

Our Ref: IM-FOI-2022-1106
Date: 09 June 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

For the calendar years 2018/2019/2020 can you please provide the following detail:

How many people in Scotland and separately Glasgow, Edinburgh and Dundee have been (a) arrested but not charged (b) charged where they have sought emergency support during an overdose, including the person experiencing the overdose. (the person who seeks help, whether they stay or leave from the overdose scene before help arrives; also anyone else who is at the scene when help arrives.)

Having considered your request in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, there are no markers that would allow the retrieval of this information, therefore a case by case assessment of all potential custody and crime reports would be required. Given the vast numbers this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To be of assistance you may be interested in information regarding policing attendance at drug overdoses <https://www.scotland.police.uk/what-s-happening/news/2022/february/police-scotland-commits-to-national-roll-out-of-life-saving-nasal-spray/>

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

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Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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