

Meeting	Forensic Services Committee
Date	26 October 2020
Location	Via Video Conference
Title of Paper	Drug Driving Update Report
Presented By	Amy McDonald/Gary Holcroft
Recommendation to Members	For Discussion
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 Governments 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. The 17 Drugs examined for by Forensic Services include those covered by the Misuse of Drugs Act such as cocaine, cannabis, ecstasy and heroin and also Drugs taken as medication that could cause impairment such as diazepam, methadone, and morphine. The process to examine, detect and quantify each of the 17 Drugs has a high degree of complexity when compared to the more traditional drink driving samples where blood is examined for alcohol. Examination times are longer and as such the turnaround time for such cases take more time than the more simple blood alcohol work.
- 1.4. 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 service development phase significant planning work was carried out around the required capacity for this new toxicology service which was assessed at 89 cases a month. Demand has been considerably higher than this, over double the laboratory capacity consistently month after month. This has led to a significant increase in workload for the S5A team which is not sustainable.
- 2.2. As a new service action is necessary now to ensure that the current workload and future delivery can be made manageable in Forensic Services.
- 2.3. Review work has been carried out over the last quarter with partners Police Scotland and COPFS, observed by Scottish Government. Discussion has focused on how capacity can be increased and also on how casework will be managed to normalise demand on the laboratory. Short and long term options have been considered by all parties with discussions continuing on the best way forward.

- 2.4. Work has also involved looking at the current workload and how this will be managed down. There are again options being taken forward by all parties so that workload can better reflect a 3 month turnaround time going forward.
- 2.5. The review work is still ongoing but requires to complete at the end of October 2020 so new sustainable working arrangements can be put in place as currently it is not.
- 2.6. It is anticipated that following the completion of Drug Driving demand and capacity review there will be a better balance between demand and lab capacity. Furthermore Forensic Services will be able to start growing capacity in the future following a successful laboratory refurbishment and procurement of further instrumentation - supported by an additional grant payment from Scottish Government.
- 2.7. It is important to note the benefit this forensic service creates. Of the case samples analysed from those accused of Drug Driving around 85% have yielded 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 not direct financial implications at this stage of the Drug Driving service review.

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 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:

- The review work which is being undertaken to ease the pressure on the forensic analysis of Drug Driving samples.
- Importance of ownership of stakeholders.