**Public Interest Test**

S31(1)(a)(b) Law Enforcement

**Harm**

Disclosure of full information on fleet, such as full VRNs, could be of intelligence value to a person or persons with criminal or malicious intent. Full disclosure could provide and enable targeted malicious actions, be that some form of attack on an operational unit, or avoiding that unit for example where strengths and weakness may be perceived (whether incorrectly or not).

Although VRNs are an overtly displayed marker that can be clearly seen and are intended to be seen, to disclose a ready-collated list of vehicles with complete vehicle registration numbers would be substantially more harmful than the limited availability of related information via the visibility of vehicles whilst on public roads. In practice, all of this information is not realistically accessible to a member of the public and is therefore not in the public domain.

Providing full lists of VRNs for marked vehicles provides opportunities for criminality to benefit, or for risks to be extended to members of the public:

* Marked police vehicles are often exempt toll and congestion charges, facilitated by automatic recognition of VRN; cloned vehicles would avoid these charges.
* Decommissioned police vehicles are sold at public auction and will re-appear in domestic use, usually driven by members of the public. Lists of VRNs accessible by criminals, such as Organised Crime Gangs (even if out of date), may potentially expose unaware members of public to direct challenge and/or risk of harm.
* Detailed VRN listings will potentially enable a criminal gang to understand the force’s capability, through the volumes and types of vehicles being operated; for example, numbers of ARV & RPU (Armed Response / Traffic), comparative to other models.
* The recent high-profile case of Sarah Everards murder, and the fact that the perpetrator was in a police car when he committed the crime cannot be ignored. Although this was not a cloned vehicle, the suggestion that a cloned vehicle could also be used in such a crime, and would provide a level of credibility to the driver, is clearly demonstrated.

Additionally, law enforcement tactics and operational capability would be compromised with the disclosure of VRN details requested such as that relating to unmarked cars, as those who wish to commit criminal acts will be more aware of what vehicles may belong to the force in a covert role, that assist with preventing and detecting crime.

Such a disclosure would allow those with criminal intent the ability to build up a mosaic picture of force capabilities and resources and use this information to undermine law enforcement. This places the community at increased unnecessary risk of harm and impacts on police resources if additional resources and tactics need to be put in place to counter any harm caused by an adverse FOIA disclosure.

To provide the individual call signs could undermine existing or future investigations, operations and police tactics. This information could also help members of the criminal fraternity to avoid detection, it could also inhibit the prevention and detection of crime.

 **Factors Favouring Disclosure**

Police forces need to be properly equipped in order to meet the demands placed upon then. This information could go some way towards reassuring the public that West Midlands Police is adequately prepared in all areas and would lead to a better public awareness of the workings of the police force and the communications used with operations and during routine policing. Disclosure of call signs used by certain departments would provide an insight into the intricacies and identification of police units, and would reveal a better understanding of the tactical capabilities of the police when deploying their units Factors.

There is a legitimate public interest in the public being satisfied that the police force has up to date and well-maintained vehicles to deliver services to the public when and where required.

 **Favouring Non-Disclosure**

Specific information relating to the tactical information of units would reveal resource information and intelligence to the criminal fraternity. Knowledge of the call signs coupled with other information would allow individuals to listen in to the radios and officers could be directed into potentially dangerous situations. It could also furnish individuals or groups with the opportunity to identify where a specific crime has taken place, it could also lead to harm and compromise our law enforcement capabilities.

The Police Service has a duty to deliver effective law enforcement ensuring that the prevention and detection of crime, apprehension or prosecution of offenders and administration of justice is carried out appropriately.

Disclosing information that would allow the identification of all vehicles may reveal what resources are available for a given role and this information could enable police strength to be determined and circumvented by those intent on committing crime.  The release of this information could therefore provide a tactical advantage to offenders which would negatively impact on public safety and undermine the policing purpose.Disclosing the details of covert vehicles would provide sufficient information to those involved in criminal activity of the capabilities available to the force when carrying out covert activities in certain areas. This could result in them taking steps to evade detection and to destroy evidence if they believe that their movements are being monitored. This could also lead to vehicles and officers being identified which would render their covert capabilities useless.

**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. In considering the public interest in relation to this request, I must balance the factor in relation to transparency and accountability, against the public interest in ensuring that West Midlands Police are able to appropriately enforce the law.

We recognise that the public interest in being open and transparent is of great importance to all and release of information may assist in the public being more aware of the work that the police are carrying out. However, while the public interest considerations favouring disclosure are noted, this must be balanced with the impact any release would have on the operational capability tactical approach of the police. Because the Freedom of Information Act is ‘applicant blind’, any information released under the Act is available to everyone. It is well documented that criminals will use every advantage they can gain to successfully carry out their criminality.

It is not in the public interest for law enforcement tactics and operational capability to be compromised with the disclosure of Fleet VRNs, and call signs, as those who wish to commit criminal acts will be more aware of the vehicles in operation to assist with preventing and detecting crime.

Such a disclosure that would allow those with criminal intent the ability to build up a mosaic picture of force capabilities and resources which could be used to undermine law enforcement. This would not be in the public interest.

Disclosure is also not in the public interest as it places the community at increased unnecessary risk of harm and impacts on police resources. This is especially the case if additional tactics/resources need to be put in place to counter harm caused by an adverse FOIA request regarding police vehicles.