



Date: 03/12/2024
Our ref: 01/FOI/24/013682/V

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013682/V

I write in connection with your request for information dated 21/11/2024, received by Greater Manchester Police (GMP) for the following information:

I would like to know how Greater Manchester Police would investigate speeding tickets regarding company cars;

When a company car is captured speeding via a GMP speed camera, A letter is sent to the company (generally if the car is registered in the company name) asking for the name of the person who was driving the vehicle at the time of the speeding offence and a response is required within 28 days.

questions in this scenario:

- 1. I would like to know if GMP have a process for cross checking the named person on the response form comparing it to the camera capture data if relevant.*
- 2. Which type of speed cameras in GMP area have cameras that are capable of capturing the driver image.*
- 3. If for example GMP matched the photo from the speed camera and it wasn't consistent with the response form (ie gender) or GMP received a tip off, what would the process in both cases be if GMP suspected that the person on the response form was not the person driving the vehicle at the time of offence.*

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP. However, I am not obliged to provide all the information as exceptions apply.

Section 17 of the Freedom of Information Act 2000 requires GMP, when refusing to provide such information (because the information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. The information you have requested in question 2 is exempt from disclosure by virtue of the following exemptions: **Section 31(1)(a)(b) – Law Enforcement** and **Section 38(1) – Health and Safety**

S31 – Law Enforcement: Harm

GMP do not disclose the capabilities of our enforcement cameras. To do so would create misleading and potentially dangerous information into the public domain. This would provide those intent on driving in excess of the speed limit with intelligence on the enforcement process may encourage individuals to travel above the speed if they believe they are less likely to be prosecuted. This would impact on the law enforcement capabilities of GMP in the prevention and detection of crime and the apprehension or prosecution of offenders. Additionally, releasing this information could lead to targeted vandalism of the speed cameras, which would be contrary to GMP's function to prevent and detect crime.

Public Interest Test

Factors Favouring Disclosure

The disclosure details of any current speed enforcement capabilities would assist the populace in taking steps to better protect themselves. It would also show GMP's accountability in the use of public funds when policing particular areas.

Factors Favouring Non-Disclosure

Conversely to the factors in favour of disclosure, to publicly release speed enforcement information would impact on the law enforcement capabilities of GMP. It would allow for those intent on breaching the speed limit to develop ways to circumvent the enforcement capabilities, which would impact of GMP's ability to prevent and detect crime and apprehend or prosecute offenders.

S38 – Health and Safety: Harm

To disclose the capabilities of speed cameras would create a perception of ways to avoid the speed enforcement process and encourage those intent on speeding to drive at dangerous speeds. The faster the traffic travels through such areas, the higher the risk of collision to all road users. This would undoubtedly increase the risk of the health and safety of road users.

Public Interest Test

Factors Favouring Disclosure

The disclosure of speed camera capabilities may assist members of the public to better protect themselves against potential road collisions. It would also encourage transparency between GMP and the public.

Factors Favouring Non-Disclosure

To divulge to the wider public what speed cameras are capable of may encourage individuals to travel at excessive speed. The faster the traffic travels through such areas, the higher the risk of accidents to motorists and pedestrians.

Balancing Test

When balancing the public interest test GMP must consider whether the information should be released into the public domain, therefore arguments need to be weighed against each other. The most persuasive reason for disclosing the information would be the fact that disclosure would encourage transparency, which needs to be weighed against the strongest reasons for non-disclosure, which in this case is the likelihood of individuals being put at risk. The safety of the communities GMP police is of paramount importance and the Force would not detrimentally impact on that safety by disclosing harmful information in response to a FOI request. Therefore, having considered all the factors for and against disclosure it is the decision at this time to maintain the above exemptions and withhold the information from disclosure.

1. A section 172 request for driver information is sent out to the registered keeper of a vehicle and any subsequent nominated driver. It is the legal responsibility of the person named on the notice (or company secretary, where applicable) under S172 of the Road Traffic Act 1988 to respond to that notice providing information to allow for identification of the driver. GMP act upon the information being provided under this Act. If we believe there is any reason to doubt the information being provided, then review of imagery and intelligence checks are undertaken.
2. Exempt under S31 and S38, see above.
3. Court proceedings are laid against those providing false or misleading information in respect of the request for information.