| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0688  Responded to: 29 March 2023 |
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Your recent request for information is replicated below, together with our response.

## The number of drivers charged with drink driving in 2021 and 2022 - please provide totals split by month Jan – Dec

In response, please see table 1 at the end of this letter.

## The number of drivers stopped and asked to conduct a breathalyzer test in 2021 and 2022 - please provide totals split by month Jan – Dec

## The number of drivers stopped and asked to conduct a breathalyzer test who tested positive or refused a breathalyzer test 2021 and 2022 -please provide totals split by month Jan – Dec

Having considered these questions 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 is no central recording system where persons stopped by police for any reason is recorded. Therefore case assessment of all officer notebooks would be required. This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

However to be of assistance the information shown in table 2 at the end of this letter is in relation to stops conducted by our Roads Policing team specifically.

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.

Table 1: Detected Specified Drink/Drug Driving Offences, 1st January 2021 - 31st December 2022 (Calendar Years and Months)

| **Month** | **Offence** | **2021** | **2022** |
| --- | --- | --- | --- |
| Jan | Driving motor vehicle while unfit through drink or drugs | 59 | 49 |
| In charge of motor vehicle while unfit through drink or drugs | 6 | 9 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 144 | 205 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 12 | 24 |
| Failure to provide breath specimen at the roadside | 41 | 53 |
| Failure to provide breath, blood or urine specimen at police station | 89 | 77 |
| Feb | Driving motor vehicle while unfit through drink or drugs | 50 | 42 |
| In charge of motor vehicle while unfit through drink or drugs | 6 | 6 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 142 | 242 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 22 | 21 |
| Failure to provide breath specimen at the roadside | 35 | 53 |
| Failure to provide breath, blood or urine specimen at police station | 57 | 65 |
| Mar | Driving motor vehicle while unfit through drink or drugs | 71 | 62 |
| In charge of motor vehicle while unfit through drink or drugs | 7 | 7 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 172 | 210 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 18 | 32 |
| Failure to provide breath specimen at the roadside | 42 | 41 |
| Failure to provide breath, blood or urine specimen at police station | 68 | 60 |
| Apr | Driving motor vehicle while unfit through drink or drugs | 80 | 61 |
| In charge of motor vehicle while unfit through drink or drugs | 8 | 8 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 205 | 249 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 21 | 29 |
| Failure to provide breath specimen at the roadside | 48 | 50 |
| Failure to provide breath, blood or urine specimen at police station | 89 | 57 |
| May | Driving motor vehicle while unfit through drink or drugs | 60 | 67 |
| In charge of motor vehicle while unfit through drink or drugs | 14 | 14 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 223 | 256 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 15 | 28 |
| Failure to provide breath specimen at the roadside | 53 | 57 |
| Failure to provide breath, blood or urine specimen at police station | 71 | 86 |
| Jun | Driving motor vehicle while unfit through drink or drugs | 72 | 70 |
| In charge of motor vehicle while unfit through drink or drugs | 8 | 12 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 237 | 231 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 16 | 33 |
| Failure to provide breath specimen at the roadside | 42 | 49 |
| Failure to provide breath, blood or urine specimen at police station | 64 | 68 |
| Jul | Driving motor vehicle while unfit through drink or drugs | 50 | 61 |
| In charge of motor vehicle while unfit through drink or drugs | 5 | 8 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 233 | 243 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 24 | 17 |
| Failure to provide breath specimen at the roadside | 57 | 52 |
| Failure to provide breath, blood or urine specimen at police station | 99 | 78 |
| Aug | Driving motor vehicle while unfit through drink or drugs | 45 | 48 |
| In charge of motor vehicle while unfit through drink or drugs | 10 | 15 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 265 | 255 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 25 | 21 |
| Failure to provide breath specimen at the roadside | 54 | 52 |
| Failure to provide breath, blood or urine specimen at police station | 73 | 70 |
| Sep | Driving motor vehicle while unfit through drink or drugs | 48 | 47 |
| In charge of motor vehicle while unfit through drink or drugs | 4 | 13 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 231 | 222 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 27 | 32 |
| Failure to provide breath specimen at the roadside | 39 | 49 |
| Failure to provide breath, blood or urine specimen at police station | 54 | 77 |
| Oct | Driving motor vehicle while unfit through drink or drugs | 57 | 53 |
| In charge of motor vehicle while unfit through drink or drugs | 6 | 5 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 242 | 234 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 30 | 21 |
| Failure to provide breath specimen at the roadside | 62 | 38 |
| Failure to provide breath, blood or urine specimen at police station | 92 | 68 |
| Nov | Driving motor vehicle while unfit through drink or drugs | 41 | 58 |
| In charge of motor vehicle while unfit through drink or drugs | 9 | 13 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 236 | 291 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 24 | 39 |
| Failure to provide breath specimen at the roadside | 52 | 66 |
| Failure to provide breath, blood or urine specimen at police station | 73 | 79 |
| Dec | Driving motor vehicle while unfit through drink or drugs | 42 | 43 |
| In charge of motor vehicle while unfit through drink or drugs | 9 | 5 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 231 | 312 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 24 | 24 |
| Failure to provide breath specimen at the roadside | 39 | 61 |
| Failure to provide breath, blood or urine specimen at police station | 78 | 68 |
| **Total** |  | **5057** | **5521** |

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 20th March 2023.

Table 2: Roads Policing Data.

|  | **2021** | | | **2022** | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Stopped** | **Positive** | **Refused** | **Stopped** | **Positive** | **Refused** |
| January | 553 | 65 | 2 | 1293 | 243 | 2 |
| February | 497 | 54 | 0 | 1044 | 217 | 2 |
| March | 666 | 75 | 1 | 598 | 86 | 3 |
| April | 924 | 265 | 3 | 1038 | 218 | 3 |
| May | 1000 | 239 | 4 | 1634 | 352 | 3 |
| June | 942 | 236 | 5 | 1826 | 322 | 3 |
| July | 1361 | 281 | 1 | 954 | 160 | 2 |
| August | 1136 | 268 | 2 | 663 | 163 | 1 |
| September | 1082 | 211 | 1 | 1103 | 226 | 0 |
| October | 1303 | 241 | 7 | 1165 | 228 | 1 |
| November | 1558 | 259 | 1 | 1250 | 220 | 0 |
| December | 2199 | 232 | 2 | 2091 | 285 | 2 |