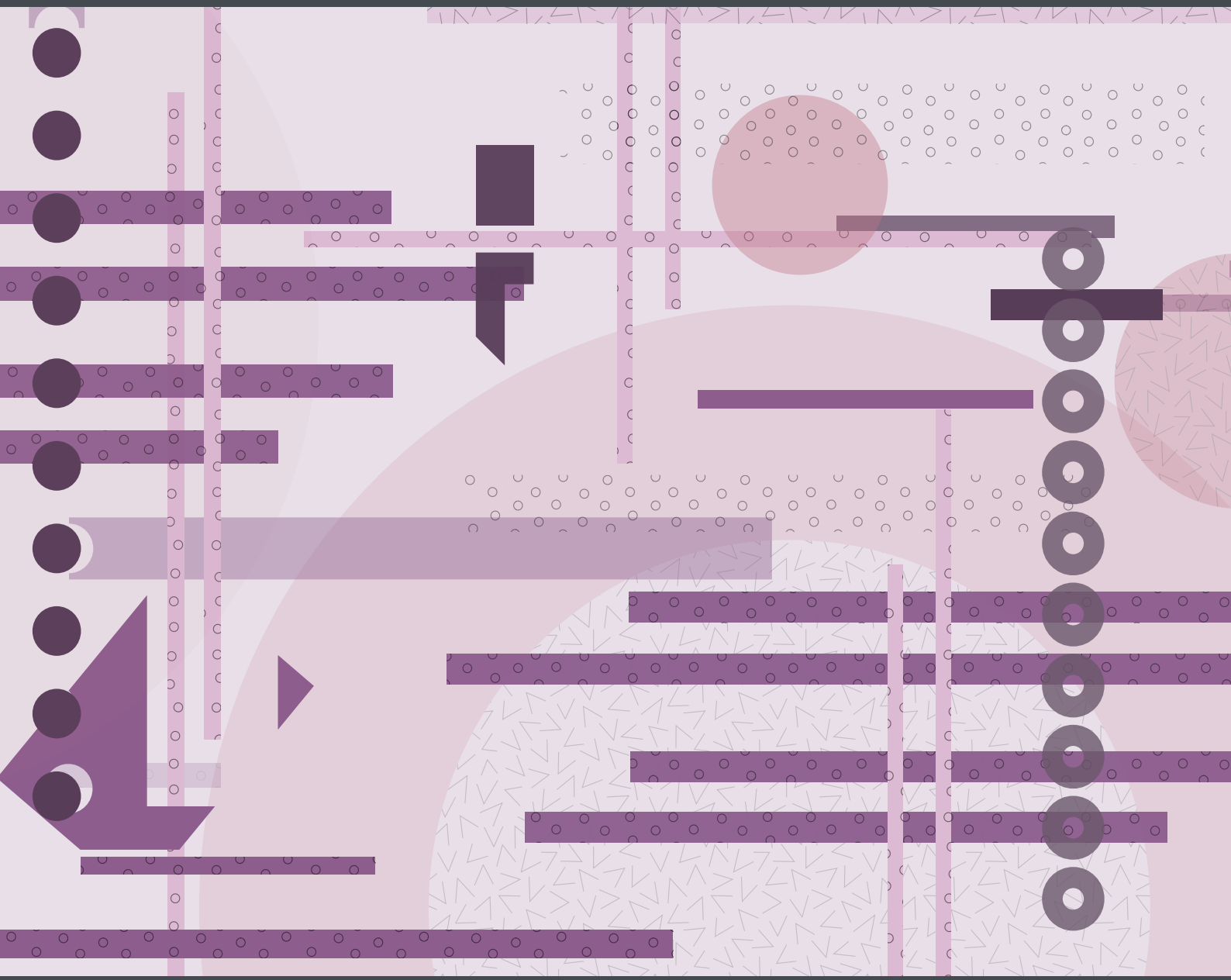
Criminal Justice Project

Impact of targeted drug testing on drug using offenders coming into treatment in Liverpool

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Contents

Key findings 2

Introduction 3

Analysis of Merseyside Police drug testing data 4

- Overview of drug tests across Liverpool 4
- Positive drug tests in Liverpool 5
- Re-presentation 6

Analysis of CJIT DET data 7

- Overview of Liverpool offenders with a Required Assessment imposed 7
- Outcomes for offenders with a Required Assessment imposed 9

