

2020.02.04

12 Deputy M. Tadier of the Minister for Health and Social Services regarding the ability of Jersey's patients to obtain prescribed cannabis medication: (OQ.46/2020)

Where a Jersey patient has obtained a prescription for G.M.P. (Good Manufacturing Process) approved cannabis medication, including from a prescriber outside the Island, what methods are available to that individual to obtain the prescribed medication and, where it is unavailable in Jersey, is the patient allowed to import it themselves?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

Dealing, firstly, with the situation within the Island, in order for prescription medicines, such as a G.M.P. produced cannabis-based medicine to be legally dispensed by a pharmacy in Jersey, the prescription must be signed by a Jersey registered doctor, or other authorised prescriber. This is a requirement under the Medicines (Jersey) Law 1995. If a patient has a prescription signed by a Jersey registered doctor, any pharmacy will be able to import that medicine under the authority of its controlled drug import licence. This is because cannabis-based medicines, produced to G.M.P. standards, are Schedule 2 medicines and can be treated in the same way as, for example, morphine-based medicines. In respect of the position outside of the Island, if a patient has obtained their prescription in another jurisdiction and had it dispensed there, they would be able to travel back to Jersey with those medicines on their person. This would be either under the authority of the Open General Import Licence issued under the provisions of the Misuse of Drugs Law, or a specific licence issued to them following an application by their prescribing doctor. A specific licence would be required if the quantities to be imported exceeded 4 weeks' supply. In summary, cannabis-based medicines, produced to G.M.P. standards, are treated in exactly the same way as any other medicine, which is a controlled drug in terms of the importation and supply.

4.12.1 Deputy M. Tadier:

Is the Minister aware whether any G.M.P. approved products, so obviously with regard to medicinal cannabis, are stocked in Jersey pharmacies or indeed, apart from Sativex, whether any of these products are stocked at the hospital?

The Deputy of St. Ouen:

I am not aware of that, but I do not believe there is any specific problem around maintaining stocks; stocks are regularly brought into the Island.

4.12.2 Deputy I. Gardiner:

At the moment, some of the people use medical cannabis and some were self-prescribing, medical cannabis products also have contra-indicators and as a medicine should be used with some advice and supervision. What facilities, if any, would the Minister consider can be put in place to safeguard and advise patients, who are already using recognised medicine, which cannot be prescribed in Jersey?

The Deputy of St. Ouen:

I fear there may be some confusion ... if patients are self-medicating, they are not taking a medicine which has been prescribed to them by ... the questioner wishes to intervene, I think, but I do not understand quite the import of the question, because the question referred to self-medication. This question relates to prescriptions issued by registered G.P.s (general practitioners) and other approved prescribers in Jersey and that is the only way a medicine can be issued in Jersey.

4.12.3 Deputy I. Gardiner:

Maybe I will rephrase. The medical cannabis was prescribed by a doctor outside of Jersey, has been imported and the person is using it in Jersey, but he would like to have ... or probably it would be right to give advice, as possible advice, not prescription, to these patients for using it in Jersey now.

The Deputy of St. Ouen:

Right, I understand the question and I would suggest that patients see their G.P., or a consultant, if they are under the care of a consultant. I am sure the medical profession would be able, would be willing and are well placed, of course, to provide medical advice. I hope that might answer the question. I certainly would not wish to stand in the way of any advice being provided and I do not think I could. People are free to attend their G.P., or any medical professional and seek advice.

The Bailiff:

Deputy Morel and then final supplementary. Deputy Morel.

Deputy K.F. Morel:

Given the ... **[Interruption]**

The Bailiff:

Excuse me, I am afraid I did not see your light, it was on at the moment, but if you assure me your light had been on prior to my calling that, then I will allow you. Very well, carry on, Deputy.

4.12.4 Deputy K.F. Morel:

Given that there is still some confusion and seeming inconsistency around the prescribing of medical cannabis, would the Minister please advise the Assembly what support, or training, is being given to G.P.s to help them understand what they can prescribe and what they cannot prescribe and how best to help their patients?

The Deputy of St. Ouen:

G.P.s are members of the General Medical Council, they are required under the terms of that membership to maintain continuous professional development. They will have access to learning, papers, lectures; all that goes within continuous professional development. Some G.P.s will take a special interest in the subject more so than others, perhaps. There is continual learning and research going on within the profession I am sure.

