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Home Secretary

August 2019

Dear

Firstly, I would like to congratulate you on your new appointment as Home Secretary and I look forward to working with you in the future.

As you are no doubt aware, on Tuesday 16 July 2019, we received the tragic confirmation that 1,187 people had lost their lives to drug-related deaths in Scotland last year. I wrote to your predecessor on 19 July 2019 (copy attached), raising the issue of drug-related deaths and the impact on Scotland and its people.

I am writing to you, copied to the Health and Social Care Secretary and the Secretary of State for Scotland, to request an urgent meeting to discuss how we can work together to help stop this increasing number of drug deaths and to save more lives in Scotland.

While there are options available to us within the current devolved powers which we are pursuing, there are additional innovative and bold measures, which would see us taking a public health approach to the issue rather than a criminal justice one that have the potential to significantly reduce loss of life, such as establishing supervised consumption facilities. A proposal for the piloting of such a facility which has come forward from Glasgow Health & Social Care Partnership and is backed by Glasgow City Council and a majority of MSPs in the Scottish Parliament.

At her recent meeting with the Prime Minister, the First Minister raised this issue and urged the Prime Minister and Secretary of State to listen to the public health experts and to take steps to help us address this problem. I understand the Prime Minister indicated he would take that advice and that he saw the role of his government as being to help Scotland.

I hope that commitment will lead to early constructive engagement between us with a view to taking the steps needed as quickly as possible to avoid more unnecessary and tragic loss of life.

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Indeed such engagement would echo the statement of the Health and Social Care Secretary, Matt Hancock, on 23rd July acknowledging the opioid epidemic and the severity of the drug problem in which he stated that whilst public health and the NHS are devolved to the Scottish Government, the UK Government would put aside party politics to try to tackle this very serious problem.

It is my firm belief that there is no need for this to be an issue of dispute between the two governments as it has been in recent months. There are simple steps you can take to support Scotland in addressing our unique circumstances and we wish to accept the additional responsibility that would bring.

I would also welcome the opportunity to discuss arrangements to host a summit in Glasgow, which the Scottish Government is organising, on this issue. There is cross-party support in Scotland for this summit which will be attended by government representatives, local authorities and the chair of Scotland's new Drug Deaths Taskforce and which will ensure the voices of those with experience of using drugs, and their families, are also heard. The outgoing Scottish Secretary, David Mundell, had confirmed that there would be UK Government representation at this event and I would welcome confirmation from yourself on that.

I look forward to hearing from you on how we might engage immediately on this matter in order to make progress.

Yours sincerely

Joe FitzPatrick

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UK Health and Social Care Secretary

August 2019

Dear

As you know, on Tuesday 16 July 2019, we received the tragic confirmation that 1,187 people had lost their lives to drug-related deaths in Scotland last year. I wrote to Sajid Javid on 19 July 2019, raising the issue of drug-related deaths and the impact on Scotland and its people. We in the Scottish Government want to take innovative and bold measures in order to save the lives of those most at risk, addressing this as a public health issue rather than a criminal justice one.

I was encouraged by your recent comments during Health Questions in the House of Commons where you acknowledged the opioid epidemic, the severity of the drug problem and that the UK Government would put aside all party politics to try to tackle this very serious problem. I have used recent interviews, and my appearance earlier this month before the Scottish Affairs Select Committee, to make a plea to the UK Government to engage with the Scottish Government on this important issue.

I am therefore writing to you and the Home Secretary to request an urgent meeting with UK Government Ministers to discuss how we can work together to help stop the increasing number of drug deaths. While there are some options available to us within the current devolved powers, there are additional treatment options, such as legalising drug consumption rooms to reduce the harm caused to those who use drugs, which we are not able to enact as they currently lie out with our legal jurisdiction.

I would also welcome the opportunity to discuss arrangements to host a summit in Glasgow, which the Scottish Government is organising, on this issue. There is cross-party support in Scotland for this summit which will be attended by government representatives, local authorities and the chair of Scotland's new Drug Deaths Taskforce and will ensure the voices of those with experience of using drugs, and their families, are also heard. The outgoing Scottish Secretary, David Mundell, had confirmed that there would be UK Government representation at this event and I would welcome confirmation from yourself on that.

