



Freedom of Information Request Reference N°: FOI 001509-20

I write in connection with your request for information received by Suffolk Constabulary on the 3 May 2020 in which you sought access to the following information:

“Please may I request simply the list of your marked fleet vehicles (so as not to comprise policing I'm only requesting marked vehicles) if these could be in the standard spreadsheet form that are sometimes on your disclosure logs however there haven't been any for a while on the disclosure part of your site.

Please may it contain: make, model, section, location.

Response to your Request

The response provided below is correct as of 5 May 2020

Suffolk Constabulary has considered your request for information and the response is below.

The attached spreadsheet confirms the number of marked vehicles within Suffolk Constabulary's fleet. In certain cases, information concerning the operational use and the vehicle base has been removed as a result of exemptions within the Act.

In addition, the information provided excludes armed response vehicles, the details for which have not been provided as a result of exemptions within the Act.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk Constabulary, when refusing to provide such information (because the information is exempt) are 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.

With regards to the armed policing operational capacity, provision of such information would tactical capability and is likely to influence the criminals, which may include terrorists or terrorist organisations, who are prepared to resort to the use of extreme force in order to avoid detection and capture. This creates if you will an 'arms race' to the detriment of the criminals themselves, as the use of lethal weapons becomes more and more the only resolution option, and endangers both the public and officers themselves. This is best evidenced by the fact that the United Kingdom, even in these violent times, has been able to maintain a basically unarmed Police Service, with the result benefits this delivers when compared with other countries, such as America, where armed conflict resolution with law enforcement agencies depends on who has the most effective weapons.

Furthermore, the threat from terrorism cannot be ignored. It is generally recognised that the international security landscape is increasingly complex and unpredictable. The current UK threat level from international terrorism, based on intelligence, is assessed as at 24/12/17 as Severe, which means that a terrorist attack is highly likely, see below link:

<https://www.mi5.gov.uk/home/about-us/what-we-do/the-threats/terrorism/threat-levels.html>

In order to counter criminal and terrorist behaviour it is vital that the police have the ability to work together, to assist in the investigative process to ensure the successful arrest and prosecution of offenders who commit or plan to commit acts of terrorism.

Provision confirming the Constabulary's marked vehicle primary locations would identify operational effectiveness at identified locations. The information would undoubtedly identify locations where the most or least officers are present, based on the number of vehicles based at that location. As the information supplied confirms the number of vehicles by department, the information could be used in conjunction with other forces data to identify geographical areas where operational strength is more or less than others.

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.

Factors favouring Disclosure – Section 31



There is a public interest in the community being made aware of all the facts relating to the Constabulary's fleet in order to ensure complete openness and transparency, especially given there is often speculation and rumour with regard to the use of firearms within the Police Service. In this case providing tactical information relating to Armed Response Vehicles (ARVs) and vehicle locations would provide transparency and may enhance public debate into this type of policing.

The public has a right to know how funds are being allocated and spent across the police service. The provision of the information will ensure the public know how funds have been distributed across the Constabulary's fleet.

Knowledge of the Constabulary's capability will ensure transparency is maintained and the public can identify whether funds are being appropriately managed.

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 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.

The deployment of authorised firearms officers is measured and authorised by chief officers after careful consideration in order to protect the public and apprehend individuals who use lethal weapons as part of their criminality. To disclose the number of ARVs and further information concerning the vehicles within the RAPT fleet contingency, reveals tactical capability and would place the constabularies at a strategic disadvantage. In addition, disclosure may also 'create' a fear of crime within the general public relating to armed policing.

The manner in which terrorist attacks have been carried out recently, with the use of vehicles, increases the requirement for Constabularies to maintain the confidentiality of certain locations for the marked fleet. It is more relevant now more than ever to ensure that Constabularies are absolutely prepared for any future criminal activities that require an armed response. It would certainly at this point in time, not be appropriate to provide information that may jeopardise any future requirements to deploy an armed response.

The provision of vehicle locations will allow for identification to be made of force strength. The progression in the way in which criminals carry out offences requires Constabularies to



continually review information that is being disclosed. Although it can be argued we have previously disclosed certain details regarding vehicle locations, knowledge of vehicle capacity at any one location in the current climate will provide crucial information to criminals wishing to target police stations or vehicles.

FOI disclosures are not designed to override law enforcement capabilities; FOI practitioners take into account all varying factors presently available to us, to allow an informed decision on whether information such as this is appropriate for public consumption. The suitability of information such as this being disclosed fluctuates continuously as the criminal landscape changes. What once may have been acceptable may no longer be.

Regardless of what has or has not been placed in the public domain by the Constabulary in the past, we must consider the effect such disclosure would have on the effectiveness of today's policing response. The information requested needs to be protected in order to ensure that individuals do not use collectively obtained information from other forces and establish a national picture identifying capabilities across the country. Information will identify those force areas that have a lower response capacity and consequently will be regarded as an easy target.

Balancing test

The Constabulary recognises that there is a public interest in the way in which public funds are being spent and the types of vehicles being purchased. However, we would not disclose information which would assist those involved in criminal activity to have prior knowledge of covert Police 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.

The Constabulary considers that the provision of the details with regard to overt fleet vehicles will satisfy the public interest.

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

Should you have any further queries concerning this request, please contact Clair Pack, 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/>



Suffolk Constabulary is 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.



**SUFFOLK
CONSTABULARY**
Taking pride in keeping Suffolk safe

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 Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 40 working 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
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances 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 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 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