

Via email: [REDACTED]

FOI 965-18/19

14 September 2018

Dear [REDACTED]

I refer to your email dated 22 August 2018 in which you asked for information regarding prosecutions in respect of bicycles without a bell fitted. Your request has been dealt with under the terms of the Freedom of Information Act 2000.

Freedom of Information Act 2000

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. Firstly, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked the following:

“Under Freedom of Information legislation please provide me with a microsoft excel spreadsheet breakdown of the number of times an individual in Northern Ireland has been prosecuted because they (i) tried to sell a bicycle without a bell fitted (ii) were using a bicycle without a bell fitted. Please provide a separate spreadsheet for part (i) and part (ii) and please provide the following column headings for each incident.

- Date of incident;
- Gender of offender;
- Age (or age bracket) of offender;
- Location of court appearance;
- Fine / prosecution details;

Please provide me with this information for the time period January 2012 to December 2017, or the longest time period possible to comply with cost and time exemptions”.

In response I can advise a search on the PPS Case Management System (CMS) for the Pedal Cycle (Safety) Regulations 2003 (SI 2003/1101) and the Pedal Bicycles (Safety) Regulations 2010 (SI 2010/198) related to the requirement to have a bell fitted to a bicycle for sale, has returned no results.

There has been no prosecutions recorded on the PPS CMS for this offence by the PPS.

In relation to the requirement under Regulation 7 of the Road Vehicles (Traffic) Regulations (Northern Ireland) 1933 ([SI 1933/42](#)) that: "A person shall not on a public highway ride a pedal cycle unless such cycle is fitted with and has affixed to its handlebar an efficient and effective bell or horn and is also fitted with effective front wheel and back wheel brakes", PPS has issued decisions for prosecution or diversion for this offence in relation to less than three suspects. As the numbers involved are minimal, disclosing the exact number and demographic breakdown could reveal the identity of those individuals and would breach the 1st and 2nd principles of the Data Protection Act.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible (or in any case within two months of the date of this response), and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to info@ppsni.gov.uk. You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish 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

Yours sincerely,

PPS FOI Section