

Executive Note

The Drugs Assessor (Qualifications and Experience) (Scotland) Regulations 2007 (S.S.I 2007/8)

The above instrument was made in exercise of the powers conferred by section 90 and section 103(2) of the Police, Public Order and Criminal Justice (Scotland) Act 2006. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to set out the necessary qualifications or experience required in order for an individual to be a drugs assessor. The role of a drugs assessor will be to assess those people who have tested positive for certain Class A drugs as a result of a mandatory drugs test in police custody. Section 85 of the 2006 Act sets out that the purpose of the assessment will be to ascertain whether or not the individual has a substance misuse problem and whether they would benefit from treatment.

Research indicated that there exists no single qualification framework for drugs assessors (or addictions workers generally) in either Scotland or the UK. The type of individuals we would expect to carry out the drugs assessor function come from a range of backgrounds and there is no one qualification that they all share. The only current qualifications that are relevant are NVQs/SVQs in either health and social care or in health care. It will be for employers to reassure themselves that any NVQ or SVQ presented for qualification as an assessor meets the requirements of the Regulations.

We anticipate that the majority of assessors will qualify on the basis of recent (within 5 years) experience of carrying out drugs assessments and that six months of experience will provide sufficient expertise to be an assessor for the basis of Mandatory Drug Testing.

Consultation

No bodies have been consulted during the preparation of this instrument.

Financial Effects

The instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Justice Department
January 2007