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I look forward to hearing from you on how we might engage immediately on this matter in order to make progress.

Yours sincerely

Joe FitzPatrick

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Rt Hon Kit Malthouse MP
Minister for Crime and Policing
UK Government

2 March 2021

Dear Kit,

I am writing to thank you for our recent meeting, and to follow up on a few of the specific points discussed.

I welcome the opportunity to further develop a constructive working relationship as we tackle the many significant challenges that we both face as a result of drug use. I was encouraged that, despite differing views on how to best address this issue, you stated your willingness to be led by evidence and to keep an open dialogue around matters such as overdose prevention facilities. These facilities are supported by a strong evidence base and a number of experts, including the Advisory Council on the Misuse of Drugs. I am convinced that they would help save lives in Scotland and engage a wider range of hard to reach individuals with services. I am actively exploring if there are ways we can overcome the legal barriers that currently restrict us from establishing these facilities in Scotland, and I would welcome the opportunity for further discussion on this matter at a future meeting.

I found our discussion on drug checking facilities useful and strongly believe that the introduction of these type of facilities in specific locations in Scotland will deliver positive results. This is why we have committed to provide significant funds to support a proposal that will put in place the groundwork for three of these specialist services. They provide a vital harm reduction service that can complement a range of other services aiming to prevent harms and provide support, care and treatment for substance use problems – as well as providing further opportunities for engagement, information and counselling. Furthermore, drug checking contributes to public health surveillance of drug markets in local areas, so that when particularly dangerous samples are identified the service can issue tailored public health alerts. As such, there is a clear rationale for establishing these facilities in Scotland, particularly given one of our most challenging issues is the use of street benzodiazepines where a central part of the risk is the unknown content of the pills.

You offered your support in principle for this work, and I am keen to provide you with more detail that sets out the clear rationale for this type of service in Scotland. I will provide this in due course, and I would welcome the opportunity to have a follow up discussion so that any questions or concerns you may have can be addressed as soon as possible, with the aim of securing your support for the project.

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The discussion we had on pill press regulation was informative, particularly in providing me with a better understanding of the work that your department and the National Crime Agency are taking forward. During our discussion, you indicated that you expected your officials to provide advice to you in the near future on options for action and that you would feed back to me separately on this. As I emphasised in our discussion, there is an urgent need for action to be taken in order to try and tackle production of these pills, given the devastation they are causing on a daily basis in communities across Scotland. As such, I would greatly appreciate an indication of the timeframe you are working to on this.

Since our meeting I have met with Police Scotland, who were clear in their support for regulation to be introduced. They emphasised that evidence shows the vast majority of street benzodiazepine pills in circulation in Scotland are being mass produced by these type of machines. I am fully aware that regulation itself will not solve this issue, however it would be one part of the wider approach we are taking. This includes work being taken forward by the Drug Deaths Taskforce, looking specifically at benzodiazepine dependence and the extent to which prescribing benzodiazepines may reduce the levels of use of illicit alternatives. We have also worked with partners to ensure there is a greater availability of accessible information on these drugs, particularly highlighting some of the dangers that users may expose themselves to.

I look forward to working with you as we tackle these important issues, and to a possible four nations meeting in the coming months. I would welcome further updates on the aforementioned matters and on other areas of work being progressed by each of the administrations, including any early results from Project ADDER.

Yours sincerely,



Angela Constance MSP
Minister for Drug Policy

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Rt Hon Priti Patel MP
Secretary of State for the Home Department

06 January 2020

Dear Ms Patel

As you are aware 1,187 people lost their lives to drug-related deaths in Scotland in 2018. I am writing to you again to invite you and Matt Hancock to work with us to tackle this public health emergency we are facing in Scotland including attending a summit in Glasgow.

Since I last wrote to you on 23 August 2019 the Health and Social Care Committee and the Scottish Affairs Committee at Westminster have both published reports into drugs harm and have both recommended that the focus of drugs policy should be on harm reduction. Furthermore as part of the recent British Irish Council Meeting in Dublin, Baroness Blackwood and I visited the Dublin Inclusion Hub and were part of constructive discussions about the need to take a public health approach to tackling substance use.

