| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1029  Responded to: xx April 2024 |
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Your recent request for information is replicated below, together with our response.

## I am writing to request information under the Freedom of Information Act regarding the expenditure on Tesla vehicles by your department, including their use as part of the police vehicle fleet. My request is motivated by concerns regarding fiscal responsibility and the effective allocation of public resources.

In order to provide an accurate response, your question has been split into two parts and renumbered accordingly.

Turning first to our ‘marked’ fleet vehicles;

## 1. The total number of Tesla vehicles currently owned or leased by your police department, including model types and year of acquisition.

I must advise you that the information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the section 25(1) exemption applies:

“Information which the applicant can reasonably obtain other than by requesting it […] is exempt information”.

The information sought is publicly available at:

[Fleet information - Police Scotland](https://www.scotland.police.uk/access-to-information/freedom-of-information/fleet-information/)​

Notwithstanding, I can advise you that the Police Scotland marked fleet does not include any Tesla vehicles.

**2. Detailed cost breakdowns for each Tesla vehicle, including purchase price, leasing agreements, maintenance, and any modifications or upgrades specifically tailored for police use.**

In line with the information provided at 1a, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

## 3. Justifications provided for the procurement of Tesla vehicles, including any projected cost savings, environmental benefits, and performance advantages.

In line with the information provided at 1a, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

## Questions 1 – 3 have also been considered in relation to our unmarked vehicle fleet.

In this respect 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.
* *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.

Whilst we accept that the effective and responsible use of resources is a matter of public interest, the overwhelming public interest lies in ensuring that the effectiveness of any measures utilised by Police Scotland to prevent and detect crime and keep people safe are not prejudiced.

Confirmation as to whether or not information was held would involuntarily disclose specific information which would potentially lead to covert vehicles being identified - thereby compromising their effectiveness entirely.

Section 2(1) & (2) of the Act provide that information can only be considered exempt in terms of the exemptions set out above to the extent that the public interest in disclosing the information is not outweighed by that in maintaining the exemption.

The exemptions that would apply if the information sought was held are as follows:

Section 35(1)(a)&(b) - 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.

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

Disclosure would increase the risk to the personal safety of police officers and members of the public as a result of covert vehicles being identified.

Public Interest

The key test when considering where the balance of public interest lies is to establish whether, in all the circumstances of the request, the public interest in confirming or denying the information is held is not outweighed by maintaining the exemption(s).

I can confirm that I have considered the public interest with regards disclosure of the information requested if it were held, and I am of the view that whilst accountability for public funds and better informing the public debate on this issue may favour disclosure, ensuring the integrity of the law enforcement and public safety is paramount.

In this case, and irrespective of what information is or isn’t held, to merely confirm or deny that information is held would provide information which would directly or inadvertently assist those intent on causing harm.

**No inference should be taken from this response as to whether the information you have requested does or does not exist.**

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.