| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-3236Responded to: 16 January 2024 |
| --- | --- |

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

## Please could you tell me how many Fixed Penalty Notices were issued in Scotland in 2022 where vehicles were being driven at 21, 22, 23 or 24mph on roads subject to a 20mph speed limit.

In response to this question, I would first of all refer you to the [Speeding Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/gmfjjitx/speeding-sop.doc).

The Lord Advocate’s Guidelines, which detail enforcement thresholds for speeding are considered exempt and, as such, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18.

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 doing so would better inform the public as to the enforcement thresholds in use, the overwhelming public interest lies in preventing road traffic offences and keeping people safe.

* If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:

Section 35(1)(a)&(b) - Law Enforcement - disclosure would severely prejudice the prevention and detection of crime and the apprehension or prosecution of offenders. Accordingly, the information you have requested is exempt.

Section 39(1) - Health, Safety and the Environment - disclosure would endanger the physical health or safety of an individual. If the above information was disclosed it may encourage road users to commit offences, thereby endangering other road users and pedestrians and render the safety camera ineffective as a road safety measure.

In terms of the exemptions above, whilst we accept that disclosure would better inform the public as to the enforcement thresholds in use, the overwhelming public interest lies in preventing road traffic offences and keeping people safe.

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 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 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.