

**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 E Mail

Date: 11th October 2022

Your ref: FOI

Our ref: FOI 2022 / 748

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 22nd September 2022 concerning our Fleet (and Drivetrain details).

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 – having consulted our Fleet Manager - I am now able to respond as follows.

You wrote (and Our Response) :

1. The total number of vehicles on your fleet.

The number of vehicles in Wiltshire Police's fleet as at 10th October 2022 is 466, but this is only the figure for OVERT vehicles.

Any information in respect of COVERT vehicles is exempt under S31 Law Enforcement (see note below).

2. The number of vehicles on your fleet in each of the following drivetrain categories, split into response and non-response vehicles:

- Battery electric
- Plug-in hybrid electric
- Mild or full hybrid electric
- Hydrogen fuel cell electric
- Hydrogen fuel cell range-extended electric
- Petrol internal combustion engine
- Diesel internal combustion engine
- Other drivetrains (please describe)



INVESTOR IN PEOPLE

The breakdown of vehicles by drive train and use (Response and Non-Response) is as follows. Once again this information is for OVERT vehicles only :-

Total Number of Fleet Vehicles	466	
Type	Response	Non-Response
Electric Vehicle	0	10
Plug in Hybrid Electric	0	1
Mild or full Hybrid Electric	7	4
Petrol internal combustion engine	8	11
Diesel internal combustion engine	176	248
Hydrogen Fuel Cell Electric	1	0
Total Vehicles	192	274

Any information in respect of COVERT vehicles is exempt under S31 Law Enforcement (see note below).

Both questions in your request are exempt (in part) by virtue of the following exemption of the Freedom of Information Act: -

Section 31(1) and (2) - Law Enforcement

Sections 31 is a qualified exemption which require an examination of the public interest considerations for and against disclosure. In addition to this, an examination of the likely harm which would follow disclosure is also required for section 31.

Evidence of Harm

As you may be aware, disclosure under FOIA is a release to the public at large. Whilst not questioning the motives of the applicant, releasing any information held regarding the number of specialist or covert vehicles, would allow criminals to note what capacity and tactical capabilities the force had, allowing them to target specific areas of the UK to conduct their criminal/terrorist activities. This would lead to an increase in harm of attacks and compromise Law Enforcement.

This would be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public.

Furthermore, the Police are there to support the public and deliver effective law enforcement.

Releasing details regarding the total number of covert vehicles would provide intelligence into what the vehicles were used for and the capabilities of Wiltshire Police in comparison to other forces. The information could then be used by criminals and allow them to target specific vehicles or avoid vehicles to prevent them from being detected.

Information that undermines the operational integrity of the police will adversely affect public safety and have a negative impact on operational law enforcement.

Public Interest Test

Factors favouring disclosure under Section 31

Releasing information held relating to specialist vehicles, unmarked vehicles would provide an insight into the police resources and enable the public to have a better understanding of the effectiveness of the police.

It would show how public funds are being spent in relation to protecting the public. Information would ensure transparency and accountability and enable the public to see what tactics are deployed by the Police Service to tackle/assist in fighting crime.

Factors against disclosure under Section 31

It has been recorded that FOIA releases are monitored by criminals and terrorists and so releasing information held relating to unmarked and covert vehicles would undermine and compromise law enforcement and it would also hinder any local, regional or national operations.

It can be argued that there are significant risks associated with providing information in relation to any aspects that can assist criminal planning and that any nation's security arrangements, by releasing the information, may reveal the relative vulnerability of what we may be trying to protect.

The Police Service would not wish to reveal resource information that would undermine the law enforcement operations and would impact on police resources, as more crime would be committed because criminals/terrorists would know which forces had less/more capability. This in turn would place the public at a greater risk and a fear of crime would be realised, especially for more vulnerable areas.

Balance test

The security of the public and the country is of paramount importance and the Police service will not divulge the resources, if to do so would place the safety of individuals at risk, due to providing freely available (single point) information under such requests and which in turn would compromise law enforcement.

Whilst there is a public interest in the transparency of policing resources and providing assurance that the police service is appropriately prepared and effectively engaging with the threat posed by various groups or individuals, there is a very strong public interest in safeguarding the integrity of police resources and operations in the highly sensitive areas such as extremism, crime prevention, public disorder and terrorism prevention.

As much as there is public interest in knowing that policing activity is appropriate and balanced this will only be overridden in exceptional circumstances. It is our opinion that for these issues the balancing test for exempting your request for planning information is not made out.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide 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.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 31(1) and (2) - Law Enforcement

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