

Our Ref: IM-FOI-2022-1189
Date: 21 June 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 am writing to request from you, the total number of charges laid between the period of 01/01/19 and 01/04/22 relating to offences that can be described as 'the offender alerting road users to the location/presence of a police speed trap.'

Further, I request confirmation to the total number of these charges that were laid with reliance placed upon the statutory instrument of s. 89 Police Act 1996.

Where the statutory instrument of s. 89 Police Act 1996 is not relied upon, could you please provide me with a summarised list of the separate statutory instruments that have been relied upon in the determination to charge a suspect with an offence relating to alerting road users to the location/presence of a police speed trap.

In response to your request, I can advise you that s89 of Police Act 1996 does not extend to Scotland. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

I can further advise you that Police Scotland record crimes using the Scottish Government Justice Department crime classification codes and there is no specific, relevant offence classification we can search on.

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk 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 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.

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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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