

Our Ref: IM-FOI-2022-1900  
Date: 07 October 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.

**Please provide details of how many motorists in the Mid Scotland and Fife region – Perth and Kinross and Fife – have been caught drug driving over the last three financial years?**

Please find attached Tables which provide the relevant information. All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 13th September 2022.

From the data provided you will see that the same SGJD classification can be used for both drink and drug driving. The only way to provide an accurate response to your request would be to individually examine every crime report relating to drink and drug driving for the time period requested to attempt to split the statistics - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations. 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.

**Can you also provide details of how many of these motorists were given fixed penalty notice fines at the time of the offence?**

In response to this question, Fixed Penalty Notices (FPN) cannot be issued by Police at the roadside for drug driving offences. Cases would be reported to the Procurator Fiscal.

Should you require any further assistance please contact Information Management - Dundee 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.

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.pnn.police.uk](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

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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](mailto: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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