



Home Office

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27 June 2011

Freedom of Information Request Number 18834

Request-73052-44f9388d@whatdotheyknow.com

Dear Mr Peers,

I am writing further to Karen Sawyer's e-mail of 2nd June 2011, regarding your request for details on the Ultralyte LTI 20-20 1000 laser speedmeter. Your request has been handled as a request for information under the Freedom of Information Act 2000.

The Home Office does not require tests of laser speedmeters at specified distances. Nevertheless the police in their evaluations of the Ultralyte 1000 speedmeter did measure the speed of vehicles at distances over 300 m. I attach all these measurements. The data includes the distance from the Ultralyte 1000 speedmeter to the target, the speed measured by the Ultralyte 1000 speedmeter, and the speed measured by a reference system. This data is produced by the police for police purposes and are not precision measurements.

The Home Office does hold the Bill of Materials for the Ultralyte 1000, but after careful consideration, we have decided that this information is exempt from disclosure by virtue of Sections 41 and 43 (2) of the Freedom of Information Act. Please see the attached annex for details as to how we have reached this decision.

The Home Office has not measured and is not aware of any measurements of the peak optical power of the laser. The laser has received class 1 laser certification. See the attached summary of tests against the Speedmeter Handbook v4.

The Home Office has not measured and is not aware of any measurements of beam divergence. The nominal beam divergence is 3 mrad.

The Ultralyte 1000 has been tested against the sections of the Speedmeter Handbook v4 that deal with temperature storage and performance (§7.1 and §7.2). I attach a copy of the test results summary and the handbook.

The firmware in the Ultralyte 1000 has not changed since it was type approved. The version number is v3.03e.

We have not conducted and we do not hold the results of any tests of the detector sensitivity.

We presume you are asking about the peak forward current of the transmitting or receiving diodes. We do not hold any information about the peak forward current of either diode.

The pulse width of the transmitting laser is about 18 ns.

The duty cycle of the transmitting laser is about 2.25×10^{-6} (from pulse width of 18ns and pulse repetition frequency of 125Hz).

It's unclear what latency you are seeking. We presume you are asking for the time lag between the receipt of the final laser pulse and the speed appearing on the display. We don't hold information about these processing times.

We don't hold information about the rise and fall times of the laser pulse.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 18834. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Core Home Office, IPS and UK Border Agency cases:

Information Access Team

Home Office

Ground Floor, Seacole Building

2 Marsham Street

London SW1P 4DF

e-mail: FOIRequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely,

Rob Coleman OBE BEng

Director

**Centre for Applied Science and Technology
(Formerly HOSDB)**

Annex

Freedom of Information request from S Peers (reference 18834)

Reasons for withholding the Bill of Materials

We are not obliged to disclose these third party documents relating to the LTI 20.20 Ultralyte 1000 which were provided in confidence as a requirement of the type approval process. After careful consideration, we have decided that this information is exempt from disclosure by virtue of Section 43 (2) of the Freedom of Information Act. This provides that information can be withheld where disclosure would likely to prejudice the commercial interests of any person (including the public authority holding it) and where the public interest falls in favour of non-disclosure.

Exemption under Section 43 (2) - Commercial Interests

Section 43 (2) of the FOI Act provides that "Information is exempt information if:

its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

When the FOI Act came into force in January 2005, the Home Office wrote to manufacturers of speedmeter devices explaining the implications of the FOI Act. We asked for comments on the type of information that they would normally expect to be exempt from disclosure. A number of replies were received. It might put my decision in context if you are aware of some of these received comments. These are therefore detailed below:

- "We consider that ALL of the information submitted during the Type Approval process is commercially sensitive and crucially, that it was submitted on the understanding that it would **remain** confidential.
- Clearly, releasing information about the specific implementation of our unique system may enable competitors to copy our system. The fact that our product remains unique in this field of enforcement technology 6 years later is testimony to the creativity of our solution. Any release of information demonstrating how we achieved Home Office Type Approval would be deeply injurious to our business and is strictly against the undertaking of confidentiality expressed by CAST [HOSDB] at the time the information was supplied."
- "... we would defend our right to protect the commercially sensitive secrets that underpin our products."
- "...it does of course raise interesting questions about what information we can now safely supply to CAST [HOSDB] for our new product which is about to be submitted for approval."
- "...That documentation, which is of itself copyright, consists of Engineering drawings.....Much of this is subject to patents and commercial confidentiality. The information was provided against undertakings, and indeed signed agreements, of strict confidentiality and were that not the case we would have serious thoughts about the viability of seeking Type Approvals in the UK. We would have concerns about our commercial interests worldwide were the information to be freely available

worldwide. Where such information to be disclosed we would view that as a breach of confidentiality leading potentially to severe commercial harm and would act accordingly with actions both of Copyright and Breach of Confidentiality.”

- “All the information and data provided to you for the purpose of obtaining the approval of our speedmeter has been and is given in confidence and therefore should be treated as strictly secret and confidential information. “
- “The concern that we have is that the types of information listed, disclosed individually or in combination, could result in the intellectual property of our products being disclosed to competitors.
- “It is certainly within our knowledge that in a European country certain commercially confidential information in respect of a speed measuring device was obtained, probably illegally, from a test house and was used to manufacture a rival device.”

As you will see from the above comments, manufacturers of speedmeter devices consider that the release of any of the information held by CAST as part of the Type of Approval would be likely to prejudice their commercial interests. Disclosure of the information would be likely to weaken their positions in a competitive environment by revealing market-sensitive information or information of potential usefulness to its competitors and in one evidenced case the information has been used in another European country to manufacture a rival device.

Public Interest Test

Exemption 43 (2) is a qualified exemption where the public interest test has to be applied. The industry is naturally wary of the consequences of sharing information (even with CAST as part of the Type Approval process) as commercial advantage, achieved at great expense, could be compromised.

However, through the proven integrity of CAST, a level of trust has been built up, the manufacturers rely on CAST not to release the information, and the process therefore works. It is in the public interest that the maintenance of safety on the roads is carried out using the most effective equipment available. This can be ascertained only through the Type Approval process.

Some manufacturers have already indicated in writing that they will withdraw from the policing market if the Type Approval process is seen to be undermined. If we were to have to release documents supplied to us in confidence for the Type Approval process we would lose the co-operation of the manufacturers which would seriously undermine the process and have wide ranging safety implications.

Against this background we considered that the factors outlined above weigh in favour of the public interest in withholding the information because disclosure would make it less likely that companies, or individuals would provide us with commercially sensitive information in the future and consequently undermine the ability of CAST to fulfil its role in type approving speedmeter devices.