



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2008-04729

**Keyword:** Organisational Information/Governance

**Subject:** FIREARMS

### Request:

**Question 1** - Please disclose how many (i) accidental and (ii) negligent discharges of firearms by police officers were reported to your force in each year (financial or calendar) since the PSNI was formed.

**Question 2** - How many firearms certificates were awarded in each of the last three financial years (or calendar if not available). I request that this is broken down by DCU (District Command Unit) area, detailing the numbers and type of firearm certificate (i.e. how many handguns, shotguns etc) in each DCU area.

**Question 3** - The age of the youngest person to be awarded a (i) shotgun certificate and (ii) firearm certificate in each of the last three years (financial or calendar).

**Question 4** - The age of the oldest person to be awarded a (i) shotgun certificate and (ii) firearm certificate in each of the last three years (financial or calendar).

**Question 5** - A breakdown of all licences issued to applicants under 18 years of age in the last three years (financial or calendar) stating the date, the age and gender of the applicant and the type of licence he/she was issued.

**Question 6** - The number of instances where a person was (i) arrested (ii) charged (iii) cautioned for firearms-related incidents in each of the last three years (financial or calendar).

This question was subsequently amended upon clarification to read, the total number of recorded offences that were cleared by means of (i) charge/summons and (ii) caution/warning, in each of 2005/06, 2006/07 and 2007/08 financial years

**Question 7** - The number of instances where a person under 18 years of age was (i) arrested (ii) charged (iii) cautioned for firearms-related incidents in each of the last three years (financial or calendar). Could this be detailed in a format similar to the following comprehensive response regarding drugs, showing the age, nature of offence, outcome etc:  
[http://www.psnipolice.uk/under\\_16s\\_cautioned\\_arrested\\_or\\_charged\\_re\\_drugs.pdf](http://www.psnipolice.uk/under_16s_cautioned_arrested_or_charged_re_drugs.pdf)

**Question 8** - The age of the youngest person to be (i) arrested (ii) charged (iii) cautioned for firearms-related incidents in each of the last three years (financial or calendar), although this may already be covered if question seven is answered satisfactorily.

**Question 9** - The number of instances where firearms were seized from a person in each of the last three years (financial or calendar).

**Question 10** - The number of instances where firearms were seized from a person under 18 years of age in each of the last three years (financial or calendar). Again could this be presented in the format discussed in question seven, showing the age, nature of offence etc?

**Answer:**

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested.

**Answer 1** - The PSNI replaced the Royal Ulster Constabulary on 4<sup>th</sup> November 2001. Please refer to table 1 below for the number of accidental/negligent discharge of firearms by police reported to the Professional Standards Department of the PSNI.

**TABLE 1 - ACCIDENTAL/NEGLIGENT DISCHARGES OF FIREARMS REPORTED BY PSNI OFFICERS REPORTED TO PROFESSIONAL STANDARDS DEPARTMENT FROM 4.11.01 TO 31.3.08**

<i>FINANCIAL YEAR</i>	<i>ACCIDENTAL DISCHARGE</i>	<i>NEGLIGENT DISCHARGE</i>
<i>2001/2002 (from 4.11.01)</i>	<i>0</i>	<i>1</i>
<i>2002/2003</i>	<i>0</i>	<i>3</i>
<i>2003/2004</i>	<i>0</i>	<i>8</i>
<i>2004/2005</i>	<i>0</i>	<i>9</i>
<i>2005/2006</i>	<i>0</i>	<i>5</i>
<i>2006/2007</i>	<i>0</i>	<i>8</i>
<i>2007/2008</i>	<i>0</i>	<i>10</i>

The figures have been prepared under the following definitions:

A negligent discharge may be defined as the negligent discharge of a weapon caused by an act, which could and should have been foreseen and prevented. This act would be accompanied by a degree of negligence or recklessness.

Accidental discharge may be defined as the accidental discharging of a weapon caused by mechanical malfunction of the weapon, or malfunction of ammunition. It could also be caused by a physical event that could not be prevented or foreseen by the user.

The above figures do not include cases that may have been referred to the Police Ombudsman for Northern Ireland and on which the PSNI holds insufficient data.

Whilst the PSNI takes seriously the discharge of police firearms, the number of cases must be put into context of the overall size of the PSNI i.e. around 9000 officers at date of request and the fact that the Service is routinely armed.

United Kingdom Police Services do not use generic systems to capture information. For this reason PSNI's response to your questions should not be used for comparison purposes with any other Police Service.

**Answer 2-** The information sought in this question (i.e. how many handguns, shotguns etc) is not readily available from the system. The software supplier would have to prepare a programming script and test it. There are a total of 8608 certificates for the three years requested. The script would provide details of firearm certificates by station area with individual firearm holdings per certificate. It would then be necessary to transfer the results manually onto a spreadsheet that would collate firearm holdings by DCU. To undertake this process would exceed the £450 cost limit contained within the Act. The following table reflects firearm certificates granted (awarded) in the last three full calendar years. It has been broken down by DCU area but the information, which has been excluded, is the types of firearms and numbers of each.