Restriction on Bail figures 10

Views of Addaction staff 11

Views of Merseyside Police 11

Conclusion 12

References 13

Acknowledgements 13

Key findings

- Between May 2014 and April 2015 there were 4,443 attempted drug tests in Liverpool. Following the implementation of targeted testing, this figure halved to 2,212 between May 2015 and April 2016.
- In 2014-15 there were 1,677 individuals testing positive, compared to 985 in 2015-16, representing a 41% reduction. The positive drug test rate increased from 48% in 2014-15 to 54% in 2015-16.
- In 2014-15, just under half (49%) of positive tests were for some form of opiate metabolites (37% for both cocaine and opiates; 12% for opiates only), while the remaining positive tests were for cocaine only (51%). The proportion of arrestees testing positive for opiate metabolites in 2015-16 increased by 8% to 57% (45% for both cocaine and opiates; 12% for opiates only), while positive tests for cocaine only decreased to 43%. Although the proportion of opiate metabolites increased in 2015-16, the number reduced by 35% when compared to the previous 12 months.
- Between May 2014 and April 2015, there were 2,112 Required Assessments (RAs) imposed by Merseyside Police for offenders arrested and tested in Liverpool, compared to 1,199 between May 2015 and April 2016. This equates to a 43% reduction between 2014-15 and 2015-16.
- There were 413 offenders who tested positive in a Liverpool custody suite between May 2014 and April 2015 that subsequently re-presented and were tested again at a Merseyside custody suite during the time period. This represents 25% of the total individuals testing positive in 2014-15.
- There were 59 offenders who were arrested and tested five or more times in the May 2014 and April 2015 cohort, of which, 49 were tested in Merseyside between May 2015 and April 2016 (83%). Just under seven in ten (69%) of these high end offenders presented more than once in 2015-16.
- There were 1,597 criminal justice assessments in 2014-15 for offenders who presented via the RA route following a positive drug test compared to 920 in 2015-16. This represents a 42% reduction across the two time periods.
- In 2014-15, 59% of RAs conducted by Liverpool Addaction reported cocaine as the main drug that brought the offender into treatment, followed by 34% for opiate metabolites. In 2015-16, there were slightly less offenders with cocaine recorded as the main drug (55%), though slightly more with opiate metabolites (39%).
- Eighteen per cent of offenders in contact with Liverpool Addaction through the RA process in 2014-15 were taken onto the caseload, while this increased slightly to 19% in 2015-16.
- Of the offenders taken onto Liverpool Addaction's caseload in 2014-15, 29% transferred not in custody and 25% dropped out of treatment. In 2015-16, 30% dropped out of treatment, while 18% transferred in custody, 16% transferred not in custody and 14% were still on Liverpool's caseload at the time of data extraction from the Criminal Justice Intervention Team (CJIT) Data Entry Tool (DET).
- Of the offenders not taken onto Liverpool Addaction's caseload in 2014-15, 56% did not require further intervention and 27% were transferred to another service or prison prior to care plan. In 2015-16, 51% did not require further intervention and 28% transferred to another CJIT.
- Of the offenders taken onto Liverpool Addaction's caseload in 2014-15, 73% had an opiate metabolite recorded as the main drug that brought them into treatment, followed by 24% for cocaine. In 2015-16, 66% had an opiate metabolite recorded as the main drug, followed by 31% for cocaine.
- Of the offenders not taken onto Liverpool Addaction's caseload but were transferred to another CJIT area prior to care plan in 2014-15, 65% had cocaine recorded as the main drug, followed by 26% opiate metabolites. In 2015-16, 55% had cocaine recorded, followed by 40% opiate metabolites.
- In 2014-15, there were 338 clients eligible for Restriction on Bail (RoB), compared to 170 in 2015-16. This represents a 50% decrease.

Introduction

In Liverpool, the criminal justice process begins with the Police arresting and drug testing potential drug using offenders. If offenders test positive for Class A drugs (opiates only, cocaine only or both [cocaine and opiates]), they are served with a Required Assessment (RA) by the Police. This a compulsory legal sanction for the individual to attend up to two appointments (initial/follow-up RA) with a drugs worker. During these assessments the drugs worker will assess the individual's drug and offending behaviour and, if necessary, encourage them to engage with drug treatment services (Home Office, 2010). Notably, this is considered the main route into treatment for drug using offenders, and therefore the Police play a very important role in the early stages of this process.

Until mid-2015, Test on Arrest in Merseyside occurred when an adult was arrested for a trigger offence (offences that have a clear link to substance misuse; generally involving stealing, theft, fraud or drugs) or an offence where a custody Inspector suspected specified Class A drug use was a causal or contributory factor. After a successful pilot in Wirral early in 2015, Merseyside Police rolled out a targeted drug testing approach in its custody suites, with this system fully implemented by August 2015. The targeted testing approach involves a set of questions around drug use that should be considered before a decision is made on whether the arrestee is drug tested. The main aim of targeted testing is to reduce the number of negative drug tests carried out in the custody suite setting while ensuring drug using offenders continue to be tested and referred to drug treatment services through the RA process.

To explore the impact of targeted testing on drug using offenders coming into treatment in Liverpool, this report uses two datasets: drug testing data provided by Merseyside Police; and the criminal justice dataset entered onto the Criminal Justice Intervention Team (CJIT) Data Entry Tool (DET) by Liverpool Addaction. The report compares data between May 2014 and April 2015 (2014-15) and between May 2015 and April 2016 (2015-16). These dates have been chosen as targeted testing was officially implemented in Liverpool's custody suites in August 2015; though this drug testing approach could have been present before then as it was first introduced in Wirral in January 2015, and in Sefton and St Helens in July 2015. Furthermore, Wirral's custody suite was closed for part of May, all of June and part of July 2015 during which time arrestees were taken to Liverpool.

This report also indicates the numbers of clients eligible for Restriction on Bail (RoB) during the two twelve-month periods (this information is captured on monitoring forms by Liverpool Addaction and submitted to the Public Health Institute for data entry). Also considered are the views of Addaction staff, those who provide treatment services to drug using offenders in Liverpool, and Merseyside Police.

To the best of our knowledge, all Police forces in the country are now using the targeted testing approach, except for Humberside. It appears that analysis has not been conducted on targeted testing locally or elsewhere in the country, and research into the general effectiveness of this criminal justice process is lacking. Therefore this report will be a unique source of information for Liverpool; however the results could also be considered in the wider Merseyside area and elsewhere in the country.

Analysis of Merseyside Police drug testing data

Overview of drug tests across Liverpool

Between May 2014 and April 2015 (2014-15) there were a total of 4,443 attempted drug tests conducted at a custody suite in Liverpool. The number of tests halved (50% decrease) between May 2015 and April 2016 (2015-16; n=2,212) when compared to the previous twelve months.

