



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-00042

Keyword: Operational Policing

Subject: Weapons Currently Held by PSNI

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- disclose information in response to question 2 in full; and
- fully exempt information in response to question 1 pursuant to the provisions of Section 31 of the Act.

Question 1

This request relates to Attenuating Energy Projectiles, Baton Rounds, Kinetic Energy Devices, Sock Rounds, Bean Bags, Impact Rounds and Rubber Bullets.

Please release the current inventory (as of January 3, 2012) of such weapons/launchers and projectiles currently held by the force.

Answer

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 31 (1) (a) Law Enforcement

Section 31 is a prejudiced based qualified exemption and therefore evidence of harm needs to be

articulated to the applicant and a public interest test also carried out.

Harm Test

If PSNI provided a full inventory of the firearms they hold this would reveal their weaponry capability. If all other forces were asked the same question and they provided their inventories this could be used by individuals, possibly those involved in terrorist activity, to pinpoint forces they consider to be vulnerable and an easy target in which to focus their activity.

Public Interest Test

Factors favouring Disclosure

As the requested information relates indirectly to the efficiency and effectiveness of the service, providing this information would provide accountability in relation to the use of public funds.

Factors favouring Non-disclosure

The current and future law enforcement role of the service would be compromised by the release of this information. To reveal details of tactical weaponry would allow the mapping of national information as intelligence that can be used for criminal purposes. Law enforcement tactics would be compromised which would hinder the prevention and detection of crime. This would lead to more crime being committed which would have a detrimental impact on police resources. A fear of crime would be realised and individuals would be placed at risk.

Balance Test

The security of the country is of paramount importance and the Police service must be careful in not divulging information if to do so would place the safety of an individual at risk or undermine law enforcement. Whilst there is a public interest in the transparency of policing operations and providing assurance that the police service is appropriately and effectively operating, there is a very strong public interest in safeguarding both security and the integrity of police operational effectiveness and tactical capability. Therefore it is our opinion that for these reasons the balance falls in favour of non disclosure.

Question 2

The number of occasions (ie. the individual events rather than the individual discharges on each occasion) on which these weapons have been deployed in 2008, 2009, 2010 and 2011.

Clarification; "deployed" means "actually fired".

Answer

The number of individual events per year where these weapons were used ie actually fired were as follows:

2008 – 1 incident
2009 – 2 incidents
2010 – 3 incidents
2011 – 8 incidents

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 letter.

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.

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 PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

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