We are already pursuing the options available to us within current devolved powers. This includes additional investment in drug and alcohol services and I have set up a drugs deaths taskforce to inform steps to reduce the harms caused by drugs and advise on further changes in practice or in the law, which could help save lives.

However as both the Westminster committees recommend there are other innovative and bold measures that we could be taking to fully embed a public health approach and which, on the basis of evidence from other countries, have the potential to significantly reduce loss of life. This would include Glasgow Health and Social Care Partnership piloting a supervised consumption facility to supplement the recently established enhanced treatment service in the city. This proposal is backed by Glasgow City Council and a majority of MSPs in the Scottish Parliament but requires the agreement of the Home Office, either to make the necessary amendments to the Misuse of Drugs Act 1971 or to devolve responsibility for the Act to Scotland.

I would very much like to work with you constructively to bring forward measures that help address the severity of the issues we are facing in Scotland. There are a number of simple steps we can take together to support Scotland in addressing our unique circumstances and

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we wish to accept the additional responsibility that would bring. Testing ideas such as drug consumption rooms in Scotland would also provide an evidence base that would support decision making in England, Wales and Northern Ireland.

We have been working with Glasgow drug and alcohol services for some time to organise a summit in Glasgow on this issue that I will be hosting. There is cross-party support in Scotland for this summit which will be attended by government representatives, local authorities and the chair of Scotland's Drug Deaths Taskforce and which will ensure the voices of those with experience of using drugs, and their families, are also heard. I would like to invite you, Matt Hancock and Alister Jack to attend the summit to demonstrate our shared commitment to tackle this issue. We will also be inviting representatives from Wales and Northern Ireland to attend, both administrations have already indicated their willingness to participate

I look forward to hearing from you on how we might engage immediately on this matter in order to make progress as well as confirmation that you will join me at the forthcoming drugs summit in Glasgow.

I am copying this letter to Matt Hancock and Alister Jack.



Joe FitzPatrick

Minister for Public Health, Sport and Wellbeing

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Ms Sarah Newton
Parliamentary Under Secretary of State for
Vulnerability, Safeguarding and Countering
Extremism
Home Office
2 Marsham Street
London
SW1P 4DF

9 November 2017

Dear Sarah,

It was a pleasure to meet you at the British Irish Council meeting in September. I found it particularly useful to hear from the other nations on how they were progressing with their individual substance misuse strategies and it was heartening to realise that all are largely moving in the same direction.

As I mentioned at the BIC meeting, we in Scotland have recently announced our intention to refresh our own drug strategy and build on some of the successes of the 2008 publication, 'The Road to Recovery'. This will continue to emphasise and promote a message of recovery, whilst also recognising some of the new challenges which are emerging, such as responding to increasing drug related deaths.

Alongside this refresh we are also keen to explore a number of topics which are currently outside of the powers of the Scottish Parliament. These include such things as medicinal cannabis and the introduction of a pilot supervised consumption room in Glasgow, a move which is seen as essential by the Glasgow Health and Social Care Partnership as they seek to address a significant HIV outbreak amongst a population difficult to reach.

While there are many common features of the challenges we share, the nature and intensity of the patterns of substance misuse in Scotland are harrowing. In bringing substance misuse policy into the Health portfolio, the First Minister was clear that we must approach this as a public health issue.

I write to ask you to meet me to explore how these issues can be addressed in Scotland with a view to bringing the powers here to make progress. This would allow us to consider a range of additional options when thinking about how we deal with some of the significant

challenges currently facing those using substances, their families, and wider society in Scotland.

I look forward to hearing from you and to working together to progress some of these issues.



AILEEN CAMPBELL



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Rt Hon Kit Malthouse MP
Minister for Crime, Policing and Justice

Dear Kit

Thank you for your recent letters (31 March and 25 May) and I apologise for the delay in responding to the earlier one, as you will be aware the recent election period has limited my ability to respond to correspondence.

