| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2537  Responded to: xx October 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**How many sites you have where there are fixed position speed cameras for the detection of speeding motorists as of 1 September 2023 (or as recently as available data exists)**

Please be advised that Safety Camera locations in Scotland are publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available via the following link:

[Safety Camera Locations — Safety Cameras Scotland](http://www.safetycameras.gov.scot/cameras/safety-camera-locations/)

**How many notices of intended prosecution were issues in relation to these cameras in financial year 2022/23** - 39,939

**The number of**

**a) fixed penalty notices issued** -27,751

**b) speed awareness courses carries out as a result of the operation of these fixed position cameras** -Speed awareness courses are not available in Scotland

**Which fixed position camera site was responsible for issuing the most notices of intended prosecution in financial year 2022/23. Please state the position of the camera and number of notices issued.**

The highest number of notices of intended prosecution issued for one camera was 3,228.

Regarding the specific camera location, I regret to advise you that, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the

Exemptions that I consider to be applicable to the information requested by you are

Section 35(1)(a)&(b) - Law Enforcement and

Section 39(1) - Health, Safety and the Environment

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

The information requested is considered exempt as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Section 39(1) - Health, Safety and the Environment

The information requested is considered exempt as its disclosure would or would be likely to endanger the physical health or safety of an individual or individuals.

To explain, in camera operations, camera housings are continuously and visibly present at specific locations but the cameras within these are not necessarily operational at all times.

Although the public are aware that cameras may not always be active, details of the periods for which the cameras are active are not in the public domain. Therefore, with speed cameras, their effectiveness in deterring motorists is based on the perception that they may be active at any time. For camera enforcement to be effective in the interests of road safety and the law, there must be the perception that the chance of being detected and recorded is high at all sites.

In addition to this, camera installations have been subject to attack and vandalism to put them out of action. Publication of individual site offence data which shows specific camera operations could lead to these sites being targeted. Where such attacks have occurred this has led to cameras being out of commission for several months awaiting repair which has an obvious detrimental effect on road safety and deterrent capability at these sites.

Public Interest Considerations Favouring Disclosure

There is a public interest in disclosing information to the public upon which they can assess whether safety cameras are being used in an effective and fair manner to prevent and detect speeding offences.

There is a public interest in highlighting to the public the road safety issues that underpin the location of speed cameras at specific sites, which would inform, and contribute to, the accuracy of the public debate on the issue of policing and road safety.

Public Interest Considerations Favouring Non-Disclosure

Driving in excess of the speed limit is a statutory offence which the police enforce. There is no public interest in the release of site specific information which is likely to lead to an increase in the number of speeding offences and reduce the likelihood of detection.

There is no public interest in releasing information that is likely to compromise the safety of road users, or which is likely to result in an increase in the number of injuries, or the severity of such injuries, to road users and pedestrians caused by speeding vehicles.

There is no public interest in the disclosure of information that is likely to reduce the effectiveness of safety cameras, thus damaging the current high level of public confidence and support in this area.

Public Interest Balancing Test

In balancing these competing factors, I consider that the decision must fall in favour of

preventing crime and safeguarding the health and safety of the public, where the over-riding public interest lies in keeping the roads safe and reducing both instances of speeding, and the number and severity of related injuries.

I assess these factors to carry more weight than those of public awareness and increasing accountability. Accordingly, I have decided to maintain the exemptions and refuse to provide you with location specific data.

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.