



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-01975

Keyword: Road Policing

Subject: Fixed Penalty Notices

Request and Answer:

Question 1

I am seeking information and further clarity on the actual operational parameters for prosecution with respect to fixed penalties issued from camera based equipment.

In a 30mph zone can you provide me specific information on how many drivers when detected from a fixed camera in the past year have been made a Conditional Offer when:

Travelling between 30 and 35mph
Travelling between 35 and 38mph
Travelling at/above 39mph

Can you also advise the accuracy (i.e 10%) of the detection cameras used by the department.

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:

Section 31 (1) Law Enforcement
Section 38 (1) (a) (b) Health and Safety

Sections 31 and 38 are prejudice based and qualified exemptions, therefore a Harm Test and Public Interest Test are necessary.

Harm Test

The PSNI is charged with enforcing the law, preventing and detecting crime and protecting the

communities we serve. Release of this information has the potential to identify the speed camera threshold and ultimately increase speed on our roads. If the enforcement threshold were revealed motorists may drive to this rather than the posted speed limit. This could negatively impact on the police's ability to effectively enforce speed limits and expose drivers and pedestrians to significant risk of harm.

Public interest Test Section 31

For Release

The PSNI has a duty to effectively police Northern Ireland's roads. The public have a right to know that this is being done responsibly. Release would also lead to better understanding of the speed detection processes used on the roads.

For Retention

Release of this information would compromise road policing tactics, place individuals at risk and may lead to more driving offences being committed.

Public Interest Test - Section 38

For Release

Disclosure would lead to better public awareness and debate with regards to roads policing.

For Retention

The release of information relating to speed detection thresholds could lead to increased danger on the roads and pose a significant risk to drivers and pedestrians. Excessive speeding is already the main cause of the vast majority of collisions which kill and seriously injure on our roads. To reveal PSNI's enforcement thresholds could deliver a message that speeds other than those posted will be tolerated and create a loss of confidence in the PSNI to protect the well being of the community.

Decision

There is always a strong interest in the accountability of the Service, however, balanced against this is the importance of public safety and the ability of the police to prevent and detect crime.

Disclosure would be likely to increase danger on our roads and place individuals at risk. Information should not be released if it is likely to endanger the safety of any individual.

It is for these reasons that the public interest must favour withholding the requested information.

Question 2

Can you also advise the accuracy (i.e 10%) of the detection cameras used by the department.

Answer

PSNI do not hold the information you request in respect of speed enforcement system accuracies. However, to assist you PSNI can advise that all systems operated by PSNI are UK Home Office Type Approved and are therefore verified in their accuracy by the certification provided by that process. The required accuracies to gain Home Office Type Approval are contained in the Speedmeter Handbook 4th Edition Publication Number 15/05 that is available online on the web site of the UK Home Office. A link is attached below;

<http://crimeline.info/app/download/5776562338/4th+Ed+Speedmeter+Handbook+CIO+low+res.pdf>

In addition to the requirements of Home Office Type Approval, the manufacturers of fixed speed enforcement systems used by PSNI, Redspeed International Limited and Vysionics Limited both publish information relating to the specifications of their enforcement systems online.

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.