

FOI ref no: SCO/FOI/010/2022

Freedom of Information request: reference SCO/FOI/010/2022 first notified to us by email on 22 March 2022.

Staffordshire Commissioner's Office response to your enquiry is as follows:

I can confirm that the Staffordshire Commissioner's Office does not hold the requested information.

1. a copy of the Constabulary's policy or procedure for the verification of the legitimate possession and use of prescribed medical cannabis/cannabis-based prescription medicine (CBPM);
2. if the Constabulary does not have a local policy regarding this, could you please confirm that the Home Office guidance is adhered to by the Constabulary - namely that someone claiming the legitimate possession and use of medical cannabis will be expected to produce: the original medication container complete with the pharmacy dispensing label bearing the name of the patient; with either a copy of their FP10 prescription or a letter from the prescribing clinician; and a form of recognised photo ID (such as a passport, driving licence, or a PASS accredited photocard) bearing the same name as displayed on the dispensing label and the copy of the FP10 or clinician's letter;
3. if your Constabulary does not have a policy relating to this, could you please provide the Constabulary's policy regarding compliance with the PSED (Public Sector Equality Duty), especially with regards to the avoidance of discrimination against disabled people for the legitimate possession and use of a prescribed medication;
4. a copy of any internal briefing documents provided to police officers regarding the existence of - and the process for the verification of - prescribed medical cannabis flower or other CBPM's following the Home Office Circular 2018: 'Rescheduling of cannabis-based products for medicinal use in humans' and The Misuse of Drugs (Amendments) (Cannabis and Licence Fees) (England, Wales and Scotland) Regulations 2018 which allowed the prescribing of medical cannabis (CBPM);
5. the named lead for the Constabulary for matters pertaining to the verification of medical cannabis (CBPM);
6. the Constabulary's policy or position relating to the recognition of unaccredited card schemes such as Cancard or MedCannID, if such a policy exists.

The above information will be invaluable to patients in receipt of medical cannabis and will ensure a wider understanding and subsequent compliance with the expectations of your Constabulary. It is clearly in the public interest to ensure that medical cannabis patients are aware of local policies and procedures and can comply accordingly, so that finite police resources are not spent on the avoidable and potentially unlawful arrest of patients in receipt of legitimately prescribed medical cannabis medication (CBPM's).

I would refer to my email of the 22nd March 2022, where I requested permission to transfer your request to Staffordshire Police, to date I have not received a response. Therefore, I have documented below their contact details:

Post Central Disclosure Unit (Freedom of Information Team)
Staffordshire Police Headquarters
PO Box 3167
Stafford
ST16 9JZ

Staffordshire Commissioners Office, Ground Floor, Block 9, Weston Road, Stafford ST18 0YY

Twitter: @StaffsPFCC www.staffordshire-pfcc.gov.uk

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If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:

Compliance Manager
Staffordshire Commissioner's Office
Block 9, Staffordshire Police HQ
Stafford
ST18 0YY

Or emailed to: FOI.PFCC@staffordshire-pfcc.pnn.gov.uk.

Please remember to quote the reference number in any future communications.

Yours sincerely

Freedom of Information Decision Maker