



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-02570

Keyword: Road Policing

Subject: ROAD SAFETY CAMERAS

Request and Answer:

Question

I am writing to ask the use of the safety camera in place at the junction between Dee Street and the A2 Sydenham Bypass in Belfast. It is not listed on the PSNI website under either Fixed Cameras or under Red Light Cameras.

Question

Is this camera not operational?

Answer

In answer to both questions above, this camera was installed by the manufacturer as part of its testing process for Home Office approval. It has never been used in an enforcement capacity.

Question

Secondly, the SPECS setup between Newtownards and Dundonald on the A20 Dual Carriageway is not listed on the Speed Enforcement page. Is this camera system not operational?

Answer

This too was a system, installed by the camera manufacturer solely for the purpose of testing as part of the Home Office approval process. The PSNI assisted with this testing which was recently completed. The PSNI have been completely open about the status of both these systems and their non-operational status has been widely reported in the local press.

Question

If these cameras are not operational at one or both locations, how many 'decoy' camera system setups are there across Northern Ireland?

Question

Can the location of non-operational cameras be divulged?

Answer

The information you have requested is exempt from disclosure pursuant to the provisions of Section 31(1) Law Enforcement and Section 38(1) Health and Safety.

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.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Sections 31 and 38 are Prejudiced based exemptions and this means it is the Public Authority's responsibility to evidence the harm.

The above exemptions are qualified exemptions and therefore a Public Interest Test must also be carried out.

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 some of the cameras are live or not 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 cameras being operational or non - operational 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 were 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 £42,060. 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. The PSNI has invested in safety camera systems with the aim of reducing death and serious injury. The public have a genuine interest in how the organisation is addressing this serious issue and how public money is spent. This would reassure the public that the service are 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, an 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. It is in the public interest to disclose this information to counter rumour and speculation as to whether all of the cameras are live or not and therefore empower the public to enter into more accurate and informed debate on the subject.

Considerations Favouring Non-Disclosure

Efficient and Effective Conduct of the Service

If information were to be released as to whether or not all of the cameras are live, the deterrent and enforcement values of the system may be lost, thus resulting in a potentially more difficult task for police to enforce the speed limit. If a release in response to this request were to be compared with retention of similar information by the PSNI in relation to a different scheme, or by another Police Service, a comparison could result in a reasonable conclusion being reached by the public, which would amount to a disclosure, and would therefore make the work of the police in another area more difficult.

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.

I conclude that for reasons of public safety and the efficient enforcement of speed limits by the police, it is not in the public interest to release the locations of non-operational cameras or confirm whether or not specific safety cameras are operational.

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.psnipolice.uk/>

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