

Appendix 'J'

Requirements for the Early Reporting to the NI Policing Board on the Police Discharge of Attenuating Energy Projectiles and Other Public Order Incidents

Introduction

- J1 The Police Service of Northern Ireland is required to provide early reports to the Northern Ireland Policing Board (NIPB) in relation to incidents when Attenuating Energy Projectiles (AEP's) are discharged and also other Public Disorder incidents.
- J2 The deployment of the AEP system is intended to provide a less lethal option in policing situations where officers are faced with individual aggressors, whether such aggressors are acting on their own or as part of a group.
- J3 Reporting the use of the AEP system and other Public Disorder incidents that occur is essential in ensuring transparency and maintaining public confidence in the PSNI.

Legal Basis

- J4 Section 3 of the Police (Northern Ireland) Act 2000 and recommendation 13 of the Patten Report provide that the Policing Board should monitor police performance in public disorder situations.
- J5 The police discharge of AEP is required to be reported to the NIPB as outlined within recommendation 71 and 73 of the Patten report.
- J6 Defined Public Disorder incidents are also required to be reported to the Policing Board.

Procedure and guidance

- J7 Early reports to the Policing Board regarding the discharge of AEP by police will be made on form Policing Board 1 (form PB1), a copy of which is available via PoliceNet. The report will be completed by the District Commander and sent by e-mail to Command Secretariat for onward transmission to the Policing Board. Other internal departments to be included in the mailing list are District Policing Command, UCMC, PSD, Central Statistics Unit, Media and PR, CMDU and Operational Support Department. The PB1 will be completed after the discharge of AEP appears to have ceased within a particular incident/disorder. Where an incident is protracted and continues beyond 24hrs, a PB1 should be sent at that stage and further updated every 12hrs while the incident continues. A final report should be sent when the disorder/ incident concludes.

- J8 For the purposes of making a report to the Policing Board, public disorder is defined as:
- ‘A tumultuous disturbance of the peace by persons assembled together with an intent to assist each other in the execution of some common purpose and afterwards actually executing the same in a violent and turbulent manner to the terror of the people, whether the act intended were of itself lawful or unlawful.’**
- J9 Where the police commander estimates the number of persons assembled or involved to be 200 or more, then the matter should be reported via form Policing Board 2 (PB2), a copy of which is available on PoliceNet. The report will be completed and sent by internal e-mail to Command Secretariat for onward transmission to the Policing Board. Other internal Departments to be included in the mailing list are, District Policing Command, UCMC, PSD, Central Statistics Unit, Media and PR, CMDU and Operational Support Department.
- J10 There will be occasions where other incidents of Public Disorder may fall within the general definition, but involve less than 200 people. These may be of such intensity or will give rise to such public interest that they also require to be reported to the Policing Board.
- J11 Guidelines to be followed in relation to these incidents are:
- If any person has died as a result.
 - If anyone has sustained serious injury as a result (GBH equivalent).
 - If there has been substantial damage to property (£10,000 and above).
 - Significant consequences (e.g. large police deployments, prominent or large number of arrests, likely to attract wide media attention).
- J12 It will be the responsibility of the District Commander (or person acting in that capacity) to ensure that forms PB1 and PB2 are completed at the time of the incident. This is also the case for subsequent reports during protracted incidents.
- J13 Command Secretariat will be responsible for immediately forwarding the reports to the Policing Board by facsimile, other electronic means or by courier if necessary.
- J14 The early reports on forms PB1 and PB2 are both respectively designed to provide the basic details of the discharge of AEP by police and basic details of a Public Disorder incident. If further details are required regarding a particular incident, the NIPB may seek a further report from the Chief Constable. As this is an early reporting mechanism, any statistics are subject to validation, and are not suitable for wider dissemination.

- J15 **It is emphasised that where an incident of public disorder has occurred and AEP's have been fired, the District Commander need only complete form PB1.** Form PB2 should be completed regarding all incidents of public disorder (within the criteria and guidelines) where AEP rounds **have not** been fired.