



# Forensic Science Regulator

## Regulator's Notification: No. 02-2026

### **Issue**

This Forensic Science Regulator (FSR) notification has been issued to inform the forensic science community and the criminal justice system of the consultation on new regulation governing the use of drug testing devices (DTDs).

### **Background**

In 2023, when the FSR's Code of Practice Version 1 came into force, DTDs approved under Home Office Circulars (015/2012, 013/2014 and 005/2017) and the Evidential Drug Identification Testing (EDIT) process were exempted from the Regulator's remit and remain so currently. The Regulator has been made aware of contextual and organisational changes within the drug testing landscape which have resulted in a perceived risk in the undertaking of this testing, as set out in a notification from the FSR in 2025 (02-2025).

The FSR subsequently established a working group to provide recommendations as to how these risks can be managed under the statutory Code. A new regulatory model has been developed to govern the use of DTDs, this consultation seeks views from stakeholders on the proposed changes.

### **Description of Notification Changes**

The output of the FSR's working group is the development of a new forensic science activity (FSA) for the use of DTDs, with a view of incorporating this into Version 3 of the FSR's Code of Practice.

Four documents have been drafted to make up the FSA, aiming to provide a proportionate, long-term regulatory framework that facilitates the continued use of approved DTDs with appropriate safeguards, to improve quality assurance, consistency and public confidence. The FSR acknowledges that systems will need to be adjusted and developed to meet the stipulated requirements and will be supporting stakeholders across government and policing to coordinate implementation and validation testing.

### **Process and Date of Implementation**

Views have been sought in the consultation questions as to the estimated time period that would be required for forensic units to implement the proposed regulation.

The consultation will remain open to responses until 23:00 on 25 September 2026. The referenced documentation and response survey can be found at [Regulation of drug testing devices - GOV.UK](#).

If you have any queries, please don't hesitate to get in touch at [FSREnquiries@forensicscienceregulator.gov.uk](mailto:FSREnquiries@forensicscienceregulator.gov.uk).

A handwritten signature in black ink, reading 'M Bailey', is displayed on a white background with a light grey border.

**Dr Marc Bailey**  
**September 2026**