

Substance Misuse: Key Structural and Policy Developments

Introduction

This paper identifies some key structural and policy developments which have occurred since the National Assembly for Wales was established in 1999. The developments listed do not represent an exhaustive list. Those included have been identified through the following sources:

- responses to the Social Justice and Regeneration Committee substance misuse policy review consultation exercise
- Welsh Assembly Government Community Safety Unit Plan 2004-05
- Welsh Assembly Government website
- Home Office website

Key developments: 1999 - 2004

1999

Establishment of the National Assembly for Wales

As a result of the terms of devolution under the *Government of Wales Act 1998* substance misuse policy is only partially devolved. For example, the Welsh Assembly Government **does** have the power to:

- issue educational guidance to schools and youth services
- make decisions about the provision of substance misuse services in the NHS
- make decisions about the structuring and funding of action to tackle substance misuse in Wales

However, the Welsh Assembly Government does **not** have the power to make or change laws regarding the misuse of drugs. The agents of the criminal justice system, such as the police and the probation service, are directed and generally funded by the Home Office.

Responsibility for the co-ordination of action to tackle substance misuse in Wales rests with the Minister for Health and Social Services.

The 'Welsh Advisory Committee on Drug and Alcohol Use' (WACDAM) is abolished and a temporary 'Substance Misuse Advisory Panel' (SMAP) established.

Other developments

The Crime and Disorder Act 1998 results in the introduction of a number of new measures and sentences including:

- Drug Treatment and Testing Orders
- Anti-social Behaviour Orders

- The establishment of the Youth Justice Board and Youth Offending Teams
- The establishment of Crime and Disorder Reduction Partnerships (later known as Community Safety Partnerships) and their duty to produce local strategies

2000

Tackling Substance Misuse in Wales: A Partnership Approach is launched by Jane Hutt. The strategy builds on the Welsh Office strategy document *Forward Together* (1996) and is consistent with the aims of the UK strategy, *Tackling Drugs to Build a Better Britain* (1998). However, in contrast to the UK strategy which focuses on illegal drugs, the Welsh strategy also covers **alcohol, over the counter and prescription medication and volatile substances**, such as solvents. The aims of the Welsh strategy are also broader than those of the UK strategy.

Responsibility for leading and co-ordinating action to tackle substance misuse at a strategic delivery level is undertaken by the five Welsh Drug and Alcohol Action Teams (DAATs), which are based on the Health Authority boundaries of the time. Membership of DAATs included senior representation from a range of agencies and organisations and Local Action Team (LAT) chairs. The 22 LATs, the membership of which represents a more operational level of action, are charged with keeping DAATs in close contact with the issues affecting their locality and the experience of practitioners.

Most Assembly Government funding to tackle substance misuse (over and above funds provided directly to organisations involved in action as part of their core work, such as the NHS and social services) is given to Drug and Alcohol Action Teams to manage and allocate according to local priorities. The 'Section 64' grant scheme is managed centrally by officials. The Welsh strategy indicates that Health Authorities are expected to spend at least 0.4% of their discretionary revenue allocations on substance misuse treatment and prevention.

Other developments

Extending Entitlement, which sets out a detailed agenda for developing the Assembly's future youth policies, is launched.

The Local Government Act 2000 places a duty on local authorities to produce community strategies for promoting or improving the economic, social and environmental well-being of their areas.

2001

The 'Substance Misuse Advisory Panel' (SMAP) is abolished and a new 'Advisory Panel on Substance Misuse' (APoSM) established.

The Assembly sponsored Welsh Drug and Alcohol Unit, which provides support to those involved in combating drug and alcohol misuse, is assimilated into the Welsh Assembly Government

Other developments

The national housing strategy, *Better Homes for People in Wales* is launched

Strategy for *Child and Adolescent Mental Health Services: Everybody's Business* is launched

2002

In July 2002, responsibility for substance misuse is transferred to Edwina Hart, the Minister for Finance, Local Government and Communities. Edwina Hart maintained this responsibility when she became Minister for Social Justice and Regeneration in May 2003.

After a period of public consultation, Edwina Hart announces her intention to abolish the current system of DAATs and LATs. Community Safety Partnerships will play a central role in tackling substance misuse at a strategic level.

Substance Misuse: Children and young People – National Assembly for Wales Circular 17/02 is published. This circular provides guidance to schools, colleges and all youth settings on substance misuse preventative education.

Other developments

The Police Reform Act 2002 enables the Assembly Government to direct Community Safety Partnerships to formulate and implement strategies for combating substance misuse and to extend the bodies represented on Partnerships. The Act gives the Assembly Government the power to issue guidance to the bodies charged with devising and implementing action plans.