I am delighted to have been re-appointed as Minister for Drug Policy for the Scottish Government, allowing me to progress the work I started earlier this year. I look forward to continuing to work with you and welcome the opportunity to build on our discussions regarding the challenges we face in relation to drug use and its associated harms. In that regard I am grateful to you for responding on some of those discussion points in your March letter.

However, there are a couple of points relating to overdose prevention facilities (or safer drug consumption facilities) upon which I would like to seek further clarification. You mention in your letter that, based on existing evidence, you are unconvinced that they can significantly reduce the number of drug related deaths. I am aware, from various representations made to me, that there is a strong body of international evidence that supports the numerous benefits that these facilities can deliver. There is also overwhelming support for these facilities from experts across the UK, Europe and beyond and from key stakeholders throughout the UK. As you know, the introduction of these facilities has also been supported by the UK Parliament's Scottish Affairs Committee, the Health and Social Care Committee, as well as by the UK Government's own advisory body, the Advisory Council on the Misuse of Drugs. As such, I would find it helpful if you were able to provide me with the evidence upon which you base your position with regard to the concerns about these facilities.

I very much welcome the statement in your letter that you are open to looking at new evidence around these facilities. I would, however, find it helpful if you were able to set out exactly what evidence it would take for you to reconsider your position on these facilities?

I was also encouraged recently to read of your aspiration to work with all of the devolved administrations to 'tackle drug misuse, tighten controls on dangerous substances and widen the availability of treatments which prevent overdose deaths', and I wondered if you were including overdose prevention facilities amongst those possible treatment options?

A lot of these issues seemed to come up in the recent cross-party parliamentary session that took place to commemorate the 50th anniversary of the Misuse of Drugs Act (MDA).

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This session, and the on-going campaign to reform the MDA, is yet another reminder of the need for us to adopt a public health approach to problem substance use in order to best help protect communities and lives devastated by illicit drugs. As you will likely be aware, we are currently taking forward a piece of work through the Drug Deaths Taskforce regarding drug law reform which is exploring the barriers that the current legislation has on our ability to provide a public health response to this crisis. I would welcome an opportunity to discuss this with you and the other devolved administrations at a future 4 nations meeting.

I greatly appreciate the comprehensive update you have provided on the progress with regards to pill press regulation. The harms being caused by street benzodiazepines remains an increasing concern in Scotland and whilst we continue to take actions that are within our powers I must emphasise the importance we place on this specific intervention and my desire to see good progress being made at a UK level.

It is also very encouraging to hear that UK agencies are working closely with international partners, particularly in terms of sharing best practice and learning about approaches that have worked in other countries in Europe, and worldwide, where they face similar issues.

Thank you also for sharing the update paper from the NCA and I look forward to seeing their final assessment and recommendations when they are available, as well as any advice around possible options which your officials are preparing.

The deaths caused by street benzodiazepines, and the lack of understanding around what people are taking, is another reason why I am determined that we introduce drug checking facilities in Scotland. As you are aware, we have begun some preliminary work in this area in anticipation of applying to the Home Office for the necessary license required. As this work develops it would be useful to continue this discussion to ensure any proposal which we put forward satisfies any requirements you may have.

I understand that officials are working at the moment to identify a suitable date for a further 4 nations discussion on drugs. I would very much welcome an opportunity to meet with other Ministers in this forum and be able to discuss some of the problems affecting us all, including some of those touched on above.

In advance of that 4 nation meeting it would also be helpful if we could have an earlier discussion to give some consideration to the agenda for that meeting but also to update you on developments in Scotland and discuss ways in which it may be possible to make progress on some of the areas where we feel action is needed. If you would be content to go ahead with this meeting I will arrange for my Private Office to organise this.

I look forward to your response on the above points.



ANGELA CONSTANCE
Minister for Drug Policy



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Rt Hon Priti Patel MP
Secretary of State for the Home Department

By email:
PrivateOfficeH41@homeoffice.gsi.gov.uk

XX August 2019

Dear Ms Patel

I am writing to you further to my letter to your predecessor (dated 19 July), and then to yourself (dated 1 August), neither of which I have received a reply to.