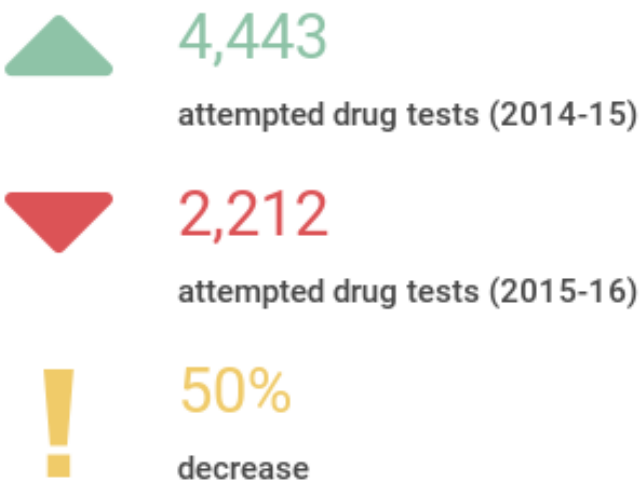
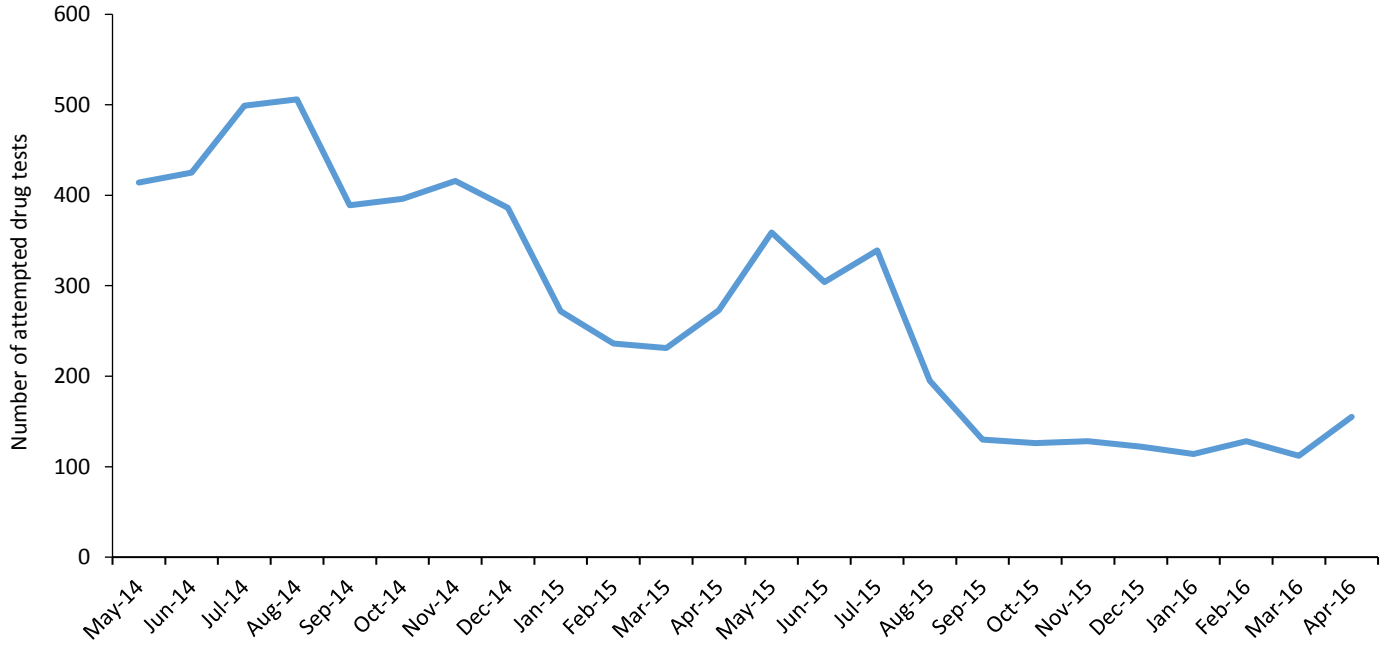


Figure 1 shows the number of attempted drug tests conducted at Liverpool's custody suites between May 2014 and April 2016. It is clear to see the reduction in the number of tests, with the exception of an increase in drug tests in Liverpool between May and July 2015; however this is likely due to the closure of Wirral custody suite in June and part of May and July 2015, during which time arrestees were taken to Liverpool.

The reduction in tests is more prominent from August 2015, when targeted testing was officially implemented in Liverpool. The highest number of tests recorded in the 24-month period being analysed was in July and August 2014 (n=499 and 506 respectively), while the lowest numbers were recorded in January and March 2016 (n=114 and 112 respectively).

Figure 1: Number of attempted drug tests by month/year (May 2014 to April 2016)

