

<p>Section 31 – Law enforcement</p> <p><i>S31(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –</i></p> <p><i>(a) the prevention or detection of crime,</i></p> <p><i>(b) the apprehension or detection of crime,</i></p> <p><i>(c) the administration of justice</i></p> <p><i>(d) the assessment or collection of any tax or duty or of any imposition of a similar nature</i></p>	
<p><i>Factors for disclosure</i> (see below)</p>	<p><i>Factors for with-holding</i> (see below)</p>
<p>Transparency.</p> <p>Scrutiny of DVLA’s enforcement actions.</p> <p>There is a presumption under the Freedom of Information Act that recorded information is disclosed into the public domain.</p>	<p>Disclosure would be likely to assist those wishing to avoid prosecution.</p> <p>Disclosure would be likely to prejudice the ability of DVLA to effectively bring and conduct prosecutions.</p> <p>The information relates to the procedures leading to the apprehension and prosecution of offenders.</p> <p>Disclosure would be likely to undermine proceedings in the Magistrates’ Court.</p> <p>Disclosure would be likely to prejudice to the ability to conduct prosecutions fairly including the administrative arrangements of the Courts and the Agency.</p> <p>Vehicle related prosecutions would relate to the collection of vehicle tax so to disclose information about such prosecutions would be likely to prejudice DVLA’s effective collection of such.</p> <p>The combination of disclosing all the information in scope of Q1 to Q8 as a whole would create a mosaic effect to assist the avoidance of prosecution.</p>

Reasons why public interest favours withholding information

It is in the public interest for DVLA to effectively record details of successful road traffic offences. It is also in the public interest for DVLA to effectively record vehicle keeper details and prosecute those keeper's for vehicle related offences. To disclose details of how and when DVLA amends driver or vehicle records would assist those wishing to provide false information to DVLA in an attempt to prevent detection or prosecution. To disclose details of how cases are investigated and identified would be likely to prejudice the Agency's ability to prosecute offenders.

It would not be in the public interest to disclose information that would assist those wishing to avoid detection or prosecution of an offence.