

There are laws which operate for both legal and illegal drugs:

- **Legal drugs** such as alcohol, tobacco and solvents are the most common and there are laws which govern who can buy them, who can sell them, and how they can be used.
- **Illegal drugs** such as cannabis, cocaine and ecstasy are controlled by the Misuse of Drugs Act.

#### **The law on alcohol**

- It is illegal for anyone under 18 to buy alcohol from a pub, bar, off-licence or supermarket. It is also illegal for an adult to buy or try to buy alcohol from any of these places on behalf of someone under 18.
- The exception to the above is that 16 and 17 year olds can be bought beer, wine or cider by an adult to accompany a table meal.
- Some towns have alcohol-free zones where nobody can drink in public. Even where these aren't in place the police can confiscate alcohol or move young people on if they have been drinking. They could even be fined or arrested.

#### **The law on tobacco**

It is illegal for anyone under 18 to be sold tobacco (i.e. cigarettes or rolling/pipe/chewing tobacco) over the counter or from a vending machine.

#### **The law on solvents (glues, gases, aerosols)**

It is illegal for anyone under 18 to be sold solvents if the shopkeeper knows they are to be used for the purpose of intoxication. In 1999 the government extended the law to make it illegal for shopkeepers to sell lighter fuel (butane) at all to under 18s.

#### **The law on illegal drugs**

The Misuse of Drugs Act (1971) is the main law which is intended to control the use and prevent the misuse of medicinal drugs and drugs with no current medical use. Drugs covered by this act are known as 'controlled' drugs. Offences under this act include unlawful production, import/export, supply, intent to supply, and possession. In order to enforce this law, police have special powers to stop and search people on 'reasonable suspicion' that they are in possession of a drug.

Illegal drugs are divided into three different categories, or classes. These classes A, B and C, carry different penalties for possession and dealing. Class A drugs are considered the most harmful and carry the greatest penalties.

The Misuse of Drugs Act states that it is an offence to:

- possess a controlled substance unlawfully
- possess a controlled substance with intent to supply it
- supply or offer to supply a controlled drug (even if it is given away for free)
- allow a house, flat or office to be used by people taking drugs

In simple terms this means you are most likely to be charged for having small amounts of a drug on you (possession), or for selling or giving larger amounts of drugs to other people, which could include your friends (dealing).

## Penalties for possession and dealing

|   | Possession:   | Dealing:   |
|---|---|--|
| <b>Class A:</b> Ecstasy, LSD, heroin, cocaine, crack, magic mushrooms (raw or processed), amphetamines (if prepared for injection). | Up to 7 years in prison or an unlimited fine or both. | Up to life in prison or an unlimited fine or both.     |
| <b>Class B:</b> Amphetamines, cannabis, codeine, mephedrone, methylphenidate (ritalin).   | Up to 5 years in prison or an unlimited fine or both. | Up to 14 years in prison or an unlimited fine or both. |
| <b>Class C:</b> Tranquillisers (eg valium, rohypnol), some painkillers, GBL/GHB, ketamine.  | Up to 2 years in prison or an unlimited fine or both. | Up to 14 years in prison or an unlimited fine or both. |

Certain controlled drugs such as amphetamines, barbiturates, codeine, methadone, minor tranquillisers and ritalin, can be obtained through a legitimate doctor's prescription. In such cases their possession is not illegal, but using someone else's prescription could be subject to penalties for possession or supply.

### Cannabis

Cannabis was reclassified from a Class B to a Class C drug in 2004. It was then reclassified again from a Class C to a Class B drug in 2009. The Home Office website states the following about young people caught in possession of cannabis:

- A young person found to be in possession of cannabis will be arrested and taken to a police station where they can receive a reprimand, final warning or charge depending on the seriousness of the offence.
- Following one reprimand, any further offence will lead to a final warning or charge. Any further offence following a warning will normally result in criminal charges. After a final warning, the young offender must be referred to a Youth Offending Team to arrange a rehabilitation programme.

### 'Legal highs'

It is likely that drugs sold as a 'legal high' may actually contain one or more substances that are actually illegal to possess. Some websites selling "legal highs" are actually selling substances which contain illegal substances. Just because a substance is called a 'legal high' doesn't mean that it is either safe to use or legal to possess and supply.

Further detailed information about UK drug laws is available on the Direct Gov website <http://www.direct.gov.uk> and the Drugscope website: <http://www.drugscope.org.uk>

### Drugs in Schools

In January 2012 The Department for Education and the Association of Chief Police Officers produced a guidance document 'Drug Advice for Schools', which is available to download from the DfE website [www.education.gov.uk](http://www.education.gov.uk).

Schools would not normally need to involve the police in incidents involving legal drugs, although they may wish to inform them about the inappropriate sale or supply of tobacco, alcohol or volatile substances to pupils in the area. The guidance provides advice on the recommended procedure for incidents involving illegal drugs.