| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1528  Responded to: 30 June 2023 |
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Your recent request for information is replicated below, together with our response.

## Could you provide all of the vehicles used currently in the police force, bith marked and unmarked.

Please be advised that information regarding Police Scotland’s marked 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, via the following link: [Fleet information - Police Scotland](https://www.scotland.police.uk/access-to-information/freedom-of-information/fleet-information/)

In relation to vehicle registration of *unmarked* vehicles, the information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002.

As above, Section 16 of the Act again applies and exemptions 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.

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.

**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 and type of vehicle resources deployed and would assist them in circumventing the efficient and effective provision of law enforcement by the police service. This in turn would have an adverse impact on the safety of the officers involved and the general public and would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

**Public Interest Test**

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. Accordingly, I consider that the public interest in disclosing the information requested is outweighed by that in maintaining the exemptions detailed above.

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.