4.12.5 Deputy M.R. Higgins:

The Assembly passed a Proposition, enabling various cannabis products to be prescribed by doctors. Can the Minister tell us if any doctor in the Island is prescribing them and if it is the General Medical Council that is stopping it, how is he going to ensure that the will of the Assembly, that those patients who could do it can be prescribed that product?

The Deputy of St. Ouen:

There are certain cannabis-based medicines which are being prescribed. Deputy Tadier had mentioned one called Sativex, which I understand has been in use and remains available for prescription. But, in fact, all medicines are available to be prescribed and that was the purpose of this Assembly's decision, to remove the illegality associated with cannabis as a medicine and allow that to be prescribed as a medicine, if it complied with certain standards and that remains the case. There is no legal obstacle to a cannabis-based medicine, produced to Good Manufacturing

Processes, being prescribed. It is not that the G.M.C. (General Medical Council) are preventing its use, the G.M.C. are adhering to the guidelines which measure ...

[10:45]

Then, perhaps, I am straying into professional practice here, which I am not an expert in, of course, but the G.M.C. will require its members to adhere to proper practice, proven practice and that research is still ongoing.

4.12.6 Deputy M.R. Higgins:

What steps can the Minister take to ensure that the will of the Assembly is followed through? Can he indemnify the doctors if the G.M.C. cause a problem, or can he find some other solution? But what is the point of us passing Propositions if they can be thwarted by bodies that do not want to follow it?

The Deputy of St. Ouen:

The will of the Assembly is to make law, is to make legal the prescription of cannabis-based medicines; that was the function of the Assembly and that is what the Assembly did. It was not the will of the Assembly to prescribe, to decide what patient should be able to receive certain medicines, because we should never be involved in that medical issue; that is a question for proper G.P. professionals and other prescribing nurses and the same. My own view is that this time will come. The politicians have, perhaps, been ahead of the curve on this. It should be understood that because cannabis was an illegal drug, there was not a great deal of research into its medicinal effects. There is now that research going on, but it does take time to establish that it is a safe drug to prescribe for the patients it is required. I believe that sort of work is going on in universities and medical schools throughout the country and, no doubt, we will see the results, but it does take time and I think we need to understand that.

Deputy M.R. Higgins:

One final supplementary, Sir. Can I ask the Minister ...

The Bailiff:

I am so sorry, that was your supplementary, was it not, Deputy? This is your second supplementary and I am afraid you only get the one.

Deputy M.R. Higgins:

Okay. I would just like to know why we are not introducing it in the Islands ...

The Bailiff:

No, I am not going to let you ask it, Deputy. I cannot say you cannot have a question and then you ask it, that is not how it works.

4.12.7 Deputy M. Tadier:

There is a great deal of frustration, because the spirit of the decision that we made in this Assembly was very much to allow people and our constituents, who are suffering greatly, to be able to access a form of medication, which they know would help themselves against other more harmful medication, which they take. The issue that faces Jersey patients, I think, has been compared slightly clumsily and not by myself to the Northern Irish abortion issue, where women in Northern Ireland were forced to travel abroad for their treatment. We now have a situation where Jersey's

laws are ahead of the U.K., but in terms of prescribing we are falling even further behind than we were before the Proposition was brought. A Jersey patient can travel to the U.K., or to the Netherlands and I will ask the Minister whether he agrees that this is right. But a Jersey patient ...

The Bailiff:

That has been quite a long question so far.

Deputy M. Tadier:

Thank you, Sir.

The Bailiff:

Can you bring it to an end immediately and ...

Deputy M. Tadier:

You stopped me, just as I was getting to it, Sir.

The Bailiff:

Excellent.

Deputy M. Tadier:

The question I would ask the Minister: is it right that a Jersey patient has to travel to another jurisdiction to obtain a prescription, bring it back to Jersey, travel with their medication and that is perfectly legal and they may be doing that at great physical cost to themselves, yet in an Island where it is legal for it to be prescribed they cannot get hold of the medication they need for many reasons?

The Deputy of St. Ouen:

I am not going to comment on what care should be given to patients; that is a matter for their professional relationship with their G.P. or other advisers.