



Your reference:

Our reference: FOI_2023_0696

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 31/07/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0696

On 06/07/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

- The total number of motorists of all categories that were stopped by police in 2021, 2022 and 2023 (year to date) and asked to undergo a breathalyser test for alcohol. If possible, please break down by time of day.

Time of Day Stopped 2021 2022 2023 (year to date)

12.00am – 5:00am

05:01am – 11.59am

TOTAL STOPPED:

- The total number of motorists of all categories that were stopped by police in 2022 and 2021 and 2023 (year to date) asked to undergo an alcohol breathalyser test and failed the test. If possible, please break down by time of day.

Time of Day stopped 2021 2022 2023 (year to date)

12.00 am – 05:00am

05:01 – 11.59am

TOTAL STOPPED:

- The total number of motorists of all categories that were stopped by police in 2022, 2021 and 2023 (year to date) and arrested and prosecuted for failing an alcohol breathalyser test, If possible, please break down by time of day.

Time of Day stopped 2021 2022 2023 (year to date)

12.00 – 04.59

05:00 – 11.59

TOTAL STOPPED:

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may hold some relevant information.

Unfortunately it is not possible to electronically retrieve the requested arrest information from the Arrest Recording System. The arrest recording system's primary function is to assist the Constabulary in adhering to Code C of the Police and Criminal Evidence Act. As such, its reporting function is limited. Custody records are not recorded against specific offences but rather against Reason for Arrest Categories. Unfortunately there is only a joint category of drink/drugs drive, which as the name suggests, records both drink driving and drug driving under the same category. In order to provide the specific number of only those arrests for Drink driving, a manual review of thousands of records would be required. This would clearly take far longer than the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1)– Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

By way of assistance I confirm that the Constabulary could search for the number of roadside breath tests conducted, broken down by year. We may also be able to provide the number of those that failed the breath test at the roadside.

If you wish to submit a request on this basis, please let us know.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information

Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary