

INTRODUCTION

The misuse of drugs, including tobacco and alcohol, has grown considerably over the past few years. The problems resulting from this affect every part of our society, including schools. A minority of young people have been involved in incidents of being under the influence of, in possession of and/or supplying drugs to others. Inevitably teachers have to deal with these situations in their classrooms and schools.

This updated guidance is designed to provide information and direction to schools in the management of suspected drugs-related incidents by pupils on school premises, when travelling to and from school and when engaged in authorised school-related activities.

For the purposes of this guidance a suspected drugs-related incident includes:

- inappropriate behaviour;
- an allegation;
- possession, possession with intent to supply and/or supply of controlled drugs; and
- finding drugs-related paraphernalia.

The agencies involved in drawing together this guidance recognise that for all those involved in dealing with such incidents, the experience is likely to be traumatic. This will be true not only for the principal, all staff (teaching and non-teaching) and governors of the school but also for the pupil(s) involved in the incident, their parents/guardians and the other pupils of the school.

Dealing with suspected drugs-related incidents requires extreme sensitivity on the part of all those involved. Consideration should be given to the implications of the Human Rights Act of which further details can be obtained from the Children's Law Centre.

It is hoped that this guidance will help and empower those charged with handling these difficult and sometimes complex issues to be fair and consistent.

Information on issues relating to staff use of drugs and alcohol are outlined in the document 'Drugs and Alcohol in the Workplace' which can be obtained from the Health and Safety Executive for Northern Ireland (HSENI).

On occasion, schools may have to deal with a parent/guardian who is under the influence of alcohol and/or other drugs. In such circumstances the staff involved should attempt to maintain a calm atmosphere. If a member of staff has concerns about discharging a pupil into the care of a parent/guardian under such circumstances then alternative arrangements should be discussed with the parent/guardian. The focus for staff, under conditions of '*in loco parentis*', should always be the maintenance of pupils' welfare. Where the behaviour of a parent/guardian may place the pupil at risk, staff should consider invoking child protection procedures.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

ROLES AND RESPONSIBILITIES WITHIN A SCHOOL

Schools should:

- have a policy which highlights how suspected drugs-related incidents are to be dealt with and publish this in their prospectus. Assistance with developing and writing this policy can be given by the designated officer in the Education and Library Board;
- have developed a strong pastoral care structure within the school which can then be implemented when responding to a suspected drugs-related incident;
- have agreed identified procedures in place for managing suspected drugs-related incidents on the premises. All staff should be completely familiar with their school's procedures, and know whom to contact and what to do when a suspected substance is found on the school premises or a young person is suspected either of being in possession of or under the influence of drugs, including solvents and alcohol. Care should be taken to ensure that the procedures are brought to the attention of new members of staff as part of their induction training. Governors have a responsibility to be involved in the development of the school's policy and procedures, including disciplinary procedures. Parents/guardians should be informed of the school's procedures, and should be given a copy of the policy on request;
- appoint a designated teacher for drugs. It is recommended that this teacher should be a senior member of staff but should not be the principal except in a small primary school. However it is recognised that if an incident occurs, the principal has ultimate responsibility for dealing with it appropriately;
- ensure that emergency First Aid procedures exist and that all members of staff are aware of them. Safety is of paramount importance when a young person is discovered to be unconscious or semi-conscious or acting in a manner that leads you to suspect that he or she may be under the influence of alcohol, solvents or other drugs;
- give careful consideration to how information about, and the school's response to, an incident will be communicated to other staff, pupils and parents/guardians. Communication with the media should be followed as outlined on page 38 of this document;
- report all incidents involving controlled drugs (see Appendix 1) to the designated officer in their ELB, the Police Service for Northern Ireland (PSNI) and, if appropriate, CCMS;
- include within their Disciplinary Policy an appropriate statement with regard to any disciplinary response resulting from suspected drugs-related incidents. It is recommended that schools should develop a repertoire of responses, incorporating both sanctions and counselling. These responses should reflect different kinds of drugs-related offences, such as being under the influence of or in possession of alcohol or a controlled drug, individual use or selling/sharing drugs with other pupils;
- ensure that any substitute, student or peripatetic teacher is made aware of the policy and procedures in the event of a suspected drugs-related incident.

