| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2142  Responded to: xx September 2023 |
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Your recent request for information is replicated below, together with our response.

## How many Goods Vehicles (not exceeding 7.5 tonnes) were caught speeding over the 60 mph speed limit by camera on the A9 stretch of road between Perth and Stirling on the weeks commencing; 10/07/2023, 17/07/2023 and 24/07/2023?

Having considered your request, in terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act.

Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held

Whilst we accept that you may have a particular personal interest in being informed as to whether or not the information sought is held, the overwhelming public interest lies in maintaining the integrity of roads policing measures as an invaluable policing tool.

- If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act

In this instance, the following exemptions are assessed to apply:

Section 35 (1)(a)&(b) - Law enforcement

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

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

It is accepted that there is a significant interest in policing tactics, but it cannot be in the public interest to confirm whether or not information is held for a very limited time period on a specific stretch of road as this would set a precedent in how we release such information moving forward. Arguably it may potentially identify patterns of targeted action, negating the effectiveness of normal operational activity where drivers feel there is less chance of being caught speeding.

Consequently there is no public interest in the release of such specific information which is likely to lead to an increase in the number of speeding offences and reduce the likelihood of detection.

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

The release of this information would circumvent the efficient and effective provision of law enforcement by the police service for the reasons described above. This would in turn increase the risk to the personal safety of individuals and to the safety of the police officers responding to incidents.

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

It is public knowledge that the police are continually making operation decisions regarding how to stop drivers speeding and positively influence driver behaviour and this is particularly true for the A9.

Accordingly, publication of offences detected by Safety Camera Scotland within a very limited timescale e.g. by week, would disclose any perceived enforcement regime, enabling drivers to rightly or wrongly try to predict when targeted action is planned leading some to endanger public safety and break the law by speeding.

To be of assistance I have provided the requested information for the *entire* month of July:

The following information relates only to offences detected by Safety Cameras Scotland and not by Police Officers with cameras at the roadside.

The information is taken from a live database and is subject to change as updates are received. The details are correct as of 31 August 2023:

|  |  |
| --- | --- |
| Date Range | A9 Light Goods Vehicles Detected Offences by Cameras on the A9 between Perth and Stirling |
| 1st to 31st July 2023 | 2123 |

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.