As I set out in my letter, I consider the matter of drug deaths to be a priority for our governments to address. Your predecessor Mr Javid, and your colleagues, Mr Mundell, and Mr Hancock, had previously expressed similar thoughts and had also stated that they would seek to make progress on a collaborative basis. From their comments this was based on the recognition of the scale of both the problem and the solutions that will be needed to reverse this trend which is of personal concern to me.

In my letter to you of 1 August, I had requested that we have an urgent meeting to discuss how we can work together to address this issue, and ultimately save more lives in Scotland. This was also an issue which was raised at the meeting between the Prime Minister and First Minister when they met on 29 July at which I understand the Prime Minister also indicated that he saw the role of his government as being to help Scotland.

As I mentioned in my previous letter, there are simple steps which could be taken which would demonstrate your support for the Scottish Government in addressing this issue. One of which would be your agreement to attend a summit on this subject in Glasgow which would seek to bring together all parties to begin that conversation. I would be grateful if you could confirm that you will be able to attend such an event. Once we have this commitment, we can work with your officials to ensure that the summit can be developed in a collaborative manner. It would be helpful to have a response by 5 September in order to make progress on this.

I look forward to hearing from you on how we might engage on this matter.

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JOE FITZPATRICK

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Rt Hon Jo Churchill MP
Minister for Prevention, Public Health and Primary
Care

I am writing to follow up on some of the issues that we briefly got the opportunity to discuss at our recent meeting.

As I noted in our discussion, we recognise the need for a step change in our approach to tackling drug related deaths, and in order to save lives and improve lives we have committed to take forward a national mission that will be supported by additional investment of over £250 million over the next 5 years. One of the key challenges we face in Scotland is the need to increase the number of people in treatment and who have more consistent engagement with relevant services. Whilst there is much we can do within our existing devolved powers to work towards this, there are evidence based approaches that we want to implement that we are unable to do so without support from the UK Government.

One of these areas has been to expand the ways in which naloxone can be made available to those who are most at risk, and I welcome your existing support on this and the work that your officials are already taking forward. My officials and I stand ready to help in any way possible, and I look forward to hearing further updates on the progress of this work in the near future.

I briefly touched on our plans to develop drug checking facilities, but it may be helpful if I set out my thinking on this in more detail. I strongly believe that the introduction of these type of facilities in various locations in Scotland will deliver positive results, which is why we have committed to provide significant funds to support a proposal that will put in place the groundwork for three of these specialist services. They provide a vital harm reduction service that can complement and mesh with a range of other services aiming to prevent harms, provide support, care and treatment for substance use problems, as well as providing further opportunities for engagement, information and counselling. Furthermore, drug checking also contributes to public health surveillance of drug markets in local areas, so when particularly dangerous samples are identified the service can issue tailored public health alerts. As such,

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there is a clear rationale for establishing these facilities in Scotland, particularly given one of our most challenging issues is the use of street benzodiazepines where a central part of the risk is the unknown content of the tablets.

Your colleague the Minister for Crime and Policing, Kit Malthouse, has already signalled his support in principle for this work. I have committed to provide him with more detail in due course so that any questions or concerns can be addressed at the earliest opportunity, and I would be happy to share this information with you as well given your interest.

We also discussed the challenges we are facing in Scotland as a result of street benzodiazepines. We are considering a range of ways to tackle this issue, including work being taken forward through the Taskforce looking specifically at benzodiazepine dependence and the extent to which prescribing benzodiazepines may reduce the levels of use of the illicit alternatives. We have also worked with partners to ensure that there is a greater availability of readily available information on these drugs, and particularly some of the dangers that users may expose themselves to. However, as I think you recognised, there is a strong argument for action to be taken which would regulate the sale of these machines, backed by strong evidence from Police Scotland that these machines are being used in local communities across Scotland to mass produce these potentially lethal pills.

Whilst this issue may be more prominent in Scotland than it is in other parts of the UK, I know there are also concerns about these drugs in various parts of England and as such I would welcome further discussion and engagement on the possible approaches to this matter, for instance around prescribing practice, and hopefully your support for action to regulate the sale of these machines.

