



NORFOLK
CONSTABULARY
Our Priority is You

January 2017

Freedom of Information Request Reference N^o: FOI 004428/16

I write in connection with your request for information received by the Norfolk Constabulary on the 7th December 2016 in which you sought access to the following information:

- 1 What is the number of tests performed per month using preliminary roadside testing devices for oral fluid since the introduction of the new drug driving law on 2nd March 2015?
- 2 Were the preliminary oral fluid roadside tests, referenced in point 1 above, carried out on a reader based system or a visual only test?
- 3 How many positive results were detected for each drug in the preliminary roadside testing referenced in point 1 above?
- 4 How many of the preliminary roadside screening positive results were confirmed as positive in blood by a confirmatory technique?
- 5 In how many cases, was a blood sample collected and tested for drugs without a preliminary screening test being completed and what were the primary reasons for not initially testing with a preliminary screening device?
- 6 How many people were convicted for drug driving offences in the time frame referenced in point 1?

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, 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 the information you have requested would exceed cost in excess of £450.

In order to establish what information is held by the Constabulary we have contacted our Joint Roads Policing and Firearms Operations Unit (RPFOU). They have advised that there was no central location for the recording of this information until January 2016. Therefore, in order to provide you with information relating to roadside drug driving tests, it would be necessary for every RPFOU Officer to review their pocket note book (PNB). There are approximately 150 RPFOU officers across both Norfolk and Suffolk Constabularies. I have provided figures for both forces as they are able to perform duties across both counties. Basing our calculation on a minimum of 1 hour per officer, this would equate to 150 hours, although it is likely that this would take significantly longer than 1 hour per officer.

This would 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 the 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 & 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.

2016	Positive	Negative	Total
January	9	20	29
February	7	22	29
March	22	98	120
April	13	76	89
May	10	37	47
June	18	81	99
July	10	60	70
August	7	38	45
September	13	30	43
October	9	30	39
November	3	6	9
December	-	-	-
Total	121	498	619

The Constabulary uses DrugWipe 3S kits predominantly.

Bloods are taken for every positive drug wipe.