| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1811  Responded to: 19 August 2024 |
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Your recent request for information is replicated below, together with our response.

## With regards to response ref FOI 24-1762, I do note that a few paragraphs are of interest, listed below

## “whilst no mention of diabetes in the document, our road traffic toxicology request form does ask for medical conditions to be listed which includes diabetes:

## Certain medical conditions may have a bearing in the calculation of blood or breath concentrations, or even form the basis of defence”

## Given the statements above taken directly from FOI 24-1762 and In an instance where a diabetic person has blown a positive breath test what action is taken to ensure the blown reading is accurate against alcohol and not a function of the medical condition of diabetes especially if the person appears sober, does not smell of alcohol and is fully cooperative.

In terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

By way of explanation, you have been provided with our SOP which explains our drink driving procedure. Any further information regarding your question above is not recorded.

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.