

# 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](http://www.garda.ie)

Ríomh-phoist/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000145-2018 Request Granted

*Dear*

I refer to your request, dated and received on 5<sup>th</sup> April 2018 which you have made under the Freedom of Information Act 2014 (FOI Act) 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.

Your request sought:

*I would like to request information on all paid fixed charge notices for the Donegal Garda Division in 2016 and 2017, broken down by offence group, number and amount.*

I wish to inform you that I have decided to grant your request on the 30<sup>th</sup> April 2018.

The purpose of this letter is to explain that decision.

### **1. Findings, particulars and reasons for decision**

Upon receipt of your request, a search was conducted in the Finance Directorate of An Garda Síochána and records were provided to this office. The number and amount of fines paid by offence group for Donegal Division for 2016 and 2017 are herewith attached at Appendix A and B.

Please note that the figures extracted return a count of offences that were paid during the given date range i.e. (2016-2017); not the number of offences that occurred and these figures are 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.

On 31<sup>st</sup> 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 have been recorded and thereby contributing to a reduction in road fatalities.

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

Fixed charge for defective tyres and pedal cycle offences have also been included since 2015.

Currently FCPS caters for 614 FCN offences which are grouped into 40 groups for internal administration purposes. 39 categories relate to road traffic offences and 1 category relates to public order offences.

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.

There is also a third payment option (FCN3) that may be considered by a person before the unpaid FCN proceeds to court by way of summons.

The fixed charge amount on the FCN3 will be double that on the FCN1, and may be paid not later than 7 days before the date of the Court on which the charge is to be heard (Third Payment Option). It should be noted however that the third payment option, FCN3 does not apply to public order offences.

## 2. Right 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-000145-2018**.

***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:** BOFIIIE2D

**You must ensure that your FOI reference number (FOI-000145-2018) 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](http://www.garda.ie).

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

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

Yours sincerely,

  
**SUPERINTENDENT**  
**SHARON KENNEDY**  
**FREEDOM OF INFORMATION OFFICER**

02 MAY 2018

FOI 145/2018

## Fixed Charge Notices: Donegal Division

YEAR	CL FC OFF GROUP DESC	CL QUANTITY	CL AMOUNT
2016	Speed	3,235	€ 270,320
2016	Tax/Ins(No Disc),Sec 51A RTA	649	€ 42,090
2016	Public Order	235	€ 28,170
2016	Mobile Phone	329	€ 20,850
2016	SEAT BELT	205	€ 12,960
2016	DDFP	44	€ 12,600
2016	Driving a Vehicle Without Reasonable Consideration	138	€ 11,640
2016	Clearway/Disabled Bay-Park/Stop	45	€ 3,720
2016	Provisional/Novice Driver	46	€ 3,450
2016	Park-Manner/Location	76	€ 3,200
2016	Vehicle Lighting	45	€ 2,850
2016	Vehicle Certification	44	€ 2,820
2016	Roadway-Cross Centre Lines	33	€ 2,680
2016	Park Sign /Road Markings	55	€ 2,260
2016	Overtaking	23	€ 1,920
2016	Traffic Signs & Rd Markings	24	€ 1,890
2016	Tyres	21	€ 1,680
2016	Traffic lights-Driving Past	7	€ 560
2016	Signal By Driver Garda Warden	5	€ 440
2016	Bus Lane/St.& Bus/Taxi Park	8	€ 340
2016	Drive On / Across	5	€ 330
2016	Parking Within 5 Metres	6	€ 260
2016	Hirer Parking Offences	1	€ 80
2016	Park-Fire/Garda/Ambulance	2	€ 80
2016	Fail To Yield Right Of Way	1	€ 80
2016	Pedal Cycle	1	€ 60
		5,283	€ 427,330

Appendix B

FOI 145/2018

Fixed Charge Notices: Donegal Division

YEAR	CL FC OFF GROUP DESC	CL QUANTITY	CL AMOUNT
2017	Speed	2546	212880
2017	Tax/Ins(No Disc),Sec 51A RTA	816	52680
2017	Public Order	232	29110
2017	Mobile Phone	302	19110
2017	Driving a Vehicle Without Reasonable Consideration	155	13000
2017	DDFP	45	10400
2017	SEAT BELT	143	9330
2017	Provisional/Novice Driver	71	5100
2017	Vehicle Certification	76	5100
2017	Clearway/Disabled Bay-Park/Stop	58	4920
2017	Park Sign /Road Markings	108	4600
2017	Tyres	40	3440
2017	Park-Manner/Location	55	2220
2017	Traffic Signs & Rd Markings	21	1730
2017	Roadway-Cross Centre Lines	20	1640
2017	Vehicle Lighting	25	1530
2017	Overtaking	15	1200
2017	Traffic lights-Driving Past	12	1000
2017	Hirer Parking Offences	9	600
2017	Signal By Driver Garda Warden	5	400
2017	Fail To Yield Right Of Way	3	240
2017	Bus Lane/St.& Bus/Taxi Park	5	200
2017	Drive On / Across	3	180
2017	Park-Fire/Garda/Ambulance	2	80
2017	Pedal Cycle	1	40
		4,768	€ 380,730