



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing  
Com Sec: 10\4772

15<sup>4</sup> July 2010

Dear Mr Weir,

**To ask the Minister of Justice to detail the average number of times per month that the PSNI set up breathalyser checks in North Down over the last three years**

The above mentioned question was placed before the Minister of Justice, who has deemed that this is an operational matter for the Police Service of Northern Ireland. Therefore the Chief Constable has been asked to respond directly.


The Police Service of Northern Ireland does not routinely record statistics centrally in relation to the requirement to provide breath samples for preliminary breath tests, and I am unable to provide you with the information requested.

One of the criteria listed below must be met before a preliminary breath test is conducted.

- A police officer in uniform may only make a requirement for a preliminary breath test where they have reasonable cause to suspect:
- That a person driving, attempting to drive or who is in charge of a motor vehicle on a road or other public place has alcohol in their body or has committed a traffic offence whilst the vehicle was in motion; or,
- That a person driving, attempting to drive or who is in charge of a motor vehicle on a road or other public place with alcohol in their body and that person still has alcohol in their body; or,
- That a person driving, attempting to drive or who is in charge of a motor vehicle on a road or other public place and has committed a traffic offence whilst the vehicle was in motion; or;
- If an accident occurs owing to the presence of a motor vehicle on a road or other public place, a Constable may require any person who they have reasonable cause to suspect was driving, attempting to drive or was in charge of the vehicle at the time of the accident to provide a specimen of breath for a preliminary breath test.

If you have any queries regarding this response, please address your correspondence to Command Secretariat, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE.

I trust this is of assistance.

*Tom Sincards,*  


**JOHN MCCAUGHAN**  
Superintendent  
for Chief Constable

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