

Mr. Frank Cranmer
Churches' Legislation Advisory Service
Church House
Great Smith Street
Westminster
London SW1P 3AZ

25 September 2015

Dear Mr Cranmer,

**PSYCHOACTIVE SUBSTANCES BILL: USE OF INCENSE IN PLACES
OF WORSHIP**

I have seen the written evidence you submitted to the Home Affairs Committee as part of their inquiry into the Psychoactive Substances Bill, regarding the impact of the Bill on the use of incense in places of worship.

As you acknowledge in your evidence, the definition of a “psychoactive substance” used in the Bill needs to be broad, to ensure that it effectively delivers on our manifesto commitment to introduce a blanket ban on these potentially harmful substances. The definition is similar to the one used in Ireland, New Zealand, and at state and federal level in Australia.

We are dealing here with the trade in psychoactive substances. In looking at the workings of the Bill it is necessary to consider the definition of a psychoactive substance alongside the elements of the offences in clauses 4 to 8 of the Bill. We do not believe it right to equate the effect of incense wafting through the air with the direct inhalation of fumes, for example from a solvent. Moreover, the offences only apply where a substance is likely to be consumed for its psychoactive effect. As such, the use of incense in religious services will not be covered by the Bill.

I hope that this letter has allayed your concerns. I would be happy to reiterate these points during the Commons stages of the Bill so that the

Government's position is clearly set out on the parliamentary record in Hansard.

I am copying this letter to the Association of English Cathedrals, who made a similar submission to the Home Affairs Committee, and to Keith Vaz as chair of that Committee.

Rt. Hon. Mike Penning MP