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Convener
Justice Committee
Scottish Parliament

By email: justicecommittee@parliament.scot

21 August 2019

Dear Convener,

Further to the Justice Committee's consideration earlier this year of the regulations specifying the drug types and associated limits for the new drug driving offence, I am writing to give an update to Committee members on preparations for the introduction of the new offence on 21 October 2019.

In your scrutiny of the regulations, a number of matters were raised and I wanted to explain where matters currently lie in regard to these.

Awareness raising is a critical component of introducing the new offence. The offence is intended to help encourage changes in behaviour so that fewer people take drugs and then drive. Evidence shows that it is young males who are most likely to take drugs and then drive and I can confirm that an awareness raising campaign will launch at the time the new offence comes into force aimed specifically at young drivers. Full details of the campaign will be made public when it is launched. However, ahead of its introduction, there will be public relations communications highlighting the new offence is coming with key messaging about the dangers of drug driving being offered.

Separate from the awareness raising campaign, it is important that healthcare professionals involved in prescribing medication are aware of the new offence. Medicinal drugs are included within the list of 17 drug types for the new offence which are subject to the medical defence. As members will recall, this defence is available if a person has taken their medication in line with instructions received when it was prescribed.

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Guidance for healthcare professionals has been prepared by the Scottish Government which will be distributed to healthcare professionals involved in prescribing medication ahead of the introduction of the new offence. This guidance will explain the operation of the new offence and confirm that there should be no change in clinical decision making after the introduction of the new offence i.e. if a patient is advised not to drive now when taking their medication then that advice should continue to be offered in the future and vice versa. This guidance will also include information about how to ensure those receiving repeat prescriptions are aware of the new offence.

I can advise that preparations by the Scottish Police Authority are advancing so they are ready to be able to test blood samples taken from people suspected of drug driving. Arrangements are in hand for accreditation to be in place for the introduction of the new offence.

I can also advise that Police Scotland have embarked on training for relevant officers in respect of the new offence. This includes the use of the devices to be used at the roadside to test for cannabis and cocaine.

I hope this is helpful.



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