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Our Reference: 202100245310  
Your Reference: Drug Deaths Taskforce: Report on Drug Law Reform

14 October 2021

Dear Catriona,

Thank you for your letter dated 17 September 2021 from both yourself and Neil Richardson highlighting the Drug Deaths Taskforce, Drug Law Reform report.

I would like to begin by thanking the Drug Deaths Taskforce for expertly leading the first phase of this important work in Scotland. I would also like to thank everyone who has taken the time to engage with the engagement exercise and to produce this comprehensive report. I have always been clear that we cannot simply arrest our way out of the current drugs emergency and believe that there are genuine limitations on our public health approach to drug use when the current legislation is maintained in its current form.

We continue to regularly engage with the UK Government on the evidence base, seeking to persuade them to allow life-saving harm reduction measures or to devolve the powers to the Scottish Parliament to take forward. I welcomed the Lord Advocate's recent independent decision to expand Recorded Police Warnings for all classes of drugs and note that this was also considered and recommended in your report. This is an example of how the criminal justice system can be tailored to be more proportionate and a smarter use of the law.

I have asked the Scottish Government to consider the proposals in your report, noting that these range from what can be done now and what requires wholesale change including to the reserved Misuse of Drugs Act 1971. The Drugs Policy Division will work across the necessary policy areas within the Scottish Government and with appropriate stakeholders to set out an Action Plan to respond to these proposals in the coming months. We will keep you updated as that work progresses. You have already written to the UK Government to consider the findings of this report and I will send a separate letter to

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Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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my counterpart in Westminster to emphasise the  
importance of a prompt response from the UK Government.



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I note that your report highlights a number of complex issues that require further engagement and consultation on a wider scale. The Scottish Government will explore the best approach to the second phase of this work to lead a national conversation on this important issue. My Officials will be in touch to discuss this in more detail with you.

We are all saddened to see the number of reported drug-related deaths in Scotland continue to remain at unacceptable level. I believe that it is evidence based interventions that will make a difference in this public health emergency in Scotland.

I hope you will find this initial response on this matter helpful. My Officials will expedite this work as quickly as possible but in the interim please contact me if you would like to discuss anything further.

Yours sincerely

A handwritten signature in black ink, appearing to read "Angela Constance".

**ANGELA CONSTANCE**

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