| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1263  Responded to: 06 June 2023 |
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Your recent request for information is replicated below, together with our response.

## The total number of fixed penalty notices issued for the offence of driving while using a mobile phone from 25th March 2022 to 25th March 2023.

## The total number of fixed penalty notices issued for the offence of driving while using a mobile phone from 25th March 2021 to 24th March 2022.

Having considered your request in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, offences cannot be searched based on disposals. As such each individual report would have to be researched to establish whether a fine was issued or alternative court action taken. To illustrate the numbers involved, our published [crime statistics](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/) show that as at Q3 of financial year 2022/23 there are 2205 detected mobile phone offences. Therefore this is an exercise which would far exceed the cost limit set out in the Fees Regulations.

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.