| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3095  Responded to: 11 January 2024 |
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Your recent request for information is replicated below, together with our response. Please accept my apologies for the delay in responding.

## 1. What percentage of people who were originally arrested for drink or drug driving were then charged of this offence?

I can advise you that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held. By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

## 2. Within the last 5 years, how many persons have been arrested and charged for drink driving?

## 3. Within the last 5 years, how many persons have been arrested and charged for drug driving?

I have interpreted your request as seeking the number of recorded and detected offences recorded by Police Scotland in relation to drink and drug driving and this information is provided at the end of this letter (Tables 1 & 2).

## 4. Within the last 5 years, how many persons have attended court within 24hours of being charged for drink driving?

5. Within the last 5 years, how many persons have attended court within 24hours of being charged for drug driving?

## 6. Within the last 5 years, how many persons have been bailed with conditions not to drive after being charged for drink driving?

## 7. Within the last 5 years, how many persons have been bailed with conditions not to drive after being charged for drug driving?

## 10. How many persons were arrested at the roadside and proven to be positive after the station procedure and charged?

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation, the information requested, within questions 4 – 7, cannot be electronically extracted from our recording systems.

To extract the requested information each of the recorded crimes (provided in Tables 1 & 2) would have to be physically examined and the relevant information extracted and collated. This task, for even a 1 year period, would take well in excess of the 40 hours and £600 prescribed by the Scottish Ministers under the Act.

## 8. Within the last 5 years, how many Road traffic collisions have occurred with suspects also being charged for drink or drug driving?

## 9. Within the last 5 years, how many fatalities have been caused through road traffic collisions due to the driver drink or drug driving?

I have included at the bottom of this letter tables providing the above requested information (Tables 3 & 4).

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.

