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Our Ref: IM-FOI-2022-0360  
Date: 5<sup>th</sup> April 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.

**I have been sent the results of an FOI request (picture attached) regarding speeding offences and exemptions over a certain timescale.**

**I am looking to find out some information regarding a very small number of those speeding offences.**

**Firstly in the period 2018-2021 there were 13 occasions where the exemption was not applied, supported or eligible.**

**Out of those 13 could I please be informed if the officers were attending priority calls with their emergency lights/sirens on.**

**Hopefully as there are only 13 then this request will be possible.**

<b>Exemption Applied</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
	<b>4,323</b>	<b>5,502</b>	<b>4,185</b>	<b>3,764</b>
30-49mph	2,510	2,967	2,102	2,003
50-59mph	1,112	1,448	1,217	1,030
60-69mph	295	397	360	296
70-79mph	152	215	163	184
80-89mph	123	240	196	139
90-99mph	69	118	71	63
100-109mph	35	68	44	27
110-119mph	18	35	20	15
120-129mph	8	11	12	5
130-139mph	1	3	0	2

<b>Year</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Exemption not supported, not applied for or not eligible	5	4	4	0
Police Staff	2	1	0	0
Police Officer	2	1	0	0

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Police (external)	0	0	1	0
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In response to question one, I must respond 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, the data regarding camera activations is extracted from the Eros database. This is a live and dynamic database, and as a result the data contained within it is ever changing.

In an effort to respond to your new data has had to be extracted from Eros it now shows a significantly larger number of results, as seen in the table below.

Year	2018	2019	2020	2021
Exemption not supported, not applied for or not eligible	52	56	196	31
Police Staff	1	3	3	4
Police Officer	50	50	188	27
Police (external)	1	3	5	0

The significantly higher figures are due to a number of reasons. Firstly an error in the data of the original FOI 21-2378, this has now been rectified on the Police Scotland disclosure log on the website. Secondly, due to the Covid-19 pandemic the Safety Camera Partnership was considered non-essential work. Therefore the processing of camera activations was postponed for a significant period of time. Many of the activations shown in the table most likely would have had an exemption applied however they were considered time-barred as they were not processed within the legislative time period.

There is no straightforward method to extract whether or not blue lights and sirens were activated at the time of the camera activation. If the information was held it would be contained within the free text within the individual records.

In order to provide a response to your question a time test was undertaken on 10 records to determine how long it would take to manually examine each record fully and note whether blue lights and sirens were activated. This time test resulted in 9.5 minutes per record.

However, on examining the test sample it showed that whether blue lights or sirens were activated was simply not recorded, as such Section 17 of the Act – Information not held applies.

**Secondly there are 6 occasions in that same time period where speeds are shown to be 130-139mph.**

**Out of this 6 how many, if any, were not supported, applied or eligible for their exemption.**

When the search was re-run it was determined that the same 6 speed detections were found with no additional detections in this speed bracket. In response to this question I can therefore advise that on all six of the occasions mentioned an exemption was applied.

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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.

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, Dalrnarnock, 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.