

13 February 2025

FOI Ref 17825

Request - You asked us the following:

I am doing a story about the recent change in the legislation on mobile phone usage whilst driving. I believe the offence is under the code CU80.

Since March 2022 the government tightened its rules, and increased the penalties. I wanted to ask how many such incidents have been recorded by your police force in the past few years.

My questions are:

- How many drivers have been stopped for using a mobile phone whilst driving in 2021?
- How many drivers received a fine and/or penalty points for using their mobile phone whilst driving in 2021?
- How many drivers lost their licence for using their mobile phone whilst driving in 2021?

- How many drivers have been stopped for using a mobile phone whilst driving in 2022?
- How many drivers received a fine and/or penalty points for using their mobile phone whilst driving in 2022?
- How many drivers lost their licence for using their mobile phone whilst driving in 2022?

- How many drivers have been stopped for using a mobile phone whilst driving in 2023?
- How many drivers received a fine and/or penalty points for using their mobile phone whilst driving in 2023?
- How many drivers lost their licence for using their mobile phone whilst driving in 2023?

- How many drivers have been stopped for using a mobile phone whilst driving in 2024?
- How many drivers received a fine and/or penalty points for using their mobile phone whilst driving in 2024?
- How many drivers lost their licence for using their mobile phone whilst driving in 2024?

- How many drivers have been stopped for using a mobile phone whilst driving so far in 2025?
- How many drivers received a fine and/or penalty points for using their mobile phone whilst driving so far in 2025?
- How many drivers lost their licence for using their mobile phone whilst driving so far in 2025?

It is possible that the volume of material requested is such that it would take it above the cost/staff time limit. With this in mind, I would also respectfully remind you that Section 16 of the FOIA places a duty on public authorities to provide assistance and advice to those making FOI requests so if there are any issues concerning this request – including the research time needed by you to respond – I would expect you to contact me to discuss a way forward.

We received your request on 12/02/2025 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit. Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which we can readily retrieve information from our systems to answer this request. For the time period requested, there have been in excess of 4,400 Fixed Penalty Notices issued for the offence of 'use a handheld mobile phone / device while driving a motor vehicle on a road'. In order to determine whether the Fixed Penalty Notice was issued by an officer stop, or whether a driver lost their licence for using their mobile phone whilst driving, the record for each offence would require manual review.

From dip sampling, it has been estimated that it would take approximately 5 minutes to review each record to answer this request, this would equate to over 366 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by some considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

If your request was amended, Staffordshire Police would be able to provide the number of Fixed Penalty Notices issued to drivers for the offence of 'use a handheld mobile phone / device while driving a motor vehicle on a road' for the years 2021, 2022, 2023, 2024 and 2025 to 12/02/2025, and the number of drivers who had either paid a fine/had their licence endorsed, were prosecuted or if the case has been sent to court.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review



STAFFORDSHIRE
POLICE

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

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

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit