| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2344  Responded to: 06 October 2023 |
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Your recent request for information is replicated below, together with our response.

## Please can you supply me with the following information?

## Registration number:

## Make:

## Model:

## of all vehicles currently on your fleet list

Please note that Police Scotland have amarked vehicle fleet, vehicles that have police livery or markings and an unmarked fleet that does not have any identifiable markings.

Please be advised that information regarding *marked* vehicle fleet is publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. 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 and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”.*

The information you are seeking is available on the Police Scotland website. To be of assistance please see the link below.

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

With respect to the *unmarked* fleet, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

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 consider the following exemptions applicable.

**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.

Disclosure of the unmarked fleet would highlight vehicle resources and capabilities.

Revealing this information would substantially weaken the effective use of vehicle resources with a corresponding risk to law enforcement and to the safety of both the public and officers.

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.

## and all vehicles sold between

## 14/11/2022 - 05/09/2023

With respect to all sold vehicles for the time period stated, please see the attached spreadsheet titled FOI 23-2344 Applicant Data 01.

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.