



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02147
Keyword: Road Policing
Subject: Detection of Excessive Speeds

Request and Answer:

Your request for information has now been considered and the decision has been taken not to supply the information you have requested.

Question

Numbers detected in NI in the 12 months to 30 June 2010 exceeding 30 MPH limit by:

0 -10, 10 - 20, 20 - 30, 30 - 40.

Numbers exceeding 40 MPH limits by:

0 -10, 10 - 20, 20 - 30, 30 - 40.

Numbers exceeding 60 MPH limit by:

0 -10, 10 - 20, 20 - 30, 30 - 40.

Numbers exceeding 70 MPH limit by:

0 -10, 10 - 20, 20 - 30, 30 - 40.

Answer

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(1) (a) & (b) – Law Enforcement is a prejudiced based, qualified exemption, this means that it is the Public Authority’s responsibility to evidence the Harm and carry out a Public Interest Test.

Section 38 (1) (a) & (b) – Health & Safety is a prejudiced based, qualified exemption, this means that it is the Public Authority’s responsibility to evidence the Harm and carry out a Public Interest Test.

A summary of the Harm for Sections 31 and 38 along with the Public Interest Test is provided below:

Harm

Section 31

To provide the public with information relating to speed band levels has the potential to seriously prejudice the police’s ability to enforce the law.

Section 38

Any information released to the public that may reduce the effectiveness of any speed enforcement, could lead to higher speeds on the road and have a detrimental impact on road safety which would increase the likelihood of death or injury on the road.

Public Interest Test

Factors Favouring Release – Section 31

The PSNI must be accountable for their procedures. This would better inform the public to restrict their speed and adhere to the speed limits.

Factors Favouring Retention – Section 31

Disclosing this information has the potential to seriously prejudice the police’s ability to enforce the law. The effectiveness of current and future road safety strategies may be compromised.

Factors Favouring Release – Section 38

The public has a genuine interest in how the organisation is addressing the serious issue of road safety and the measures put in place.

Factors Favouring Retention – Section 38

The PSNI’s road safety measures aim to reduce death and serious injury. Releasing information in relation to speed band levels could mislead the public. Excessive speed can result in road traffic collisions, causing serious injuries and fatalities.

Decision

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 measure could result in an increased risk of serious injury or death to the road using public.

A disclosure under the Freedom of Information Act is a release of information to the world in general and not to an individual applicant. 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 this information.

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.