

24th May 2022

Freedom of Information Request - Reference No: 20221025
REQUEST

Would it be possible to get an updated fleet list? I've checked the site, and your FOI page and the latest one was published 11 months ago.

Can the fleet list include the following details (as per previous lists):

- Registration Number***
- If the vehicle is active, withdrawn, or awaiting commissioning/delivery etc.***
- Make & Model***
- Operator***
- Base Station***

As always, please feel free to retract unmarked vehicles that are used for covert use from the list.

Could you also include details of vehicles that have been disposed of during the previous 12 months (since the last fleet list, please can you include (if you have all the information on your systems):

- Registration Number***
- Make & Model***
- How it was disposed (scrap, wrote off, auction etc.)***
- Disposal date***

RESPONSE

I approached our Vehicle Fleet Unit for assistance with your request upon a review of the data, I am unable to provide it to you in full.

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire 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 following exemption applies to the disclosure of the information:

Section 31 (1) (a) (b) Law Enforcement states that information is exempt information if its disclosure under the Act would, or would likely to prejudice:

- a) The prevention or detection of crime;
- b) The apprehension or prosecution of offenders.

S31 Law Enforcement is a qualified, and prejudice based exemption. Therefore, the harm should be articulated, and arguments given as to the public interest test.

Harm

Disclosure of full information on fleet, such as full VRNs or a line by line release of data could be of intelligence value to a person or persons with criminal or malicious intent. Full disclosure could provide and enable targeted malicious actions, be that some form of attack on an operational unit, or avoiding that unit for example where strengths and weakness may be perceived (whether incorrectly or not).

Although VRNs are an overtly displayed marker that can be clearly seen and are intended to be seen, to disclose a ready-collated list of vehicles with complete vehicle registration numbers would be substantially more harmful than the limited availability of related information via the visibility of vehicles whilst on public roads. In practice, all of this information is not realistically accessible to a member of the public and is therefore not in the public domain.

Providing full lists of VRNs for marked vehicles provides opportunities for criminality to benefit, or for risks to be extended to members of the public:

- Marked police vehicles are often exempt toll and congestion charges, facilitated by automatic recognition of VRN; cloned vehicles would avoid these charges.
- Decommissioned police vehicles are sold at public auction and will re-appear in domestic use, usually driven by members of the public. Lists of VRNs accessible by criminals, such as Organised Crime Gangs (even if out of date), may potentially expose unaware members of public to direct challenge and/or risk of harm.
- Detailed VRN listings will potentially enable a criminal gang to understand the force's capability, through the volumes and types of vehicles being operated; for example numbers of ARV & RPU (Armed Response / Traffic), comparative to other models.
- The recent high profile case of Sarah Everards murder, and the fact that the perpetrator was in a police car when he committed the crime cannot be ignored. Although this was not a cloned vehicle, the suggestion that a cloned vehicle could also be used in such a crime, and would provide a level of credibility to the driver, is clearly demonstrated.

Additionally, law enforcement tactics and operational capability would be compromised with the disclosure of VRN details requested such as that relating to unmarked cars, as those who wish to commit criminal acts will be more aware of what vehicles may belong to the force in a covert role, that assist with preventing and detecting crime.

Such a disclosure would allow those with criminal intent the ability to build up a mosaic picture of force capabilities and resources and use this information to undermine law enforcement. This places the community at increased unnecessary risk of harm and impacts on police resources if additional resources and tactics need to be put in place to counter any harm caused by an adverse FOIA disclosure.

Public Interest Test

Factors favouring disclosure – s31 – There is a legitimate public interest in the public being satisfied that the police force has up to date and well maintained vehicles to deliver services to the public when and where required.

Factors favouring non-disclosure – s31 – The Police Service has a duty to deliver effective law enforcement ensuring that the prevention and detection of crime, apprehension or prosecution of offenders and administration of justice is carried out appropriately.

Disclosing information that would allow the identification of all vehicles may reveal what resources are available for a given role and this information could enable police strength to be determined and circumvented by those intent on committing crime. The release of this information could therefore provide a tactical advantage to offenders which would negatively impact on public safety and undermine the policing purpose.

Disclosing the details of covert vehicles would provide sufficient information to those involved in criminal activity of the capabilities available to the force when carrying out covert activities in certain areas. This could result in them taking steps to evade detection and to destroy evidence if they believe that their movements are being monitored. This could also lead to vehicles and officers being identified which would render their covert capabilities useless.

Balance Test

It is not in the public interest for law enforcement tactics and operational capability to be compromised with the disclosure of Fleet VRNs, as those who wish to commit criminal acts will be more aware of the vehicles in operation to assist with preventing and detecting crime.

Such a disclosure that would allow those with criminal intent the ability to build up a mosaic picture of force capabilities and resources which could be used to undermine law enforcement. This would not be in the public interest.

Disclosure is also not in the public interest as it places the community at increased unnecessary risk of harm and impacts on police resources. This is especially the case if additional tactics/resources need to be put in place to counter harm caused by an adverse FOIA request regarding police vehicles.

Having weighed up both parts of the public interest test, I have decided on balance that it is not in the public interest to provide all of the information pertinent to your request.

However, I approached our Vehicle Fleet Team who have provided some detail to assist with your request which will not trigger the above exemption. Please see the attached spreadsheet.

Please note - Disposal tab – The VF team have advised previously they cannot run a report on disposed vehicles that have already been deleted of the system. They have provided what detail can be retrieved.

