



# Drugs Act 2005

## 2005 CHAPTER 17

### PART 3

#### ASSESSMENT OF MISUSE OF DRUGS

#### **10 Follow-up assessment**

- (1) This section applies if—
  - (a) a police officer requires a person to attend an initial assessment and remain for its duration under section 9(2),
  - (b) the age condition is met, and
  - (c) the notification condition is met.
- (2) The police officer must, at the same time as he imposes the requirement under section 9(2)—
  - (a) require the person to attend a follow-up assessment and remain for its duration, and
  - (b) inform him that the requirement ceases to have effect if he is informed at the initial assessment that he is no longer required to attend the follow-up assessment.
- (3) A follow-up assessment is an appointment with a suitably qualified person (a “follow-up assessor”)—
  - (a) for any of the purposes of the initial assessment which were not fulfilled at the initial assessment, and
  - (b) if the follow-up assessor thinks it appropriate, for the purpose of drawing up a care plan.
- (4) A care plan is a plan which sets out the nature of the assistance or treatment (or both) which may be most appropriate for the person in connection with any dependency upon, or any propensity to misuse, a specified Class A drug which the follow-up assessor thinks that he has.

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*Changes to legislation: There are currently no known outstanding effects  
for the Drugs Act 2005, Section 10. (See end of Document for details)*

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- (5) The age condition is met if the person has attained the age of 18 or such different age as the Secretary of State may by order made by statutory instrument specify for the purposes of this section.
- (6) In relation to a person (“A”) who has attained the age of 18, the notification condition is met if—
- (a) the relevant chief officer has been notified by the Secretary of State that arrangements for conducting follow-up assessments for persons who have attained the age of 18 have been made for persons from whom samples have been taken (under section 63B of PACE) at the police station in which A is detained, and
  - (b) the notice has not been withdrawn.
- (7) In relation to a person (“C”) who is of an age which is less than 18, the notification condition is met if—
- (a) the relevant chief officer has been notified by the Secretary of State that arrangements for conducting follow-up assessments for persons of that age have been made for persons from whom samples have been taken (under section 63B of PACE) at the police station in which C is detained, and
  - (b) the notice has not been withdrawn.
- (8) In subsections (6) and (7), “relevant chief officer” means the chief officer of police of the police force for the police area in which the police station is situated.

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**Commencement Information**

**II** S. 10 in force at 1.4.2007 by S.I. 2007/562, art. 2(1)(c)

**Changes to legislation:**

There are currently no known outstanding effects for the Drugs Act 2005, Section 10.