



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01816
Keyword: Road Policing
Subject: Speed Awareness

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- provide a response in relation to questions 1 – 3 and 5 – 12 in full and;
- fully exempt records in relation to question 4 pursuant to the provisions of section 31(1) (a)(b) and 38(1)(a)(b) of the Freedom of Information 2000 Act.

Question 1a

Please state on what calendar date did the Speed Awareness Training courses operated by Automobile Association subsidiary Drivetech and authorised by the P.S.N.I commence in Northern Ireland?

Answer

The first course commenced 19 July 2010.

Question 1b

Which P.S.N.I. department generates the Personal Reference Numbers that actually enable A.A. Drivetech to offer the option of Speed Awareness Training to D.V.L.N.I. licenced drivers alleged of speed offences via the A.A.drivetech web portal?

Answer

The Fixed Penalty Processing Centre.

Question 1c

Please state on what calendar date did was the A.A.- Drivetech/SpeedAwareness web portal enabled to process 8 digit D.V.L.N.I. driving licence numbers?

Answer

This process was enabled on 1 July 2010.

Question 2

Please state on what calendar date did the P.S.N.I. award the "Speed Awareness Course" training contract to the Automobile Association subsidiary Drivetech, and the actual calendar date on which the first Speed Awareness Course operated by A.A. Drivetech took place?

Answer

The training contract was awarded in April 2010 and the first Speed Awareness Course took place on 19 July 2010.

Question 3

Please state if D.V.L.N.I. licenced drivers alleged of committing an actual speed offence prior to the commencement of Speed Awareness Courses in Northern Ireland by A.A. Drivetech but actually informed in writing by the P.S.N.I. Fixed Penalty Processing Centre after the commencement of Speed Awareness Training by A.A. subsidiary "Drivetech" in Northern Ireland are still legally entitled to Speed Awareness Training?

Answer

Only persons detected from 01 June 2010 - commencement date are eligible.

Question 4

What margin in excess of the speed limit in actual miles per hour qualifies a D.V.L.N.I licenced driver alleged of speed offences for eligibility to attend an A.A Drivetech "Speed Awareness Course"?

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 speed band levels could mislead the public in assuming it is legal to drive up to the threshold and exceed the legal speed limit. 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.

Question 5

If the D.V.L.N.I. licenced driver alleged of committing an offence of excess speed only becomes aware of having allegedly committed the alleged offence in writing by the P.S.N.I. months after the alleged offence took place and post commencement of "Speed Awareness Course" training in Northern Ireland by A.A. Drivetech, does this D.V.L.N.I. licenced driver alleged of committing a speed offence still have the option of Speed Awareness Course Training offered by A.A Drivetech?

Answer

The Notice of Intention is sent, by 1st class post, to the last registered owner of the vehicle. This will always be done within the Statutory 14 days.

Question 6

What percentage of D.V.L.N.I. licenced drivers alleged of speed offences are given Conditional Offers of "Speed Awareness Courses" since the A.A. Drivetech "Speed Awareness Courses" commenced?

Answer

FPPC cannot provide this information at present as their system does not yet have that capability. However, the PSNI are currently in the process of purchasing a statistical package that meets organisational requirements. It is anticipated that the information should be available by end of September/early October. Accordingly, I have determined that the Police Service of Northern Ireland does not currently hold the information to which you seek access.

Question 7

How many A.A. Drivetech "Speed Awareness Course" training locations are there in Northern Ireland?

Answer

There are 6 training locations in Northern Ireland.

Question 8

What is the maximum number of D.V.L.N.I. licenced drivers that may be accommodated daily at each location of the A.A. Drivetech "Speed Awareness Course" training?

Answer

25 is the maximum number that can be accommodated at each location for the training course.

Question 9

How many agency staff are currently employed on contract by the P.S.N.I. Fixed Penalty Processing Centre?

Answer

There are 14.5 agency staff currently employed by FPPC.

Question 10

Which P.S.N.I rank/grade manages the P.S.N.I. Fixed Penalty Processing Centre and does the name of this person appear anywhere on P.S.N.I. Fixed Penalty Centre Correspondence sent to D.V.L.N.I. licenced drivers?

Answer

The rank of Chief Inspector is responsible for managing the FPPC and the Chief Inspector's signature appears on all correspondence.

Question 11

What Reference Number details, barcode details, computer workstation details and D.V.L.N.I. details are printed on all P.S.N.I. Fixed Penalty Processing Centre correspondence in relation to "Conditional Offers of "Speed Awareness" Courses/Fixed Penalties/Intended Prosecutions"?

Answer

The Fixed Penalty Notice reference number, Document Reference number & barcode details are printed on all 'Notices of Intended Prosecution'. The Unique Reference number & Conditional Offer Reference number appear on all 'Conditional Offer's'.

Question 12 a

What grievance procedures are available to D.V.L.N.I. licenced drivers who wish to pursue a grievance in relation to "Conditional Offer" decisions made by the P.S.N.I. Fixed Penalty Processing Centre?

Answer

All licensed drivers have the option to contest their Conditional Offer & have their case heard in court before a magistrate.

Question 12 b

What external agency or ombudsman verifies the processing of P.S.N.I. Fixed Penalty Processing Centre "Conditional Offers" and the accuracy/ impartiality of P.S.N.I. "Conditional Offer" decisions posted to the "registered keeper" addresses of D.V.L.N.I. licenced drivers alleged to have committed speed offences?

Answer

The processes within PSNI's Fixed Penalty Processing Centre are subject to inspection by Criminal Justice Inspectorate, Dept of Justice Audit and Her Majesty's Inspectorate of Constabularies. In addition the processes are subject to regular review by various internal process improvement teams. With regards to accuracy / impartiality the process of speed detections is mechanised and is

triggered by the breach of speed thresholds. Forensic Science NI is responsible for ensuring the accuracy of camera equipment through calibration on distance checks.

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.psnj.police.uk

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