



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-03534

Keyword: Road Policing

Subject: CRITERIA, GUIDELINES AND PROTOCOL - SPEED DETECTION VEHICLES

Request and Answer:

Question 1

Please provide a copy of officer training guidelines relating to the deployment of speed camera detection vans.

Answer

No such specific training document exists. The operators are guided by the principles established in the Safety Camera Scheme Handbook, specifically Sections 4.1 and 4.2, available on the PSNI website which can be accessed by using the following link:

http://www.psni.police.uk/safety_camera_scheme_handbook.pdf

Question 2

Please set out the PSNI position relating to private property and the positioning of PSNI vehicles on private property in order to carry out speed detection and what view is taken in the event that it is proven that hundreds of prosecutions were made by vehicles which were parked on private property.

Answer

Police should not, unless by express agreement with the property owner, be using clearly marked and defined 'private property' from which to conduct any enforcement duties.

However it is worth noting that "in *Montgomery-v-Loney* [1959] N.I. 171, where a Northern Ireland statutory definition of 'road' was considered, it was held that the forecourt of a petrol station, with carriageways with unobstructed entrances to, and exits from, the highway was a 'road or other public place'. It was said that although the forecourt was open only to those members of the public who wished to do business with the station owner, they were enough to show that the public had access." Ref: Case Law as per Wilkinson's Road Traffic Offences.

In the location you referred to, during a previous telephone conversation, at Carland Bridge, these principles hold good. The garage may no longer be operating as a filling station but the premises remain open as a charity shop and crèche and are therefore defined in law as a "public place".

Question 3

Contractor zones, Please set out the position relating to areas of road which are licensed to the individual contractor, can traffic enforcement vehicles breach these restricted areas even though the DRD have signed off to the contractor.

Answer

Where police operate speed enforcement equipment from within delineated road works they are there at the express invitation of both Roads Service and the on site contractor. Enforcement of speed limits at road works is to protect both road users and the workers on site.

Question 4

Can you please provide the number of prosecutions recorded on the stretch of road works on the main Dungannon to Cookstown A29 road at Carland (from commencement of roadworks) and the locations of PSNI detection vehicles together with their exact position to the main A29 road.

Answer

From the commencement of road works on 07/11/2009 there were 46 detections on the main Dungannon to Cookstown road – A29 at Carlands and the camera was facing Carlands.

Question 5

Can you please supply the number of prosecutions recorded on the stretch of road works on the main A4 from the end of motorway M1 to Ballygawley together with the location of the PSNI detection vehicles marked on an OS grid map. (Please date from the commencement of the current works).

Answer

PSNI do not plot data onto maps and therefore the information you have requested cannot be provided in this format. However, there were detections recorded on the stretch of road works on the main A4 from the end of motorway M1 to Ballygawley. The specific locations and detections are detailed below:

- 01/10/2009 - Woodlough area – 2 Detections
- 01/10/2009 – Moygashel area – 21 Detections
- 06/10/2009 – Ballygawley Road – 4 Detections

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 letter.

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.

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