

Gloucestershire Constabulary
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Our reference: FOI_26_0569

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Date: 05/10/2026

Dear

Gloucestershire Constabulary Freedom of Information request for: 26_0569

On 11/06/2026 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am researching the use of roadside oral fluid drug testing devices across UK police forces, with a particular focus on THC (delta-9-tetrahydrocannabinol) detection. This request relates to a public interest matter concerning the reliability of oral fluid testing technology and its ability to distinguish between illegal cannabis use and legal CBD product consumption or passive smoke exposure.

Please provide the following information for each of the financial years 2023/24, 2024/25, and 2025/26 (year to date):

1. The total number of roadside oral fluid drug screening tests conducted by Gloucestershire Constabulary.
2. The number of those tests that returned a positive indication for THC (cannabis).
3. The make, model, and manufacturer of the roadside oral fluid drug screening device(s) currently in use by Gloucestershire Constabulary, and the THC detection threshold (cutoff level in ng/mL) for each device.
4. The number of THC-positive roadside screening results that were subsequently confirmed by laboratory analysis (evidential testing), and the number that were not confirmed.
5. The number of THC-positive cases that resulted in: (a) charge or summons, (b) no further action (NFA), or (c) any other disposal.
6. Whether Gloucestershire Constabulary has received any complaints, representations, or correspondence from individuals who attributed a positive THC result to: (a) the use of legal, over-the-counter CBD products, or (b) passive exposure to cannabis smoke. If so, please provide the number of such complaints or representations received in each year.

We are committed to being an anti-discriminatory organisation. This means not only acting in a non-discriminatory way, but addressing systemic inequalities, disadvantage and discrimination.

7. Whether Gloucestershire Constabulary has any written guidance, policy, or standard operating procedure that addresses: (a) the possibility of legal CBD products causing a positive THC indication on roadside screening devices, or (b) the interpretation of low-level positive THC results in the context of passive smoke exposure. If such guidance exists, please provide a copy.

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

Police Forces in the United Kingdom are routinely required to provide statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the data. It should be noted that for these reasons the figures given relate to information from the specific recording system of Gloucestershire Constabulary and should not be used for comparison purposes with any other response you receive.

Please note that our systems are designed to record information for policing purposes and the investigation of crime and not to extract statistical information. Accordingly whilst we endeavour to extract relevant data within the time limits of the Act, any data supplied is subject to these limitations.

Unfortunately, there is no way of electronically retrieving the information you have requested. This is because 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, the system does not record arrests as per the Home Office Crime Recording Rules but instead by Reason for Arrest (RFA) Categories.

The categories requested would fall under:

RT88584 - Drive motor vehicle with a proportion of a specified controlled drug above the specified limit

RT88585 - In charge of a motor vehicle with proportion of specified controlled drug above specified limit

RT88586 - Attempt to drive a motor vehicle with a proportion of a specified controlled drug above the specified limit

This means to narrow down the request to purely "THC – Arrests" each detention record would need to be examined. An initial search of the detention recording system between 1/04/2023 and 30/09/2026 has identified over 2,900 records that would need to be reviewed which would obviously take far longer than the 18 hours prescribed by the Freedom of Information Act.

Additionally I would advise you that whilst the Constabulary's crime recording system follows the Home Office Counting Rules for recorded crime, this is not the case with arrest data. We therefore cannot link arrests to crimes and are unable to extract electronically any meaningful data for the outcome of "charge" resulting from arrests. Also an offender may be arrested on suspicion of several offences i.e. Drink/Drug driving, dangerous driving, assault but may only be charged with one of the offences, this would still show a charge under searches.

Please see below for suggestions on how you may be able to refine your request to come within the cost constraints of Section 12 of the 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.

Providing Information Outside of the Act

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, we have supplied the information relevant to your request which has already been retrieved. We trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Section 16 – unable to assist

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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,

XXX
Disclosure Officer
Gloucestershire Constabulary