

Forward Research and Policy Series

No.4 Tackling the issue of New Psychoactive Substances in prisons



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forward

Foreword

This series of Forward Research and Policy Briefings aims to synthesise over 20 years of practical experience, combined with data and analysis from our in-house research team, to improve our understanding of how to effectively tackle drug- and/or alcohol- related crime. We hold an in-depth database of more than 6,000 drug or alcohol dependent offenders who have engaged with our accredited programmes. We will use this evidence base to produce regular practice and policy briefings.

Briefing 4

It is now clear that the UK market for New Psychoactive Substances (NPS) has grown to levels that give real public health concerns - with the government proposing comprehensive legislation and drug service providers rapidly developing strategies and interventions that respond to the changing needs of their service users. The challenges are particularly acute in prisons, where consumption of New Psychoactive Substances has become commonplace. The market for these substances is entrenched and associated with a range of threats to the health of prisoners, as well as to the stability of prison regimes. This briefing – the fourth in our series – summarises the experiences of RAPt staff so far in dealing with NPS in prisons. It explains our emerging strategies for minimising the impact that these new markets and patterns of consumption have both on prison regimes, and the welfare of staff and prisoners.

Introduction

The illicit drugs market is separable into three constituents: “traditional” (illegal drugs such as heroin and cocaine), the diversion of prescription drugs and New Psychoactive Substances (NPS). This latter group are growing in popularity and are starting to figure significantly in prevalence figures, both in the community and in prison. New Psychoactive Substances (often referred to as ‘Legal Highs’) are designed to mimic the effects of certain illegal drugs, but with their chemical structures often altered in order to evade the law. The government has long been concerned about the emergence and increasing use of these substances - an expert advisory group was convened by the coalition government in 2013, and reported its findings in early 2015. The new Conservative government responded by bringing forward a new bill in May 2015 that 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 bill is currently in its third reading at the House of Lords. Whilst such legislation will clearly introduce tighter regulations on the open sale of these substances, it is unlikely to prevent NPS being sold through more clandestine methods, such as online purchases, street dealing, or in prisons - where a thriving market is already established.

NPS are often more dangerous than the illegal drug they are trying to mimic, largely because the user cannot be sure of the contents of each batch and little is known about their potency and long term effects¹. The Global Drug Survey (2015)² found that users of synthetic cannabinoids, such as Spice, were 30 times more likely to have attended a hospital emergency room because of their drug use than users of herbal cannabis.

NPS use has quickly become widespread amongst prisoners. The annual report from the National Offender Management Service (NOMS) (2015³) affirmed that increased NPS use among prisoners is generating high levels of debt, intimidation and violence between prisoners and is likely the main catalyst for the recent rise in attacks on prison staff. Its popularity has been increased by the view amongst prisoners that drug tests are unable to detect its use, and that smoking certain types of NPS (such as Spice) does not produce a distinctive smell that can be detected by prison officers. There is also a lack of up-to-date knowledge on the dangers and effects of NPS. As new chemicals are constantly being manufactured, users are therefore rarely aware of exactly what they are taking, and what risks are associated. Whilst RAPt welcomes the recent Ministry of Justice (MoJ) announcement that more will be done to address this problem⁴, we are concerned that the situation on the ground is developing more rapidly than our ability to respond, and is undermining good order and discipline in prisons. It is also putting the safety of staff and the delivery of drug recovery services at risk.

Scale of the problem

The number of prisoners using NPS varies across prisons, but some estimates suggest as many as 60% to 90% of the prison population use, or have used, NPS (Centre for Social Justice, 2015). The most commonly used type of NPS reported in UK prisons is 'Spice' (also known as "Black Mamba" or "Clockwork Orange"). Spice is a synthetic form of cannabis, however the generic term is often used to describe any type of chemicals sprayed onto plant matter. Prison seizures of Spice have increased from 15 in 2010 to around 737 reported in 2014⁶.

It is difficult to determine precisely the number of prisoners using NPS, as most forms cannot currently be tested for. A recent report by the Centre for Social Justice (CSJ)⁵ suggests that most prisoners they interviewed in 2014 were regularly taking it and approximately 20% of prisoners who use Spice report being addicted to it (Baker, 2015). The report by CSJ gave some anecdotal insights into the impact of Spice use in prisons. The following are quotes from this report⁵:

- "Prisoners who had used Spice described it as being, 'like a crack addiction' or 'like cannabis, just a lot stronger'."
- "Others have seriously injured themselves head-butting mirrors thinking they were being attacked."
- "I've seen someone bury a knife in someone's neck [on Spice] 'cause they were paranoid'."
- "There is also a game that is becoming popular in prisons. It is often called the '50 pound challenge'. In the game, prisoners are challenged to smoke £50 worth of Spice. If they manage to smoke it all before breaking down or passing out, then they get it for free. If they fail they have to pay for it."

Some of the commonly known prison names of NPS

BLACK MAMBA SPICE? clockwork orange

As part of our routine collation of risks and incidents, Forward have received reports of 54 serious NPS related incidents from frontline staff in only 3 months - April, May and June 2015 - most of which appear to relate to use of "Spice". These incidents were reported in 9 different prisons; 44% of these incidents resulted in an inmate being admitted as a healthcare inpatient, either in the prison healthcare centre, or at outside hospitals. 6 of these incidents feature an inmate acting violently under the influence of NPS and assaulting prison officers. 4 involved prisoners assaulting other prisoners, and 5 of the incidents resulted in self-harm and/or a short term psychotic episode.

Forward's incident reporting provides further evidence that NPS (or 'Spice') can be addictive, contributes to violent behaviour and is used as a bargaining tool. Some prisoners end up indebted to and pressurised by others to consume vast quantities and test the effect of new batches. Reports from Forward's front line staff indicate the extent of the problem and the dangers it poses to prison staff, fellow inmates and the user:

- "There was a guy who had racked up £2k in debt because of it, so there is definite potential for addiction. It contributes to general anti-social behaviour within the prison, as well as violence. The violence can flow from inmates actually being under the influence just as much as it can be caused by debts and dealing."
- "Spice use has been absolutely rampant at [this prison]. At times, the RAPt staff feel that it is unsafe to work, despite the fact that they are on the 'recovery' wing."
- "There was a client recently...prior to being sent to prison, he had been using 'ching' - a cocaine-like substance - daily for 3 months. He had to self-detox because he didn't report using the substance and healthcare don't have a process for detoxing from NPS. He tried to cut his throat, but survived."
- "[This prison] had a suicide attempt - the person was under the influence [of NPS]. There was another case where someone was having hallucinations...and needed to be restrained."
- "A prisoner who has used NPS threw the contents of a bucket containing urine & faeces over prison officers on the house block."
- "A prisoner was described by staff as being high on Spice and attacked his cell mate who sustained multiple injuries and was taken to hospital as a result."



The extent of the problem is further corroborated by Forward service users in the prisons, for example:

- “I went to hospital. I’ve seen people face plant (fall flat on their faces while intoxicated).”
- “I’ve seen people coming in, they’re alright, healthy; then I see them a year later, they’re drawn in...they’re losing their words, memory gone.”
- “Almost everyone in the prison is using the stuff”
- “People rob people for spice – if they don’t have the money, they’ll take it off someone.”

Official reports from the Ministry of Justice (MoJ), the Prisons Inspectorate, and Independent Monitoring Boards are increasingly expressing concerns about the use of NPS in prisons. They have also voiced disquiet about the - seemingly related - increasing incidence of self-harm and suicide attempts. Additional concerns stem from the increasing number of attacks on prison officers reported in recent government statistics⁷, some of which have resulted in serious harm. There are reasonable fears that the increase in attacks on prison staff is linked to the widespread use of NPS in prisons.

