



**Possession, Supply, and production of Drugs
and Psychoactive Substances**

June 2021



The following Code was approved by the Governing Body of the College on 16 June 2021 and takes effect forthwith.

Linacre College operates a zero-tolerance policy on the supply, production and use of illegal drugs and psychoactive substances. The College will co-operate fully with the Police in any investigation involving their unauthorised possession, use and supply, and follow the procedures set out in College By-Law 7 on Discipline, Ill-Health and Student Members. If the College was knowingly to permit such offences to take place on its premises, it would itself be liable for prosecution. At the same time, the College wishes to offer all possible support to students seeking medical and/or counselling help regarding drugs and substance abuse. The guidance contained in this policy sets out both the key legislation governing drugs and substance offences, and the main sources of support available for further advice and guidance. We are also aware that there may be cases where students have been prescribed drugs legitimately in their home country that are illegal in the UK and would like to encourage students to speak openly to their GP in Oxford about this. College members might not be familiar with the UK drugs and psychoactive substance legislation and penalties. The UK Misuse of Drugs Act 1971 (MDA) divides drugs into three classes – A, B and C – and all classes can carry custodial sentences. The maximum penalties for drug possession, supply, and production depend on what type or ‘class’ the drug is. These are set out in the table below:

Class	Drug	Possession	Supply and Production
Class A	Crack cocaine, cocaine, ecstasy (MDMA), heroin, LSD, magic mushrooms, methadone, methamphetamine (crystal meth)	Up to 7 years in prison, an unlimited fine or both	Up to life in prison, an unlimited fine or both
Class B	Amphetamines, barbiturates, cannabis, codeine, ketamine, methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (for example mephedrone, methoxetamine)	Up to 5 years in prison, an unlimited fine or both	Up to 14 years in prison, an unlimited fine or both
Class C	Anabolic steroids, benzodiazepines (diazepam), gamma hydroxybutyrate (GHB), gammabutyrolactone (GBL), piperazines (BZP), khat	Up to 2 years in prison, an unlimited fine or both (except anabolic steroids - it's not an offence to possess them for personal use)	Up to 14 years in prison, an unlimited fine or both



<p>Temporary Class Drugs¹</p>	<p>Some methylphenidate substances (ethylphenidate, 3,4-dichloromethylphenidate (3,4-DCMP), methylnaphthidate (HDMP-28), isopropylphenidate (IPP or IPPD), 4-methylmethylphenidate, ethylnaphthidate, propylphenidate) and their simple derivatives</p>	<p>None, but police can take away a suspected temporary class drug</p>	<p>Up to 14 years in prison, an unlimited fine or both</p>
---	---	--	--

In addition, the UK Psychoactive Substances Act 2016 covers all drugs previously referred to as “legal highs”, which are not Class A, B or C drugs under the Misuse of Drugs Act 1971, but that are also now illegal. “The Act makes 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 details of these substances and the penalties associated with their possession, supply, and production are set out below:

Psychoactive Substances²	Possession	Supply and Production
<p>Things that cause hallucinations, drowsiness or changes in alertness, perception of time and space, mood or empathy towards others</p>	<p>None unless you are in prison</p>	<p>Up to 7 years in prison, an unlimited fine or both</p>

It should be noted that “supply” includes all forms of passing drugs to someone else, irrespective of whether payment is made. For example, passing a cannabis joint around a group involves a series of “supplies”. For further information on the penalties relating to both Acts, see: [Drugs Penalties and List of most commonly encountered drugs currently controlled under the misuse of drugs legislation.](#)

¹ The government can ban new drugs for 1 year under a ‘temporary banning order’ while they decide how the drugs should be classified. This is the list as of June 2021 (<https://www.gov.uk/penalties-drug-possession-dealing>).

² Excludes legitimate substances, such as food, alcohol, tobacco, nicotine, caffeine and medical products from the scope of the offence, as well as controlled drugs, which continue to be regulated by the Misuse of Drugs Act 1971.



Those aware of being at risk of drug or other substance abuse are encouraged to seek advice from any of the following sources:

- the College Welfare Team, who can provide confidential advice and sign-post additional sources of support
- the University Counselling Service, which can provide confidential advice outside the College context
- Oxford SU's Student Advice Service, which can assist students in finding appropriate support
- The College Doctors, who can provide medical advice, and are bound by the conventions of medical confidentiality
- "Talk to FRANK" (available also by calling 0300 123 6600), a source of up-to-date advice and discussion.

Any student concerned about another student's dependence on drugs may encourage them to seek advice from one of the sources listed above. Any member of the College concerned about illegal drug or substance use is encouraged to refer the matter, in confidence, to the Senior Tutor (senior.tutor@linacre.ox.ac.uk).