



STAFFORDSHIRE
POLICE

FOI ref no: 15352

27 March 2023

Freedom of Information request first notified to us by email on 2nd March 2023.

Thank you for your recent request under the Freedom of Information Act 2000, as detailed below:

Please provide the number of arrests made under the Psychoactive Substances Act since May 2020, broken down by month and by the offence suspected of being committed. This information should be available by conducting a search of the NSPIS for CJS codes that begin with 'PS160'.

Please also provide the number of these arrests where nitrous oxide was the substance in question. This information should be available by searching the above records for the following terms:

*Laughing gas
Nitrous oxide
NOS
NO2
Canisters
Gas canisters
Balloons*

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police does hold the requested information.

Please provide the number of arrests made under the Psychoactive Substances Act since May 2020, broken down by month and by the offence suspected of being committed. This information should be available by conducting a search of the NSPIS for CJS codes that begin with 'PS160'.

May 2020 – 1 arrest for 'Possess a psychoactive substance with intent to supply'.

June 2020 – 6 arrests. 4 for 'Possess a psychoactive substance with intent to supply' and 2 for 'Possess a psychoactive substance in a custodial institution'.

Please also provide the number of these arrests where nitrous oxide was the substance in question. This information should be available by searching the above records for the following terms:

*Laughing gas
Nitrous oxide
NOS
NO2
Canisters
Gas canisters
Balloons*

All 7 of the above arrests included nitrous oxide.

Please note that there are five arrests for offences that are still being investigated so with regard to these cases I am citing Section 30(1)(a) of the Freedom of Information Act 2000 – Investigations conducted by Public Authorities.

Section 30 is a class-based qualified exemption and there is a need to conduct a harm or public interest test:

Harm in disclosure

These matters are still ongoing. Disclosure of the requested information would prejudice police activities for future investigations and would be likely to cause significant harm to the law enforcement function of Staffordshire Police.

Factors favouring disclosure under Section 30(1)(a)

Disclosure of the information would improve the public's knowledge and understanding of the investigatory process and, as all police investigations are publically funded, would show how public funds are being spent.

Factors favouring non-disclosure under Section 30(1)(a)

Disclosure of the requested information would prejudice how investigations are carried out in the future. Staffordshire Police is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Any release of information relating to ongoing investigations could prejudice and undermine those investigations. The prevention and detection of such matters could therefore be hindered and therefore risk interference with evidence, which could have detrimental impact on future investigations. In addition the right to a fair trial could be undermined.

Balance test

Disclosure under the Freedom of Information Act is a release of information to the world in general and not an individual applicant. Having considered the public interest factors I am required to determine whether on balance the factors favouring disclosure outweigh those which are against disclosure. It is my view that the factors favouring disclosure do not outweigh those which favour non-disclosure.

Please note that these figures have been provided to the best of our ability, subject to the limitation of current recording protocols and systems/software. Additional offences may have been recorded during these timescales but are awaiting finalisation and input onto these systems and would not be present within this dataset.

Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that data is extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large scale recording system.

As a consequence, care should be taken in the interpretation and presentation of this data, so as to not misrepresent the whole or any part of the data disclosed.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:



STAFFORDSHIRE
POLICE

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit

Produced by Staffordshire Police
for FOI 15352