



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2015-01082

**Keyword:** Road Policing

**Subject:** Future Locations of Camera Enforcement Sites

### Request and Answer:

#### Question

Other police forces in the U.K make available a list of Police Speed Enforcement Units schedules.

Please see; <http://www.fromestandard.co.uk/Locations-police-speed-cameras-week-commencing/story-26212591-detail/story.html>

From the information you hold, please provide all future locations you have, for the locations of mobile enforcement speed cameras.

#### Answer

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

Section 17(1) 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 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 (a) the prevention or detection of crime  
Section 31 (b) apprehension and prosecution of offenders

Section 38 (1) (a) endanger the physical or mental health of any individual, or  
Section 38 (1) (b) endanger the safety of any individual

#### Section 31 - Law Enforcement

This is a prejudiced based, qualified exemption, which means that it is the Public Authority's responsibility to evidence the Harm which releasing the information may cause. PSNI must also consider the balance of the public interest in releasing the information against the public interest in

withholding it.

### **Section 38 - Health and Safety**

This is a prejudiced based, qualified exemption, which means that it is the Public Authority's responsibility to evidence the Harm which releasing the information may cause. PSNI must also consider the balance of the public interest in releasing the information against the public interest in withholding it.

A summary of the Harm and Public Interest Test considerations for Sections 31 and 38 is provided below.

#### **Harm Test**

Once information is disclosed under Freedom of Information there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general, not just to the individual requesting the information.

Disclosing intended future locations for camera enforcement sites could assist those intent on criminal activity in the future to use the information for their own purposes thus adversely affecting the PSNI's law enforcement role. PSNI's ability to prevent and detect crime and to apprehend and prosecute offenders may also be compromised. Criminal elements would be able to use the information for future criminal exploitation. The release of this type of information would rarely be in the Public Interest and may reduce the PSNI's capability to perform its overall functions.

Due to the perceived link between the Northern Ireland Road Safety Partnership (NIRSP) and PSNI, and the ongoing security situation in Northern Ireland, consideration must be given to the safety of police officers and all other individuals. Were the information of proposed sites to be made public, terrorists could use the information to target those preparing sites or installing equipment.

#### **Public Interest Test**

##### Factors Favouring Release - Section 31

Release of intended future locations for camera enforcement sites would lead to a better informed public and would show transparency and accountability on the part of PSNI.

##### Factors Favouring Retention - Section 31

Release of intended future locations for camera enforcement sites would compromise law enforcement tactics and more crime could be committed. This would have an impact on police resources and would hinder the prevention or detection of crime and place both police officers and members of the public at increased risk.

##### Factors Favouring Release - Section 38

Release of intended future locations for camera enforcement sites would lead to a better informed public and would show transparency and accountability on the part of PSNI.

##### Factors Favouring Retention - Section 38

Release of intended future locations for camera enforcement sites would compromise the health and safety of individuals involved in preparing sites or installing equipment.

#### **Decision**

PSNI is tasked with the prevention and detection of crime and protecting the public. At this time when the threat of terrorism is severe, releasing intended future locations for camera enforcement sites into the public domain would not be in the public interest.

Criminal elements could use this information to plot criminal activities or avoid detection, therefore

compromising the law enforcement role of police.

The Northern Ireland Road Safety Partnership (NIRSP) currently publishes a full list of permanent camera enforcement locations which can be found at:

<http://www.nidirect.gov.uk/index/information-and-services/travel-transport-and-roads/traffic-management/roadsafetypartnership/safety-camera-locations.htm>

PSNI remains under severe threat from Dissident Republicans and disclosure of this information has the potential to assist those intent on carrying out attacks on police officers or those perceived as being associated with PSNI. Whilst PSNI would always wish to be transparent and accountable no release under FOI should be made where lives would be put at risk.

It is acknowledged that wherever possible policing procedures must be transparent and accountable. However, police need to make balanced judgements which justify why some information needs to remain exempt and unpublished.

I have determined that the release of the information requested into the public domain would therefore not be in the public interest. When it comes to the balance of the risk of attack to police officers or any member of the public versus accountability, the decision under FOI will always fall in favour of withholding any information that would be likely to cause such a risk. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives at risk.

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](mailto: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.psnipolice.uk](http://www.psnipolice.uk)

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