

Our Ref: IM-FOI-2022-2666
Date: 21 December 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.

Please provide a breakdown of the number of people charged with speeding on the A9 over the last four years on both the Perth to Inverness section of the carriageway and the Inverness to Thurso route. For each year, please provide a monthly breakdown of the highest speeds recorded and the varying ages of the individuals involved.

We are unable to provide data in respect of all speeding offences reported to the Procurator Fiscal 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, any offences detected *other than* by safety camera e.g. by a Police road side patrol, are not searchable on our systems by specific location, outcome (ie reported to COPFS as opposed to dealt with by ticket) or by speed.

Therefore, the only way to provide you with the information in an accurate and consistent manner, would be to manually interrogate each potentially relevant crime report, to establish those which relate to your specific request. This would clearly exceed the cost limitations of the Act.

To be of assistance however, I can provide you with *some* data in respect of safety camera detected offences where the driver was reported to the Procurator Fiscal - either *instead of* being issued with a Conditional Offer of Fixed Penalty Notice (COFPN) due to the seriousness of the offence, or having failed to pay a COFPN.

The following data is for the period 1 January 2019 to 13 December 2022 and is correct as at 13 December 2022. It is taken from a live database and is subject to change as updates are received.

A9	Drivers Reported to Procurator Fiscal
Inverness to Thurso	231
Perth to Inverness	2727

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Data for the earlier period, in terms of section 17 of the Freedom of Information (Scotland) Act 2002 is not held by Police Scotland. The retention period for such data is 3 years plus current year.

Should you require any further assistance please contact Information Management - Dundee 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.

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