
By: Angela Slaven, Director of Service Improvement, Customer and Communities

To: Kent Community Safety Partnership

Subject: Drug Testing on Arrest as part of the Drug Intervention Programme (DIP)

Classification: Unrestricted

The following paper was presented to the Kent Drug and Alcohol Action Team Board on 18th October 2011 where the Board agreed to the recommendation of implementing a Drug Testing on Arrest pilot in Thanet.

Summary:

There is an opportunity for Kent to introduce drug testing on arrest following a letter from the Home Office to Police Forces in England and Wales, inviting non-intensive DIP areas to consider implementing this initiative. Local investment needs to be found and it is proposed to utilise some of the historic DIP underspends to pilot drug testing on arrest in the Thanet area. An evaluation conducted by the KDAAT Analyst will present the findings to the JCG, KDAAT Board, Kent Police and any newly elected Police and Crime Commissioner for further consideration on any extension or wider roll out.

1. Introduction

- 1(1) The Drug Intervention Programme (DIP) has been in Kent since 2006 and aims to get adult drug users out of crime and into treatment.
- 1(2) DIP was introduced by the Home Office in 2003 with some areas being issued as 'Intensive' due to higher levels of drug related crime. This 'Intensive' status meant that drug testing on arrest can be used as part of the process of identifying drug users with a view of engaging them into treatment as soon as possible. Kent was not one of the 'Intensive DIP' areas and has continued to deliver DIP services across the county without the additional intervention of drug testing.
- 1(3) In May this year the Home Office wrote out to police forces across the country (see Appendix A) offering the opportunity for all areas to broaden the delivery of DIP to include drug testing on arrest. This is on the understanding that funding is sourced locally for the cost of testing and associated training for police officers.
- 1(4) Kent has an opportunity to implement drug testing on arrest, which will work alongside the existing DIP services in trying to improve early identification and referral of drug related offenders in the community. It is proposed to pilot this initiative in the Thanet area and that the funding will be found within historical DIP reserves held by KDAAT.

2. Context

- 2(1) The Drug Intervention Programme (DIP) introduced in 2003 aims to get adult drug using offenders who misuse specified Class A drugs (heroin, cocaine and crack cocaine) out of crime and into treatment and has been commissioned in Kent since 2006.
- 2(2) There are currently 23 out of the 43 force areas in England (& Wales) that have the 'Intensive' DIP status, which allows drug testing on arrest to be part of the process of early identification and referral into drug treatment.
- 2(3) In areas where testing on arrest is already a part of the DIP service the police, under the Police and Criminal Evidence Act (1984), have the authority to request a drug test from adults arrested or charged with any offence. Offenders testing positive are then required to undergo an assessment of their drug misuse, which where appropriate will lead to a referral into drug treatment services. Failure to take a drug test without good cause is a criminal offence.
- 2(4) Police also proactively follow up the referral to ensure the offender has effectively engaged in the assessment and can implement further enforcement where compliance with the drug treatment programme is not being achieved.
- 2(5) The targeting of drug related offenders through the use of local intelligence and the Integrated Offender Management Units (IOMUs) can have a significant impact on the reduction in reoffending. National data produced across areas where drug testing on arrest has been implemented demonstrates that offenders who tested positive for Class A drugs (heroin, cocaine and crack cocaine) between January and March 2009 committed on average 1.9 offences during the 12 months following their drug test. This level of offending was 11% lower than for the equivalent group in 2008 (who committed 2.14 offences on average). The majority of those entering DIP and treatment services do so following a positive drug test result and the encouragement to engage in services.