<b>DCU NAME</b>	<b>YEAR</b>		
	<b>2005</b>	<b>2006</b>	<b>2007</b>
<b>Antrim</b>	41	117	155
<b>Ards</b>	80	179	196
<b>Armagh</b>	51	194	233
<b>Ballymena</b>	46	161	218
<b>Ballymoney</b>	42	95	92
<b>Banbridge</b>	61	193	164
<b>Carrickfergus</b>	19	40	34
<b>Castlereagh</b>	25	58	75
<b>Coleraine</b>	47	136	115
<b>Cookstown</b>	53	180	172
<b>Craigavon</b>	63	165	146
<b>Down</b>	69	149	182
<b>Dungannon &amp; South Tyrone</b>	82	277	265
<b>East Belfast</b>	12	31	34

<b>Fermanagh</b>	60	214	308
<b>Foyle</b>	29	82	95
<b>Larne</b>	22	69	75
<b>Limavady</b>	21	98	82
<b>Lisburn</b>	79	162	187
<b>Magherafelt</b>	46	176	202
<b>Moyle</b>	11	63	66
<b>Newry &amp; Mourne</b>	73	206	206
<b>Newtownabbey</b>	47	63	74
<b>North Belfast</b>	19	20	25
<b>North Down</b>	45	70	71
<b>Omagh</b>	51	182	224
<b>South Belfast</b>	6	27	12
<b>Strabane</b>	54	110	118
<b>West Belfast</b>	5	4	2
<b>TOTAL</b>	<b>1259</b>	<b>3521</b>	<b>3828</b>

Note: The above statistics relate to firearm certificates granted in the last three calendar years. Statistics for 2008 have not been included as only partial information could be provided for firearm certificates issued year to date.

Please also note that in 2005 new legislation was introduced which made more stringent requirements on applicants for Firearms Certificates. Also, new technology was installed for handling the application process, which required additional staff training. This resulted in a backlog of applications. It is believed that these two factors together resulted in less Certificates being granted in 2005. To place this in context, a total of 2404 certificates were granted in 2004.

#### Answer 3 & 4

<b>YEAR</b>	<b>OLDEST PERSON</b>	<b>YOUNGEST PERSON</b>
01/01/05 – 31/12/05	<b>81</b>	<b>16</b>
01/01/06 – 31/12/06	<b>92</b>	<b>16</b>
01/01/07 – 31/12/07	<b>96</b>	<b>16</b>

Note: In accordance with Article 7 (1) of the Firearms (NI) Order 2004, the Chief Constable may grant a firearm certificate to a young person. A young person means a person under the age of 18 who has attained the age of 16. The Order does not permit the issue of a firearm certificate to anyone under the age of 16.

It should also be noted that in accordance with the Firearms (NI) Order 2004 firearm certificates are issued to cater for **all** types of firearms. We do not distinguish between shotguns and firearms.

**Answer 5** - The information sought in this question (i.e. date of issue and the type of license issued) is not readily available from the system. The software supplier would have to prepare a programming script and test it. The script would be complex and would involve considerable work for the software supplier. The script would identify relevant records, on the system to extract the date of issue, and the type of license. The information would then be exported onto a central spreadsheet showing each individual firearm certificate, and each firearm type against the relevant record. To undertake this process would exceed the £450 cost limit contained within the Act.

The following table provides information on firearm certificates granted in the last three full calendar years, including age at grant, gender breakdown and total certificates issued annually to this group. The information, which has been excluded, is the date of issue and the type of license issued i.e. firearm holdings.

<b>CALENDAR YEAR</b>	<b>AGE BREAKDOWN AT GRANT</b>	<b>GENDER BREAKDOWN</b>	<b>TOTAL CERTIFICATES ISSUED</b>
01/01/05 – 31/12/05	16 x 16 years old	15 male and 1 female	23
	7 x 17 years old	7 male	
01/01/06 – 31/12/06	23 x 16 years old	21 male and 2 female	44
	21 x 17 years old	21 male	
01/01/07 – 31/12/07	15 x 16 years old	27 male	27
	12 x 17 years old		

Note: All of the above were issued with firearm certificates in accordance with Article 7 of the Firearms (NI) Order 2004. The Article stipulates the circumstances in which a firearm certificate may be issued to a person under 18 years of age

for shotguns, air guns and .22 rifles.

**Answer 6** - Please find attached record numbered 01739.pdf

**Answer 7** - We cannot provide any offender based information for this question. We can provide the total number of recorded offences that were cleared by means of Juvenile caution/warning being issued. Up until 30<sup>th</sup> Aug 2005 juvenile cautions/warnings were issued to 10-16 year olds. After this time they included 17 year olds.

Please find attached record numbered 01739.pdf

**Answer 8** - As previously stated, the Central Statistics Unit do not hold offender based information. Other departments were consulted, but also do not hold this information in the format requested or in any other format that would be easily retrievable within the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450.

