

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

Bí linn/Join us



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000507-2018 Request Granted

Dear

I refer to your request, dated and received on 21st December, 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:

- *The monetary amount on all paid fixed charge notices in the Kerry Garda Divisions in 2017 and 2018, broken down by the offence group (if applicable).*
- *The annual, full year total for fines revenue from penalty point offences for the three-year period to December 31st, 2017, and for 2018 so far.*

*Clarified part 2 of Request
Figures for Kerry only*

I wish to inform you that I have decided to grant your request on the 22nd January 2019.

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. As a result of this search, this Office has been briefed and records have been provided for consideration under the FOI Act.

Upon review of these records, I have decided to grant your request. The first part of your request seeking *the monetary amount on all paid fixed charge notices in the Kerry Divisions in 2017 and 2018, broken down by offence group*, are herewith attached. It should be noted that the initial report for 2018 is from 1st January 2018 to 30th November 2018. An additional separate report was printed covering the period 1st December to 31st December 2018.

Please note that the figures extracted return a count of offences that were paid during the given date range; 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 latter stages of the previous year.

The second part of your request is seeking *the annual, full year total for fines revenue from penalty point offences for the three year period to December 31st 2017 and for 2018 so far*. The full year total for fines revenue for 2017 and 2018 has already been supplied for the first part of your request. In addition, I am herewith attaching the annual full year total for fines revenue for 2015 and 2016.

On 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 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 charges 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-000507-2018**.

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: IE86BOFI90001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number (FOI-000507-2018) 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

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

22 JANUARY 2019



Selected Period:

Between 01 December 2018 and 31 December 2018

About This Report: Payments Received

Division	Kerry	Divisional Count	526	€ 43570
Offence Group Description				
Speeding Offences		247		21560
Use a mobile phone whilst driving		82		5340
Fail to display a valid tax/insurance disc		62		4230
Public Order offences		31		3870
Seat belt		23		1530
Failing to obey parking signs and road markings		21		900
Driving a vehicle without reasonable consideration		13		1080
Parking or stopping in a clearway or disabled space		8		1350
Learner/Novice Driver Offences		8		700
Use a vehicle without NCT Test Certificate		7		480
Crossing centre lines on a road way causing danger		6		480
Fail to observe traffic signs & road markings		5		420
Drink driving fixed penalty		4		1000
Park in a manner or location that causes a danger or obstruction		3		180
Use a vehicle with defective/dangerous tyres		2		160
Use a vehicle/trailer without the required lighting		2		150
Fail to stop at traffic lights (red & amber)		1		80
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank		1		60



Selected Period:

Between 01 January 2018 and 30 November 2018

About This Report: Payments Received

Division	Kerry	Divisional Count	5532	€ 454265
Offence Group Description		Offence Count	Amount €	
Speeding Offences		2558	222760	
Use a mobile phone whilst driving		802	54480	
Fail to display a valid tax/insurance disc		717	50310	
Public Order offences		286	34560	
Failing to obey parking signs and road markings		284	12480	
Seat belt		198	13260	
Driving a vehicle without reasonable consideration		110	9720	
Learner/Novice Driver Offences		94	7870	
Use a vehicle without NCT Test Certificate		85	5940	
Parking or stopping in a clearway or disabled space		66	8865	
Use a vehicle with defective/dangerous tyres		57	5360	
Drink driving fixed penalty		50	13400	
Park in a manner or location that causes a danger or obstruction		42	1840	
Crossing centre lines on a road way causing danger		37	3160	
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank		20	920	
Fail to observe traffic signs & road markings		19	1530	
Dangerous or endangering overtaking		18	1600	
Fail to stop at traffic lights (red & amber)		14	1400	
Parking Offences - Hired Vehicles		13	690	
Use a vehicle/trailer without the required lighting		13	900	
Parking/stopping in a loading bay or school entrance		13	580	
Drive/Park/stop in tram only street or cycle track		8	360	
Drive on or across a footway, cycle track or continuous white line		7	420	
Failure to obey with an instruction given by a Garda/School Warden		6	500	
Fail To Yield Right Of Way		3	240	
Fail to wear a crash helmet		3	240	



Selected Period:

Between 01 January 2018 and 30 November 2018

About This Report: Payments Received

Park within 5 metres of a road junction, traffic lights or pedestrian crossing	3	120
Exceed vehicle weight	3	600
Park within 15 metres of a road junction, traffic lights or pedestrian crossing	1	40
Pedal Cycle Offences	1	40
Railway Level Crossing	1	80



Selected Period:

