| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0301Responded to: 10th February 2023 |
| --- | --- |

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

**In the Lothians Area how many Cyclists have been Fined/spoken to for the incidents of.**

**1. Fined for not having lights**

**2. Fined or Spoken too for Cycling through Traffic lights displaying Red.**

Following a clarification request you asked:

## Yes the number of fixed penalty notices for cyclists going through red traffic lights in the Edinburgh and Lothian area for the last 3 years.

Please find the requested figures in the table below

| Division/Date | Edinburgh Division | Lothian and Borders Division |
| --- | --- | --- |
| 01/01/2020 – 31/12/2020 | 4 | 1 |
| 01/01/2021 – 31/12/2021 | 0 | 1 |
| 01/01/2022 – 31/12/2022 | 38 | 3 |

## May I further ask why The Police don't fine cyclists without lights as....

## 1 It's breaking the Highway Code

## 2 A clamp down would reduce the risk of accidents possibly someone being killed.

The Road Vehicles Lighting Regulations 1989 covers the offence of cyclists not having lights. Unfortunately this is not listed in Schedule 3 of Road Traffic Offenders Act 1988 as one for which a fixed penalty can be issued. Cyclists would therefore be reported to the Crown Office and Procurator Fiscal Service (COPFS) directly rather than a fine being issued. So essentially it is an offence, just not one where a fixed penalty can be issued.

If you require statistics on crimes reported to COPFS for this offence, please let me know and I will get a new FOI request started for this. I would however advise this would simply be the number reported to COPFS, Police Scotland would not hold details on how many persons were subsequently fined as this would be held by COPFS directly.

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.