**Answer 9 & 10** - No information is held centrally to answer Questions 9 and 10. In order to address these questions I have consulted with our District Commanders who have provided estimates as to the time required to retrieve this information. The information would have to be extracted by officers or civilian staff performing a manual trawl of registers held at local station level. When the time estimated by each individual is added together the total would exceed the cost limit contained within the Act to answer these two questions alone.

The cost of complying with this part of your request for information would therefore exceed the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450.

The Police Service of Northern Ireland have also considered whether we can be of any assistance in terms of helping you refine your request to bring it under the cost limit however the fact that the cost limit has already been reached in answering questions 1 to 7, unfortunately makes this impossible.

In accordance with the Freedom of Information Act 2000, this should be considered as a Refusal Notice in relation to Questions 8, 9 and 10 of this request. The request has therefore been closed.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk)

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that all PSNI replies under Freedom of Information will be released simultaneously into the public domain via our website @ [www.psni.police.uk](http://www.psni.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

## Number of cleared<sup>1</sup> offences where a firearm<sup>2</sup> was involved<sup>3</sup> in the incident

### Northern Ireland

	2005/06	2006/07	2007/08
<b>Total firearms related offences recorded</b>	<b>912</b>	<b>597</b>	<b>544</b>
<b>Total firearms related offences cleared</b>	<b>211</b>	<b>138</b>	<b>153</b>
<b>Sanction clearances</b>			
Charge/Summons	129	112	132
Caution – adults <sup>4</sup>	7	3	7
Caution – juveniles <sup>5</sup>	12	5	12
Taken into consideration	0	3	0
<b>Non-Sanction clearances</b>			
Complainant declines to prosecute <sup>6</sup>	35	5	-
No prosecution directed	20	3	1
Offender under age <sup>6</sup>	4	3	-
Otherwise disposed of	4	4	1

**Source: Central Statistics Unit, PSNI**

<sup>1</sup> Clearances (or detections as they may alternatively be known) are, broadly speaking, those crimes that have been 'cleared up' by the police. Crimes are counted as 'cleared or detected' in accordance with strict counting rules issued by the Home Office. They are counted on the basis of crimes rather than offenders. For example, if six offenders are involved in a robbery and are all arrested and charged, then this counts as one clearance. Alternatively if only one of the six is identified and charged while the other five remain unidentified and go free, this also counts as one clearance. In this respect clearance data differs from conviction data as conviction data counts offenders while clearance data counts crimes.

In April 2006 PSNI adopted a higher evidential standard in respect of non sanction clearances (those where no further action is taken by the police, mainly due to the victim not wanting formal action taken by the police or due to no prosecution being directed). This change was introduced in order to bring these clearance types more closely into line with police services in England and Wales where they have been applying the Crown Prosecution Service evidential test since 2002. In Northern Ireland the equivalent standard only became relevant to PSNI clearances with the establishment of the Public Prosecution Service (PPS) in June 2005. Sanction clearances remained unaffected by this change.

The following methods of clearance involve a formal sanction:

- Charging or issuing a summons to an offender;
- Issuing a caution to the offender;
- Having the offence accepted for consideration in court;
- The offender is a juvenile who is dealt with by means of an informed warning or restorative caution.

***These figures are provisional and may be subject to change***

Up to 1<sup>st</sup> April 2007, offences not involving a formal sanction but still regarded as 'cleared up' were those where the police took no further action for the following reasons:

- Offender, victim or essential witness is dead or too ill;
- Victim refuses or is unable to give evidence;
- Offender is under the age of criminal responsibility;
- Police or PPS decides that no useful purpose would be served by proceeding;
- Time limit of six months for commencing prosecution has been exceeded.

The Home Office significantly restricted the clearance types available to the police from 1<sup>st</sup> April 2007 which meant that virtually all clearances resulting in 'no further police action' (i.e. non sanction clearances) could no longer be claimed as a valid clearance. These clearance types accounted for 4 percentage points of the PSNI clearance rate in 2006/07 but only accounted for less than 0.1 of a percentage point in 2007/08 following this latest restriction. This means that the PSNI overall clearance rate and its sanction clearance rate are now virtually one and the same. This same change also applied to all police services in England and Wales from 1<sup>st</sup> April 2007.

<sup>2</sup> Firearms include rifles, shotguns, handguns, air weapons, BB guns and imitation guns.

<sup>3</sup> The figures relate to offences where a firearm was involved in the incident – it is not known how the firearm was actually used.

<sup>4</sup> Adult cautions include adult cautions and adult informed warnings.

<sup>5</sup> Juvenile cautions include juvenile restorative cautions, juvenile informed warnings and juvenile prosecutorial diversions. Up until 30<sup>th</sup> Aug 2005 juvenile cautions/warnings were issued to 10-16 year olds. After this time they included 17 year olds.

<sup>6</sup> From 1<sup>st</sup> April 2007 complainant declines to prosecute and offender under age is no longer included as a valid clearance.

***These figures are provisional and may be subject to change***