

An Garda Síochána

Oifig Saorála Fáisnéise
An Garda Síochána, Teach áth Luimnigh
Lárionad Gnó Udáras Forbartha Tionscail
Baile Sheáin, An Uaimh
Contae na Mí
C15 DR90



Freedom of Information Office
An Garda Síochána, Athlumney House
IDA Business Park
Johnstown, Navan
Co Meath
C15 DR90

Teileafón/Tel: (046) 9036350



Láithreán Gréasain/Website:
www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Mr. David Labanyi

Re: Freedom of Information Request FOI-000213-2017 Request Granted

Dear Mr. Labanyi,

I refer to your request, dated and received on 15th May, 2017 which you have made under the Freedom of Information Act (FOI) 2014 for records held by An Garda Síochána.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency "insofar as it relates to administrative records relating to human resources, or finance or procurement matters". Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

I understand a member of staff from my office was in contact with you seeking clarification on your request. It was agreed that your request would be amended.

Your request sought:

'The annual, full year total for fines revenue from Fixed Charge Notices (FCN's) for the five year period to December 31st 2016 broken down by payment period (28/56 days)'

I wish to inform you that I have decided to grant your request on 9th June, 2017.

1. Findings and particulars

On the 31st October 2002, the Fixed Charge Notice (FCN) process was introduced as a replacement of the old 'on the spot' fine system along with Penalty Points. The Fixed Charge Processing System (FCPS) was developed by An Garda Síochána to enable computerised, automated processing of FCNs and to assist in the management of the penalty points system. The process applied to the then penalty point offences, certain parking and other offences under the Road Traffic Acts. One of the key objectives of the fixed charge notice system is to contribute to safer driving and reduced road traffic collision casualties.

Since 2002 the system has been expanded to include offences related to the main collision causation factors, such as seatbelt wearing, speeding and intoxicant related offences, as

part of a number of road safety strategies. Since their introduction an increased level of compliance by road users has been recorded and thereby contributing to a reduction in road fatalities.

More recently fixed charges for defective tyres and pedal cycle offences have been included.

Since 2008 Public Order offences (Intoxication in a Public Place and Disorderly Conduct in a Public Place) can also be dealt with by FCN.

Currently FCPS caters for 614 FCN offences which are grouped into 40 groups for internal administration purposes.

The current legislation for the FCN process allows for the payment of the fixed charge within 28 days of issue of the notice. If payment is not made in this period, an increased charge may be paid within a further 28 day period. (*Payment of the fixed penalty in relation to drink driving offences is restricted to one period of 28 days at the original amount*).

These payments are collected on behalf of An Garda Síochána by An Post. The payments received are used to offset the costs of the outsourced speed cameras contracts. In the event that the income from FCNs exceeds the costs of the contracts the excess is returned to the Exchequer.

If payment of the FCN is not made within the allowable period, court proceedings are initiated by way of summons application. Any fines arising from the court proceedings are not received by An Garda Síochána.

The figures were extracted based on the date the payments were processed by An Post. Therefore some payments may relate to offences that occurred in the later stages of the previous year.

The table below contains the total of paid Fixed Charge Notices broken down by payment period for each of the years 2011, 2012, 2013, 2014, 2015 and 2016.

Year	Paid in 28 Days	Paid in 56 days	Total
2016	€ 15,675,610.00	€ 2,936,760.00	€ 18,612,370.00
2015	€ 17,741,390.00	€ 3,565,050.00	€ 21,306,440.00
2014	€ 17,962,700.00	€ 3,725,020.00	€ 21,687,720.00
2013	€ 16,159,720.00	€ 3,453,990.00	€ 19,613,710.00
2012	€ 18,237,210.00	€ 3,938,450.00	€ 22,175,660.00
2011	€ 20,286,630.00	€ 4,186,920.00	€ 24,473,550.00

2. Rights of appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000213-2017**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Johnstown, Navan, Co. Meath. C15 DR90.

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

Account Name: Garda Síochána Finance Section Public Bank Account

Account Number: 10026896

Sort Code: 900017

IBAN: IE86B0F190001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number (FOI-000213-2017) is included in the payment details.

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at www.garda.ie.

Personal details in respect of your request will be removed to protect confidentiality where applicable.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICE

12th June, 2017