



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2008-04901

Keyword: Road Policing

Subject: SPEED CAMERA LOCATIONS

Request:

Question 1. How many permanent speed camera locations are there in the area that the force has jurisdiction over? (Excluding temporary ones where there are roadworks etc)

Question 2. In 2007-08, how many of these were not active at all in the 2007-08 financial year? (The roadside 'house' was present but there was no camera inside).

Question 3. How many speed camera activations were there in 2007-08? (All cameras - including temporary ones e.g. roadworks).

Question 4. How many of these activations resulted in action successfully being taken - fine / points / other action?

Question 5. What is the location of the speed camera with the most activations in 2007-08, and how many activations were there? (All cameras - including temporary ones e.g. roadworks)

Question 6. How many of the activations at the camera mentioned in Question 5 resulted in action successfully being taken?

Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information and the answers to your questions are as follows.

Answer 1. In the area that the Police Service of Northern Ireland covers there are a total of 12 fixed cameras, which are made up of 4 fixed camera sites, 6 red light running and 2 specs speed measuring system.

Answers 2 and 5. I can advise you that with regard to question 5 the number of activations for the busiest site from 01/04/2007 to 31/03/2008 is 2235 however I have today decided to fully exempt a response to question 2 and exempt the location of the camera in question 5 pursuant to the provisions of Sections 31(1) Law Enforcement and 38(1) Health and Safety of the Act.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

(a) states that fact,

(b) specifies the exemption in question and

(c) states (if not otherwise apparent) why the exemption applies.

Sections 38(1)(a) & (b) and 31(1) are Prejudice based Qualified exemptions which means that it is the Public Authority's responsibility to evidence the harm and the Public Interest Test and this is illustrated below.

HARM TEST

Any information released to the public that may reduce the effectiveness of any speed enforcement equipment, therefore leading to higher speeds on the road, will in turn increase the likelihood of death or injury on the road.

To provide the public with information as to whether cameras were not active could potentially make enforcement of speed limits more difficult for police.

Cameras are located at sites that have a history of significant casualties caused by excess speed. The effectiveness of any system relies on a perception that all cameras are active all the time, where in fact a proportion at any one time may contain dummy cameras or cameras which may not be working for a short period for technical reasons. This perception allows police to keep traffic speeds lower and conserve enforcement resources. It could be argued that the release of information about the camera with most activations would ensure motorists adhere to the speed limits as they would know if the risk of being captured is high, however individuals could become complacent at other camera site locations and not adhere to the speed limitations for those sites as they would feel that the chances of being captured are relatively low.

The lack of adherence to the speed limit would raise the chances of a road traffic incident occurring. An incident could potentially involve serious injury being received by an individual or even a fatality.

There is additionally evidence that specific disclosure of such site-specific data, can even lead to offences, thus putting the public at additional risk. It should be noted that disclosure under FOI is by law a public disclosure and not simply to the individual applicant. For example after disclosure to a national FOI request an article appeared in the News of the World on 30th September 2007 entitled 'Gatstonehenge' in which locations and incorrect figures of revenue accumulated by certain sights was printed. On the following night - 1st October 2007 - a camera situated at Devils Batch on the A303 was attacked and set on fire. The camera housing, pole and camera, were all destroyed in the fire and replacements cost £42060. This particular camera is 15 plus miles from Stonehenge but is located in remote countryside and has been the subject of this type of attack on three occasions since 2004.

PUBLIC INTEREST TEST

Considerations Favouring Disclosure

Accountability

When information disclosed relates directly to the efficiency and effectiveness of the service or its officers it is generally of benefit to the community. In this case, to provide the location of cameras which issue the most penalty notices along with the actual number of notices issued per site would provide the community with detailed information making them aware that the service is tackling the issue of road safety.

Public Awareness and Debate

Where release of information would contribute to the quality and accuracy of public debate. In this case, awareness that the service have resources and equipment available to them to tackle road safety issues may assist in a more informed and accurate public debate.

Considerations Favouring Non-Disclosure

Efficient and Effective Conduct of the Service

Where current or future law enforcement of the service may be compromised by the release of information. In this case, for the reasons outlined in the evidenced harm, the effectiveness of current and future strategies to combat road safety measures may be compromised.

Public Safety

There may be occasions where the release of information relating to public safety may not be in the public interest. Public safety is of paramount importance to the policing purpose and must be considered in regard to every release. In this case, the release of any information that has the potential to reduce the effectiveness of any road safety equipment could result in an increased risk of serious injury or death to the road using public.

BALANCING TEST

When balancing the public interest test we have to consider whether the information should be released into the public domain. Arguments need to be weighed against each other. The most persuasive reason for disclosure is Accountability,

which needs to be compared to the strongest negative reason, which in this case is Public Safety. The police service of Northern Ireland cannot and will not disclose information, which may place the public at risk. Information released under FOI, where exemptions apply, will only be done where there is a tangible community benefit, which is more powerful than the harm that could be done. This does not apply in this case. It is therefore considered that the public interest in withholding the information outweighs the public interest in disclosing it.

Answer 3. For your information there were 16304 detections in the financial year 2007/08.

Answer 4. We have been advised by our Roads Policing Department that the Notice of Intended Prosecution goes out to last registered keeper to identify the driver at a particular time, location and date. Upon its return a Conditional Offer is issued to the person nominated on the returned NIP. The Conditional Offer that goes out indicates on it the option to the driver to "..... be dealt with by way of court hearing" and they have 28 days to either pay the fine or seek to go to court. The total number of Conditional Offers issued by Roads Policing was 12746 and the total number paid was 12247. We are unable to advise of the outcomes of the detections where the motorist opted for a court hearing as we are not informed of the outcome and these details would be held by the Public Prosecution Service.

Answer 6. We are unable to advise of the outcomes of the 2235 detections at the busiest site because every detection is supplied with a unique reference number and we would need to manually trawl all these and this would mean the cost of complying with your request for information regarding this question would exceed the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ <http://www.psni.police.uk/>

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.