

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by email

Date: 13th October 2021

Your ref: FOI

Our ref: FOI 2021 / 807

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 8th October 2021 concerning our Vehicle Fleet and Armed Response Group / Unit.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply all of the information you have requested.

You wrote:**Part 1**

Can you please give me a list of the Decommissioned Vehicles used for the Armed Response Group from 2015-2020?

Details

-Date: 2015-2020

-Model Year

-The Vehicle Make & Model

-Type of Vehicle (Including Van's Wheelbase, Roof Size and Numbers of Wheels) -

Number of Doors (Example: 3-Door, 5-Door etc) -The Year the Vehicle was

Commissioned -The Year the Vehicle was Decommissioned -Video Camera (Yes or No)

Part 2

1. How many BMW X5 (G05)'s did Wiltshire Police purchase?

2. When did Wiltshire Police purchase or have the BMW X5 (G05)'s? (Date: Day, Month and Year)

3. When did the BMW X5 (G05)'s Commissioned to Wiltshire Police? (Date: Day, Month and Year)



INVESTOR IN PEOPLE

Part 3

1. When did the Wiltshire Police Armed Response Group was formed? (Date: Day, Month and Year)
2. When did the Wiltshire Police had Armed Response Vehicles? (Date: Day, Month and Year)
3. When did Wiltshire Police started to have Firearms Officers? (Date: Day, Month and Year)

Our response:

I have considered your request and I am able to provide a partial response as follows.

Part 1

Details regarding tactical marked vehicles (i.e. ARVs), some unmarked or covert vehicles are exempt under Section 31 – Law Enforcement.

Section 31 is a qualified and prejudice based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with any public interest arguments for and against disclosure. Please see the harm and public interest tests below.

Part 2

- 1) Wiltshire Police have purchased 4 BMW X5 (G05)'s
- 2) The dates purchased were as follows :-
 - 25th January 2021
 - 19th February 2021
 - 7th June 2021
 - 30th September 2021
- 3) The dates of commission of these vehicles is the same as the date of purchase

Part 3

I am not able to supply a definitive response to any of these questions.

Questions 1 and 2 of this part of your request have already been answered by us previously on FOI Response 2021-455 dated 25th June 2021. To recap :-

It is believed Wiltshire Police moved from Armed Incident Response Vehicles to Armed Response Vehicles (ARVs) in 2005. However, this has come from the recollection of officers and not from official documentation.

The following link may be of assistance, as the website provides a background of how this came about nationally; showing it was a national evolution, not just from a specific moment in time - https://www.oldpolicecellsmuseum.org.uk/content/history/police_history/firearms#:~:text=Armed%20Response%20Vehicles%20%28ARVs%29%20In%20order%20to%20allow,with%20132%20armed%20deployments%20being%20made%20that%20year.

With regards to Part 3 Question 3, it is believed that the first formal Armed Support Unit within Wiltshire Police was established c1985. Prior to this, we are unable to confirm the date of the first use of Firearms in Force, but they will have been held in a central reservation and trained officers would have been called on as and when required should an armed response be required. Once again, this has come from the recollection of officers and not from official documentation.

Section 31 Harm and Public Interest Test

Overall harm

Requesting details of any vehicles (even those now decommissioned) that have been associated with use by Firearms / Armed Response Teams. If this information were to be disclosed, this could have an adverse effect on the ability of the Force to effectively prevent and detect crime.

Factors favouring disclosure

Disclosing this information would ensure Wiltshire Police are being open and transparent with the public. This would also ensure that the Force can be held accountable for its actions. Disclosure would also provide the public with an insight into the financial resources of the Force, as we are publicly funded, and how this is being utilised.

Factors against disclosure

If this information were to be disclosed to the public, investigations would be compromised thus hindering the Force's ability to prevent and detect crime. Disclosure of any information relating to vehicles used by Firearms and/or Armed Response Group - or indeed any Tactical Special Ops, Covert and some of our unmarked fleet - would allow offenders to gain valuable information about the Force's tactical capabilities. Knowing the types of vehicle used and the numbers involved would assist them in evading capture, putting the greater public at risk and would result in trust in the Force being lost, and an increase of crime being seen.

Balancing test

The Force is charged with enforcing the law, preventing and detecting crime. Whilst there is a strong public interest in transparency between Wiltshire Police and how we engage with the threat from criminals, there is a stronger public interest in safeguarding the public and protecting the Force's ability to effectively prevent and detect crime. Disclosing information which is likely to assist offenders would seriously threaten the effective delivery of operational law enforcement.

The arguments for and against disclosure of this information are both strong, but the stronger of the two lies in favour of non-disclosure. This information is therefore exempt under Section 31 – Law Enforcement.

Please Note

This is the 6th FOI Request that Wiltshire Police have received in the last 6 months from either yourself or your partner/wife/sister/daughter (delete as appropriate) XXXXXX XXXXXX.

Five of these requests have involved specific questions related to our Firearms Unit or vehicles used by our Firearms / Armed Response or Special Operations Teams – in each instance, we have either

- a) Excluded information from responses due to the need to otherwise apply specific exemptions to our response OR
- b) Exempted responses based on Section 31 (Law Enforcement) and provided detailed Harm and Public Interest Tests to justify those decisions

For the avoidance of all doubt, please be advised that Wiltshire Police will not make any disclosure in respect of Vehicles (type, specification, number, etc) associated with either the Firearms Unit (aka Armed Response Group), any Specialist Operations Team or any vehicle associated with Undercover and/or Covert Operations or Specialist Unmarked Vehicles.

I do need to advise you that under the Freedom of Information Act 2000 an Authority can choose to exempt a response to an FOI request on the grounds that they consider the request to be either Vexatious or a Repeated Requests. This is covered by Section 14 of The Act which states the following :-

14 Vexatious or repeated requests.

(1)Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.

(2)Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

Please bear this in mind if you make any further requests for information in respect of the Fleet vehicles associated with either Firearms/Armed Response, Specialist Operations and Covert Teams OR requests for information that has been asked for and provided to you before.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 31(1)(a)(b) Law Enforcement

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original Fol request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk