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| Meeting | Forensic Services Committee |
| Date | 19 April 2021 |
| Location | Via MS Teams |
| Title of Paper | Drug Driving Update Report |
| Presented By | Vicki Morton |
| Recommendation to Members | For Consultation |
| Appendix Attached | No |

PURPOSE

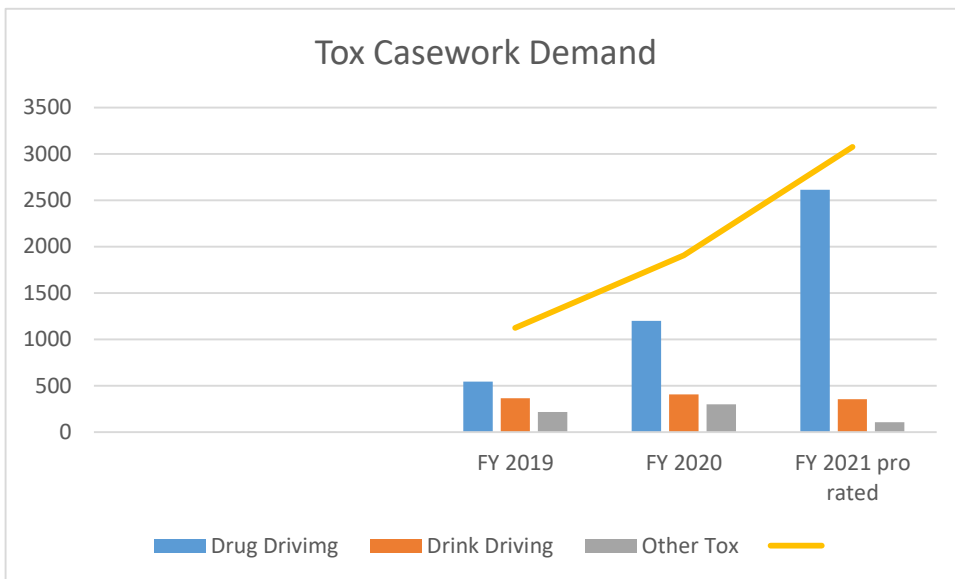
To provide members with an update on the Drug Driving Toxicology Service.

1. BACKGROUND

- 1.1. Changes to the Road Traffic Act 1988 were enacted in Scotland on 21 October 2019. This legislation set specific drug driving limits for 17 specified drugs. This legislative change was part of Scottish Government's Programme for Government in 2019/20.
- 1.2. Forensic Services support the delivery of the drug blood limit testing requirement for this Act prompted by a positive roadside test. This process is accredited to the recognised laboratory standard ISO 17025 by UKAS – the UK Accreditation Service.
- 1.3. Forensic Services analyse blood samples from those who have been accused of Drug Driving, having tested positive for a banded drug at the roadside.
- 1.4. The examination process to detect and quantify drugs subject to the S5A legislation has a high degree of complexity when compared to the more traditional drink driving samples. In drink driving blood is examined for alcohol only. Examination times are longer and as such the turnaround time for such cases can take longer than more simple blood alcohol work.
- 1.5. Since the legislation was introduced in Scotland there has been a significantly higher demand for the service than initially forecast by Police Scotland. Initial casework was anticipated at circa 1,000 cases per year, the actual case demand has been over double this.
- 1.6. As a consequence of this high level of demand Forensic Services worked with PS and COPFS to increase casework capacity in the lab to around 2,500 cases annually on a temporary basis.
- 1.7. Further development work is ongoing to provide a higher level of permanent casework capacity.
- 1.8. The number of drug-driving cases is reported to the Scottish Police Authority Policing Performance Committee as part of the Police Scotland quarterly performance report.

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1. During the last quarter external support, by way of outsourcing, has been used in the support of the analysis of nearly 800 cases. This has had a positive impact on reducing the workload of S5A casework to near normal levels going into the new financial year.
- 2.2. A S5A development workshop was held within Forensic Services setting out the work necessary for service development over the coming 18 months. This improvement in service provision is subject to investment in staff time and instrumentation resources over this period.



- 2.3. The table shown above illustrates the significant increase in demand within Toxicology for Drug Driving casework and therefore the driver for service development.
- 2.4. Forensic Services have continued to work closely with Police Scotland and COPFS on managing laboratory capacity so casework demands can be met.
- 2.5. The benefit this forensic service creates remains high with over half of all case samples analysed from those accused of Drug Driving yielding a result where the drug content of at least one drug is above the stated limit. This illustrates the value of the service being provided.

3. FINANCIAL IMPLICATIONS

3.1. There are no direct financial implications at this stage of the Drug Driving service review however it is noted there will be further costs associated with creating additional required capacity.

4. PERSONNEL IMPLICATIONS

4.1. There are no direct personnel implications associated with this paper.

5. LEGAL IMPLICATIONS

5.1. There are no legal implications associated with this paper.

6. REPUTATIONAL IMPLICATIONS

6.1. There are potential reputational implications for Forensic Services, Police Scotland and COPFS if the capacity for the Drug Driving Forensic analysis is not managed sustainably to cope with the increased high levels of demand.

7. SOCIAL IMPLICATIONS

7.1. There are no direct social implications associated with this paper.

8. COMMUNITY IMPACT

8.1. There are no direct community impact implications associated with this paper.

9. EQUALITIES IMPLICATIONS

9.1. There are no equality implications associated with this paper.

10. ENVIRONMENT IMPLICATIONS

10.1. There are no environmental implications associated with this paper

RECOMMENDATIONS

Members are requested to note:

- External support has been used positively to reduce high casework levels during quarter 4.
- Development work is ongoing to grow required capacity over the coming 18 months. This will be subject in part to additional staff and instrumentation to support this process.
- The significantly improved position of the Drug Driving service following this capacity review and subsequent actions taken.