“ have agreed identified procedures in place for managing suspected drugs-related incidents on the premises ”

The Role of the Individual Staff Member (teaching and non-teaching) including all ancillary staff

Individual staff members are likely to be the first to encounter a suspected drugs-related incident. It is not their responsibility to determine the circumstances surrounding the incident, however they should deal with any emergency procedures if necessary. Any information, substance or paraphernalia received should be forwarded to the designated teacher for drugs who may have to take immediate action. A brief factual report of the suspected incident should be completed and forwarded to the designated teacher for drugs.

The Role of the Designated Teacher for Drugs

The duties of the designated teacher should include the oversight and co-ordination of the planning of curricular provision, in compliance with the statutory requirements, and liaison with other staff responsible for pastoral care. The designated teacher is also responsible for the co-ordination of the school's procedures for handling suspected drugs-related incidents and the training and induction of these procedures with new and existing staff. The designated teacher should act as the contact point, as necessary, for outside agencies that may have to work with the school or with a pupil or pupils concerned. In view of the responsibilities involved the designated teacher should be a member of the school's senior management. In the absence of the designated teacher a recognised deputy should be available as deemed appropriate by the school. It is the responsibility of the designated teacher to take possession of any substance(s) and associated paraphernalia found in the event of a suspected incident and complete a factual report which is forwarded to the principal.

The Role of the Principal

It is the principal's responsibility to determine the circumstances of all incidents but it is the responsibility of the PSNI to investigate any criminal offence. In any suspected drugs-related incident the principal should make every effort to contact the parents/guardians of those pupils involved. The principal should ensure that in any incident involving a controlled drug there is close liaison with the police. After contacting the police, principals should confine their responsibilities to the welfare of the pupil(s) involved in the incident, the other pupils in the school and the handling, storage and safe disposal of any drugs/drugs-related paraphernalia. This will also include informing the Board of Governors, agreeing any appropriate pastoral/disciplinary response, reporting the incident to the ELB, the CCMS and, if appropriate, completing a written report and forwarding a copy to the Board of Governors and the designated officer within the ELB/CCMS.

The Role of the Board of Governors

School governors have responsibility for their individual school and should foster and support the development and on-going review of the drugs policy and education programme by collaborating with appropriate staff, pupils and parents/guardians. They should also facilitate the consultative process whereby the school community can respond and contribute to the effectiveness and quality of the policy and programme which the governors should examine and approve prior to their implementation in the school. They should ensure the policy is published in the school prospectus and that it is reviewed at regular intervals. All school governors should be fully aware of and adequately trained to deal with suspected drugs-related incidents including alcohol and tobacco and their appropriate disciplinary response. As a matter of good practice it is recommended that each Board of Governors should have a designated governor for drugs who has received specific training in drugs-related issues.

LEGAL RESPONSIBILITIES AND INVOLVEMENT OF THE POLICE

Schools should ensure that all staff are aware of their responsibilities under the law. The police should be notified in **all** instances where it has been alleged or suspected that a crime has been committed.

Staff must be aware of the legal implications of being given information about a controlled drug, discovering a young person in possession of a controlled drug or discovering a young person supplying a controlled drug. Appendix 8 in this document provides appropriate extracts from the main pieces of legislation relating to Northern Ireland. It is important to note that the laws in Northern Ireland are different in certain aspects from those elsewhere in the United Kingdom.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES



Contacts should be established and maintained with the Community and Schools Involvement Officer (CSIO) in the local PSNI District Command Unit to ensure that there are agreed procedures for dealing with the range of suspected drugs-related incidents, which might arise in school. Each District Command Unit has a Community and Schools Involvement Officer (see Appendix 9) who will advise on and agree procedures to be followed. The police will always endeavour to handle all incidents promptly and with discretion, understanding and tact. A non-uniformed response will be made wherever possible, depending on the circumstances and the nature of the suspected offence.

