



Vehicle & Operator Services Agency

From: **Information Access**  
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Our Ref: **F0002200**

Date: 9<sup>th</sup> November 2009

Dear

## **FREEDOM OF INFORMATION ACT 2000**

I refer to your e-mail of 11<sup>th</sup> October 2009 concerning certain designated powers held by the Vehicle and Operator Services Agency's (VOSA) Enforcement Support Officers (ESO's) in relation to powers to stop vehicles.

People employed as an ESO by the Agency are accredited by with powers to stop vehicles for testing by each police force area in which they operate. This applies to England and Wales, but not Scotland. These officers hold the powers of a constable in uniform to stop vehicles for the purposes of testing under section 67 of the Road Traffic Act 1988 and Paragraph 8 of Schedule 5 to the Police Reform Act 2002.

VOSA considers any other information held in relation to this activity to be exempt from release by virtue of Section 31 of the above Act which states:-

### **Section 31**

- (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
  - (a) the prevention or detection of crime
  - (b) the apprehension or prosecution of offenders
  - (g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2)
- (2) The purposes referred to in subsection (1) (g) to (i) are –

- (a) the purpose of ascertaining whether any person has failed to comply with the law
- (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise.

This exemption is subject to a Public Interest Test, a copy of which is attached to this letter.

If you have any queries about this letter, please contact us, quoting reference **F0002200**.

If you are unhappy with the response provided, you may ask for an internal review. To request an internal review, please write to:

VOSA Corporate Office,  
Berkeley House,  
Croydon Street,  
Bristol,  
BS5 0DA

or email [vosa.corporateoffice@vosa.gsi.gov.uk](mailto:vosa.corporateoffice@vosa.gsi.gov.uk)

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:

The Information Commissioner's Office  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

Yours sincerely

**Information Access Team**