

[Your Name]

[Your Address]

[Postcode]

[Email Address]

[Date]

To: The Procurator Fiscal
Crown Office and Procurator Fiscal Service

Subject: Request to Discontinue Proceedings and Return Seized Prescribed Medication

Dear Procurator Fiscal,

I write regarding the seizure of my prescribed cannabis medication and the proposed prosecution against me for possession of cannabis.

I am a lawful medical cannabis patient prescribed cannabis-based medicinal products by a specialist clinician. The cannabis seized by Police Scotland was prescribed medication intended for my personal medical use.

In light of the existence of a statutory defence for lawful possession of prescribed controlled medication, I respectfully request that any prosecution in this matter be discontinued at the earliest opportunity and that my medication be returned without delay.

I understand concerns may have been raised regarding the manner in which the medication was being carried or consumed. However, I submit that these issues do not negate the lawful status of the medication itself nor justify criminal prosecution.

Medical cannabis patients face practical realities which must be reasonably accommodated. Vaporisers are expensive medical devices which may fail, become lost, damaged, discharged, or otherwise unavailable. Some vaporisers are electrically heated while others are heated using a flame, and it is often impossible for police officers or forensic analysts to reliably distinguish between vaporised and combusted cannabis in many circumstances.

Where a patient is forced through necessity or hardship to consume prescribed cannabis flower using rolling papers or another improvised method due to lack of access to a functioning vaporiser, this should not transform lawful prescribed medication into unlawful possession.

The current approach places disabled patients such as myself in an unfair and discriminatory position by requiring us to endure arrest, seizure of medication, financial hardship, stigma, and the threat of criminal prosecution before ultimately having to prove our lawful medical status.

This creates a disproportionate burden upon prescribed medical cannabis patients and raises serious concerns under the Equality Act 2010, including the duty upon public authorities to make reasonable adjustments for disabled persons.

Continuing prosecution where the authorities are aware that the cannabis in question was lawfully prescribed serves no legitimate public interest and risks causing unnecessary

harm to a disabled patient relying upon prescribed medication for relief of medical symptoms.

The seizure of prescribed medication has also directly impacted my health and wellbeing by restricting access to medication prescribed for my condition.

In the circumstances, I respectfully request that:

- Any prosecution or criminal proceedings against me for possession of cannabis be discontinued immediately;
- My seized prescribed cannabis medication and associated property be returned without delay;
- Consideration be given to the need for reasonable adjustments and proportionality in cases involving prescribed medical cannabis patients.

I would be grateful for confirmation that this matter is under urgent review.

Yours faithfully,

Mr X