The local CSIO must be notified in every case where a pupil is found to have, or is suspected of having, controlled drugs in his/her possession, either on his/her person or in their belongings, or where controlled drugs are found on the school premises. However in circumstances where the misuse of solvents, alcohol or prescription medication is suspected, while there is no legal obligation to notify the police, it is recommended that the CSIO is notified. This officer will be available to work with the school, pupils, parents/guardians and other appropriate agencies to provide support, advice and assistance to help prevent reoccurrence and ensure the pupil is no longer at risk.

In exceptional circumstances, the police may interview a pupil on school premises, with the principal's agreement. It is important that all possible efforts have been made by the school to inform the pupil's parents/guardians before allowing a police interview to take place without a parent/guardian.

RESPONSES IN THE EVENT OF A SUSPECTED DRUGS-RELATED INCIDENT

Illness/Inappropriate Behaviour

Young people's behaviour may be unpredictable and bizarre for many reasons during their time at school. Changes in behaviour may indicate a range of difficulties and problems, and may be related to a medical condition, rather than drug misuse. Details in recognising the physical and behavioural signs of drug use can be found in Appendix 10. It is, however, important to note that intoxication, physical collapse or unconsciousness can also result from an initial experiment with drugs. Any indications of illness/inappropriate behaviour as a result of suspected drug misuse should be brought to the attention of the designated teacher for drugs. No judgement should be made until the circumstances surrounding the incident have been determined.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

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Where it is considered that a pupil may have taken a substance suspected to be a drug, medical assistance should immediately be sought and the parents and police informed if appropriate.

Taking Possession of a Suspected Controlled Drug and/or Associated Paraphernalia

The law permits school staff to take temporary possession of a substance suspected of being a controlled drug for the purposes of protecting a pupil from harm and from committing the offence of possession (see Appendix 8). The teacher should take the suspected drug and any associated equipment and/or paraphernalia as soon as possible to the designated teacher for drugs who should arrange for its safe storage until it can be handed over to the local police to identify whether or not it is a controlled drug. **School staff should not attempt to analyse or taste an unidentified substance.** An adult witness should be present when confiscations occur and a record kept of the details.

There may be cases where it is appropriate for the staff member to take immediate action. This may involve calling an ambulance, administering first aid and/or contacting parents/guardians. In other cases it may be more appropriate to approach the pupil quietly and establish the particular circumstances surrounding the incident and respond accordingly.

An Allegation of a Suspected Controlled Drugs-related Incident

If the designated teacher for drugs receives an allegation of possession it may be appropriate to search a pupil's desk or locker if they have cause to believe it contains unlawful items, including controlled drugs. However, personal belongings within the desk or locker cannot be searched without consent. **A search of the pupil's personal belongings, including schoolbag, coat or other items should only be made with the pupil's consent.** Such a search should be made in the presence of the pupil and another adult witness.

Where a pupil is suspected of concealing controlled drugs on his/her person or in their personal belongings, every effort should be made to secure the voluntary production of these substances, by asking them to turn out their pockets or schoolbags. If the pupil refuses, the parents/guardians and police should be contacted, if appropriate, to deal with the situation. **A member of staff should never carry out a physical search of a pupil.** If a substance or object is recovered which may be linked to the allegation, this should be taken possession of and a full record should be made.

Where consent is refused, the school will need to balance the likelihood that an offence has been committed against the risk that the pupil's right to privacy may be infringed without just cause, before deciding whether to proceed with the search without consent. Procedures and circumstances for searches where there is reason for suspicion should be made explicit in the school policy.

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Possession, Possession with Intent to Supply and Supply of Controlled Drugs

In handling suspected controlled drugs-related incidents in schools, it is necessary to distinguish between cases in which the pupil(s) involvement may take several forms. This could include possession, possession with intent to supply and the supply of controlled drugs.

It is illegal for pupil(s) to be in possession of a controlled drug. If a member of staff comes across a pupil in possession of what they believe to be a controlled drug, he/she should immediately attempt to take possession of the drug and escort the pupil(s) to the designated teacher for drugs who will deal with the incident as outlined on Page 39.

Detaining a Pupil

When managing a suspected drugs-related incident the pupil(s) concerned should be invited to remain in school under the supervision of appropriate members of staff until parents/guardians and police arrive.

