

Our Ref: IM-FOI-2022-2698  
Date: 12 January 2023



## 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.

- 1) Which systems (i.e. applications) do the standard-issued PDA (mobile phones) devices entail? How are said systems used? (For time-saving purposes, a general overview of the purpose and use of each system and not in-depth detail) An SOP on this would be sufficient.**

The Mobile Devices are attached to Pronto Manager. Pronto Manager is a database which covers all documentation which would have been held in the Police Officers notebook for example, statements, person or vehicle details and required crime report information or vehicle accident data.

- 2) Please describe the standardised terminology for said device, e.g. for the "radio" I understand 'Mobile Airwave Terminal' is used.**

The devices are referred to as Mobile Devices.

- 3) Other than covert/operational use, do unmarked vehicles (e.g. the Hyundai Kona Electric or Peugeot 308) serve any other general purpose?**

Unmarked vehicles can be used for any operational use as well as any general purpose for example travelling between locations.

- 4) Does Police Scotland use the Peugeot 208, if so for which purpose unless classified in case of the Freedom of Information act.**

In response to the question above, in terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act.

Section 18 applies where the following two conditions are met:

- It would be contrary to the public interest to reveal whether the information is held  
Whilst we accept that you may have a particular personal interest in being informed as to whether or not the information sought is held, the overwhelming public interest lies in

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protecting individuals' right to privacy and the expectation of confidence that the public have in Police Scotland as regards their information.

- If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act

I consider the following exemptions applicable.

### **Section 35 – Law enforcement**

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Disclosure of the requested information would impact on the process of investigating crime. One of the main purposes of the Police Service is to prevent crime but to release this information would be contrary to that purpose.

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

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

The release of this information would circumvent the efficient and effective provision of law enforcement by the police service for the reasons described above. This would in turn increase the risk to the personal safety of individuals and to 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**

I recognise that public awareness would favour a disclosure as it would contribute to the public debate surrounding the overall nature of vehicle resources available for deployment by the Police.

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.

### **5) Which new vehicles are currently being introduced to the fleet which aren't already common within said fleet,**

In response to the first part of question 5 I regret to inform you that I must respond in terms of Section 8 of the Freedom of Information (Scotland) Act 2002.

Section 8 provides that a request must seek recorded information to be considered valid, information based in opinion cannot be provided.

With no method to determine the value of "common" this question is considered opinion based and as such falls under the exemption of Section 8.

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To be of assistance I can advise that Police Scotland have various new vehicles coming onto fleet which are from current contracted suppliers.

**and which existing vehicles (other than Road Policing) vehicles are currently equipped with Automatic Number Plate Recognition?**

In response to the second part of question 5 please see the response to question 4.

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.

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.police.uk](mailto:foi@scotland.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](mailto: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.