

Drink Drive Policy

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Command: Force Contact and Operations

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Category(s): Roads Policing, Traffic Procedures, Vehicles

Description:

The aim of this policy is to bring together the many strands of activity concerned with the evidence gathering procedures relating to investigations into people driving, in charge or in control of conveyances with alcohol and/or drugs above prescribed limits as laid down in legislation.

The scope of this policy whilst mainly aimed at investigations concerning motor or mechanically propelled vehicles on roads or other public places, also applies to railways, trams, and aviation and marine applications.

The policy is to assist investigators and is in support of the training materials already supplied. It is not designed to replace or duplicate that training.

Policy Basis and Implications

Policy Legal Basis

The Police And Criminal Evidence act 1984 as amended;

The Road Traffic Act 1988 as amended by the Police Reform Act 2002 and the Railways and Transport Safety Act 2003;

The Road Traffic Offenders Act 1992;

The Transport and Works Act 1992;

The Railways and Transport Safety Act 2003;

The Serious Organised Crime and Police Act 2005;

The Code of Practice (Schedule 7 Railways and Transport Safety Act 2003).

Policy MOPI Considerations

Any information collected as a consequence of this policy is held on the Police Works system, the ELF file building system and the NSPIS custody system all of which have appropriate weeding arrangements. On occasions there are paper forms which are part of a prosecution file which will be held in compliance of the nature of the offences included in that file and therefore all MoPI categories apply.

Policy MOPI Purpose

Bringing offenders to justice

Policy Associated Benefits

The benefits of the implementation of this policy is a single reference point for trained operators when searching for guidance during live investigations, saving time and improving outcomes. The associated procedures cover the processes to be followed when using the MGDD system and should assist operators in taking the best evidential route improving case results.

FOI, Human Rights and Equality Impact Assessment Indicators

ECHR Exemption

No articles

ECHR

Compliant

Compliant with Code of Ethics

Yes

FOIA Exemption

EIA

No

RVIA

No