| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0579  Responded to: 23 March 2023 |
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Your recent request for information is replicated below, together with our response.

## Are Police Scotland able to carry out roadside tests for drug driving?

Roadside tests for drug driving were introduced in Scotland in October 2019.

## Are all police cars equipped with roadside tests for drug driving?

Roadside tests are allocated to officers and not vehicles. Police Officers who have been trained and authorised to use preliminary drug tests at the roadside are equipped with Drug Wipes.

## Are all police officers trained in carrying out roadside tests for drug driving?

Road Policing officers are primarily trained in carrying out roadside tests for drug driving.

## How many reports of suspected drug driving has Police Scotland received in the last 5 years, either via 101, 999 or Crimestoppers?

## I would like a yearly breakdown by region and by the means reported. (For example: 2022 - Aberdeen - 2 reports via 999 - 5 reports via 101 - 3 reports via Crimestoppers)

## How many reports of suspected drug driving received via 101, 999 or Crimestoppers has Police Scotland followed up and investigated?

## I would like a yearly breakdown by region. (For example: 2022 - Aberdeen - 1 of 2 reports via 999 investigated - 2 of 5 reports via 101 investigated - 1 of 3 reports via Crimestoppers investigated)

## If any reports go without investigation, please supply details of why for each individual report. For example staffing issues or no drug driving kits available.

In response to the two questions above, in terms of Section 17 of the Act, I can confirm that the information you seek not held by Police Scotland.

By way of explanation, Police Scotland use the database named STORM for command and control of new and ongoing incidents. This database does not have a “drug driving” initial incident opening code.

However to be of assistance, please see the link below this which will direct you to the Police Scotland website and the performance statistics page.

[How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

## Is it true Police Scotland is reluctant to do roadside drug tests due to the paperwork involved?

Section 8 of the Freedom of Information (Scotland) Act 2002 provides that a request must seek recorded information in order to be valid. This question is seeking an opinion and as such is considered invalid.

However, to be of assistance I can advise that roadside drug tests are carried out whenever the presenting circumstances satisfy the appropriate testing criteria.

## Is it the view of Police Scotland that driving under the influence of drugs is not a priority crime?

Section 8 of the Freedom of Information (Scotland) Act 2002 provides that a request must seek recorded information in order to be valid. This question is seeking an opinion and as such is considered invalid.

However, to be of assistance I can advise that Police Scotland is committed to tackling impaired driving.

## In the last 5 years, how many times has Police Scotland carried out a stop and drug test campaign? How successful were each of them?

## I would like a yearly breakdown by region. (For example: 2022 - Aberdeen - 2 campaigns - 3 prosecutions)

In terms of Section 17 of the Act, I can confirm that the information you seek not held by Police Scotland.

By way of explanation I can advise that Police Scotland does not provide regional impaired driving campaigns. However, Police Scotland does provide national impaired driving campaigns in accordance with our National Calendar of Road Safety Activity.

## Do Police Scotland view drug driving as seriously as drink driving?

Section 8 of the Freedom of Information (Scotland) Act 2002 provides that a request must seek recorded information in order to be valid. This question is seeking an opinion and as such is considered invalid.

However, to be of assistance I can advise that Police Scotland views tackling both drink and drug driving as road safety priorities.

## Is it true that Police Scotland is turning a blind eye to the high levels of people driving under the influence of cannabis as the general use of the drug has been decriminalised?

Section 8 of the Freedom of Information (Scotland) Act 2002 provides that a request must seek recorded information in order to be valid. This question is seeking an opinion and as such is considered invalid.

However, to be of assistance I can advise that Police Scotland is committed to tackling impaired driving.

## If someone was injured or killed by a drug driver who police Scotland had been made aware of but failed to investigate, would they refer themselves to the PIRC?

In response to this question I can provide the following:

“Section 33A of the Police, Public Order and Criminal Justice (Scotland) Act 2006 provides that:

The Commissioner's general functions are—

(a) to maintain, and to secure the maintenance by the Authority and the chief constable of, suitable arrangements for—

(i) the handling of relevant complaints; and

(ii) the examination of the handling of relevant complaints and the reconsideration of such complaints in accordance with sections 34 to 41;

(b) where directed to do so by the appropriate prosecutor—

(i) to investigate any circumstances in which there is an indication that a person serving with the police may have committed an offence;

(ii) to investigate, on behalf of the relevant procurator fiscal, the circumstances of any death involving a person serving with the police which that procurator fiscal is required to investigate under section 1 of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016;

(c) where requested to do so by the Authority or the chief constable, to investigate and report on certain serious incidents involving the police (see section 41B); and

(d) to investigate other matters relating to the Authority or the Police Service where the Commissioner considers that it would be in the public interest to do so (see section 41C).

Section 41B of the Police, Public Order and Criminal Justice (Scotland) Act 2006 provides that:

(1) A “serious incident involving the police” which the Commissioner may investigate in pursuance of paragraph (c) of section 33A is—

(a) a circumstance in or in consequence of which a person has died or has sustained serious injury where—

(i) the person, at or before the time of death or serious injury, had contact (directly or indirectly) with a person serving with the police acting in the execution of that person's duties; and

(ii) there is an indication that the contact may have caused (directly or indirectly) or contributed to the death or serious injury;

(b) any other circumstance in or in consequence of which—

(i) a person has otherwise sustained a serious injury at a time when the person was being detained or kept in custody by a person serving with the police; or

(ii) a person serving with the police has used a firearm or any other weapon of such description as the Scottish Ministers may by regulations specify; or

(c) any other circumstance involving the Authority, the Police Service or a person serving with the police as may be specified in regulations made by the Scottish Ministers.”

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.