



**WEST YORKSHIRE
POLICE**

Information Management

Freedom Of Information

PO BOX 9
Laburnum Road
Wakefield
WF1 3QP

Tel: 01924 296006

Fax: 01924 292726

Email: foi@westyorkshire.pnn.police.uk

Website: www.westyorkshire.police.uk

Our ref: 1812/21

Date: 22/04/2021

Dear Sir/Madam

Thank you for your request for information received by West Yorkshire Police on 22/03/21.

You requested the following information:

I would like to request an up-to date fleet list as of the date 20/03/2021. In this, please include:

Make

Model

Registration Plates

Unit they are attached to

Marked or Unmarked

Please see the attached document.

West Yorkshire Police is unable to provide you with the vehicle location and any information relating to covert or Armed Response Vehicles (ARVs) as this information is exempt by virtue of Section 31(1)– Law Enforcement. Please see Appendix A, for the full legislative explanation.

COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above, in any future correspondence.

Yours sincerely,

Gemma Burton
Disclosure Officer

Appendix A

The Freedom of Information Act 2000 creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information and, if held, then communicate that information to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities, to withhold information that is unsuitable for release. Importantly the Act is designed to place information into the public domain. Information is granted to one person under the Act, it is then considered public information and must be communicated to any individual, should a request be received.

DECISION

Your request for information has been considered and I regret to inform you that West Yorkshire Police cannot comply. This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), give the applicant a notice which:-

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

REASONS FOR DECISION

The reason that we are unable to provide you with this information is covered by the following Exemption:

Section 31 (1)(a)(b)(c) Law Enforcement

Section 31 is qualified prejudice based exemption as such requires both evidence of harm (prejudice) and a public interest test to be evidenced.

Harm

To disclose information relating to location and covert/ARVs used by West Yorkshire Police would provide those intent on committing criminal activities with the range and close areas covered by these vehicles. To disclose this information alongside the rest of the fleet would highlight the forces capabilities in these areas, ultimately undermining their purpose. Undermining the policing purpose would hinder West Yorkshire Police's ability in conducting its law enforcement role effectively, subsequently prejudicing the prevention and detection of crime.

Factors favouring disclosure

To disclose this information would adhere to the basic principle of being open and transparent, it would also provide reassurance to the public that West Yorkshire Police have a number of different resources available to prevent and detect crime.

Factors favouring non-disclosure

The release of this information would have a negative impact on the communities that the police service are trying to protect, by informing criminals of the capabilities of the force. Law enforcement tactics would be compromised and individuals would be placed at risk as the release of this information would mean that the criminal fraternity would be educated as to the number and types of vehicles, thus allowing them to deduce our policing capacity in this area and take measures to evade capture. In addition there is

potential for the vehicle to be targeted by criminals which again undermines our ability to appropriately protect the public and carry out our roles.

Balancing Test

When considering whether disclosure is appropriate, I must weigh the strongest reason for disclosure against the strongest reasons for non-disclosure. In this case, whilst the factors favouring disclosure are important in that it would adhere to the basic principle of being open and transparent, I believe when weighed against the risk of disclosure undermining our ability to prevent and detect crime and hindering our ability to protect the public, then non-disclosure takes precedence

COMPLAINT RIGHTS

1. Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, you are encouraged to discuss the decision with the case officer that dealt with your request.

2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explaining any issues.

3. Complaint

If you are dissatisfied with the handling procedures or the decision made by West Yorkshire Police under the Freedom of Information Act 2000, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision will be carried out by a senior member of staff, who is fully trained in interpreting Freedom of Information legislation, yet is independent with regards to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing by using the following contact details:

foi@westyorkshire.pnn.police.uk

or

West Yorkshire Police
FOI Internal Reviews
PO Box 9
Laburnum Road
Wakefield
WF1 3QP

In all possible circumstances West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

4. The Information Commissioner

If you are still dissatisfied with the internal review decision made by West Yorkshire Police, you may then make an application 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.gov.uk

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
FOI Help Line: 0303 1231113