If the pupil refuses to remain, the school cannot as a rule detain a pupil against their will. However, if a member of staff has reasonable grounds to suspect that the pupil has in their possession or has taken a controlled drug, consideration can be given to effecting a citizen's arrest under Article 26 of the Police and Criminal Evidence (Northern Ireland) Order (PACE) 1989 (see Appendix 8). It is important that the member of staff should make the pupil fully aware of the implications of such an arrest before carrying out the procedure.

It is important that staff should be able to recognise the point at which a young person becomes a danger either to themselves or others and their duty of protection as a result of being *in loco parentis*.

It is not illegal for a pupil(s) to possess or use other substances which are not controlled e.g. alcohol, solvents and/or tobacco. Therefore a pupil in possession of such substances should be dealt with under the school's disciplinary procedures and parents/guardians notified. In such circumstances there is no legal obligation to notify the police. However, where a principal feels that there are issues relating to the source of origin of these substances, they could notify the CSIO for advice and guidance.

Finding Drugs-related Paraphernalia

Paraphernalia in the school grounds is an indication of drug use/misuse within the locality, therefore, any member of the school community who encounters any paraphernalia should use extreme care as these items may be hazardous.

The presence of paraphernalia associated with drug use/misuse should be reported to the designated teacher for drugs who will assess the situation and respond accordingly which may include liaising with police. Such objects may include:

- small bottles, pill boxes;
- hypodermic needles;
- twists of paper;
- cigarette papers, lighters and spent matches;
- roaches (ends of rolled-up cigarettes);
- punctured cans/plastic bottles/containers;
- aerosols, butane gas refills; and
- drugs themselves.

Recording an Incident

Schools should make an initial phone call to the ELB/CCMS designated officer to alert them to the incident and then make a full written factual record of the incident, an exemplar of a drugs-related incident report form is provided in Appendix 14. Any sensitive information about pupils should be treated in a confidential and secure manner. Care should be taken to carefully record any statements provided by those pupils suspected of being involved in or a witness to an incident.

It may be necessary to engage the help of another adult to support both the designated teacher for drugs and the pupils involved in the incident, particularly when pupils may need to be interviewed separately.

Records of all statements provided by pupil(s) and staff involved in/or witness to the suspected drugs-related incident should be carefully stored as they may be required by the police if the incident becomes a criminal investigation.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

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SCHOOL RESPONSE

It would not be appropriate to prescribe specific sanctions which should be applied to suspected drugs-related incidents. Principals must retain responsibility for deciding how to respond to particular incidents, taking account of factors such as the age of the pupil concerned, whether the incident involved one pupil or a group of pupils, whether there has been evidence of particular peer group pressure and the level of involvement e.g using, supplying.

A range of factors may be relevant and need exploration to determine the seriousness and needs of those involved and an appropriate response: For example:

- does the pupil admit or deny the allegations?
- is this a first or subsequent offence?
- is the drug legal or illegal?
- what quantity of the drug was involved?
- what was the pupil's motivation?
- is the pupil knowledgeable and careful or reckless as to their own or others' safety?
- does the pupil have a parent/guardian or family member who is misusing drugs?
- does the pupil know and understand the school policy and school rules?
- where does the incident appear on a scale from 'possession of a small quantity' to 'persistent supply'?
- if illegal supply is suspected, how much was supplied and was the pupil coerced into the supply role or the one 'whose turn it was' to buy for others, or is there evidence of organised or habitual supply?

At all times the needs of individual pupils must be considered and appropriate interventions and support mechanisms put in place.

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The fact that certain behaviour could constitute a violation of the criminal law should not, in itself, be taken as automatically leading to the exclusion of a pupil. However, particularly in cases of supplying, the need to protect the majority of pupils from unhealthy exposure to potentially dangerous substances must be borne in mind when decisions are made in response to individual incidents.

Schools should develop a range of options for responding to the identified needs of those involved in a drugs-related incident. Whatever response is put in place, it should always aim to provide pupils with the opportunity to learn from their mistakes and to develop as individuals. Any sanction imposed should be justifiable in terms of:

- the seriousness of the incident;
- the identified needs of the pupil, other pupils, the school and the community;
- consistency with published school rules and expectations; and
- consistency with disciplinary action for breaches of other school rules (such as theft, violence, bullying).