The Criminal Justice Act 2002 provides for a range of new and amended measures including:

- Greater powers in relation to drug testing
- Powers to direct an offender to undertake rehabilitation treatment
- Powers to direct under 18 years olds to undergo drug testing and treatment
- Increased penalties for some drug related offences

The National Health Service Reform and Health Care Professions Act 2002 provides for a number of changes to the National Health Service including:

- The establishment of Local Health Boards
- Changes to financial arrangements within the NHS
- A duty placed on local authorities and local health boards in Wales to produce Health and Well-being Strategies
- The power to make regulations to enable NHS and prison services to pool their resources and to delegate functions and resources from one party to another.

Adult Mental Health Services: A National Service Framework for Wales is launched

The first stage of **Progress2Work**, a Department for Work and Pensions initiative to assist problematic drug users into the job market is launched.

Cymorth – the Assembly Government’s Children and Youth Support Fund is established. The new fund combines the funding previously provided through Sure Start, Childcare Partnerships and the Children and Youth Partnership Fund

2003

On 1st April 2003 DAATs and LATs are abolished and their functions transferred to the 22 Community Safety Partnerships in Wales. Community Safety Partnerships now have a statutory obligation to formulate and implement strategies for combating substance misuse. Local Health Boards are designated statutory members of Community Safety Partnerships.

Also established at this time are Substance Misuse Advisory Regional Teams (SMARTs), which sit within the civil service structure of the Welsh Assembly Government, located in the four police areas in Wales, and Substance Misuse Action Teams, which are sub-groups of the Community Safety Partnerships.

Assembly Government and Home Office funding to tackle substance misuse and crime and disorder (over and above funds provided directly to organisations involved in action as part of their core work, such as the NHS, police and probation services) is given to Community Safety Partnerships to manage and allocate according to local priorities.

Other Assembly Government actions include:

- The production of statutory guidance to Community Safety Partnerships on the production of local substance misuse strategies
- The publication of the *Wales Substance Misuse Services Review 2002/03, Final Report*
- The establishment of a prison support worker project
- The development of a police–led schools liaison programme (initiated by Gwent Police)
- The launch in Wales of National (UK) Drug and Alcohol National Occupational Standards
- The APoSM review of voluntary sector substance misuse treatment services
- Review of needles and syringe exchange services and supervised consumption of substitute medication.
- Support for Operation Tarian

Other developments

- The Assembly Government’s *National Homelessness Strategy* is launched
- **Supporting People** - a new policy and funding framework for delivering accommodation based support to vulnerable people – begins to be implemented in Wales after a period of transitional arrangements.
- The National Health Service is re-structured in Wales. Health Authorities are abolished, Local Health Boards established and **Health and Well Being Strategies become a statutory responsibility.**
- The Welsh Assembly Government takes transfer of funding for prison health services in the public sector prisons in Wales from the Home Office. A prison health care project is established by Jane Hutt.
- **Progress2work LINK-UP** is launched, extending the initiative to problematic alcohol users.

2004

Assembly Government actions include:

- The 22 Community Safety Partnership strategies and action plans are considered and approved
- A Prison Transitional Support Scheme becomes operational
- The Rhondda Treatment Initiative becomes operational.

Other developments

- The Assembly Government's *All Wales Youth Offending Strategy* is published
- *Tackling Domestic Abuse: The All Wales National Strategy. A Joint-Agency Approach (draft)* is published
- New General Medical Services (GMS) Contract is introduced. Specialist treatment for drug and alcohol misuse are recognised as 'National Enhanced Services'
- Cannabis is reclassified to a Class C drug under the Misuse of Drugs Act 1971
- The establishment of the National Offender Management System (NOMS) (Merger of Prison and Probation Services)
- On-going development of a new NHS pharmacy contract which is likely to effect the way services such as supervised consumption and needle and syringe exchange are delivered

Current areas of development within the Welsh Assembly Government

The following areas are identified as priorities for 2004-05:

- **Substance Misuse Treatment Framework in Wales** - The framework should enable responsible authorities and their partners in Community Safety Partnerships to compare the performance of services commissioned in their area against agreed national standards. It should assist in identifying gaps in substance misuse services and the subsequent need for service development and will support the development of Local Substance Misuse Action Plans (LSMAP).
- **Wales Performance Management Framework** - development of a comprehensive management information system' to meet the planning needs at both the national and local levels.
- Further development of statutory guidance on the production of local substance misuse strategy.
- Action to tackle drug related death
- Work on the 'Hidden Harm' agenda (needs of children of problem substance users)
- Development of a 'Throughcare and Aftercare Scheme'
- Focus on joint training in substance misuse and child protection work
- All Wales Training Needs Analysis
- Plan on the delivery of public information and educational resources.
- Actions relating to the implications of the English Alcohol Strategy