

Rt Hon Andy Burnham MP

Shadow Home Secretary

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Rt. Hon. Theresa May MP
Home Secretary
Home Office
2 Marsham Street
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20th January 2016

Dear Theresa

As you know, the Report Stage and Third Reading of the Psychoactive Substances Bill are being debated in the House this afternoon. You will also be aware that we have tabled an amendment to exempt alkyl nitrites (known as 'poppers') from the provisions of the Bill. This is an important issue, especially to the LGBT community, particularly gay men, and is an issue that has been considered by the Home Affairs Select Committee (HASC).

Your response to the HASC report on psychoactive substances indicates that you have reconsidered your position on poppers. Whilst I welcome your change of heart and your acknowledgement of the need to hear further representations on the beneficial health and relationship effects of poppers, I do not believe your proposals go far enough.

I remain concerned that your new position (to ban poppers pending further investigation) may well cause harm, particularly amongst the gay community. A ban on poppers, even if temporary, may result in poppers being sold 'under the counter', and users being driven underground to purchase poppers and thereby being exposed to new, more dangerous substances. It could also result in individuals facing prosecution and possible imprisonment. A temporary ban will cause widespread confusion amongst users about their legality, as well as having potentially serious and life changing consequences for individuals who continue to use them during the ban. I believe it would be better to have temporary exemption for poppers as opposed to a temporary ban whilst we await the conclusions and recommendations of the review.

As you will be aware, the ACMD recommended that poppers should not be included in the blanket ban. The Home Affairs Select Committee came to the same conclusion. In the absence of any additional evidence since those reviews and your own acknowledgement that further consultation is required, I urge you to include poppers on the exemption list, even if on a temporary basis, until further research has been undertaken.

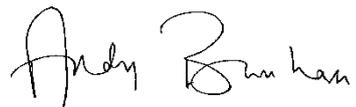
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If you were prepared to take this step, I would consider not pressing our amendment to a vote. However, if you are not prepared to move further, we will have to ask the House to divide such is the importance of this issue to the gay community.

Yours sincerely



RT HON ANDY BURNHAM MP
SHADOW HOME SECRETARY