In the case of serious breaches of discipline or while a suspected drugs-related incident is being investigated a Behaviour Contract may be drawn up and agreed by the pupil and the parent/guardians. The contract should clearly set out the terms on which the pupil can remain at school and include monitoring of their progress. This may require the pupil to be 'internally excluded' from normal contact with peers during the school day for a fixed period in the first instance, until their behaviour has improved. Such an approach may incorporate intensive drugs education input to boost the pupil's understanding. This may be supported by outside agencies such as Education Welfare Officers, Counselling Services, etc.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

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Any suspension or exclusion must be considered and carried out within the terms of schemes prepared by (depending on the management type) the Education and Library Boards, the Council for Catholic Maintained Schools, or the Board of Governors of a school. Where a pupil is permanently excluded from school on a drugs-related offence, the ELB/CCMS may consider that he or she would benefit from a period of education other than at school before returning to mainstream education. In such circumstances there is clearly a continuing need to provide appropriate drugs education and counselling.

While there is no legal distinction between supply with or without money, schools may wish to make a distinction in their disciplinary responses.

PUPIL SUPPORT

Parental Involvement

Schools should ensure that parents/guardians are fully informed of school procedures in the event of suspected drugs-related incidents.

When an incident comes to the attention of the designated teacher for drugs, care should be taken in how parent/guardians are contacted and the content of the initial communication. This should be done as a matter of course for all incidents involving alcohol, solvents or controlled drugs. Every effort should be made to contact the parents/guardians prior to police involvement.

Consideration should also be given to parents/guardians who may be emotionally distressed in response to a suspected drugs-related incident.

Pastoral Care

During and after any incident it is imperative that the individual needs of any pupil(s) involved are addressed. This should involve the pupil(s), principal, parents/guardians, designated teacher for drugs and appropriate pastoral care staff. This could also involve the CSIO and the Education Welfare Officer (EWO).

Communication between staff and early involvement of parents/guardians may set the scene for early, supportive, pastoral intervention.

In some instances, either before or following a drugs incident, counselling may be identified as potentially valuable to a pupil. It may be provided either on school premises or elsewhere. Counselling rarely focuses on drug misuse alone, and can consider more holistic needs, which may underlie or herald drugs-related problems. Counselling is only appropriate when a pupil wishes to take advantage of what it offers. It is usually neither constructive nor effective to attempt to impose it. Schools should always seek the pupil's consent and explain the purpose and benefits of counselling. Careful attention should be given to issues of confidentiality, see page 37.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

“ schools should ensure that parents/guardians are fully informed of school procedures in the event of suspected drugs-related incidents ”

Where a pupil has been identified by the school as having experimented with controlled drugs, or as being at risk of doing so, he or she should be offered appropriate counselling/support within the school's general arrangements for the pastoral care of its pupils, and his/her parents/guardians should be informed.

Schools should be aware of the range of specialised agencies, support and counselling services available in their areas, which may be in a position to support a pupil at risk (see Appendix 11).

There will always be young people who will take drugs despite the efforts of the school. For such young people there must be an approach that will minimise their chances of doing damage to themselves and others, with the view of helping them to make informed decisions and healthy choices in the long term.

IMAGE REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES



Confidentiality

Teachers cannot and should not promise total confidentiality. The boundaries of confidentiality should be made clear to pupils. Members of staff should carefully consider their response if approached by a pupil for individual advice on drug use/misuse. In the case of controlled drugs the staff member should make it clear to the pupil that they cannot offer a guarantee of confidentiality. If information concerning controlled drugs is disclosed, the staff member has to pass this on to the designated teacher for drugs. The member of staff can direct the pupil to sources of confidential information and advice and to treatment and rehabilitation services.

COMMUNICATION FOLLOWING A SUSPECTED/CONFIRMED DRUGS-RELATED INCIDENT

The school should give careful consideration as to how any information relating to a suspected/confirmed drugs-related incident is communicated to all staff, pupils and parents/guardians. Information should only be disclosed to those members of staff concerned with the pastoral needs of the individual pupil. Only the parents/guardians of the pupil(s) directly involved should be informed of the incident and subsequent outcomes.

