| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1353  Responded to: 13th June 2023 |
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Your recent request for information is replicated below, together with our response.

**I am writing to you under the Freedom of Information Act 2000. Please could you provide the following information:**

* **The total number of Fixed Penalty Notices (FPNs) issued to motorists in your area in 2021, 2022 and 2023 to date:**

|  |  |  |  |
| --- | --- | --- | --- |
| Year/Total | 2021 | 2022 | 2023 (end 29/05/23) |
| Total | 37,940 | 36,182 | 16,484 |

* **The average monetary value of Fixed Penalty Notices (FPNs) issued to motorists in your area in 2021, 2022 and 2023 to date**
* **The total monetary value of Fixed Penalty Notices (FPNs) issued to motorists in your area in 2021, 2022 and 2023 to date**

Fines are paid directly to the Crown Office and Procurator Fiscal Service (COPFS) and not to Police Scotland. We therefore so not hold any details in relation to the monetary value requested. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

You may wish to make a request to COPFS directly using the following email address: [foi@copfs.gov.uk](mailto:foi@copfs.gov.uk)

* **The top five motoring offences resulting in Fixed Penalty Notices (FPNs) being issued in your area in 2021, 2022 and 2023 to date**

We have interpreted this part of your request as the highest number of FPNs issued. Please find the requested information in the table below.

| Year/Offence | 2021 | 2022 | 2023 (end 29/05/23) |
| --- | --- | --- | --- |
| Offence 1 | No MOT – 11,789 | No MOT – 10,096 | No MOT – 4,138 |
| Offence 2 | Speed In 30mph Zone – 7,081 | Speed In 30mph Zone – 4,832 | Speed In 30mph Zone – 2,052 |
| Offence 3 | Careless/Inconsiderate Driving – 3,184 | Careless/Inconsiderate Driving – 3,353 | Careless/Inconsiderate Driving – 1,508 |
| Offence 4 | No Insurance – 2,947 | No Insurance – 2,870 | No Insurance – 1,300 |
| Offence 5 | See below | Driving Using Mobile Phone – 1,718 | Driving Using Mobile Phone – 829 |

Please note that in relation to Offence 5 for 2021, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, initial searches returned that speeding in excess of 70mph was the fifth highest FPN issues offence over this period at 1,370 FPNs. However, as this information is held on a legacy system, offences in some of our divisions was recorded differently and included speeding over 50mph and 70mph as a single total where as the rest included over 70mph only. The only way to confirm the exact total would be to manually review each of these combined offence files to determine whether it related to speeding over 50mph or 70mph and then combine the 70mph only results with those from our divisions that did not combine these offences.

In this case 486 records would need to be manually checked. At a conservative estimate of 5 minutes per record, this equates to over 40 hours of work to provide the information requested.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

To be of some assistance however, the answer to the fifth highest offence will either be speeding over 70mph at an amount between 1,312 and 1,370 FPNs issued or Driving Using Mobile Phone of which there were 1,311 FPNs issued in 2021.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.