



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02339

Keyword: Road Policing

Subject: Driving Offences in the Coleraine Area for 2006-2009

Request and Answer:

This is to inform you that the Police Service of Northern Ireland (PSNI) has now completed its search for the information you requested.

I have today decided to:

- disclose information in answer to questions 1 and 2 in full; and
- partially exempt information in relation to questions 3 and 4, pursuant to the provisions of Section 40 of the Freedom of Information 2000 (the Act)

Question 1

Under the Freedom of Information Act I request information relating to the total number of drivers convicted of speeding offences in the Coleraine area for the last three years (2006-2009), and how much revenue fixed penalties have generated.

Answer

From 1 April 2006 until 31 March 2009 there has been a total number of 2344 speeding detections in the Coleraine area.

The Fixed Penalty Processing Centre (FPPC) is unable to determine if fines were paid after they have turned prosecution. All 'Fines' and 'Penalty Points' are forwarded to Laganside Courts for Payment and Endorsement.

The following link provides you with the guidance if you wish to make a request under Freedom of Information to the Northern Ireland Courts Service: Please note however, on checking with the NI Courts Service, I believe they do not hold any details on where offences occur.

<http://www.courtsni.gov.uk/en-GB/AboutUs/Freedom+of+Information/>.

Accordingly, I have determined that the PSNI does not hold the information in relation to the revenue fixed penalties have generated.

Question 2

Under the Freedom of Information Act I request the latest information relating to the number of drivers caught drink and/or drug driving in the Coleraine area for the last three years (2006-2009).

Answer

During the last calendar years (2006, 2007, 2008 and 2009) the total number of drink drivers arrested and processed in Coleraine are:-

306 in 2006

262 in 2007

259 in 2008

228 in 2009

Question 3

Under the Freedom of Information Act I request the latest information relating to the number of off-duty police officers caught speeding in the Coleraine area for the last three years (2006-2009). I also request information as to each officer's sex and rank and whether they had previously been convicted of the aforementioned offence.

Answer

From cases reported to PSNI Professional Standards Department, I can confirm that in the period from 2006 to 2009, one off-duty police officer was convicted of excess speed in the Coleraine area. This officer had not been previously convicted of the aforementioned offence. The remainder of this information will not be released by virtue of the exemption mentioned below.

Question 4

Under the Freedom of Information Act I request the latest information relating to the number of off-duty police officers caught drink and/or drug driving in the Coleraine area for the last three years (2006-2009). I also request information as to each officer's sex and rank and whether they had previously been convicted of the aforementioned offences.

Answer

From cases reported to PSNI Professional Standards Department, I can confirm that in the period from 2006 to 2009, one off-duty police officer was convicted of drink and/or drug driving in the Coleraine area. This officer had not been previously convicted of the aforementioned offence. The remainder of this information will not be released by virtue of the exemption mentioned below.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), 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(s) in question
- (c) states (if not otherwise apparent) why the exemption applies

The exemption is as follows:

Sections 40(2)(a)(b) by virtue of (3)(a)(i) – question 3 and 4 above

This is an absolute and class based exemption. The information sought must fall within the class of information covered by the exemption, in this instance the information must be personal i.e. information from which a person can be identified. Releasing that information must breach at least one of the data protection principles. As this is an absolute exemption the legislators have assumed that harm will be caused should the information be released.

Because the information in questions 3 and 4 relate to only one officer, the potential exists for that

individual to be identified from further information sought i.e. rank, sex, along with details of the criminal offence and location where the offence occurred. Whilst no individual will be immediately identified from each piece of the information sought, taken together there is the potential for individuals to be identified from that information and other information that may already be in the public domain or which may appear in the public domain at some time in the future. The information on convictions constitutes sensitive personal data of the officers concerned. A disclosure under the Freedom of Information Act constitutes release to the public in general. Releasing such data would be unfair and unlawful and breach the First Principle of the Data Protection Act 1998.

This exemption is therefore engaged.

This information in response to questions 3 and 4 has been supplied by the Professional Standards Department of the PSNI which has responsibility relating to formal discipline of police officers and relates to cases reported to that Department only.

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.

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.