DSM Foundation statement about nitrous oxide

Thursday 30 March, 2023

The government has stated that nitrous oxide will be banned in England as part of its Anti- Social Behaviour Action Plan, launched on March 27, 2023.

In a section titled “Cracking down on illegal drugs”, the plan states the government’s intention to ban nitrous oxide by the end of 2023, passing legislation to make it a Class C drug in order that the penalties for unlawful supply and possession can include potential prison sentences and unlimited fines. The document states that this will be preceded by a consultation process in order to “protect people and communities from the harmful effects while exempting legitimate uses so as to minimise the burden on businesses”.

The paper states that the move goes further than recommended by the Advisory Council on the Misuse of Drugs, which published a review of nitrous oxide earlier this month. That publication suggested introducing additional measures to tackle non-legitimate supply and alert the public and healthcare professionals to the risks posed by the drug, but stated: “The health and social harms of nitrous oxide are not commensurate with control under the Misuse of Drugs Act 1971.”

The DSM Foundation is supportive of any measures designed to reduce the risks posed by drugs, but is surprised that the government is going against expert advice, and instead including the nitrous oxide ban as part of a series of measures designed to reduce antisocial behaviour, as this sends a confusing message.

Fiona Spargo-Mabbs, founder and director of the DSM Foundation, a drugs education charity, commented: “Nitrous oxide use is undoubtedly associated with harms, particularly neurological problems such as nerve and spinal cord damage relating to heavy and persistent use, which may be linked to the availability of larger volume canisters. For these reasons, we feel that education is key so young people understand the risks, and this is very much in line with the recommendations made by the ACMD in its review of nitrous oxide.

“Looking to criminalize nitrous oxide – and making it part of an anti-social behaviour plan – appears to bypass education as part of a wider approach focusing on decreasing the harms caused by drugs. Reducing demand is a core strand of government strategy in this policy area, but banning nitrous oxide seems to be focusing much more on enforcement than helping young people understand the issues associated with the drug in order that they feel better equipped to make decisions that will keep them and other people safer.”

Information for editor:

The DSM Foundation was established in 2014 following the death of 16 year old Daniel Spargo-Mabbs from an accidental overdose of ecstasy. His family felt that he simply hadn’t known enough to be able to make decisions that would keep him safe, and set up the charity in order to spare other families going through what they had experienced. The aim of the DSM Foundation is to provide young people with relevant, age-appropriate, up to date and evidence-based information about drugs so they develop the skills to make choices that will keep themselves and their friends as safe as possible. However, the adults involved in the lives of those young people also need such information and skills in order to provide appropriate support and advice: NHS surveys regularly show that parents are the most commonly sought out source of information about drugs by 11-15 year olds, and hence the caregiver workshops provided by the DSM Foundation are invaluable.

For more information about the DSM Foundation, go to https://www.dsmfoundation.org.uk/.

Media enquiries about this press release or the work of the DSM Foundation should be sent to media@dsmfoundation.org.uk.

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