

PUBLIC INTEREST TEST 1738A/21**Section 31 (1) (a) (b) (c) (Law enforcement)****Harm**

Release via the Freedom of Information Act is deemed release into the public domain. Therefore, releasing the threshold for issuing a speeding ticket, at which a vehicle would activate the production of a fixed penalty notice, summons or prosecution camera, would notify all members of the public that they could travel up to that minimum speed without suffering any consequences.

Factors that favour Disclosure

Disclosing information about statistics and figures surrounding speeds of vehicles on public roads would provide a greater transparency in the actions taken by the Police and ensure that they operate effectively and efficiently. It is clear that there is a public interest in public authorities operating in as transparent a manner as possible, as this should allow the public to understand how the force protects the public on our roads and highways.

Disclosing the minimum speed that motorists were prosecuted at should provide the necessary safeguards and satisfy the public interest.

Factors against Disclosure

Where the current or future law enforcement role of the force may be compromised by the release of information, then this is unlikely to be in the interest of the public.

Knowledge of the minimum speed of motorist prosecution would allow for vehicles travelling faster on our roads, and this in turn could cause more serious injury and an increase in road traffic collisions. Also, motorists would know that to avoid detection they could just stay below that minimum prosecution limit. This would compromise the future prevention and detection of crime.

Balancing Test

The issues of transparency and awareness are noted. However, on balance it is considered that the public interest in disclosing the information is outweighed by the potential impact release would have on current and future law enforcement activities and the safety of other road users.

Disclosing information in this case would place into the public domain information that would allow motorists to avoid detection. To undermine the police's ability to prevent injury and protect the public would not be in the public interest.

Having considered the arguments for and against, I therefore consider that the public interest test favours maintaining the exclusion of disclosing the minimum speed for prosecution. West Midlands Police will not disclose information that could compromise the current or future law enforcement role of the force.