It is important that individual cases are not discussed with other pupils. It may however be necessary to make a general statement informing the school community after an incident where the rumour machine is creating a negative atmosphere.

Dealing with the Media

If the school receives an enquiry from the media, the caller should be referred only to the principal or in the absence of the principal a designated nominee.

When responding to the media, it is essential that the privacy of any pupil and his/her family is respected. The principal should prepare a checklist of the appropriate key facts and should consider liaising with the CSIO before issuing a statement. Any statements made should be positive, short, factual and without elaboration. The concluding statements should be reassuring and restate that the incident is and has been managed effectively.

If any further comments are necessary the principal is advised to restrict him/herself to his/her original statement.

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MANAGING AN INCIDENT - SUMMARY

Actions by members of staff in the event of a suspected drugs-related incident:

Individual Staff Member

- Assess situation and decide action;
- Secure First Aid and send for additional staff support if necessary;
- Make situation safe for all pupils and other members of staff;
- Carefully gather up any drugs and/or associated paraphernalia/evidence. Pass all information/evidence to the designated teacher for drugs; and
- Write a brief factual report of the incident and forward it to the designated teacher for drugs.

Designated Teacher for Drugs

- Respond to first aiders advice/recommendations regarding the incident;
- In the case of an emergency inform parents/guardians immediately;
- Take possession of any substance(s) and associated paraphernalia found;
- Inform principal;
- Take initial responsibility for pupil(s) involved in suspected incident; and
- Complete an incident report form (see Appendix 14) and forward it to the principal.

Principal

- Determine the circumstances surrounding the incident;
- Ensure that the following people are informed where relevant:
 - Parents/guardians;
 - Community and Schools Involvement Officer (CSIO);
 - Board of Governors;
 - Designated Officer in ELB/CCMS.
- Agree pastoral and disciplinary responses including counselling services/support;
- Forward a copy of the incident report form to the chairperson of the Board of Governors and the designated officer within the ELB and CCMS if appropriate; and
- Review procedures and amend, if necessary.

Emergency Procedures

The following is the current best advice of what to do if someone is in difficulty as a result of misusing drugs.

Reproduced from 'Illicit Drug Use in Northern Ireland – A Handbook for the Professionals' (2000) with the kind permission of the Health Promotion Agency for Northern Ireland.

- It is important to find out what has been taken as this could affect emergency aid, for example it will help the ambulance crew.
- If the person has taken a depressant drug, for example, solvents, alcohol, sleeping pills, painkillers, it is likely that they will be drowsy or unconscious. If the person is drowsy, it is important to try to keep them awake – by getting them to walk if possible, talking to them, or applying a cool damp cloth or towel to the back of their neck. They should not be given anything to eat or drink as this could lead to vomiting or choking.
- If they are or become unconscious, put them into the recovery position, clear airway if blocked, loosen clothing and call for an ambulance immediately. Keep checking on any changes to pulse and breathing rates.
- If they stop breathing, begin mouth-to-mouth resuscitation. Stay with the person until the ambulance crew arrive, and then tell them all the facts, including what the person has taken. This is very important as it could save his or her life.
- If the person has taken a stimulant, such as amphetamines (speed) or Ecstasy, they may show various signs of distress. If the person is panicking try to reassure them. It is important that they calm down and relax. Get them to breathe in and out, deeply and slowly. Help them by counting out loud slowly. If hyperventilation occurs – that is they can't control their breathing – get them to breathe in and out of a paper bag – if there is one available (not a plastic bag).
- If the person has taken LSD, they should be supervised in a darkened, quiet room to avoid sensory stimulation.
- If the person has taken a hallucinogen, such as LSD, magic mushrooms, or cannabis in combination with Ecstasy, they may become very anxious, distressed and fearful. They may act in an unusual way. It is very important to reassure the person – tell them that you will look after them, that they are in no danger, that it is the effects of the drugs and that the effects will soon wear off. You may want to take them to a quiet place, keep other people away, and continue to reassure them. Just stay with them and talk calmly to them. This may take a long time depending on amount taken. If they show no signs of becoming calmer or they become hysterical, take them to hospital – explain calmly to the person what is happening – this will help decrease any feelings of panic.

