who manufacture and offer these products for sale once the change in law comes into effect.

"It's time to stop calling them legal highs and instead see them for what they are – LETHAL highs."

NPS mimic the effect of illegal drugs. Currently, they are chemically different enough to avoid being classified as illegal substances under the Misuse of Drugs Act, however the law is due to change so police will be able to seize the products and arrest anyone suspected of supplying them.

The substances are considered illegal under current medicines legislation to sell, supply, or advertise for human consumption. To avoid this sellers often refer to them as research chemicals, plant food, bath crystals or pond cleaner.

Using this legislation Trading Standards and police officers visited premises and issued them with an official letter, highlighting the dangers and advising them to remove the products from their shelves.

For the facts on drugs and new psychoactive substances visit: www.talktofrank.com

Bradford shop owners warned about new legal high sale laws

Telegraph and Argus: 5 January 2016

Police in Bradford warning shop owners not to fall foul of a new law around selling so-called legal highs.

From Spring it will be illegal to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances under the Psychoactive Substances Act.

The new legislation will target those who presently sell these substances and provides the police with greater powers to take action against those who produce or supply these potentially lethal substances.

West Yorkshire Police Force Drugs Coordinator Bryan Dent said: "We welcome that within the next 90 days, the new bill will come in to force and that we will now be able to take more robust action against head shops and suppliers of psychoactive substances operating across the county.

"High street head shops and other suppliers operate on the margins of legality in selling potentially harmful substances that mimic the effects of illegal drugs and which have been linked to deaths and serious illness.

"The Act now defines what a psychoactive substance is and that definition covers many of the substances which we have discovered have regularly been sold in head shops and other outlets including the world wide web.

"Over the next 90 days, officers will be visiting those selling these substances reminding them of the bill and the implications it will have. From early April, if these suppliers are visited, officers we will have the powers to arrest them and bring criminal charges against them if found to be committing any offences created by the new Act.

"I am asking all those who have been selling these types of substances to be aware of the new legislation and not to fall foul of the new law.

"West Yorkshire Police has been running Operation Nightshot since 2012, a multi-agency campaign aimed at raising awareness of the potential dangers of using these substances. As part of this campaign, we have used existing legislation in innovative ways to prosecute suppliers and protect consumers.

"We remain very concerned that these substances are being openly sold across the county and that this makes some people, particularly the young, think that they are safe to take.

"We will continue to do all we can to raise awareness of the criminal offences and health risks associated with these substances and use whatever means are available to tackle the issue, including the new legislation, we are determined to make West Yorkshire a safer place to be and feel that this new legislation will contribute towards that."

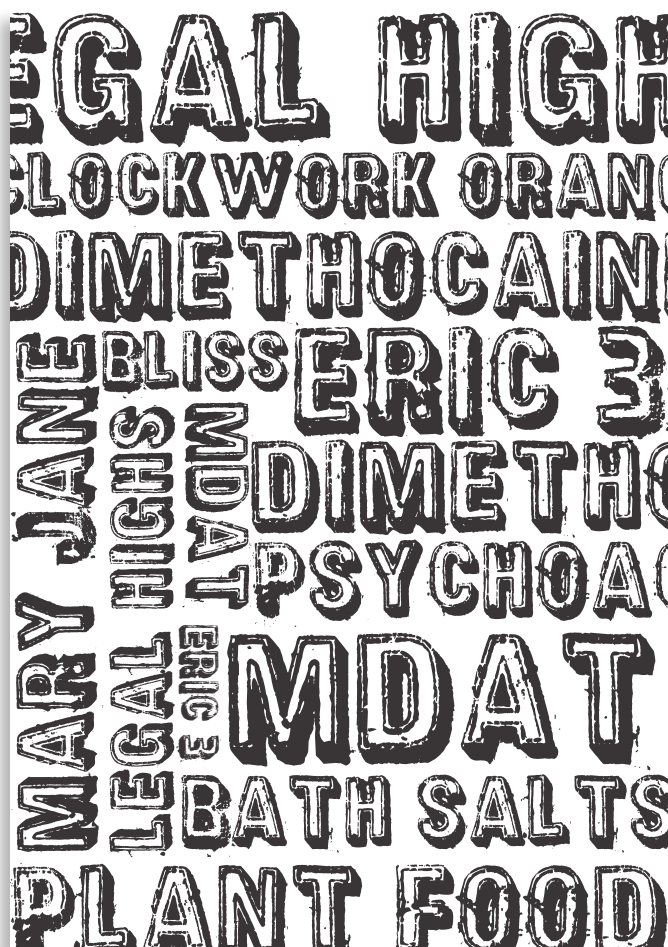
The Force has had a number of successes under Operation Nightshot and continues to work closely with partner agencies on the issue. A recent success, at the end of 2015, followed a landmark ruling where a forfeiture order was granted to West Yorkshire Trading Standards, allowing for the destruction of a large amount of psychoactive substances that had been seized from a number of shops in Leeds. The total value of the substances seized was £34,000.

