

POSSESSION OF PSYCHOACTIVE SUBSTANCE IN CUSTODIAL INSTITUTION

Psychoactive Substances Act 2016

9.- (1) A person commits an offence if—

- (a) the person is in possession of a psychoactive substance in a custodial institution,
- (b) the person knows or suspects that the substance is a psychoactive substance, and
- (c) the person intends to consume the psychoactive substance for its psychoactive effects.

Maximum Sentence

Psychoactive Substances Act 2016, s.10(2)

Indictment: 2 years imprisonment

Summarily: 6 months imprisonment and/or £5,000 Fine

Assessment of Offence

(starting points and ranges based on 1st time offender convicted following contest)

<u>Nature of Offence</u>	<u>Starting Point</u>	<u>Sentencing Range</u>
N/A	1 month Custody	Fine to 3 months Custody

<u>Examples of Possible Aggravating Factors of Offence</u>	<u>Examples of Possible Mitigating Factor of Offence</u>
N/A	N/A

Relevant Cases:

NI Cases

N/A

English Cases

N/A

Notes: