| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0557  Responded to: 22nd March 2023 |
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Your recent request for information is replicated below, together with our response.

## Please tell me how many fines have been issued by Police Scotland officers to motorists for using their phones while driving in each of the last five years.

In response to your request, 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, there is no straightforward method to extract from a crime report if a fine was issued to a member of the public using their phone while driving. In order to extract the information each record would need to be manually examined to determine if a fine was issued or alternative action was taken. In 2022 alone 2,655 mobile phone offences were detected. A conservative estimate is that it would take 3 minutes per record this would equate to an excess of 132 hours of work.

Should you wish to significantly reduce the time period of your request it may be that some information could be provided to you, however it is worthy of note that the time period may have to be significantly narrow that this would mitigate any meaningful comparative data.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

To be of assistance, please see the table below which provides the number of detected mobile phone offences broken by year. Please note the caveats underneath the table.

Detected Mobile Phone Offences Broken By Year.

| Year | Number of Offences |
| --- | --- |
| 2018 | 2968 |
| 2019 | 2653 |
| 2020 | 1788 |
| 2021 | 1523 |
| 2022 | 2655 |

All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 7th March 2023.

1 The Detected Crimes are extracted using the Date Detected, and then selecting SGJD code ‘732400' (Mobile phone offences).

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.