



Home Office

Crime Reduction and Community Safety Group
Drugs Strategy Directorate 125, 50 Queen Anne's Gate, London SW1H 9AT
Switchboard 020 7273 4000 www.homeoffice.gov.uk

Date 13 May 2003

Dear,

Thank you for your letter setting out your organisation's responses to the proposed amendment to Section 8(d) of the Misuse of Drugs Act 1971 by Section 38 of the Criminal Justice and Police Act 2001. I am sorry it has taken so long for you to receive a final response.

The consultation letter for the Notes of Guidance issued on 19 September explained that the purpose of the amendment was to bring the law up to date and to allow the police to deal more effectively with crackhouses. It was not the intention that the change should have any adverse impact upon the excellent work of those in the treatment and housing sectors who provide support to drug users. Harm reduction policies are a key part of the Government's overall drug policy - this was underlined in the launch of our Updated Drug Strategy on 3 December; it is vital that effective treatment and rehabilitation is provided to break the cycle of addiction while minimising the harm drugs can cause.

We do not want those professionals who carry out harm reduction and care policies when working with drug misusers to be in fear of prosecution. That would be counterproductive and inappropriate. We are committed to getting the balance right between proper enforcement and legitimate harm reduction and care.

Since the consultation exercise we have been considering other options in dealing with the menace of crackhouses. Ministers and officials from the Home Office have been working closely with their colleagues in the Office for the Deputy Prime Minister in finding a practical way forward. As a result, we have proposed new powers in the Anti-Social Behaviour Bill (ASB) which will enable police and local authorities to close down crack houses within 48 hours. These measures have the advantage in this context of focusing action on the premises rather than the individual.

The new powers will provide a more effective means of dealing with crack houses than extending Section 8(d). In view of this, we have decided to postpone implementation of the

amended Section 8(d) for a period of 2 years to allow for an evaluation of the effectiveness of the new powers. I must stress, however, that the potential to extend Section 8(d) will remain on the statute book, pending the outcome of the evaluation of the new powers. I hope this goes some way to answering your concerns.

Yours sincerely

David Arnold Drugs Strategy Directorate Home Office