

15 April 2016

Our Ref: IM-FOI-2016-0692



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.

- 1) The operating bases of the Divisional Roads Policing Units**
- 2) The operating bases of the Trunk Roads Patrol Group**
- 3) The operating bases of the Motorcycle Units**
- 4) The operating bases of Collision Investigation Units**

Firstly, Police Scotland have a Road Policing Unit and Divisional Road Policing units and whilst we have bases in the areas stated below, the officers in each unit can work throughout the whole of Scotland and are utilised where there is an operational requirement.

Dingwall, Aberdeen, Mintlaw, Elgin, Stonehaven, Dundee, Glasgow, Paisley, Dumbarton, Campbelltown, Dunoon, Lochgilphead, Oban, Motherwell, Irvine, Dumfries, Stranraer, Castle Douglas, Stirling, Glenrothes, Edinburgh, Dalkeith, Galashiels, Livingston, Fort William, Lockerbie, Perth

Further, Collision Investigation is one of the six unique specialist skills deployed by Road Policing officers. Qualified officers are deployed to investigate fatal and 'likely to prove' fatal collisions under the direction of the Senior Investigating Officer, normally a Road Policing sergeant.

Collision Investigators are regarded as 'expert' witnesses by the court and this status is earned through a modular training & development course, delivered by experienced collision investigators at the Scottish Police College. The role of a collision investigator is to investigate the cause of fatal and very serious collisions and submit their findings in evidence to COPFS as part of the overall investigation. Where required they will give evidence in court relative to any criminal proceedings as an expert witness.

All collision investigators are based in operational teams within the TRPG and DRPUs. Whilst their primary role is as road policing officer, they are readily available for deployment to collisions.

- 5) The total number of operational marked Roads Policing vehicles (cars, 4x4s, vans)**

155

6) The total number of operational unmarked Roads Policing vehicles (Video cars)

Your request for information has now been considered and a decision was made not to grant this part of your request. The information requested by you is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

Section 35(1) (a) & (b) – Law Enforcement

The information requested is considered to be exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

To provide you with the information requested in relation to unmarked road policing vehicles would indicate the Service's resource capability.

Such information would prove extremely useful information for persons involved in criminality as they would be able to plan and conduct their activities to avoid detection. It would show the number of unmarked road policing vehicles available, which would allow those intent on wrong doing to judge the police response time to a variety of incidents. In turn this would prejudice substantially the ability for our officers to prevent and detect crime and apprehend or prosecute offenders.

Disclosure would have an adverse impact on the ability of the Police to carry out its law enforcement role effectively, and thereby prejudice substantially the prevention and detection of crime.

This is a non-absolute exemption and requires the application of the public interest test.

Section 39(1) – Health, safety and the environment

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, to estimate the level of vehicle resources deployed by the Police in terms of unmarked road policing vehicles and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals in specific areas at the time and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

Public Interest Test

As you will be aware, the two exemptions detailed above are non-absolute and require the application of the public interest test. Public awareness would favour a disclosure as it would contribute to the public debate surrounding the use and deployment of vehicle resources by the Police.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

Accordingly, I consider that the public interest in disclosing the information requested is outweighed by that in maintaining the exemptions detailed above.

7) *The total number of Roads Policing motorcycles*

83

Should you require any further assistance concerning this matter please contact us on the number below 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; Information Management (Disclosure), 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.

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