Materials for young people



Recent law changes mean you could face up to a seven year prison sentence for giving or selling these drugs. With any drugs you never know what you getting and they can be incredibly harmful.

Find out more on the following pages.



Further help and advice for young people and users

- The national drugs information and advice service [FRANK](#) includes advice on local treatment services.
- The Drugs Wheel content provides information on the categorisation of some substances and also their effects:
 - Substances: <http://www.thedrugswheel.com/>
- NPS factsheets from [Drugwise UK](#), cover some different substances and their effects.
- [The Angelus Foundation](#) provides information and advice on “legal highs” as it aims to educate, encourage and assist individuals to be more knowledgeable about the risks to their health and wellbeing of using “legal highs” and other NPS. It has a variety of videos which can be shown to clients and has a section for parents / carers of the substance misuser.

Programmes and tools for those working with young people

- PHE’s [Rise Above](#) campaign for 11 to 16-year olds helps to prepare them for this transition into adulthood. Through content and activities, it helps young people to build resilience, prevent them from engaging in risky health behaviours and delay the uptake of more adult behaviours i.e. drugs and alcohol.
- [Mentor UK ADEPIS](#) provides the most current and up to date information and resources about alcohol and drugs for working with young people in schools and non-formal settings. [The RiskKit programme](#) in particular has been found to significantly reduce alcohol use and reductions in illicit drug (mostly cannabis) use were also seen.
- The [Early Intervention Foundation guidebook](#) is an online resource for commissioning and delivering effective early intervention.
- [Re-Solv](#) provide support and advice for those affected by volatile substance abuse. There are a range of resources on the Re-Solv website including leaflets, school material and activity packs for practitioners.

Frequently Asked Questions

What are New Psychoactive Substances?

New Psychoactive substances (PS) are drugs that are designed to replicate the effects of illegal substances. People may refer to these drugs as “legal highs”, their supply for human consumption is now an offence under the PS Act and many of the substances are now under the control of the Misuse of Drugs Act 1971. Some NPS products can also contain illegal substances even if advertised as a “legal high”. Therefore NPS is a more accurate term because the main intention of the manufacturers is to produce psychoactive substances that allow them – and users - to evade the law.

How will police enforce this legislation?

The new legislation will be policed in a practical and proportionate manner. We are committed to reducing the harm caused by all drugs and will adopt a practical, common sense approach. We cannot do this alone; prevention, education and health services all have a crucial role to play. The Act will also give police the power to shut down websites trading in these potentially dangerous drugs.

What will police be doing to remove NPS from headshops?

Forces will be working closely with partners such as businesses etc to raise awareness of the changes. We will continue to support education around new psychoactive substances and will communicate with suppliers before any ban is implemented.

What enforcement action will be taken to close headshops?

The new legislation gives powers to law enforcement to take action against all suppliers of NPS, not solely headshops, with offences to produce, supply, offer to supply, import or export psychoactive substances. There are provisions for civil sanctions: prohibition notices and prohibition orders – to enable the police and local authorities to adopt a proportionate response to the supply of 'legal highs' in appropriate cases. (For example, a prohibition notice could require the recipient to desist from the sale of psychoactive substances; a prohibition order could require the closure of premises from where psychoactive substances have been sold). The Act provides powers to seize and destroy psychoactive substances, search persons, premises and vehicles and enter premises by warrant if necessary.

How should police and trading standards advise headshops how to dispose of any psychoactive substances?

If headshops are in possession of new psychoactive substances to be sold for human consumption, they may be committing the offence of possession with intent to supply by the time the Act comes into force. They should contact their local enforcement agencies and sign a disclaimer so that police/trading standards can dispose of the substances.

What's being done to tackle online trading in psychoactive substances?

The Government and law enforcement agencies take the unlawful advertising and sales of drugs on the internet very seriously.

We continue to work with internet providers to ensure they comply - this can include closure of UK-based websites where they are found to be committing offences under the Misuse of Drugs Act 1971 and, once commenced, under the Psychoactive Substances Act.

