



Drugs Act 2005

2005 CHAPTER 17

PART 3

ASSESSMENT OF MISUSE OF DRUGS

11 Requirements under sections 9 and 10: supplemental

- (1) This section applies if a person is required to attend an initial assessment and remain for its duration by virtue of section 9(2).
- (2) A police officer must—
 - (a) inform the person of the time when, and the place at which, the initial assessment is to take place, and
 - (b) explain that this information will be confirmed in writing.
- (3) A police officer must warn the person that he may be liable to prosecution if he fails without good cause to attend the initial assessment and remain for its duration.
- (4) If the person is also required to attend a follow-up assessment and remain for its duration by virtue of section 10(2), a police officer must also warn the person that he may be liable to prosecution if he fails without good cause to attend the follow-up assessment and remain for its duration.
- (5) A police officer must give the person notice in writing which—
 - (a) confirms that he is required to attend and remain for the duration of an initial assessment or both an initial assessment and a follow-up assessment (as the case may be),
 - (b) confirms the information given in pursuance of subsection (2), and
 - (c) repeats the warning given in pursuance of subsection (3) and any warning given in pursuance of subsection (4).
- (6) The duties imposed by subsections (2) to (5) must be discharged before the person is released from detention at the police station.
- (7) A record must be made, as part of the person's custody record, of—

*Changes to legislation: There are currently no known outstanding effects
for the Drugs Act 2005, Section 11. (See end of Document for details)*

- (a) the requirement imposed on him by virtue of section 9(2),
 - (b) any requirement imposed on him by virtue of section 10(2),
 - (c) the information and explanation given to him in pursuance of subsection (2) above,
 - (d) the warning given to him in pursuance of subsection (3) above and any warning given to him in pursuance of subsection (4) above, and
 - (e) the notice given to him in pursuance of subsection (5) above.
- (8) If a person is given a notice in pursuance of subsection (5), a police officer or a suitably qualified person may give the person a further notice in writing which—
- (a) informs the person of any change to the time when, or to the place at which, the initial assessment is to take place, and
 - (b) repeats the warning given in pursuance of subsection (3) and any warning given in pursuance of subsection (4).

Commencement Information

I1 [S. 11](#) in force at 1.12.2005 for specified purposes by [S.I. 2005/3053](#), [art. 2\(2\)\(a\)](#)

I2 [S. 11](#) in force at 1.4.2007 in so far as not already in force by [S.I. 2007/562](#), [art. 2\(2\)\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Drugs Act 2005, Section 11.