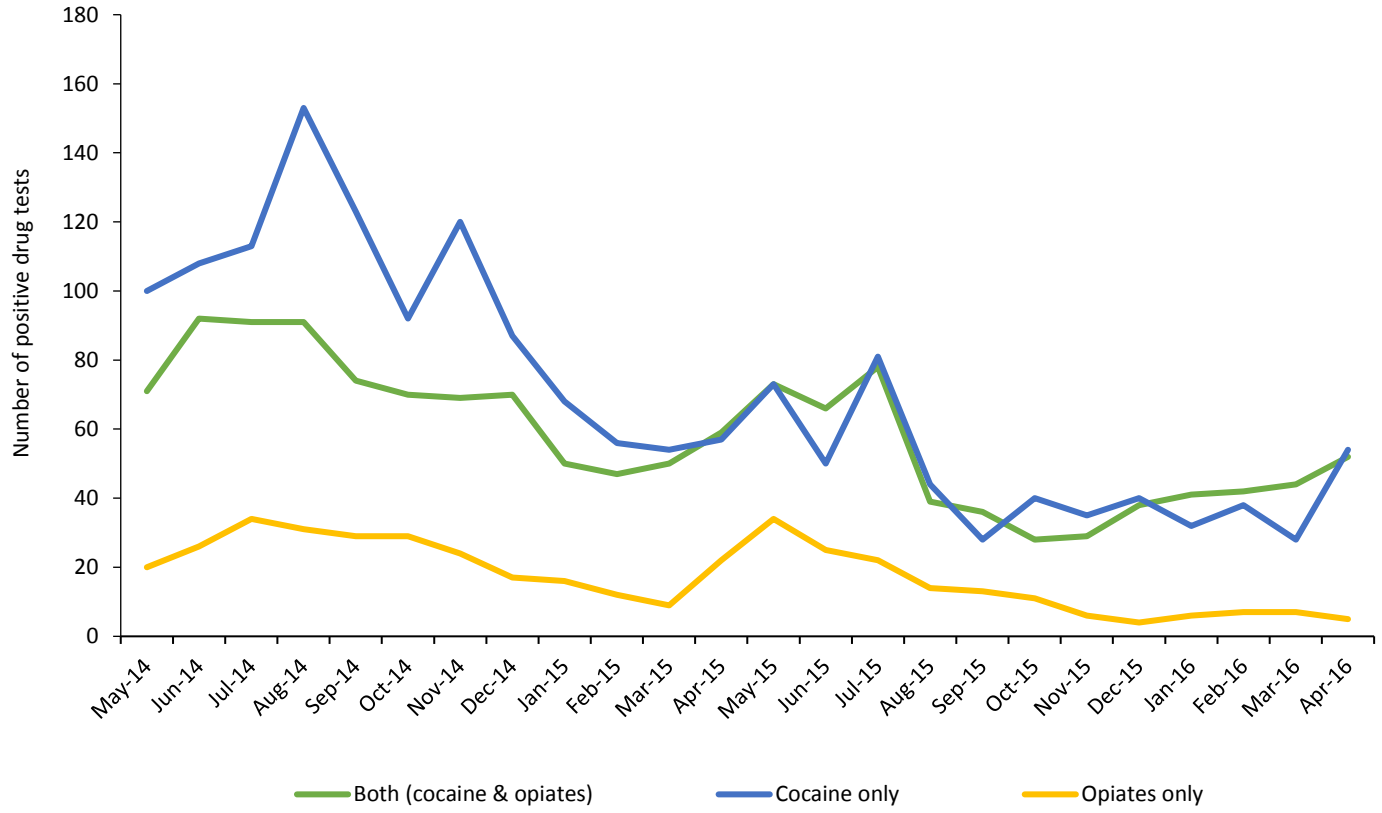


Positive drug tests in Liverpool

The number of individuals testing positive decreased by just over two-fifths (41%) between 2014-15 (n=1,677) and 2015-16 (n=985). In 2014-15, of the 3,480 individuals successfully tested, 1,677 tested positive; this equates to a positive drug test rate[1] of 48%. The positive drug test rate increased to 54% in 2015-16 (985 of the 1,820 individuals successfully tested, tested positive).

The number of positive drug tests between May 2014 and April 2016 are shown in Figure 2. Overall, figures were highest for cocaine only and this was more prominent in 2014-15. Notably, the number of positive drug tests for cocaine only halved in August 2015 and numbers then followed a similar pattern to those for both cocaine and opiates. Numbers for opiates only are substantially lower; however they increased slightly around May and June 2015 when Wirral custody suite was closed. A recent publication looking at drug testing activity in Wirral reported a slightly higher proportion of arrestees testing positive for opiates only compared to Liverpool between April 2015 and March 2016 (17% vs 13%; Critchley and Whitfield, 2016); therefore this could explain the slight increase in positive tests for opiates only in Liverpool around the time Wirral custody suite was closed.

Figure 2: Number of positive drug tests by month/year (May 2014 to April 2016)



[1] The positive drug test rate is the number of individuals testing positive ÷ the number of individuals successfully tested.

Table 1 compares 2014-15 and 2015-16 by drug type. In 2014-15, just under half (49%) of positive drug tests were for some form of opiate metabolites (37% for both cocaine and opiates; 12% for opiates only), while the remaining positive tests were for cocaine only (51%). The proportion of arrestees testing positive for opiate metabolites in 2015-16 increased by 8% to 57%; however the number in 2015-16 (n=720) was 35% lower when compared to the previous 12 months. The increase in the proportion of opiate metabolites was due to the increase in positive tests for both cocaine and opiates (45%), while the proportion of opiates only remained at 12%. As the proportion of opiate metabolites increased in 2015-16, positive tests for cocaine only decreased (43%).

Table 1: Positive drug tests by drug type (2014-15 vs 2015-16)[2]

Drug type	2014-15		2015-16	
Opiate metabolites	1,103	49%	720	57%
Both cocaine & opiates	*834*	*37%*	*566*	*45%*
Opiates only	*269*	*12%*	*154*	*12%*
Cocaine only	1,131	51%	543	43%
Total	**2,234**	**100%**	**1,263**	**100%**

Between May 2014 and April 2015, there were 2,112 RAs imposed by Merseyside Police for offenders arrested and tested in Liverpool, compared to 1,199 between May 2015 and April 2016. This equates to a 43% reduction between 2014-15 and 2015-16.

Re-presentation

Table 2 shows the number of times offenders who tested positive in a Liverpool custody suite in 2014-15 re-presented across Merseyside for a successful drug test. Of the 1,674 offenders who tested positive in a Liverpool custody suite between May 2014 and April 2015, 413 subsequently re-presented and were tested again at a Merseyside custody suite during the time period. This represents one-quarter (25%) of the total individuals testing positive in 2014-15. Notably, there were 59 offenders who were arrested and tested five or more times during the May 2014 to April 2015 cohort.

Table 2: Re-presentation of offenders testing positive (May 2014 to April 2015)

Number of arrest occasions	n	%
One	1,261	75%
Two	226	14%
Three	83	5%
Four	45	3%
Five	23	1%
Six	11	1%
Seven	13	1%
Eight	4	0%
Nine	6	0%
Twelve	1	0%
Thirteen	1	0%
Total	**1,674**	**100%**

[2] Percentages for 'opiate metabolites' is the sum of the percentages for 'both cocaine and opiates' and 'opiates only'; percentages for 'both cocaine and opiates', 'opiates only' and 'cocaine only' are calculated from the total.

