| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-3150Responded to: 22nd December 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## Over the last four years, please could you provide me with:

## - The number of people who have been arrested and/or charged on suspicion of driving a vehicle having inhaled nitrous oxide.

## - The number of nitrous oxide cannisters seized by police from vehicles.

## - The number of road traffic incidents reported to police in which nitrous oxide has/is suspected to have been involved/inhaled by the driver.

## - Of these road traffic incidents, the number which have involved injury or death.

In response to these questions, 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, the crime recording systems used by Police Scotland have no facility which allows for the automatic retrieval of this level of information.

Case by case assessment of all drink/drug driving offences would have to be carried out to establish whether it was relevant to your request.

As illustrated by our [published statistics](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/), this would involve individually examining a vast number of reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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 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 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.