

Our Ref: IM-FOI-2022-1448
Date: 22nd July 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

I am making a request to get a current 2022 July marked police vehicle. I am looking in the request to get the registration plate, make, model, role i.e patrol car, psu van, dog unit, traffic vehicle, roof call sign and where their based please

In regards to the registration plate, make and model of vehicle please find the requested information in the attached spreadsheet.

In regards to the roof call sign, I have assumed this refers to our fleet number which is visible on the roof/pillars of our marked vehicles.

In regards to where each vehicle is based and the role performed, in terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information requested.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

- (a) states that it holds the information,
- (b) states that it is claiming an exemption,
- (c) specifies the exemption in question and
- (d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested.

The exemptions that I consider to be applicable to the information requested by you are:

Section 35 (1) (a) & (b) – Law Enforcement

The information requested is exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders. If the details of numbers of Police Scotland's vehicles, split down by their role based at specific locations were disclosed, experience has shown that it would allow those intent on committing crime or causing disorder to gauge the likelihood of detection or to take measures to negate the likelihood of detection. It would allow criminals

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to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime, therefore harming the efficient and effective conduct of the service.

Such information would prove extremely useful information for persons involved in criminality as they would be able to plan and conduct their activities to avoid detection. It would confirm the number and makeup of units and vehicles available in a specific area, which would allow those intent on wrong doing to judge the police response time to a variety of incidents. In turn this would prejudice substantially the ability for our officers to prevent and detect crime and apprehend or prosecute offenders.

Disclosure would have an adverse impact on the ability of the Police to carry out its law enforcement role effectively, and thereby prejudice substantially the prevention and detection of crime.

This is a non-absolute exemption and requires the application of the public interest test.

Section 39(1) – Health, safety and the environment

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, to estimate the level of units and vehicle resources deployed by the Police and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

Public Interest Test

As you will be aware, the two exemptions detailed above are non-absolute and require the application of the public interest test. Public awareness would favour a disclosure as it would contribute to the public debate surrounding the use and deployment of vehicle resources by the Police, particularly specialist vehicles.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

By way of balance, I have included the division where each vehicle is based without giving the specific Police Station or role.

Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

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Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.