High end offenders (those who presented five or more times) in the May 2014 to April 2015 cohort were matched to successful drug tests across all of Merseyside between May 2015 and April 2016. Of the 59 offenders arrested and tested five times or more in the May 2014 to April 2015 cohort, 49 were tested in Merseyside between May 2015 and April 2016 (83%).

Table 3 shows the number of arrest occasions for high end offenders who were arrested and tested five or more times in 2014-15, and arrested and tested again in 2015-16. Just under seven in ten (69%) of these offenders presented more than once (n=34), with 11 offenders arrested five times or more. Figures suggest the majority of high end offenders arrested and tested under the Test on Arrest scheme during 2014-15 are being tested through targeted testing, and their number of arrest occasions are reducing. Further analysis of Merseyside Police data is required in order to further examine whether offending has reduced.

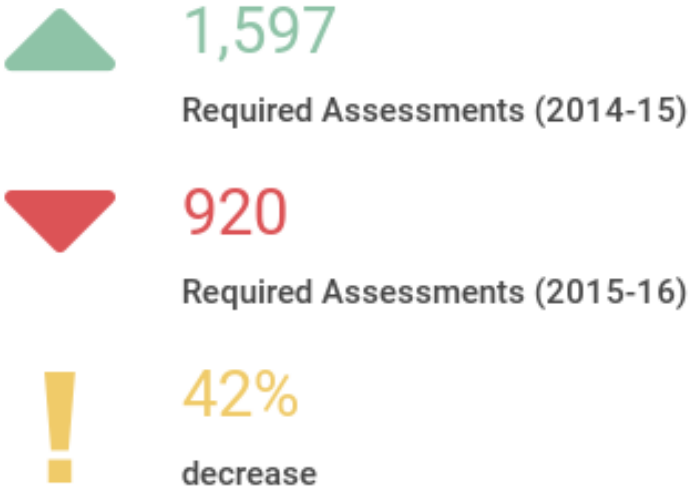
Table 3: Re-presentation of offenders arrested five or more times between May 2014 and April 2015 who were arrested between May 2015 to April 2016[3]

Number of arrest occasions	n	%
One	15	31%
Two	11	22%
Three	3	6%
Four	9	18%
Five	5	10%
Six	3	6%
Seven	1	2%
Eight	2	4%
Total	**49**	**100%**

Analysis of CJIT DET data

Overview of Liverpool offenders with a Required Assessment imposed

There were a total of 2,166 criminal justice assessments recorded by Liverpool Addaction between May 2014 and April 2015. This reduced by 28% between May 2015 and April 2016 to 1,550. Of the criminal justice assessments in 2014-15, just under three-quarters (74%) presented via the RA route following a positive drug test (n=1,597) compared to just under three in five (59%) in 2015-16 (n=920), which represents a 42% reduction across the two time periods.



[3] Please note, throughout this report percentages may not add up to 100% due to rounding.

Figure 3 presents the number of criminal justice assessments between May 2014 and April 2016 where contact was made with Liverpool Addaction via the RA process. Overall the number of RAs have clearly reduced, particularly from August 2015 when targeted testing was officially implemented across Liverpool. There was a slight increase in the number of RAs between May and July 2015, when Wirral custody suite was fully or partially closed during these months.

The highest number of RAs recorded in the 24-month period being analysed was in August and September 2014 (n=178 and 170 respectively), while the lowest numbers were recorded in December 2015 and March 2016 (n=42 and 44 respectively).

Figure 3: Number of Required Assessments by month/year (May 2014 to April 2016)

