| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1752  Responded to: 21 July 2023 |
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Your recent request for information is replicated below, together with our response.

## The total number of motorists of all categories that were stopped by police in 2021, 2022 and 2023 (year to date) and asked to undergo a breathalyser test for alcohol. If possible, please break down by time of day.

## The total number of motorists of all categories that were stopped by police in 2022 and 2021 and 2023 (year to date) asked to undergo an alcohol breathalyser test and failed the test. If possible, please break down by time of day.

## The total number of motorists of all categories that were stopped by police in 2022, 2021 and 2023 (year to date) and arrested and prosecuted for failing an alcohol breathalyser test, If possible, please break down by time of day

Having considered your request in terms of the above 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 is no force wide system for recording breathalysers conducted. Some limited information is collated by Road Policing Officers specifically, but this does not include the level of detail sought, which would rely on a review of all Police Officer notebooks and information across a number of systems etc. - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To be of some assistance, general recorded and detected drink, drug driving crime statistics are publicly available on the Police Scotland website:-

[How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.