

Public Interest Test

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

HARM

Unmarked vehicles used in certain specialised roles are non-liveried for the purpose of remaining anonymous. Disclosing the details of these vehicles would mean that they could then be identified. This would compromise the effectiveness of covert operations by alerting individuals involved in criminal activity that there is a police presence, allowing them to take steps to avoid detection.

FACTORS FAVOURING DISCLOSURE

Where public funds are being used by West Midlands Police, the public have an interest in knowing what it is being used for. Disclosure of this information would inform the public of precisely which vehicles their money is being spent on, so that they can be satisfied that it is being used efficiently.

FACTORS FAVOURING NON-DISCLOSURE

Disclosing the type of unmarked vehicles in certain specialised roles would allow for the identification of those vehicles by individuals involved in criminal activities. This would be invaluable information to them, as they could change their behaviour to evade detection or destroy evidence if they suspect that they are being observed. This would compromise the tactical effectiveness of using covert vehicles and hinder the prevention or detection of crime.

BALANCE TEST

For a public interest test, issues that favour disclosure need to be measured against issues that favour non-disclosure. The public interest is not what interests the public, or a particular individual, but what will be the greater good, if released, to the community as a whole.