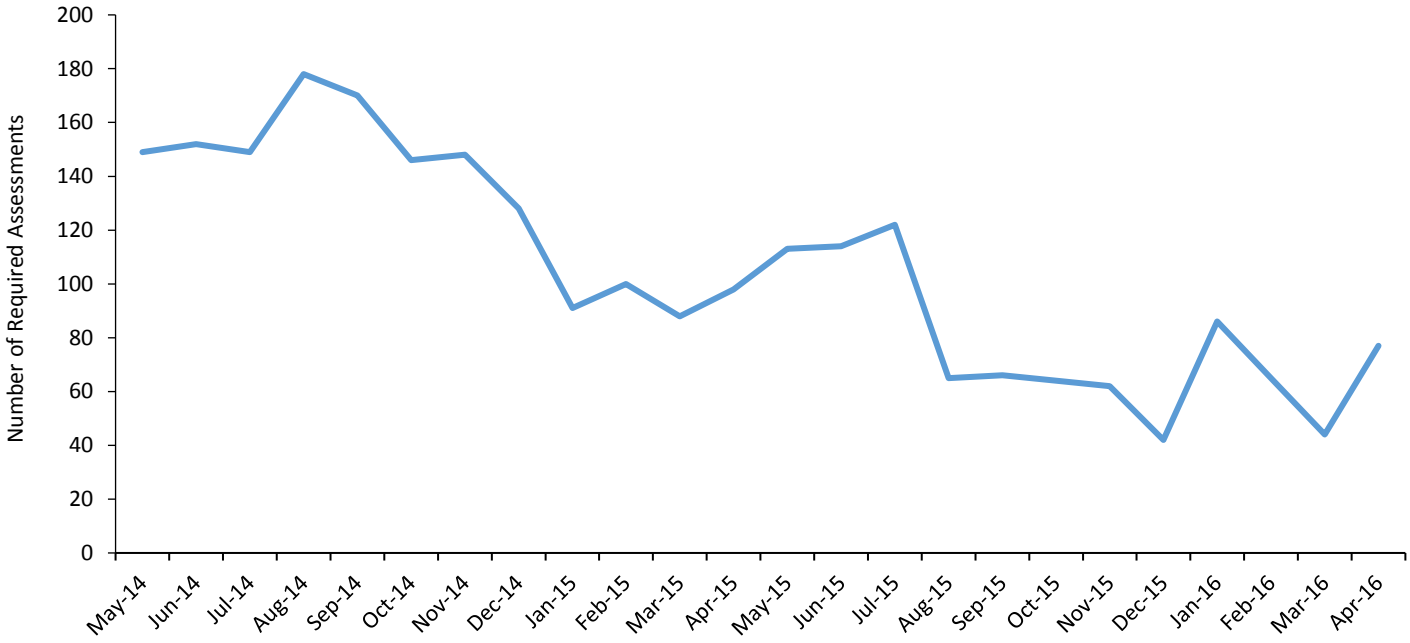


Table 4 compares 2014-15 and 2015-16 by drug type of the main drug that brought the offender into treatment via the RA process. In 2014-15, just under three in five (59%) offenders' main drug was recorded as cocaine, while just over one-third (34%) were for some form of opiate metabolites. In 2015-16, there were slightly less offenders with cocaine recorded as the main drug (55%), though slightly more with opiate metabolites (39%). Even though the proportion of opiate users in 2015-16 was higher than 2014-15, notably the number has decreased by 44%.

Table 4: Main drug recorded at assessment by drug type (2014-15 vs 2015-16)[4]

Drug type	2014-15		2015-16	
Cocaine	928	59%	510	55%
Opiate metabolites	535	34%	356	39%
Other drugs	113	7%	54	6%
Total	**1,576**	**100%**	**920**	**100%**

[4] In 2014-15 there were 15 records without the main drug recorded.

Outcomes for offenders with a Required Assessment imposed

Table 5 shows whether offenders who were in contact with Liverpool Addaction through the RA process were taken onto their caseload i.e. a care plan was drawn up after a full assessment. Between May 2014 and April 2015, 286 offenders were taken onto the caseload, which accounts for just under one in five (18%) of those in contact with Liverpool Addaction through the RA process. In 2015-16, the proportion increased slightly to 19%, though the number was much lower (n=176).

Table 5 also details the outcomes of offenders who engaged with Liverpool Addaction and were taken onto the caseload. In 2014-15, just under three in ten (29%) transferred not in custody, while one-quarter (25%) of offenders dropped out of treatment; though in 2015-16, three in ten (30%) dropped out of treatment, while 18% transferred in custody, 16% transferred not in custody and 14% were still on Liverpool's caseload at the point of data extraction from CJIT DET.

Of the offenders who were not taken onto the caseload following their assessment in 2014-15, just under three in five (56%) did not require further intervention and just over one-quarter (27%) of offenders were transferred to another service or prison prior to care plan. In 2015-16, just over half (51%) did not require further intervention and just under three in ten (28%) transferred to another CJIT area (Table 5).

Table 5: Outcomes following assessment (2014-15 vs 2015-16)[5]

Outcomes	2014-15		2015-16	
Taken onto Liverpool Addaction's caseload	**286**	**18%**	**176**	**19%**
Care plan objectives completed - drug free	11	4%	17	10%
Care plan objectives completed - occasional user	3	1%	6	3%
Did not want to engage	0	-	3	2%
Do not use - client is no longer a class A drug user and no longer offending	28	10%	0	-
Do not use - client transferred to another service area or prison	35	12%	0	-
Incomplete - client died	1	0%	0	-
Incomplete - dropped out	71	25%	52	30%
Incomplete - treatment withdrawn by provider	2	1%	3	2%
Transferred - in custody	20	7%	31	18%
Transferred - not in custody	83	29%	28	16%
Transferred to another CJIT area	2	1%	1	1%
Transferred to offender management team and no longer case managed by the CJIT	23	8%	11	6%
Still open on Liverpool Addaction's caseload	7	2%	24	14%
Not taken onto Liverpool Addaction's caseload	**1,311**	**82%**	**744**	**81%**
Already case managed by treatment provider/other CJIT/Offender Manager	68	5%	50	7%
Did not want to engage	123	9%	68	9%
Do not use - client transferred to another service or prison prior to care plan	358	27%	0	-
No further intervention required	738	56%	379	51%
Transferred - in custody	6	0%	36	5%
Transferred to another CJIT area	18	1%	210	28%
Unknown	0	-	1	0%
Total	**1,597**	**100%**	**920**	**100%**

[5] 'Did not want to engage' is an invalid case closure reason for a client who has been taken onto the caseload – this is only valid for clients prior to being taken onto the caseload – but are as recorded on CJIT DET.

Presented in Table 6 are the outcomes by drug type of the main drug that brought them into treatment via the RA process. Of the offenders who were taken onto Liverpool Addaction's caseload following assessment in 2014-15, just under three-quarters (73%) of offenders had an opiate metabolite recorded as their main drug, while just under one-quarter (24%) were cocaine. In 2015-16, there were slightly less offenders with an opiate metabolite recorded as the main drug (66%) and slightly more for cocaine (31%) when compared to the previous 12 months.

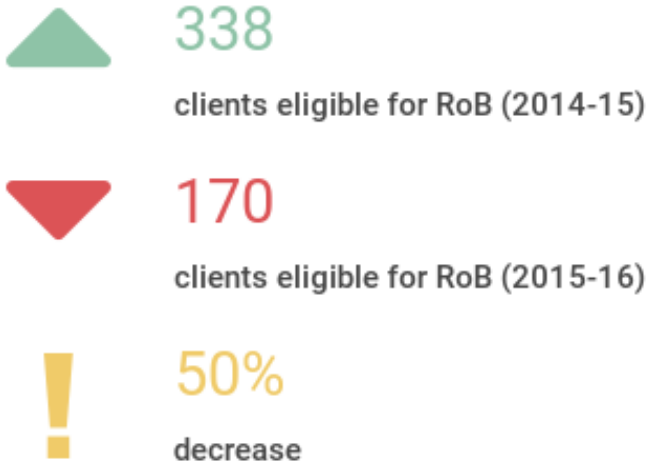
Of the offenders who were deemed to require further intervention but were transferred to another CJIT area prior to care plan and therefore not taken onto Liverpool Addaction's caseload, just under two-thirds (65%) of offenders assessed in 2014-15 had cocaine recorded as the main drug, while just over one-quarter (26%) had an opiate metabolite recorded. Comparatively, in 2015-16 55% of offenders had cocaine recorded as their main drug used, followed by 40% for opiate metabolites (Table 6).