Online purchasing remains a small overall element of drug supply – the 2014/15 Crime Survey England and Wales shows that less than 0.5 per cent of adults who used drugs in the last 12 months reported that they had sourced them from the internet. This compares with 1 per cent in 2013/14.

Wouldn't a blanket ban put young people at greater risk of harm on the grounds that it will encourage a greater uptake of illegal drugs as it will be harder to differentiate between less harmful psychoactive substances and more harmful controlled substances?

In some cases, new psychoactive substances have been found to be just as dangerous as controlled drugs. It is unacceptable these drugs are readily available and sold giving the impression they are "risk free".

What is happening with poppers under the Act?

Following a Home Office commission, the Advisory Council on the Misuse of Drugs has recently published advice to the Government on the harms and psychoactivity of poppers in the context of the Act.

The Government has agreed with the ACMD's latest assessment – that due to the way that poppers act on the brain, they do not meet the definition of a psychoactive substance under the Act.

The parallel review that was set up to assess claims of beneficial health and relationship effects is disbanded. They will not need to be made exempt from the Psychoactive Substances Act because the Act applies only to substances which meet its definition.

Whilst poppers do not meet the definition of the Psychoactive Substances Act, it does not mean that they will be free from regulation. Their sale continues to be covered by the wider regulatory framework, including consumer protection legislation such as the General Product Safety Regulations.

Annex A

Communications for users or vulnerable to using

Audiences	Timing	Channel	Material	Messages
Young people 14-18, using or vulnerable to using	Two weeks before commencement	FRANK Proactive press features – online, radio Partners and Government youth channels Partners social media channels	Leaflet and posters designed in-house updated PS resource pack Case studies	From 26 May, it will be illegal to sell or supply drugs known as so called “legal highs” With any drugs, you never know what you are getting and they can be incredibly harmful Sharing drugs with your friends means you are putting them at risk and danger The changes in the law mean you could face legal consequences for giving or selling drugs to anyone Find out more at talktofrank.com
Young people –18 -24: frequent users	Two weeks before commencement	FRANK Charity partners Student websites Proactive press features – online forums/ blogs Partners social media channels	Leaflet and posters designed in house updated PS resource pack Case studies	From 26 May, it will be illegal to sell or supply drugs known as so called “legal highs” With any drugs, you never know what you are getting and they can be incredibly harmful Sharing drugs with your friends means you are putting them at risk and danger The changes in the law mean you could face legal consequences for giving or selling drugs to anyone Find out more at talktofrank.com

Communications for users or vulnerable to using (Continued)

Audiences	Timing	Channel	Material	Messages
Frequent users of PS and controlled drugs: all ages	Two weeks before commencement	Drug treatment centres FRANK Public Health local teams PHE weekly update to Public Health Directors Night time economy (NTE) partners	Leaflet and posters designed in house updated PS resource pack Case studies Updated content on FRANK	Psychoactive substances or so called legal highs can be highly addictive and have many associated risks, including negative consequences on your mental health Visit or contact your local drug treatment centre for drug use support and advice
Users amongst the homeless population	Two weeks before commencement	Local authorities – DCLG monthly newsletter Homeless charities	Advice / guides for frontline workers	From 26 May, changes in the law mean you could face legal consequences for giving or selling psychoactive substances to anyone Psychoactive substances or so called legal highs can be highly addictive and have many associated risks, including negative consequences on your mental health Visit or contact your local drug treatment centre for drug use support and advice

Enforcement activity and sellers

Audiences	Timing	Channel	Material	Messages
Public across the UK – especially partners/ concerned others/young people	From December	Press	Press notices Q&A	<p>The Psychoactive Substances Act will prohibit and disrupt the production, distribution, sale and supply of psychoactive substances (PS) in the UK.</p> <p>Young people who take these drugs are at risk and this is why the Government is tackling the sale of them.</p> <p>A blanket ban will make it simpler for law enforcement to deal with PS.</p>
PS sellers including head shops, newsagents, petrol stations and clubs	Spring	Local partners networks LA channels	Comms toolkit (including Q&A, press notices) Leaflet for sellers	<p>From May 2016, it will be illegal to supply or sell New Psychoactive Substances (NPS) also called “legal highs” and you could face up to seven years in prison.</p> <p>It will be also be an offence to produce, import or export NPS</p> <p>Psychoactive substances are any substance intended for human consumption that is capable of producing a psychoactive effect excluding substances, such as alcohol, tobacco, nicotine, caffeine and medical products.</p> <p>The new law will be enforced by police, trading standards officers, Border Force and National Crime Agency</p>

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