

RCGP Response

Home Office

'Swift, Certain, Tough: New Consequences for Drug Possession' white paper

<https://www.gov.uk/government/consultations/swift-certain-tough-new-consequences-for-drug-possession-white-paper>

49. Do you have any further comments on the white paper you would like to share with us? **a. Yes, please provide any additional comments** b. No c. Don't know

The Royal College of General Practitioners (RCGP) welcomes the opportunity to respond to this white paper consultation. As the membership body for general practitioners across the UK, we exist to promote and maintain the highest standards of patient care. Given this role and the broader remit of the consultation, we have opted to submit a statement, rather than answer each question on criminal justice matters.

We acknowledge that the framework of this paper only considers 'recreational drug users,' and not those with a drug dependence where treatment is the most relevant option. We do not consider this distinction clear and would recommend more consideration be given to how the process by which the police would be able to qualify which individual has a drug dependence and needs treatment and which does not.

Other parts of the paper, such as the reforms to Drug Testing on Arrest (DToA), powers do include those using opiate, cocaine and crack cocaine users, the substances more typically associated with dependence and harm. Therefore, our response covers the RCGP's wider position on designing drug policy from a public health perspective.

RCGP views the record number of drug-related deaths recorded in Scotland, England, Wales and Northern Ireland as a public health emergency.

People who are affected by problem drug use frequently suffer from chronic health issues and many have a background of mental illness, childhood trauma and other adverse events in their lives. We recognise the role of general practice in providing holistic care to these patients, often over many years, and that General Practitioners are uniquely and expertly trained to manage the holistic care of people.

In September 2021, an RCGP statement on drug related harms was passed by its UK Council. 'As part of this statement, RCGP seeks to support a perceptual shift to frame drug use as a health, rather than criminal issue. It is our view that an evidence informed approach that targets the root causes of harm should be the aim of policy, with approaches alongside which support harm reduction.

We note the findings from the 2016 United Nations General Assembly Special Session on drugs, unanimously approved by all member states including the UK, which recognised "drug addiction as a complex multifactorial health disorder characterized by chronic and relapsing nature" that is preventable and treatable.ⁱⁱ The session found that criminal sanctions are ineffective at addressing these disorders, and supported evidence-based approaches to drug policy based on public health principles.

The College is concerned about the stigma experienced by those who use drugs and view this as a barrier to accessing the highest standard of care. Fear of facing exclusion, blame, and new

types of punishment can add to stigma, and can prevent people seeking guidance or treatment in a timely way. Criminal proceedings and imprisonment often add to, rather than ameliorate, the problems faced by those using drugs.

This is important in the detection and treatment of Hepatitis C. It is estimated that around half of people in the UK who inject drugs have been infected with the virus, which can cause long-term illness, and be potentially life threatening if left untreated.ⁱⁱⁱ The infection doesn't always have noticeable symptoms, so it is crucial that those who have injected drugs are comfortable approaching their GP for Hepatitis C testing to receive treatment, which is highly effective at eliminating the virus completely. Other harm reduction approaches are also very effective, including Hepatitis B vaccination.

Drugs policy is a reserved matter and tackling the root causes of the crisis requires collaboration from governments across the UK. RCGP urges policy makers from across the devolved administrations and within UK Parliament to work constructively together to urgently consider solutions for reducing drug-related harms. We also recognise the need for cross-governmental solutions to this crisis and would encourage respective governments to engage in such working.

Harm from drugs is a particularly serious issue in Scotland. In 2020 (the most recent year available for the rest of the UK) Scotland's drug misuse rate was 3.7 times that for the UK as a whole, and higher than that of any European country.^{iv} In 2021 alone, 1,330 people died in Scotland from drug misuse.^v

RCGP Scotland, supported by the Scottish Government, is currently offering a well-regarded Certificate designed to assist professionals in primary care to help and care for people affected by drug use. The course is in two parts, part one supports the aims of the new Scottish Drugs Strategy - harm reduction, reduce stigma and drug death prevention, and the more in-depth part two considers practical harm reduction, drug death prevention, medication assisted treatment (e.g. methadone, buprenorphine), support for families and children and recovery journeys.

RCGP is committed to constructively working with stakeholders to ensure that general practice can play its part in ensuring that those affected by problem drug use receive the highest standard of care and reduce the level of stigma.

ⁱ <https://www.rcgp.org.uk/representing-you/policy-areas/drug-related-harms>

ⁱⁱ <https://www.unodc.org/postungass2016/>

ⁱⁱⁱ <https://www.nhs.uk/conditions/hepatitis-c/causes/>

^{iv} <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/drug-related-deaths-in-scotland/2021>

^v Drug-related deaths in Scotland in 2021, National Records of Scotland. 28 July 2022.