

Paul Perrin

11th May 2009

By E-mail

request-10817-ffb9fb3a@whatdotheyknow.com

Dear Mr Perrin,

Freedom of Information Act 2000 - Road Accident Data Request (Ref. no FOI0005232)

Thank you for your email of 21st April 2009 in which you have asked for Information on road accidents data for last seven years under the Freedom of Information Act 2000.

Under section 21 of the Act, we are not required to provide information which is already reasonably accessible to you. The information you have requested is accessible at the UK Data Archive. The accident data sets (STATS19) are available at:

<http://www.data-archive.ac.uk/findingData/radTitles.asp>

With regard to the speed on impact, this data is not collected as part of the accident data and therefore the information is not held. The Police officers at the scene of an accident collect various data including factors which may have contributed to the accident. These known as "contributory factors" data are not available at accident level as they are considered sensitive data. The contributory factors data together with the accident data could identify and cause distress to the living persons involved in the accident. Disclosure of such information would be likely to breach the 1st Principle of the Data Protection Act which requires that processing of personal data be fair and lawful and subject to specific conditions. Therefore under section 40(2) & (3) of the Freedom of Information Act (see Annex A), this data is exempt from disclosure. However, the Department does publish its analysis of contributory factors data aggregated to national level in article 4 of "Road Casualties Great Britain – annual report". This report is available of the department's web site at:

<http://www.dft.gov.uk/pgr/statistics/datatablespublications/accidents/casualtiesgbar/roadcasualtiesgreatbritain20071>

Table 13 in "Road Casualties Great Britain – annual report" provides accidents and casualties by severity, road type and speed limit. This table is available at the above link.

The "Road Casualties Great Britain – annual report 2007" is also available to purchase for £39.50 from The Stationary Office (TSO) either online at: www.tsoshop.co.uk or post at

TSO,
P O Box 29
Norwich NR3 1GN.
Tel: 0870 600 55 22
(Quote ISBN 978-0-11-552981-8)

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents supplied by the Department for Transport will have been produced by government officials and will be Crown Copyright. You can find details on the arrangements for re-using Crown copyright on the Office of Public Sector Information website at: <http://www.opsi.gov.uk/click-use/index.htm>.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. The Department will, therefore, be simultaneously releasing to the public the information you requested, together with any related information that will provide a key to its wider context.

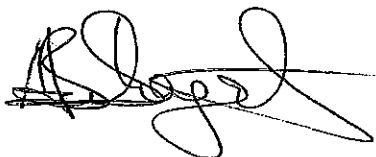
If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications

Regards



Road Safety Statistics

Your right to complain to [DfT/Agency] and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

FoI section 40: full text of exemption

1. Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
2. Any information to which a request for information relates is also exempt information if:
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied
3. The first condition is:
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene:
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.
4. The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).
5. The duty to confirm or deny:
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either:
 - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section

33A(1) of that Act were disregarded, or
(ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

6. In determining for the purposes of this section whether anything done before 24 October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

7. In this section:

"the data protection principles" means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

"data subject" has the same meaning as in section 1(1) of that Act;

"personal data" has the same meaning as in section 1(1) of that Act.