Table 6: Outcomes following assessment by drug type (2014-15 vs 2015-16)[6]

Outcomes by drug type	2014-15		2015-16	
Taken onto Liverpool Addaction's caseload	**286**	**50%**	**176**	**46%**
Cocaine	70	24%	55	31%
Opiate metabolites	209	73%	117	66%
Other drugs	7	2%	4	2%
Transferred to another CJIT prior to care plan	**286**	**50%**	**210**	**54%**
Cocaine	186	65%	115	55%
Opiate metabolites	75	26%	83	40%
Other drugs	25	9%	12	6%
Total	**572**	**100%**	**386**	**100%**

Restriction on Bail figures

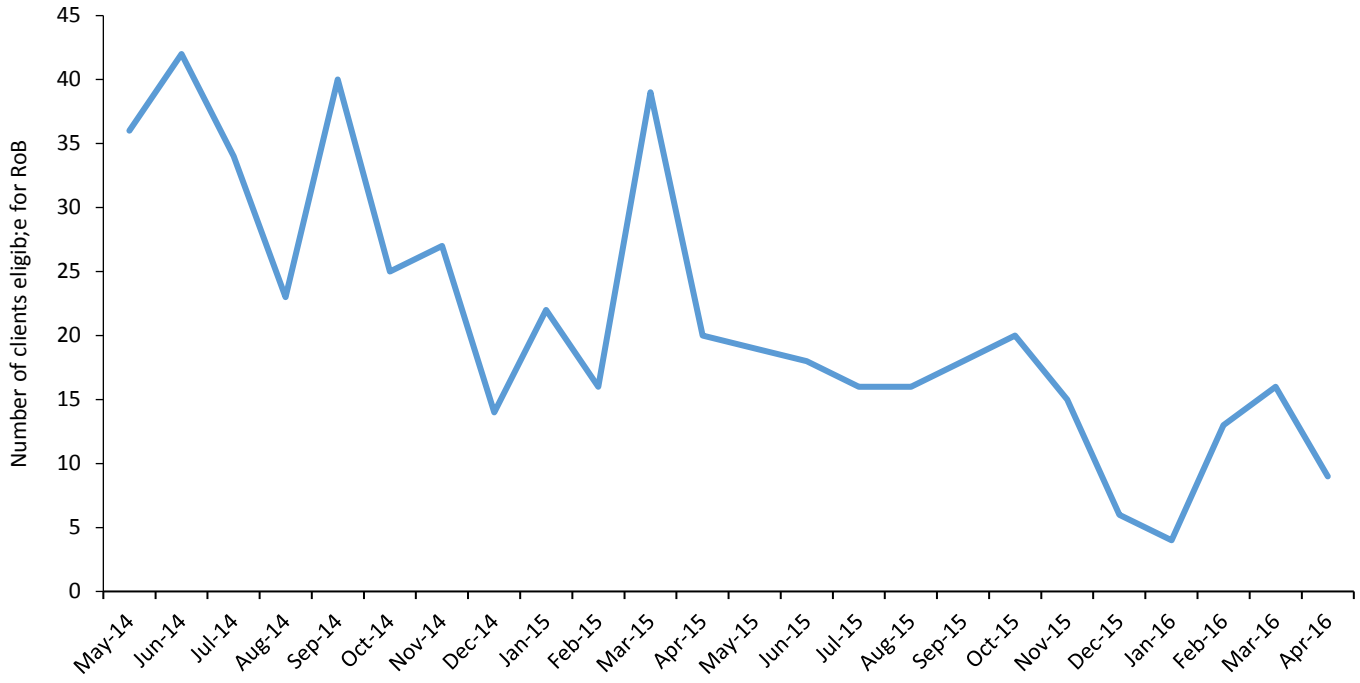
There were 338 clients eligible for Restriction on Bail (RoB) between May 2014 and April 2015, as recorded by Liverpool Addaction. The number halved (50% decrease) between May 2015 and April 2016 to 170 when compared to the previous twelve months.



[6] In 2014-15 there were 4 records without the main drug recorded for clients who transferred to another CJIT prior to care plan.

Figure 4 shows the number of clients eligible for RoB between May 2014 and April 2016. Although numbers have fluctuated, it is clear to see the reduction in the number eligible for RoB between May 2015 and April 2016. The highest numbers of tests recorded in the 24-month period being analysed were in June and September 2014 (n=42 and 40 respectively) and March 2015 (n=39), while the lowest numbers were recorded in December 2015 (n=6) and January and April 2016 (n=4 and 9 respectively).

Figure 4: Number of eligible for RoB by month/year (May 2014 to April 2016)



Views of Addaction staff

Addaction staff strongly agree that targeted testing has had an impact on the numbers of Class A drug users coming into treatment. Staff know that drug testing in the custody suite is valuable in identifying Class A drug users; therefore there is a concern that drug using offenders are not being identified for treatment to address their drug use and offending. There is also concern at the reduced numbers of clients being put forward for RoB at court. This is because there is no positive drug test to support the RoB application, even though they are drug using offenders not engaging with treatment.

Because of the reduction in the number of drug using offenders being identified through the drug testing and RA process, they continue to offend. This suggests a continuation of the cycle of drugs–crime–prison, which the Drug Interventions Programme (DIP) initially aimed to break. Although DIP as a programme is no longer in existence in Liverpool, the processes remain in place at all stages of the criminal justice system in order to engage offenders into treatment.