With regards to overdose prevention facilities, I remain convinced that these facilities, which are supported by a strong evidence base and a number of experts, including the ACMD, would help save lives in Scotland as well as engage a wider range of hard to reach individuals with services. I am aware that Home Office are the lead on this matter, but I know you will maintain a strong interest given your portfolio. I hope that we are able to maintain a dialogue on this matter as we move forward despite the reservations UK Government continue to have regarding these facilities.

Finally, we did not get the opportunity to discuss the work of Dame Carol Black. I would be keen to get an update on this work in the near future, and when appropriate to discuss the recommendations that come from part two of her review as I am sure that many of the findings will also have relevance in Scotland.

Thank you once again for taking the time to meet with me, and I look forward to working with you going forward.

Angela Constance MSP

Minister for Drug Policy

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Victoria Atkins MP
Minister for Crime, Safeguarding and Vulnerability
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Email: Assistant Private Secretary:
[REDACTED] [@homeoffice.gsi.gov.uk](mailto:[REDACTED]@homeoffice.gsi.gov.uk)

February 2018

Dear Victoria,

Firstly, I would like to congratulate you on your appointment as Minister for Crime, Safeguarding and Vulnerability but also thank you for your reply to my letter of 9 November.

I had written to you regarding a number of drug policy matters including a refresh of the Scottish drugs strategy, medicinal cannabis and the options available around introducing a supervised consumption room in Glasgow. In my role as the Minister responsible for tackling problematic substance use in Scotland I look forward to working with you on these complex matters. As you state in your letter it would be useful to meet and discuss in more detail what steps can be taken to address them.

I will ask my Private Office to liaise with your Private Secretary to make the suitable arrangements.

I look forward to meeting with you.

Best wishes
Aileen

Aileen Campbell

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Rt Hon Kit Malthouse
Minister for Crime and Policing

29 September 2020

Dear Kit Malthouse,

I am writing to follow up on the discussions that took place during the UK Ministerial meeting on drugs on 17 September.

Whilst I continue to welcome the opportunity to engage with counterparts from across the UK on this important matter I was concerned at the lack of any clear outcomes from the meeting in the way of tangible actions, particularly on the three specific issues put forward by the Scottish Government. Given the seriousness of the problem we are facing I believe it is imperative that action is taken, as quickly as possible, in order to help save lives.

I welcomed the discussions that took place during the course of the meeting around my calls for amendments to naloxone legislation and pill press regulation. With regards to pill press regulation, I welcome the fact that Home Office officials have already undertaken some exploratory work, however I am concerned that insufficient consideration is being given to the significant health harms that these machines can cause, evidence of which is clear to see in Scotland. I hope the discussion at the meeting, along with the paper that has been put together by US drug agencies and Police Scotland will help highlight the evidence that supports the clear need for action. Whilst I recognise taking this action may not be straightforward, and that some barriers may exist, I strongly believe this is outweighed by the potential to save lives and reduce drug related harm.

I was disappointed by the lack of discussion about overdose prevention facilities. Whilst I recognise this is an issue on which we have different views, I feel that the evidence base for these facilities, coupled with the widespread support for their introduction, warranted further discussion. Nevertheless, I am hopeful that your comments suggesting you were open to looking at anything, coupled with the declarations of support for such a facility, and a specific pilot in Glasgow, by Dr Bowden-Jones and the Welsh Minister, mean that you will be willing to at least discuss the concerns that you have about Scotland running a pilot, and if there are any ways in which these concerns can be allayed. I would welcome the opportunity to discuss this in more detail as soon as possible.

Finally, with regards to Project Adder, I still have a number of reservations about the nature of the initiative, and questions about how Scotland may be able to link in with the work. I am clear, however, that any Scottish involvement must be focused on improved health outcomes, and I would be keen to investigate the possibility of linking pill press regulation and overdose prevention facilities to this work. I have asked my officials to continue discussions with their counterparts in the Home Office in order to explore what options there may be to work together on this initiative in a way that would deliver on all of these aspects.



Joe FitzPatrick

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