| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0291  Responded to: 13th February 2023 |
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Your recent request for information is replicated below, together with our response.

**I have a request for information regarding the national road policing unit. Can I please request the following information?**

**1. The number of officers in the road policing unit every year until as far back as when police Scotland was created.**

Please find the requested information in the table below. I would ask you to note that these figures provides the Full Time Equivalent (FTE) of officers based in the following sections of Road Policing – Motorcycle Unit, Road Patrol East, Road Patrol North and Road Patrol West. It will not include those in sections such as Management, Safety Camera Unit, Traffic Management or Transport Scotland.

|  | Police Officer FTE |
| --- | --- |
| 2016/2017 | 595.44 |
| 2017/2018 | 591.88 |
| 2018/2019 | 567.75 |
| 2019/2020 | 572.13 |
| 2020/2021 | 553.85 |
| 2021/2022 | 555.06 |
| 2022/2023 | 526.37 |

**2. The number of officers in the road policing unit at the Dingwall and Fort William locations every year until as far back as when police Scotland was created.**

The requested information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which:

* states that it holds the information,
* states that it is claiming an exemption,
* specifies the exemption in question and
* states, if that would not be otherwise apparent, why the exemption applies.

Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

The exemptions that I consider to be applicable to the information requested by you are:

Section 35 (1)(a)&(b) – Law Enforcement

The information requested is exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders. If the details of Police Scotland’s road policing resources in a specific area was released, experience has shown that it would allow those intent on committing crime or causing disorder to gauge the likelihood of detection or to take measures to negate the likelihood of detection. It would allow criminals to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime, therefore harming the efficient and effective conduct of the service.

Such information would prove extremely useful information for persons involved in criminality as they would be able to plan and conduct their activities to avoid detection. It would confirm the road policing officers in a specific area, which would allow those intent on wrong doing to judge the police response time to a variety of incidents. In turn this would prejudice substantially the ability for our officers to prevent and detect crime and apprehend or prosecute offenders.

Disclosure would have an adverse impact on the ability of the Police to carry out its law enforcement role effectively, and thereby prejudice substantially the prevention and detection of crime.

This is a non-absolute exemption and requires the application of the public interest test.

Section 39(1) – Health, safety and the environment

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, to estimate the level of resources deployed by the Police in a specific area and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

Public Interest Test

As you will be aware, the two exemptions detailed above are non-absolute and require the application of the public interest test. Public awareness would favour a disclosure as it would contribute to the public debate surrounding the use and deployment of police resources.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

**3. The amount of police patrols and times a mobile speed camera has been delivered on the A9 each year until as far back as when police Scotland was created.**

In regards to police patrols I must advise that 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, this information is not centrally recorded and so the only way to obtain this information would be to manually review the notebook of each officer within the force to see if they have ever conducted a police patrol on the A9 back to April 2013.

Due to the number of officers we have thousands of notebooks would need to be manually checked. It is estimated that this is a task that would take thousands of hours to complete.

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.

Due to the work involved, I do not believe limiting your request to even a single year would allow it to be completed within cost.

In regards to mobile speed camera deployment we can provide information from 2020 onwards. Information prior to this date has been deleted as per our Records Retention Policy which I have included a link to below.

[Records Retention - Standard Operating Procedure](https://www.scotland.police.uk/spa-media/nhobty5i/record-retention-sop.pdf)

In regards to the data from April 2013 to the end of 2019, 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.

For the period 01/01/2020 to 02/02/2023, please find the information in the table below:

| Year | Mobile Enforcement on the A9 |
| --- | --- |
| 2020 | 331 |
| 2021 | 448 |
| 2022 | 229 |
| 2023 to 02/02/2023 | 35 |

**4. Any information from all reports, correspondence or communications relating to foreign drivers driving on the A9.**

If I start off by just looking at the email aspect of your request, 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, we have previously attempted to conduct similar keyword searches to the one that would be required. In this case a search for emails containing the phrases “foreign driver” and “A9” along with potentially others would be required.

Despite extensive efforts to retrieve emails requested by keyword it has become clear that whilst we do have the facility to conduct a keyword search but we do not have the facility to limit this to a particular date range.

This means that any mention of the keywords on any date would be returned. These are returned as individual full mailbox archive files for each mailbox that contains these keywords.

Once these archives are retrieved, a manual process is required to confirm which emails within each file contain the keyword required. This is further complicated by the fact that we will simply know there is at least one email within the mailbox archive that contains the keyword. There could be 1 or 100 and so each email would need to be manually checked for the topic requested.

During previous similar keyword requests we have conducted a rough estimate using one of our divisions (A Division) which accounts for a bit over 1,300 mailboxes. It is estimated that 100-200 of these may contain the keywords requested. If this is extrapolated across our other divisions this would give us a rough estimate of 2,400 to 3,600 mailbox files to review but it is expected this number may be higher due to the relative size of some of our divisions.

At an average estimate of 30 minutes to check each mailbox file concerned, this equates to around 1,200 to 1,800 hours of work to complete.

This is before we consider a review of additional reports and correspondence which would extend to police reports, letters etc held by Police Scotland which would again require a degree of manual searching. It is likely a full check of all documents held by the force would add thousands of additional hours to the time it would take to comply with the request.

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

In order to be of assistance, you may wish to consider reducing the scope of your request to a group of mailboxes or staff and limiting it to a reduced time period which may allow it to be progressed.

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.