



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-02003

**Keyword:** Organisational Information/Governance

**Subject:** Firearms Owned by PSNI

### Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold some information to which your request relates and this is being provided to you. We further consider some of the information you seek in Request 1 and all of Request 3 is exempt by virtue of section 24 (1) & 31(1)(a)(b) of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

### Request 1

Total number of firearms owned by your police force (if possible: broken down into type e.g. pistol, rifle, grenade launcher).

### Answer

Latest figures confirm that PSNI have 14,404 weapons.

A breakdown of the types of firearms is being withheld and the following explanation is provided.

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 exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

**Section 31 (1)(a)(b) – Law Enforcement** – Information would likely prejudice (a) the prevention and detection of crime (b) the apprehension or prosecution of offenders

**Section 24 (1) – National Security** – Information required for the purpose of safeguarding national security

Sections 24 and 31 are prejudiced based, qualified exemptions and there is a requirement to

articulate the Harm and conduct a Public Interest Test.

The full text of exemptions can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk) and further guidance on how they operate can be located on the Information Commissioners Office website [www.ico.org.uk](http://www.ico.org.uk).

A summary of the Harm for Section 31 and Section 24 along with the Public Interest Test is provided below.

### **Harm**

PSNI consider this information crucial to its methodologies and policing operations in the fight against criminal activity and terrorism. ***Release of information under FOI is considered a release to the world in general, not just to the individual requesting the information.***

Disclosing full details of the firearms owned by PSNI would undermine the effective delivery of operational law enforcement by revealing tactical capability, as well as compromise the National Security of the UK.

This information could advantage criminals/terrorists and assist them to establish information from this and aid them in subverting police, thus hindering the detection of crime. This argument is further confirmed by the current threat level in Northern Ireland which currently is SEVERE.

PSNI is aware of the mosaic and precedent effects of releasing information which may be of use to terrorists. A clear link exists between knowledge available to criminals and the way they operate, with the resultant impact on PSNI potentially giving a tactical advantage to criminals.

### **Public Interest Test**

#### Factors Favouring Release - Section 31

The PSNI must be accountable for their procedures. Disclosure of the information would inform public debate on the issue of policing and contribute to the accuracy of that debate while illustrating to the public how funds are being spent.

#### Factors Favouring Retention - Section 31

The current and future law enforcement role of the Service may be compromised by the release of the requested information. A clear link exists between knowledge available to criminals and the way they operate, with the resultant impact to the Service. Disclosing this information could assist criminal elements to subvert police, compromising law enforcement tactics and hindering the prevention and detection of crime, impacting on police resources.

#### Factors Favouring Disclosure – Section 24

The threat from national and international terrorism is ever present and the public are entitled to know how policing is conducted. In the current financial climate of cuts and with the call for transparency, disclosure would enable improved public debate. The public are entitled to know how public funds are spent and disclosure would lead to a better informed public.

#### Factors Against Disclosure – Section 24

Disclosure of this information cannot be in the public interest if the security of the United Kingdom would be compromised. Release of information which could be of use to terrorists, would weaken police mechanisms, impacting the security or infra-structure of Northern Ireland and ultimately national security.

### **Decision**

PSNI is entrusted with a considerable amount of information and has an important role in countering the many threats against society including those of a terrorist nature. It is vitally important that ongoing ability of police to combat terrorist threats is not hindered. As the current threat level in Northern Ireland remains at SEVERE, it is crucial that the disclosure of information held by PSNI, does not impact on the effective delivery of operational law enforcement activity today and in the

future.

**Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general, not just to the individual requesting the information.**

Release of this information has the potential to advantage terrorists and compromise the law enforcement role of police, hindering the prevention or detection of crime. Whilst the PSNI would always wish to be transparent and accountable, there is a very strong interest in safeguarding police methodology, capability and procedures. The Police Service is under severe threat from terrorists and any information identifying police mechanisms or procedures in relation to firearms could assist criminal elements to subvert police. The security of the country is of paramount importance and the Police Service will not divulge information which would undermine national security.

It is acknowledged that wherever possible policing must be transparent and accountable. However, police need to make balanced judgements which justify why some information needs to remain exempt and unpublished. I have therefore determined that the release of this information into the public domain would not be in the public interest.

### **Request 2**

Spend on new firearms acquired by your force over the past six years.

### **Answer**

**Please see the Firearms expenditure detailed below.**

- FY13/14 - FY16/17 - £0
- FY17/18 - £10,150
- FY18/19 - £36,976

### **Request 3**

A breakdown of new firearms acquired by your force over the past six years.

### **Answer**

Please refer to the exemptions cited in the response to Request 1.

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](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 PSNI replies under Freedom of Information may be released 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.