



16<sup>th</sup> November 2020

## Freedom of Information Request Reference N<sup>o</sup>: FOI 003337/20

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 5<sup>th</sup> October 2020 in which you sought access to the following information:

Please can you provide a list of vehicles which are currently used as unmarked police vehicles?

Where possible, please provide the list in the format of manufacturer, generic model name and number of unmarked police vehicles.

For Example:

Manufacturer: Vauxhall

General Model: Astra

Number Of Unmarked Vehicles: 200

Please provide the information in the form of an excel spreadsheet where possible.

## Response to your Request

The response provided below is correct as of 6<sup>th</sup> October 2020.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

Please see attached list of makes and models for the Constabularies unmarked vehicles.

Details of any unmarked vehicles which are used in a covert capacity, including armed response vehicles, have not been included as a result of exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 requires that Norfolk and Suffolk Constabularies, when refusing to provide such information (because the information is exempt) is to provide you, the applicant, with a notice which:

- (a) States that fact
- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption:

- **Section 31(1)(a)(b) – Law Enforcement**

Section 31 is a qualified and prejudice-based exemption and I am therefore obliged to articulate the harm in this information being disclosed and assess the public interest in disclosure.

### Harm for section 31

Disclosures under the Freedom of Information Act are published and are therefore accessible to anyone who has internet access. For this reason, it is essential that careful consideration is given prior to any disclosure.

The prevention and detection of crime is the foundation upon which policing is built and the police have a clear responsibility to prevent crime, arrest those responsible for committing crime or those that plan to commit crime. However, there is also a duty of care to the public at large. The UK Police Service has a positive undertaking to protect the public from harm and that duty of care to all involved must be the overriding consideration.

Norfolk and Suffolk Constabularies will use covert police vehicles for anonymity, where there is an operational requirement to do so. Therefore, releasing the details would undermine the law enforcement capabilities of the Constabularies and therefore Section 31 is engaged.

### Factors favouring Disclosure – Section 31

Openness and transparency are fundamental principles of the Freedom of Information Act.

Vehicles are purchased using public funds, therefore providing the information would indicate the spend on police vehicles. Knowledge of the Constabulary's capability will ensure transparency is maintained and the public can identify whether funds are being appropriately managed.

Public confidence would be increased by knowing that the Constabulary is appropriately resourced.

### Factors favouring Non-Disclosure – Section 31

Disclosure of information that can affect the current and future law enforcement capabilities of the Constabulary will always favour non-disclosure. Vehicles will be purchased for a specific purpose and if covert vehicles, and those assigned to sensitive roles, are identified by a disclosure under the FOIA, this would be a waste of public funds as replacements would need to be purchased.

Where such vehicles have been identified, this could place members of the public, including victims and witnesses and members of the Constabulary at risk.

To disclose any details of vehicles used for this purpose would reveal tactical capability and would place the Constabularies at a strategic disadvantage.

The identification of vehicles used in a covert capacity would jeopardise any ongoing or future investigations and operations.

### Balancing test

The Constabularies recognise that there is a public interest in the use of public funds and the spend on vehicles. However, we would not disclose information which would assist those involved in criminal activity to have prior knowledge of our operational capabilities, thereby compromising the prevention and detection of crime.

The Police Service has a duty to ensure public safety is never compromised and disclosures under FOI should always ensure this is maintained.

It is the Constabularies decision that the balance lies in non-disclosure and the application of the exemption is maintained.

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the  
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 40 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker  
Information Management Department  
Norfolk Constabulary  
Operations and Communications Centre  
Jubilee House  
Falconers Chase  
Wymondham  
Norfolk NR18 0WW  
OR  
Email: [freedomofinformation@norfolk.pnn.police.uk](mailto:freedomofinformation@norfolk.pnn.police.uk)*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.ico.org.uk](http://www.ico.org.uk) or contact them at the address shown below:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700