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Our Ref: IM-FOI-2022-2303  
Date: 25 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.

**Please can you provide an annual breakdown for each year from 2018 to 2022 so far for the number of speeding fines issued and the total amount due in fines?**

**For the same time frame, please can you state how many fines went unpaid and the resulting amount of unpaid fines.**

**Please state for the same time frame how many fines were cancelled and the reason why.**

**Can you also please state how much money should have been due each year for the cancelled fines?**

In response to your request, I regret to inform you that I am unable to provide you with all of 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, in relation to roadside detected offences, this information is held on our Crime Management systems, to identify if a speeding offence resulted in a Conditional Offer of Fixed Penalty (COFP) or a report to the Crown Office and Procurator Fiscal Service a manual examination of all detected speeding offences would need to be undertaken. Between 01 January 2022 and 31 October 2022, 15,603 speeding offences have been detected.

A conservative estimate is that it would take approximately 3 minutes to examine a single record, this would result in an excess of 780 hours of work, greatly exceeding the cost threshold set out within the Act.

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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.

Ordinarily at this point I would suggest methods to refine your request in order to provide you with some of the data you require however due to the volume of speeding offences detected even significantly reducing the time scope of your request is unlikely to prove useful as the time frame would have to be so narrow that it would negate any meaningful results that could be used for annual comparative purposes.

To be of assistance, I have provided the table below. This table provided by Police Scotland's Analysis and Performance Unit shows the number of detected speeding offences between 01 January 2018 and 31 October 2022.

<b>Detected Speeding Offences, Police Scotland.<sup>1</sup></b>					
Period: 1st January 2018 to 31st October 2022*, Calendar Years.					
<b>Crime</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022*</b>
Speeding in Restricted Areas	9049	9982	8704	7490	6089
Other Speeding Offences	17446	19294	15390	16033	9514
<b>Total</b>	<b>26495</b>	<b>29276</b>	<b>24094</b>	<b>23523</b>	<b>15603</b>
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 23/11/2022.					
1. The data was extracted using the crime's detected date and by using SGJD codes 730300 and 730400.					

Additionally, I can also disclose data provided by Police Scotland's Safety Camera Unit (SCU). Please be advised that this data relates to offences detected by mobile and fixed cameras only.

It is also necessary to advise that SCU information dating from 2018 is no longer held. As such, in terms of Section 17 of the Act, I can confirm that the information you seek is not held by Police Scotland.

By way of explanation, Safety Camera Unit data from 2018 is no longer held as per Police Scotland's retention policy. These records are held for 3 years plus current year only. For further information please see the link to the retention policy below.

<https://spi.spnet.local/policescotland/guidance/Standard%20Operating%20Procedures/Record%20Retention%20SoS%20SOP.pdf#search=retention%20period%20sop>

The table below provides the number of COFP issued, the number of COFP withdrawn and the number of offences detected where the offence was deemed not suitable for COFP and reported to the Crown Office and Procurator Fiscals Service.

	2019	2020	2021	2022
Conditional Offer of Fixed Penalty (COFP) issued	53,312	31,295	45,310	37,063
COFP withdrawn	4	3	4	1

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Reported to Procurator Fiscal with no offer of COFP	4,503	2,530	3,494	2,176
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With respect to withdrawn COFP I can advise, as per the table above, in 2019 four COFP were withdrawn. One withdrawal was due to incorrectly completed paperwork, one due to an unspecified error, and two were withdrawn by the Crown Office and Procurator Fiscals Service.

In 2020, three COFP were withdrawn. Two were withdrawn due to being issued to the incorrect address, and a further one withdrawn by the Crown Office and Procurator Fiscals Service.

In 2021, four COFP were withdrawn. One was withdrawn due to being issued with a name error. One was withdrawn due to an incorrectly identified driver, one was withdrawn due to being issued to the incorrect address and a further one was withdrawn by the Crown Office and Procurator Fiscals Service.

In 2022, as of 18 November 2022, a single COFP has been withdrawn. This was due to the wrong location of the offence being noted.

In relation to the Safety Camera Unit information please note the following notes/caveats.

### Caveats:

- Data is not held for the outcomes of reports to the Procurator Fiscal.
- Data has been provided by date of offence i.e. the number of COFPs issued for offences detected that year, rather than by date of issue/when reported.
- The penalty attached to a COFP is £100 and 3 penalty points on the driver's licence.
- The penalty attributed at court following a report to the Procurator Fiscal can vary and is at least £100 and 3 penalty points on the driver's licence.
- Data is taken from a live system which is subject to change and correct as of 18/11/2022.

In relation to the number of COFP that have been paid or unpaid, Police Scotland do not hold the required information. As such, in terms of Section 17 of the Act, I can confirm that the information you seek is not held by Police Scotland.

To discover information relating to paid and unpaid fines you may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address [foi@copfs.gsi.gov.uk](mailto:foi@copfs.gsi.gov.uk)

Should you require any further assistance please contact Information Management 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.

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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.police.uk](mailto:foi@scotland.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](mailto: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.