3. Thanet as a Pilot Area

- 3(1) Margate custody suite has seen the greatest increase in drug related arrests between 2009 and 2010 of 24% with the exception of Folkestone (also serving the population of Ashford), which was 44%. It also has the highest number on injecting drug users compared to any other district across Kent.
- 3(2) Margate is one of nine custody suites in which the DIP service is currently commissioned. Figure 1 below provides an overview of the number of detainees entering each of these custody suites for the previous two fiscal years. As this indicates, Margate custody suite hosted 313 additional arrests during the 2010 – 2011 fiscal year in contrast to the previous. This represents an increase of 24% in the

number of potential DIP clients, the largest increase identified for any of the custody suites. (Although Folkestone suite is indicating a large increase, this is due to the suite extending its provision to compensate for the closure of Ashford custody suite).

- 3(3) Margate is a busy custody suite, and during the previous fiscal year hosted detentions for 14% of all individuals arrested for a DIP trigger offence. Furthermore, whilst in other areas there has been a move towards combining custody suites to service multiple districts, Margate custody suite has retained a high degree of localism with a significant proportion of those detained being residents of the local district.

Station	2009 - 2010	2010 - 2011	Year on Year Change	Year on Year %Change
Canterbury	1317	1195	-122	-9%
Dover	1098	1292	194	18%
Folkestone ¹	1129	1625	496	44%
Maidstone	1843	1942	99	5%
Margate	1309	1622	313	24%
Medway	2298	2530	232	10%
Northfleet	2338	2334	-4	0%
Sittingbourne	1149	1082	-67	-6%
Tonbridge	1925	1934	9	0%
Sum of Custody Suites	12481	13622	1141	9%

Figure 1: Table indicating the number of detainees suitable for the DIP service entering each of the custody suites in which the service operates.

- 3(4) The IOMU and the Community Safety Partnership (CSP) in Thanet work together in identifying and targeting drug related offenders who are causing most harms to the local community.
- 3(5) Thanet also has Margate Task Force, which has an overarching aim to address the significant socioeconomic disadvantage experienced by the population and has a substance misuse strategic priority for 2011/12 called **Operation Insistent**. This priority has been agreed with local partners to jointly tackle drug use and crime in the local area.
- 3(5) Piloting drug testing on arrest in Thanet would assist in taking forward the priorities around drug misuse and crime and be used to target the most prolific offenders with the aim of early identification and referral into treatment services.

4. Pilot Evaluation

- 4(1) An evaluation of the pilot will be undertaken by the KDAAT Police Analyst, which will include the following outcome data:

¹ During 2010 – 2011 Ashford custody suite was closed which has resulted in an increased use of Folkestone custody suite. Consequently this increase is not considered to be associated with an increase in the number of detentions overall.

- The number of offenders identified by the OMU who are drug tested as a result of the pilot
- The numbers of offenders referred into treatment services from the introduction of drug testing on arrest
- The attrition between DIP and the treatment services compared with previous data
- Any reduction in offending rates of those tested on arrest
- The number of trigger offences (see Appendix A) since the introduction of drug testing on arrest

5. Consultation and Communication

- 5(1) A full consultation for the implementation of this pilot is not necessary as this is a proven National model. KDAAT will ensure that all stakeholders, including service users via the Service User Expert Group are informed of any changes to delivery and informed of the pilot progress in a timely and appropriate manner.

6. Financial Implications

- 6(1) For non-intensive DIP areas to implement drug testing on arrest it requires local investment. KDAAT have access to historical underspends from DIP, which can be utilised to support this initiative.
- 6(2) This cost of the pilot for a 12 month period is just under £30k and covers the testing equipment, training for police officers and additional start up fee's.
- 6(3) If the pilot proves to be positive KDAAT does not have the necessary funding going forward to either continue the delivery in Thanet or for a county wide roll out. The partnership will need to consider how this initiative could be funded if the outcomes prove to be beneficial.

7. Sustainability Implications

- 7(1) The funding of this pilot is non-recurring so consideration needs to be made as to how this can continue beyond the pilot period.
- 7(2) If successful the police may want to consider how to secure future funding for the ongoing service in Thanet and possible roll out to other priority areas in the county. The findings will be presented to Kent Police and the newly elected Police and Crime Commissioner with a view for them to consider whether or not they wish to take this forward in the future.