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| **Table 1.** |  |  |  |  |  |  |
| **Title: Recorded Selected Crimes, Police Scotland1** |  |  |  |  |  |  |
| Period: 1st January 2018 - 30th November 2023 (Calendar Years) |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **Crime/Offence** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023\*** |
|  |  |  |  |  |  |  |
| Driving motor vehicle while unfit through drink or drugs | 736 | 803 | 879 | 805 | 568 | 611 |
| In charge of motor vehicle while unfit through drink or drugs | 150 | 163 | 142 | 108 | 112 | 76 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 3212 | 3228 | 2911 | 2721 | 2965 | 2671 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 334 | 306 | 278 | 276 | 314 | 251 |
| Failure to provide breath specimen at the roadside | 602 | 637 | 661 | 568 | 630 | 522 |
| Failure to provide breath, blood or urine specimen at police station | 788 | 862 | 908 | 919 | 860 | 772 |
| Driving motor vehicle while under influence of controlled drug above prescribed limit | 0 | 269 | 1462 | 1821 | 1782 | 2227 |
| In charge of a vehicle while under influence of controlled drug above prescribed limit | 0 | 25 | 102 | 92 | 100 | 80 |
|  |  |  |  |  |  |  |
| **Total** | **5822** | **6293** | **7343** | **7310** | **7331** | **7210** |
|  |  |  |  |  |  |  |
| 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 19th December 2023. | | |  |  |  |  |
| 1. The data was extracted using the crime's date raised and by using the following SGJD codes; '730101' - Driving motor vehicle while unfit through drink or drugs '730102' - In charge of motor vehicle while unfit through drink or drugs '730103' - Driving motor vehicle with blood alcohol content above prescribed limit '730104' - In charge of motor vehicle with blood alcohol content above prescribed limit '730105' - Failure to provide breath specimen at the roadside '730106' - Failure to provide breath, blood or urine specimen at police station '730107' - Driving motor vehicle while under influence of controlled drug above prescribed limit '730108' - In charge of motor vehicle while under influence of controlled drug above prescribed limit | | |  |  |  |  |
|  |  |  |  |  |  |  |
| **Table 2.** |  |  |  |  |  |  |
| **Title: Detected Selected Crimes, Police Scotland1** |  |  |  |  |  |  |
| Period: 1st January 2018 - 30th November 2023 (Calendar Years) |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **Crime/Offence** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023\*** |
|  |  |  |  |  |  |  |
| Driving motor vehicle while unfit through drink or drugs | 717 | 792 | 759 | 677 | 650 | 572 |
| In charge of motor vehicle while unfit through drink or drugs | 150 | 153 | 130 | 92 | 114 | 78 |
| Driving motor vehicle with blood alcohol content above prescribed limit | 3167 | 3178 | 2835 | 2562 | 2930 | 2636 |
| In charge of motor vehicle with blood alcohol content above prescribed limit | 328 | 298 | 279 | 258 | 319 | 249 |
| Failure to provide breath specimen at the roadside | 594 | 625 | 649 | 564 | 620 | 515 |
| Failure to provide breath, blood or urine specimen at police station | 783 | 855 | 906 | 908 | 852 | 772 |
| Driving motor vehicle while under influence of controlled drug above prescribed limit | 0 | 83 | 801 | 1472 | 1661 | 1766 |
| In charge of a vehicle while under influence of controlled drug above prescribed limit | 0 | 7 | 61 | 93 | 100 | 75 |
|  |  |  |  |  |  |  |
| **Total** | **5739** | **5991** | **6420** | **6626** | **7246** | **6663** |
|  |  |  |  |  |  |  |
| 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 19th December 2023. | | |  |  |  |  |
| 1. The data was extracted using the crime's detected date and by using the following SGJD codes; '730101' - Driving motor vehicle while unfit through drink or drugs '730102' - In charge of motor vehicle while unfit through drink or drugs '730103' - Driving motor vehicle with blood alcohol content above prescribed limit '730104' - In charge of motor vehicle with blood alcohol content above prescribed limit '730105' - Failure to provide breath specimen at the roadside '730106' - Failure to provide breath, blood or urine specimen at police station '730107' - Driving motor vehicle while under influence of controlled drug above prescribed limit '730108' - In charge of motor vehicle while under influence of controlled drug above prescribed limit | | |  |  |  |  |
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| **Table 3.** |  |  |  |  |  |  |  |  |  |
| **Title: Road Traffic Collisions, Contributory Factor 'Impaired by Alcohol' & 'Impaired by Drug', Police Scotland (Broken by Collision Severity)1,2** | | | | | | | | | |
| Period: 1st January 2018 - 30th November 2023 (Calendar Year) | | | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **Collision Severity** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023\*** |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| Fatal | 9 | 7 | 11 | 9 | 18 | 13 |  |  |  |
| Serious | 63 | 65 | 59 | 74 | 99 | 99 |  |  |  |
| Slight | 184 | 127 | 95 | 94 | 99 | 77 |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **Total** | **256** | **199** | **165** | **177** | **216** | **189** |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| 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 19/12/2023. | | | | | | |  |  |  |
| 1. Data excludes non-injury collisions as per standard operating procedure. | | | | | | |  |  |  |
| On the 12th June 2019, CRaSH was implemented within D Division. On the 3rd July 2019, CRaSH was implemented across the other Police Divisions within Police Scotland. CRaSH replaced the existing procedures for recording Road Traffic Collisions. | | | | | | |  |  |  |
| Note - the data is subject to change and will be updated on the next extract of data from CRaSH on 3rd January 2024 | | | | | | |  |  |  |
| 2. Please note, more than 1 x Contributory Factor can be attributed to a Road Traffic Collision. Table 1 is a count of Road Traffic Collisions which include at least 1 x Contributory Factor - ''Impaired by Alcohol' /'Impaired by Drug'. | | | | | | |  |  |  |
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| **Table 4.** |  |  |  |  |  |  |  |  |  |
| **Title: Road Traffic Casualties, Contributory Factor 'Impaired by Alcohol' & 'Impaired by Drug', Police Scotland (Broken by Casualty Severity)1,2** | | | | | | | | | |
| Period: 1st January 2018 - 30th November 2023 (Calendar Year) | | | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **Casualty Severity** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023\*** |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| Fatal | 10 | 7 | 16 | 11 | 21 | 13 |  |  |  |
| Serious | 82 | 97 | 75 | 91 | 135 | 130 |  |  |  |
| Slight | 267 | 194 | 139 | 148 | 195 | 150 |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **Total** | **359** | **298** | **230** | **250** | **351** | **293** |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| 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 19/12/2023. | | | | | | |  |  |  |
| 1. Data excludes non-injury collisions as per standard operating procedure. | | | | | | |  |  |  |
| On the 12th June 2019, CRaSH was implemented within D Division. On the 3rd July 2019, CRaSH was implemented across the other Police Divisions within Police Scotland. CRaSH replaced the existing procedures for recording Road Traffic Collisions. | | | | | | |  |  |  |
| Note - the data is subject to change and will be updated on the next extract of data from CRaSH on 3rd January 2024 | | | | | | |  |  |  |
| 2. Please note, more than 1 x Contributory Factor can be attributed to a Road Traffic Collision. Table 1 is a count of Road Traffic Collisions which include at least 1 x Contributory Factor - ''Impaired by Alcohol' /'Impaired by Drug'. | | | | | | |  |  |  |
|  |  |  |  |  |  |  |  |  |  |