Rising attacks upon prison officers linked to the use of NPS



How Forward are responding to this new challenge

Forward have recently developed and implemented a strategy for addressing the persistent and evolving issue of NPS use across the prisons in which we deliver substance misuse services. There is no “magic bullet” to address this problem, but we have adopted approaches that are based upon extensive reviews of up-to-date literature, including Public Health England’s recent NEPTUNE guidelines (2015) on NPS. Forward has also worked alongside the Angelus Foundation, a charity set up to raise awareness about the dangers of NPS use, to refine the information and advice we give to prisoners.

Forward have strengthened our ability to respond to these fast moving trends, and provide accurate advice and information in all the prisons in which we operate:

- Forward has appointed NPS Leads amongst Forward staff in each prison we work in. They have been given the lead role in developing and informing our strategy.
- Forward has set up NPS working groups, in which prison management, healthcare and our substance misuse teams meet to share their knowledge, experiences and agree a joint approach to respond to the issue.
- Forward has designed training that can be delivered to all prison staff so they are better informed about the dangers and effects of the main categories of New Psychoactive Substances.
- Forward has launched an awareness campaign in each of the prisons we work in to educate prisoners and staff of the dangers of NPS. This includes leaflets, posters and educational sessions offered to all prisoners.

There are signs that prisoners dependent on Spice are able to benefit from Forward’s prison recovery programmes to the same extent as those dependent on heroin or cocaine. Data from Forward’s accredited prison programmes shows that participating prisoners who report NPS as one of their main substances of dependent use are just as likely to complete the programmes drug-free as those that report ‘traditional’ illicit drug use. 132 prisoners who have engaged with the programme over the last 3 years have reported dependency on NPS. We will continue to monitor the data and campaign to encourage greater numbers of NPS using prisoners into treatment.





Recovery wings - Part of the solution

But we know that long term success in pushing back this new phenomenon can only be achieved if we turn around the culture on prison wings to create Drug Recovery Wings (DRWs). We need to replace the pressure prisoners experience to become involved in using and dealing drugs with a culture where peer support and expectation leads to prisoners genuinely wanting to become and remain drug free. By creating this culture prisoners feel safe and supported to seek the help they need to tackle the causes and consequences of their addiction, to make a long term change.

Experience has taught us that the most successful DRWs - where both prison staff and prisoners are safe, and high rates of recovery are achieved - contain a number of “essential ingredients”. These are:

- A dedicated wing that is truly drug free and has a recovery culture supported by the prison's senior management team and uniform staff
- Unified staff on the DRW in the form of a dedicated team who are trained in, and engaged with, the recovery culture
- An evidence-based, structured rehabilitation programme that all prisoners on the wing are engaged with or moving towards
- Regular drug testing with clear sanctions for failed tests
- Peer Supporters (prisoners who have completed their own treatment programme) who are committed to ensuring the integrity of the DRW is maintained, and who act as positive role models to other prisoners
- Support for families and friends of prisoners so they can encourage and take an active part in their loved one's treatment
- Self help fellowships delivered by groups such as Narcotics or Alcoholics Anonymous (NA or AA) or SMART recovery
- A continued package of follow-up care on release from prison

Forward currently manages intensive substance misuse treatment programmes in the 13 prisons listed below. When these services are provided on Recovery Wings that incorporate these “essential ingredients”, there is a significantly reduced risk of self-harm, suicide and assaults on both prison officers and inmates. Outcomes from these programmes also include a significant reduction in the reoffending rates of programme graduates. However, these results are becoming increasingly hard to maintain in the face of budget cuts and competing priorities within the prison estate.