Between 01 January 2017 and 31 December 2017

About This Report: Payments Received

Division	Kerry	Divisional Count	5310	€ 421640
Offence Group Description		Offence Count	Amount €	
Speeding Offences		2656	223920	
Use a mobile phone whilst driving		678	43110	
Fail to display a valid tax/insurance disc		652	43110	
Public Order offences		371	43380	
Failing to obey parking signs and road markings		228	9680	
Seat belt		163	10290	
Learner/Novice Driver Offences		91	7120	
Use a vehicle without NCT Test Certificate		90	6090	
Driving a vehicle without reasonable consideration		80	6600	
Drink driving fixed penalty		50	11400	
Parking or stopping in a clearway or disabled space		40	3280	
Crossing centre lines on a road way causing danger		30	2520	
Park in a manner or location that causes a danger or obstruction		29	1200	
Use a vehicle with defective/dangerous tyres		24	2000	
Parking Offences - Hired Vehicles		24	1220	
Use a vehicle/trailer without the required lighting		20	1260	
Fail to stop at traffic lights (red & amber)		18	1480	
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank		17	700	
Fail to observe traffic signs & road markings		11	860	
Dangerous or endangering overtaking		8	640	
Drive on or across a footway, cycle track or continuous white line		7	420	
Parking/stopping in a loading bay or school entrance		6	260	
Park within 5 metres of a road junction, traffic lights or pedestrian crossing		5	220	
Drive/Park/stop in tram only street or cycle track		4	160	
Fail To Yield Right Of Way		3	240	
Fail to wear a crash helmet		3	320	



Selected Period: Between 01 January 2017 and 31 December 2017

About This Report: Payments Received

Failure to obey with an instruction given by a Garda/School Warden	2	160
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Selected Period:

Between 01 January 2016 and 31 December 2016

About This Report: Payments Received

Division	Kerry	Divisional Count	7075	€ 569540
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Offence Group Description	Offence Count	Amount €
Speeding Offences	4241	356040
Use a mobile phone whilst driving	993	63180
Fail to display a valid tax/insurance disc	601	40200
Public Order offences	360	43250
Seat belt	167	10650
Failing to obey parking signs and road markings	152	6380
Driving a vehicle without reasonable consideration	111	9240
Learner/Novice Driver Offences	82	6600
Use a vehicle without NCT Test Certificate	58	3840
Crossing centre lines on a road way causing danger	47	3840
Drink driving fixed penalty	40	10800
Use a vehicle with defective/dangerous tyres	38	3280
Parking or stopping in a clearway or disabled space	35	2920
Use a vehicle/trailer without the required lighting	28	1710
Fail to stop at traffic lights (red & amber)	22	1800
Park in a manner or location that causes a danger or obstruction	22	900
Fail to observe traffic signs & road markings	18	1440
Parking Offences - Hired Vehicles	14	680
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank	10	420
Dangerous or endangering overtaking	7	600
Parking/stopping in a loading bay or school entrance	6	240
Park/obstruct a entrance or exit to a Fire Station, Garda Station or Ambulance	6	240
Fail To Yield Right Of Way	5	440
Drive on or across a footway, cycle track or continuous white line	4	270
Failure to obey with an instruction given by a Garda/School Warden	2	160
Park within 5 metres of a road junction, traffic lights or pedestrian crossing	2	80



Selected Period:

Between 01 January 2016 and 31 December 2016

About This Report: Payments Received

Failure to obey mandatory signs, weight restrictions and reversing offences	1	60
Exceed vehicle weight	1	200
Pedal Cycle Offences	1	40
Park within 15 metres of a road junction, traffic lights or pedestrian crossing	1	40



Selected Period:

Between 01 January 2015 and 31 December 2015

About This Report: Payments Received

Division	Kerry	Divisional Count	5174	€ 423510
Offence Group Description		Offence Count	Amount €	
Speeding Offences		3119	262320	
Use a mobile phone whilst driving		482	30690	
Fail to display a valid tax/insurance disc		476	31950	
Public Order offences		382	46180	
Seat belt		164	10320	
Failing to obey parking signs and road markings		114	4860	
Driving a vehicle without reasonable consideration		81	6880	
Use a vehicle without NCT Test Certificate		79	5310	
Park in a manner or location that causes a danger or obstruction		53	2200	
Crossing centre lines on a road way causing danger		42	3560	
Learner/Novice Driver Offences		40	3230	
Drink driving fixed penalty		34	8600	
Use a vehicle/trailer without the required lighting		21	1290	
Parking or stopping in a clearway or disabled space		15	1360	
Fail to observe traffic signs & road markings		13	960	
Fail to stop at traffic lights (red & amber)		11	920	
Parking Offences - Hired Vehicles		10	440	
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank		10	460	
Dangerous or endangering overtaking		8	640	
Failure to obey with an instruction given by a Garda/School Warden		5	410	
Drive on or across a footway, cycle track or continuous white line		5	330	
Failure to obey mandatory signs, weight restrictions and reversing offences		4	240	
Fail To Yield Right Of Way		2	200	
Park within 5 metres of a road junction, traffic lights or pedestrian crossing		2	80	
Park/obstruct a entrance or exit to a Fire Station, Garda Station or Ambulance		1	40	
Parking/stopping in a loading bay or school entrance		1	40	