

Our Ref: IM-FOI-2015-1162



Sir Stephen House QPM
Chief Constable

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

In an earlier request, you confirmed (IM-FOI-2013-0908) that Police Scotland were monitoring 2800 vehicles via its ANPR system on the 24th April 2014, and that there had been 169,448."reads" on the system over the proceeding 12 months.

I'd be grateful if you could provide me with updated equivalent figures for this year.

On 16/06/2015, 1,894 Vehicles of Interest (VOI's) were flagged on the system as "being monitored".

For the calendar year 01/06/2014 to 31/05/2015, there were 150,757 reads in relation to flagged VOI's.

In addition, please provide me with the following complete documents (or their updated equivalents) that are referenced in my earlier FOI request. These are:

1. "Manual of Standards for the Recording and Dissemination of Intelligence Material and the Data Protection Act 1998."

The Manual of Standards for the Recording and Dissemination of Intelligence Material is a national document that was produced around 1999/2000.

Having reviewed the content of the document, I find that it would be inappropriate to release it in full under FOISA. I have, however, attached a redacted copy for you. Some sections have been removed under the terms of section 35 (1)(a) and (b) of the Act: information is exempt information if its disclosure under this Act would, or would be likely to, prejudice substantially the prevention and detection of crime and the apprehension or prosecution of offenders.

To explain, a release under FOISA is a release to the world. The document contains guidance on how specific types of intelligence is gathered and managed, and the resources available in order to do this.

I appreciate that the release of this document in full would support greater transparency on how police forces gather, store and use intelligence about individuals. The issue of data gathering is always of interest to the general public, and releasing this document would allow greater understanding as to the tactics used by the police for this very task.

However, the provision of information that could serve to assist offenders in the community is not something that Police Scotland can support.

Those intent on criminality could use the information in this document to alter their behaviour to stop intelligence being gathered about them, thus aiding them in evading detection. The 'unknown' is a tool which assists the police in preventing crime and the police will not release any information through FOI which could lead to an increase in criminality.

Ultimately, the disclosure of this information would undermine policing and jeopardise national tactics.

The police will not disclose information which could place the public at risk or undermine their capabilities in carrying out their core function of preventing and detecting crime. Although there is a public interest in openness and transparency, there is a greater interest in protecting the public from harm. Therefore, it is our opinion that the balance lies with non-disclosure of the information.

Please note that some agencies referred to in this document no longer exist, and have been replaced. Further the provision of this document should not be taken as inference that it is still in use.

The Data Protection Act 1998 is freely available on the Internet and as such section 25(1) applies: information is exempt information if it is otherwise accessible.

2. "National ANPR Scottish Back Office 2 Facility Centralised Administration and Management, Rules, Conventions and Data Input Standards."

I can confirm that this document is held by Police Scotland, but I consider it to be exempt from disclosure under the terms of section 35(1)(a) of FOISA: as per the above.

This document contains sensitive policing procedures and tactics, along with screenshots of the Scottish Intelligence Database, detailing functionality.

I would refer you to the arguments detailed above in regard to the rationale being applied to this exemption.

Lastly, Police Scotland also confirmed that they spent £68,500 on software services related to ANPR. Could you confirm whether this figure has increased or decreased in the last financial year, and what the most recent figure is?

ANPR has fixed contract costs so there would be no variation to the previously disclosed sum of £68,500.

Should you require any further assistance concerning this matter please contact me directly on 0131 311 3901 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance, and within 40 working days of receiving this response, to request a review of the decision. Should you wish to do so, contact details are; FOI Central Processing Unit, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH - foi@scotland.pnn.police.uk

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS - enquiries@itspublicknowledge.info

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely,

Gabriella Trybalska
Information Management