



December 2016

**Freedom of Information Request Reference N°: FOI 004179/16**

I write in connection with your request for information received by the Norfolk Constabulary on the 17<sup>th</sup> November 2016 in which you sought access to the following information:

- Q1 How many people were arrested for driving (or in charge/attempting to drive) with excess alcohol in November 2013, 2014 and 2015, and in December 2013, 2014 and 2015?
- Q2 How many people were arrested for failing to provide a specimen of breath for screening in November 2013, 2014 and 2015, and in December 2013, 2014 and 2015?
- Q3 How many of the above were:  
A Released without charge  
B Charged
- Q4 Of those arrested, how many provided (please provide a breakdown for November and December 2013, 2014 and 2015 respectively):  
A A sample of 36-59 in breath?  
B A sample of 108-183 in urine  
C A sample of 81-137 in blood
- Q5 Of those arrested how many provided (please provide a breakdown for November and December 2013, 2014 and 2015 respectively):  
A A sample of 60-89 in breath  
B A sample of 138-206 in blood  
C A sample of 184-274 in urine
- Q6 Of those arrested how many provided (please provide a breakdown for November and December 2013, 2014 and 2015 respectively):  
A A sample of 90-119 in breath  
B A sample of 207-275 in blood  
C A sample of 275-366 in urine
- Q7 Of those arrested how many provided (please provide a breakdown for November and December 2013, 2014 and 2015 respectively):  
A A sample of 120-150 in breath  
B A sample of 276-345 in blood  
C A sample of 367-459 in urine

### Clarification

In case my original request is too detailed/the data is not available, would you instead be able to tell me:

- 1 How many people were arrested for driving (or in charge/attempting to drive) with excess alcohol in October, November and December 2013, 2014 and 2015 (broken down by month if possible)?
- 2 How many people were arrested for failing to provide a specimen of breath for screening in October, November and December 2013, 2014 and 2015 (broken down by month if possible)?

Can you list the official outcomes of the above mentioned offences broken down by the same time periods?

Norfolk Constabulary holds information relevant to your request.

### **Response to your Request**

When responding to a request for information under the terms of the Freedom of Information Act (2000), a public authority is not obliged to provide information, if the authority estimates that the cost of the retrieval of the information requested, would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve all of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk Constabulary estimates that to retrieve all of the information you have requested would exceed cost in excess of £450.

In order to establish what information is held relevant to your request, we have contacted our Joint Performance and Analysis Department. They have undertaken research of the Constabulary's custody database in relation to arrests for drink driving. JPAD have been able to retrieve some of the requested information and this has taken them 8 hours to complete. With regard to the Constabulary's new custody database, which was introduced in October 2015, they are not able to extract the breath, blood and urine readings electronically. They have estimated that it would take a further 15 hours to complete this research.

This would therefore exceed the appropriate limit for dealing with Freedom of Information requests, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

*"...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".*

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the 'appropriate limit' for Norfolk Constabulary as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

### Advice and Assistance

Although excess cost removes the Constabulary's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was

retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Q1

<b>Drive motor vehicle when alcohol level above limit</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	84	85	46
November	64	77	88
December	75	81	97

Q2

<b>Fail to Provide Specimen of Breath</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	6	2	2
November	5	7	5
December	6	4	11

Q3a - Drive motor vehicle when alcohol level above limit

<b>No Further Action</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	16	12	7
November	5	10	11
December	12	13	17

Q3b - Drive motor vehicle when alcohol level above limit

<b>Charged</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	68	73	39
November	59	67	77
December	63	68	80

Q3a - Fail to Provide Specimen of Breath

<b>No Further Action</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	2	0	1
November	1	2	0
December	1	0	2

Q3b - Fail to Provide Specimen of Breath

<b>Charged</b>			
<b>Month</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
October	4	2	1
November	4	5	5
December	5	4	9

Q4a

<b>A sample of 36-59 in breath</b>
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Month	2013	2014	2015
October	14	20	10
November	16	10	
December	20	17	

Q4b

A sample of 108-183 in urine			
Month	2013	2014	2015
October	0	0	0
November	0	0	
December	0	0	

Q4c

A sample of 81-137 in blood			
Month	2013	2014	2015
October	2	3	0
November	3	1	
December	3	5	

Sample reading unknown			
Month	2013	2014	2015
October	22	17	14
November	8	13	
December	20	18	

Q5a

A sample of 60-89 in breath			
Month	2013	2014	2015
October	28	36	13
November	25	30	
December	15	26	

Q5b

A sample of 184-274 in urine			
Month	2013	2014	2015
October	0	0	0
November	0	0	
December	0	0	

Q5c

A sample of 138-206 in blood			
Month	2013	2014	2015
October	0	1	0
November	1	0	
December	1	1	

Q6a

A sample of 90-119 in breath			
Month	2013	2014	2015
October	15	7	7
November	11	19	
December	14	11	

Q6b

A sample of 275-366 in urine			
Month	2013	2014	2015
October	0	0	0
November	0	0	
December	0	0	

Q6c

A sample of 207-275 in blood			
Month	2013	2014	2015
October	1	0	1
November	0	0	
December	0	2	

Q7a

A sample of 120-150 in breath			
Month	2013	2014	2015
October	2	1	1
November	0	3	
December	2	0	

Q7b

A sample of 367-459 in urine			
Month	2013	2014	2015
October	0	0	0
November	0	0	0
December	0	0	0

Q7c

A sample of 276-345 in blood			
Month	2013	2014	2015
October	0	0	0
November	0	0	N/A
December	0	1	N/A