Views of Merseyside Police

There are three reasons for the reduction in drug tests: overall reduction in arrests; Voluntary Attendance[7]; and, targeted testing. Merseyside Police acknowledge drug tests are being missed and regularly run a report to see if tests are being considered (i.e. has the checklist been completed?) which identifies missed opportunities for testing. If arrestees are being asked the questions as per the checklist, the correct rationale is generally followed i.e. carrying out a drug test (where applicable). There is also an awareness

[7] Voluntary Attendance is an alternative to arrest, where custody is judged to be unnecessary. It was introduced nationally in 2012, but its use is increasing. The interviews are conducted in designated local facilities, not in the custody suite and therefore no drug tests are carried out.

that the reduction on drug tests is having an impact on drug using offenders being identified for treatment, and therefore the Police intend to act on this in order to increase arrestees completing the checklist, which will result in a drug test depending on their responses.

Conclusion

The number of attempted drug tests conducted in Liverpool's custody suites halved between 2014-15 and 2015-16, while the number of individuals testing positive decreased by around two-fifths (41%). The rationale for targeted testing was to reduce the number of negative tests in order to reduce police time. Although the positive drug test rate has increased, it is only by a small proportion (6%). There are substantially lower numbers of offenders being imposed with an RA and therefore lower numbers of drug using offenders coming into treatment. This is where there is considerable concern by treatment services, commissioners and the Police themselves. This concern is greater still for opiate drug users in Liverpool who are not coming into the treatment system.

Evidence shown in this report indicates a reduction in drug tests, RAs, criminal justice assessments and RoB across the 24-month period which are due to a general reduction in arrests, Voluntary Attendance and targeted testing. However, the reduction in numbers was greatest following the implementation of targeted testing which indicates that targeted testing is having the greatest impact.

Further analysis of Merseyside Police data is required in order to assess re-offending rates which will identify whether offending is reducing or drug users are continuing to offend but are missing crucial opportunities to be identified for treatment to address their drug use and offending behaviour. The Public Health Institute have submitted an application to Merseyside Police in order to request data to allow analyses to identify re-offending, and hope to publish findings this year.

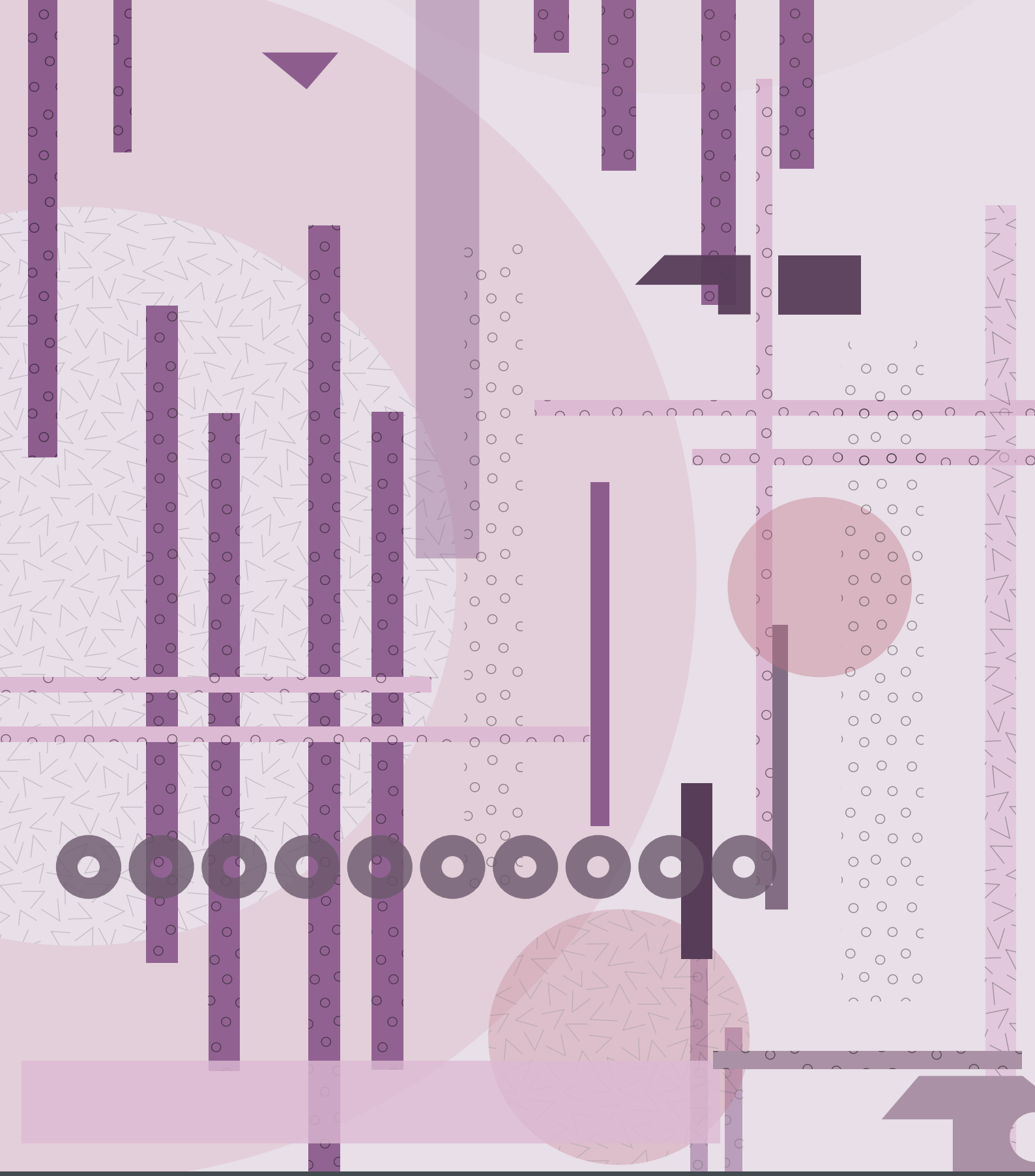
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