

Our Ref: IM-FOI-2022-2222
Date: 16 November 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Ref 0700561 speeding offence 17/09/2022 – M74

I would like a copy of the calibration certificate for the equipment that recorded my speed?

I have attached separately a copy of the calibration certificate for your information.

I would like to know how long the camera unit was in position?

The safety camera enforcement van was in position and recording/enforcing between 1003hrs and 1153hrs 17 September 2022.

I would like to know how many speeding offences were recorded by this camera unit whilst in the position where my speed was recorded?

There were 27 speeding offences recorded.

Could I have a list of all the speeds that were captured at 80 mph and over on the 17/09/2022 by this unit?

Offence Speed (mph)	
70-89	21
90	2
91	1
93	2
101	1

***How many drivers were actually prosecuted on this particular day?
How many drivers have been prosecuted in the last year by Police Scotland for driving on a motorway at 80mph, assuming the motorway speed at the time was 70 mph and without roadworkds, or speed limits reduced, due to heavy traffic or accidents?***

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I can advise you that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested in relation to prosecutions.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

Should you require any further assistance please contact Information Management – Glasgow at foi@glasgow@scotland.police.uk quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.