Name of prison	Male/ Female	Security Class	Type of prison	Operational Capacity
HMP Brixton	Male	C/D	Resettlement	798
HMP Bullingdon	Male	B/C	Cat B - Local Function, Cat C - Training	1114
HMP Elmsley	Male	B/C	Unsentenced/Sentenced Adult & Unsentenced YO	1252
HMP Erlestoke	Male	C	Training	494
HMP High Down	Male	B	Local Function	1103
HMP Highpoint	Male	C	Training	1323
HMP The Mount	Male	C	Training	770
HMP Rochester	Male	C	Training (for Sentenced Offenders) - Adult &YO	658
HMP Send	Female	Closed Category	Training & Resettlement uni	282
HMP Swales	Male	B	Training (High % IPP)	1112
HMP Wandsworth	Male	B	Local Function	1877
HMP Wayland	Male	C	Training	1017
HMP/ YOI Stoke Heat	Male	C/D & Young Offenders	Training/ Small Local Function	766

Conclusion

Whatever the progress made in legislation or law enforcement practice to suppress the supply of NPS across the country, it seems clear that the use of NPS has become an established practice in prisons, and a significant market has formed. A prison subculture is developing, with Spice at its centre, which is causing concerns regarding the health of prisoners and those who care for them. The latest Annual Report from the National Offender Management Service (NOMS)⁸ gives some prominence to this issue as a major threat to the stability of prison regimes. Effective methods for suppressing both supply and demand for NPS in prisons are urgently needed.

Recommendations

Forward welcomes the Ministry of Justice's (MoJ) recent announcement that more will be done to keep NPS out of prison and to dissuade prisoners from taking them⁹, however we are concerned that more needs to be done to keep up with the scale of the problem.

Forward recommends a combination of the above measures, alongside:

- Adequate staff numbers to conduct cell searches
- Adequate staff numbers to conduct testing regimes, including any new drug detection technology for NPS
- Awareness and education campaigns targeted at prisoners, to increase understanding of the risks and harms associated with the use of NPS – particularly focused on the unpredictability of their effects, dangers and potentially addictive nature
- Increased number of Drug Recovery Wings – with the aim of one in every prison – where prisoners are committed to a drug free environment. This is achieved through a combination of security, testing, incentives and privileges alongside intensive programmes that work with prisoners with the aim of stopping drug use completely, and staying drug free. These wings are set up in a specific location in a prison and foster an anti-drug culture. This culture can be strengthened and expanded over time to cover the whole prison.



References

¹ Talk to Frank: [accessed via: <http://www.talktofrank.com/drug/legal-highs> (19.02.15)]

² The Global Drug Survey (2015): [access via]: <http://www.globaldrugsurvey.com/the-global-drug-survey-2015-findings/>

³ National Offender Management Service. Annual Report and Accounts 2014-2015. (P23-25): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434548/NOMS_AR14_15_report_accounts_Final_WEB.pdf

⁴ Statement made by the Ministry of Justice, 25.01.15 [accessed via]: <https://www.gov.uk/government/news/new-crackdown-on-dangerous-legal-highs-in-prison> (26.01.15)

⁵ The Centre for Social Justice (March, 2015). Drugs in Prison.

⁶ Please note that only data for the first seven months of 2014 is available and the total figure for 2014 – 737 – is an estimate based on existing data. Hansard, Written answers and statements, 21 October 2014 [www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2014-09-26/209374/]

⁷ Baker, S. An Examination of the Reasons that Prisoners use Spice (Synthetic Cannabinoids). University of Cambridge, 2015

⁸ <https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-december-2014-and-annual>

⁹ National Offender Management Service. Annual Report and Accounts 2014-2015. (p23-25): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434548/NOMS_AR14_15_report_accounts_Final_WEB.pdf



About Forward

Forward works to help people with drug and alcohol dependence, both in prison and in the community, overcome the grip of addiction and lead positive lives, free from drugs and crime.

In 1992 Forward (formerly RAPt) founded the first drug treatment facility in a UK prison. Today we are the leading provider of intensive, abstinence-based drug and alcohol rehabilitation programmes in UK prisons, providing high-quality drug and alcohol services to over 20,000 people every year within the criminal justice system and in the community.



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