



**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

Response Date:08/05/2025

2025/392 - Nitrous Oxide Use and Driving Offences

In response to your recent request for information excess cost is relevant to part which removes the forces obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, 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.

Method

Injury road traffic collision (RTC) data is sourced from the Home Office Stat19 returns for the period of 01/01/2022 to 31/12/2024. Please note 2024 data is provisional and is therefore subject to change.

There is no specific field within the stats 19 that defines drug type : causation factor 502: impaired by drugs [illicit or medicinal]

- **The number of road traffic collisions recorded in the past three years (2022, 2023, 2024) where nitrous oxide was listed as a suspected factor.**

The specific drug type is not recorded within the stats 19. To obtain the information in the format you have requested would involve manually reviewing each record to identify the drug. The cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (FOI) Fees and Appropriate Limit regulations 2004.

Therefore, in accordance with the FOI Act 2000 the information you have requested is exempt under Section 12 (1), and this letter acts as a Refusal Notice under section 17 (5) of the legislation.

We can provide the number of collisions where the causation factor was listed as 502: impaired by drugs [illicit or medicinal]. Please note these include all road users including pedal cycle rider as defined in the stats 19 recoding procedure.

Injury Collisions

Year	Count
2022	24 injury collisions
2023	25 injury collisions
2024	23 injury collisions

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- **The number of individuals arrested or charged under Section 5 of the Road Traffic Act 1988 (Driving or Being in Charge of a Motor Vehicle with Excess Alcohol or Drugs) where nitrous oxide was recorded as the substance involved.**
- **The number of individuals arrested or charged under Section 2 (Dangerous Driving) and Section 3 (Careless or Inconsiderate Driving) of the Road Traffic Act 1988, where nitrous oxide was suspected or confirmed as a contributing factor.**

We have extracted the arrests for offence codes RT88584, RT88340, RT88348 and RT88585 and there nearly 3000. As with the question above a manual search would have to be carried out to identify the drug which would take over the appropriate level for Freedom of Information Request.

Therefore, in accordance with the FOI Act 2000 the information you have requested is exempt under Section 12 (1), and this letter acts as a Refusal Notice under section 17 (5) of the legislation.

- **Whether your force has conducted any specific roadside operations or drug-driving tests targeting nitrous oxide use while driving.**

No information held.

- **Whether nitrous oxide is included in standard drug impairment testing for drivers. If not, has there been any internal discussion or policy review about adding it?**

If possible, please provide the data broken down by year.

I would appreciate any relevant internal policy documents or guidance on enforcement related to nitrous oxide and driving offences.

[Drugs and driving: the law - GOV.UK](#)

[Changes to drug driving law - GOV.UK](#)

As of 8 November 2023, nitrous oxide, or 'laughing gas', is classified as a Class C drug, marking a key change to how possessing this psychoactive substance is treated in law.

The law changed making possession of nitrous oxide illegal if it is, or is likely to be, wrongfully inhaled, by classifying it as a Class C drug under the Misuse of Drugs Act 1971.

Those found in unlawful possession will face either an unlimited fine, a visible community punishment or a caution - which would appear on their criminal record. Repeat serious offenders may face a prison sentence of up to two years, an unlimited fine, or both. The penalty for supply or production will double, to up to 14 years in prison, an unlimited fine, or both.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 02/05/2025