8. Risk Management

- 8(1) The main risk identified is the need to secure ongoing funding should the pilot demonstrate positive improvement in terms of reducing re-offending and improving access for offenders into drug treatment services.
- 8(2) The appointment of the elected police and crime commissioner could be an opportunity to demonstrate the need for continuation of funding where outcome measures against drug related crime have improved as a result of this initiative.

9. Conclusion

- 9(1) Following the announcement from the Home Office that non-intensive DIP areas could implement drug testing on arrest Kent now has the opportunity of piloting this initiative in Thanet. The outcome and evaluation will determine if the implementation of drug testing on arrest can reduce reoffending in the area and improve access to treatment.
- 9(2) There is funding available locally from previous unspent DIP grant, which can be utilised for the pilot and an evaluation will be undertaken to determine the outcomes in relation to drug testing on arrest.
- 9(3) The findings will be presented back to the JCG, KDAAT Board and to the police and any newly elected Police and Crime Commissioner.

10. Recommendations

- 10(1) For the Board to approve the implementation of a drug testing on arrest pilot in Thanet.

Background Documents

Home Office: Good practice guide, Introducing drug testing on arrest

Home Office: Tough Choices Research and Evaluation report

<http://www.ohrn.nhs.uk/resource/policy/HomeOfficeDrugs2.pdf>

Author Contact details:

Lesleigh Bounds
Commissioning Manager
KDAAT
01622 221676

Appendix A

List of offences identified as DIP trigger offences

AGG VEH TAKING (TAKING)
BURGLARY - DWELLING
BURGLARY - DWELLING AGGRAVATED
BURGLARY - OTHER
BURGLARY - OTHER AGGRAVATED
BURGLARY & THEFT - DWELLING
BURGLARY & THEFT - NON-DWELLING
CORRUPTION
COUNTERFEIT CURRENCY (NOTES)
CULTIVATING CANNABIS
DEATH BY RECKLESS/DANGEROUS DRIVING
DRIVING WHILST UNFIT (DRINK)
DRUNK AND DISORDERLY
DRUNK AND INCAPABLE
DRUNK IN CHARGE OF MOTOR VEHICLE
DSS FALSE DECLARATION
EXPORTING CONTROLLED DRUG
FALSE IDENTITY
FALSE PASSPORT
FRAUD BY FALSE REPRESENTATION
GOING EQUIPPED FOR THEFT
HANDLING STOLEN GOODS
IMPORTING CONTROLLED DRUG
INTERFERE/TAMPER WITH MOTOR VEHICLE
MAKING A FALSE INSTRUMENT
OBSTRUCTING POWERS OF SEARCH FOR DRUGS
PERMITTING PREMISES TO BE USED FOR SUPPLY
POSSESSING BLADED ARTICLE
POSSESSION OF A CONTROLLED DRUG
POSSESSION OF AMPHETAMINE
POSSESSION OF CANNABIS RESIN
POSSESSION OF COCAINE
POSSESSION OF HERBAL CANNABIS
POSSESSION OF HEROIN
POSSESSION OF KETAMINE
POSSESSION W/I AMPHETAMINE
POSSESSION W/I CANNABIS
POSSESSION W/I CANNABIS RESIN
POSSESSION W/I COCAINE
POSSESSION W/I HEROIN
POSSESSION W/I MDMA (ECSTASY)
PRODUCING CONTROLLED DRUG
PROSTITUTION
ROBBERY
SUPPLYING CONTROLLED DRUG
TAKE MOTOR VEHICLE WITHOUT CONSENT
THEFT - FROM DWELLING
THEFT - FROM MOTOR VEHICLE
THEFT - OF CONVEYANCE OTHER THAN VEHICLE
THEFT - OF MOTOR VEHICLE
THEFT - OTHER
THEFT - SHOPLIFTING
USING A FALSE INSTRUMENT