



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-03521

Keyword: Road Policing

Subject: Police Officers Charged with Road Traffic Offences

Request and Answer:

Question 1

How many police officers while on duty are charged with any road traffic offences, including speeding? The time frame that I'm asking about is the latest twelve month that statistics are available for.

Question 2

And who polices the police while they are driving?

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

The Fixed Penalty Processing Centre's computer system's method of 'block tracing' is based on Vehicle Record/Mark Identification Details and not Driver/Employment characteristics. In order to ascertain the number of Police Officers on duty charged with Traffic Offences, all fixed penalty tickets would have to be manually trawled for the 1 year period.

Although this exercise could be undertaken it would be very labour intensive as there would be over 30,000 speeding offences alone, for the period requested. To locate and extract all police vehicle related notices, would take more than 1000 hrs, which is greatly in excess of the appropriate fees limit as determined by the Secretary of State at £450 (18hrs).

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

The Police Service of Northern Ireland has also considered how your request could be refined to

bring it within the 'appropriate limit'. Unfortunately the nature and structure of the information makes this impossible.

Although excess cost removes the PSNI's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information relative to your request which was 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. Please see below;

From information recorded at Professional Standards Department (PSD), one police officer was charged with a motoring offence whilst on-duty in the last twelve months (1st December 2009 to 1st December 2010). Please note that Professional Standards Department only hold details of officers charged with road traffic offences whilst on duty **where they have been reported to PSD.**

Police are subject to the same laws and regulations as all members of the public except where it can be shown that a statutory exemption applies; for example where police are responding to an emergency incident. All speed camera detections are indiscriminate as to the status of the driver. As such police officers detected speeding are dealt with in the same manner as all other offenders. Where statutory exemptions may apply there is a stringent process in place to adjudicate on such cases. Each case is assessed by an independent senior police officer and any relevant mitigating circumstances and exemptions are considered.

If you have any queries regarding your request or this 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.

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

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