

Date: 15 February 2015
Our Ref: IM-FOI-2015-0059



Sir Stephen House QPM
Chief Constable

FOI Central Processing Unit,
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2 French Street,
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Email: foi@scotland.pnn.police.uk

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
SUBJECT: Drink Driving

I refer to your request for information received 7th January 2015, regarding the above which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

- 1. Details of the number of people that have been stopped and charged under drink driving legislation between 5 December 2014 and 5 January 2015 in Tayside (include a breakdown to Dundee, if possible).**
- 2. Please also provide a comparison of people who were charged under 80mg rules in the same time period the year earlier.**
- 3. Finally, please provide me with details of the highest readings that were received.**

Having considered your request in terms of the above Act, I am pleased to provide you with the information you have requested.

Question 1

- 1. Details of the number of people that have been stopped and charged under drink driving legislation between 5 December 2014 and 5 January 2015 in Tayside (include a breakdown to Dundee, if possible).**

In your question you referred to Drink Driving Legislation. The data provided below is in accordance with the Road Traffic Act 1988 Section 5:

Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit.

(1) If a person—

(a) drives or attempts to drive a motor vehicle on a road or other public place, or

(b) is in charge of a motor vehicle on a road or other public place,

after consuming so much alcohol that the proportion of it in his breath, blood or urine exceeds the prescribed limit he is guilty of an offence.

During the time period 5 December 2014 and 5 January 2015, 15 people were stopped and charged under the above outlined Drink Driving Legislation.

Of those 15 people who were charged, 5 of the crimes were committed in Dundee.

Question 2

2. Please also provide a comparison of people who were charged under 80mg rules in the same time period the year earlier.

During the time period 5 December 2013 and 5 January 2014, 35 people were stopped and charged under the above outlined Drink Driving legislation.

Of those 35 people who were charged, 14 of the crimes were committed in Dundee.

Question 3

Finally, please provide me with details of the highest readings that were received.

The legislation covers the reading of alcohol measured in breath, blood or urine.

In all cases recorded between 5 December 2014 and the 5 January 2015 the readings were measured in accordance to the proportion of alcohol in breath. The highest reading for this time period was 122 microgrammes of alcohol in 100 millilitres of breath which exceeded the prescribed limit, namely 22 microgrammes of alcohol in 100 millilitres of breath; CONTRARY to the Road Traffic Act 1988, Section 5(1)(a)

For the time period 5 December 2013 to the 5 January 2014 two cases, were based on alcohol measured in blood. The highest reading of the two recorded cases was 195 milligrammes of alcohol in 100 millilitres of blood which exceeded the prescribed limit, namely 80 milligrammes of alcohol in 100 millilitres of blood; CONTRARY to the Road Traffic Act 1988, Section 5(1)(a)

The highest reading received based on alcohol measured in breath, during the time period 5 December 2013 and the 5 January 2014 was 184 microgrammes of alcohol in 100 millilitres of breath which exceeded the prescribed limit, namely 35 microgrammes of alcohol in 100 millilitres of breath; CONTRARY to the Road Traffic Act 1988, Section 5(1)(a)

Should you require any further assistance concerning this matter please contact me directly on 01382 596658 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance and within 40 working days of receiving this letter to request a review of the decision made by the Service. Should you wish to do so, contact details are; Police Scotland, FOI Central Processing Unit, Clyde Gateway, 2 French Street, Dalarnock, G40 4EH. (Or email foi@scotland.pnn.police.uk).

Once informed of the review decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. The contact details are: Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610. Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely,

Charmaine Goody
Information Management