



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-01439

Keyword: Organisational Information/Governance

Subject: Police Firearm Usage

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 the information you seek in requests number 2, 3 and 4 are exempt by virtue of Section 31 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

I would like to make an FOI request to you relating to firearm usage. In particular I would like to ask the following questions which have previously been asked under FOI F-2015-00914. If possible, please can the information be supplied in the same format and on the same basis? I hope that this will ease the collation of the information and help provide a clear idea of the information being sought.

This is a new freedom of information request on police firearm usage between the date of the above FOI and the present day. I am after all incidents where firearms were discharged. This includes negligent or accidental discharges, operational discharges and humane destructions. For each incident please state:

- When and where the incident happened?
- How many bullets were discharged and by how many officers?
- The type of weapon used ?- e.g. shotgun, baton round etc.
- The reasons why the weapon was used ?(e.g. man with gun threatening to shoot public, negligent discharge etc).
- How many people were injured (if any) and the nature of the injuries suffered?
- Who was injured / targeted by the weapon? e.g. male 29, female 58 etc.
- What damage was caused to property (if any) and what was the value of the damage caused?

Answer

Accidental Discharges

Date	Location	Summary	Firearm	No of bullets discharged
May-2015	Police Station	Accidental discharge of firearm at armoury. Damage to firearms register book and table	Glock	1
Jun-2015	Home	Accidental discharge of firearm during cleaning. Damage to wall	Glock	1
Sep-2015	Police station	Accidental discharge of firearm in office. Damage to window and wall	Glock	1
Dec-2015	Home	Accidental discharge of firearm at home. Damage to furniture and doorframe	Glock	1
Dec-2015	Police Station	Accidental discharge of firearm during cleaning. Damage to floor	Heckler & Koch rifle	1
Feb-2016	Home	Accidental discharge of firearm at home. Damage to wall	Glock	1
May-2015	Police Station	Accidental discharge of firearm in locker room. Injury to leg of officer	Glock	1
Apr-2016	Police Station	Accidental discharge of firearm at loading bay. No damage caused	Glock	1
Apr-2016	Home	Accidental discharge of firearm at home. Damage to floor	Glock	1
Feb-2016	Police Station	Accidental discharge of firearm in office. Injury to finger and leg of officer	Glock	1
Oct-2016	Police Station	Accidental discharge of firearm at armoury. No damage recorded	Glock	1
Dec-2016	Home	Accidental discharge of firearm during cleaning. Damage to wall	Glock	1
Apr-2017	Home	Accidental discharge of firearm during cleaning. Damage to floor	Glock	1
Apr-2017	Police Station	Accidental discharge of firearm when cleaning at loading bay. No damage caused	Heckler & Koch rifle	1
Mar-2018	Home	Accidental discharge of firearm at home. Damage to wall	Glock	1
Apr-2018	Home	Accidental discharge of firearm at home. Damage to wall	Glock	1
Jun-2018	Home	Accidental discharge of firearm by officer's son. Damage to floor/ceiling	Glock	1

Operational Discharges

There were 6 occasions during the period 13th March 2016 to 7th September 2018 in which a police firearm / Attenuating Energy Projectile (AEP) was discharged as a Use Of Force, described in the following table.

Note: AEPs were not included in the response to the previous FOI

When and where incident occurred	How many rounds discharged	Type of Weapon	Reasons why weapon was used	How many people were injured	Who was injured / targeted by the weapon	What damage was caused and value of the damage caused
May 2015, Antrim Policing District	2	Glock 17	Armed assailant	None	1 x male	None
July 2015, North Belfast Policing District	6	Attenuating Energy Projectile	Serious Public Disorder. Armed assailants	5 x males stuck with AEPs. A number of police officers Injured from missiles thrown, some with serious head injuries.	6 x males	None
December 2015, Newry Mourne and Down Policing District	2	Attenuating Energy Projectile	Armed assailant	1 x male	1 x male, bruising to torso.	None
July 2016, Fermanagh and Omagh Policing District	2	Glock 17	Armed assailant	None	1 x unknown individual with concealed identity	None
May 2017, Mid and East Antrim Policing District	1	Heckler & Koch rifle	Armed assailants	None	2 x males	Damage to dwelling. Value unknown.
July 2018, Derry City and Strabane Policing District	4	Attenuating Energy Projectile	Serious Public Disorder. Armed assailants	2 x males stuck with AEPs. A number of police officers from missiles thrown.	2 x males	None

Humane Destructions

During the period 13th March 2015 to 7th September 2018 there were 8 humane destruction incidents recorded, detailed in the table below:

Date	Location (Police District)	How many rounds discharged	Type of Weapon	Reason for use
June 2015	Newry & Mourne	1 round	Glock 17	Animal destroyed
September 2015	North Belfast	2 rounds	Remington Shotgun	Animal destroyed
October 2015	Armagh Banbridge & Craigavon	18 rounds	Heckler & Koch rifle	Animals destroyed
November 2015	Antrim & Newtownabbey	5 rounds	Heckler & Koch rifle	Animal destroyed
April 2016	Newry Mourne and Down	6 rounds	Glock 17 and Heckler & Koch rifle	Animal destroyed
May 2016	Causeway Coast & Glens	2 rounds	Sniper Rifle	Animal destroyed
June 2016	Armagh Banbridge & Craigavon	2 rounds	Remington Shotgun	Animal destroyed
October 2016	Armagh Banbridge & Craigavon	3 rounds	Remington Shotgun	Animal destroyed

Request 2

What firearms do the PSNI have (a list if possible, and to when, where and whom they are issued)? The exact model numbers would be appreciated.

Request 3

What are the costs of these firearms?

Request 4

What are considered high-risk areas?

Clarification from you the requester:

When I asked what the "high-risk areas" were, I was referring to the areas where there would be considered a heightened risk of danger due to paramilitary activity, i.e IRA, loyalist groups etc. In addition, this also refers to areas that have a high crime rate.

In relation to Requests 2, 3 and 4 this information has been made exempt, rationale is explained below, within our refusal notice.

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) (b) – Law Enforcement

Section 31 is a qualified and prejudiced based exemption; therefore the public authority has a

responsibility to evidence the harm and the public interest in releasing the information.

Harm Test

The Police Service of Northern Ireland is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. In order to achieve those objectives, the PSNI is permitted to use reasonable force when necessary. Disclosing details of weaponry available to the police is likely to influence the criminals/terrorists who are prepared to resort to the use of extreme force in order to avoid detection and capture. By being aware of the police capabilities they will ensure that they are armed to overcome the Police response, endangering the public, police officers and themselves.

The threat of terrorist action also remains severe. Making PSNI capabilities publicly available removes the deterrent effect of not knowing how easy or difficult it would be to carry out terrorist crime. The only way to leave such doubt in the terrorists mind is to maintain a position of non-provision of this information.

Public Interest Test Section 31

For Release

Disclosure would assist the public in knowing whether the Service has the capability to deal appropriately with the challenges of using firearms, when appropriate to do so. Disclosure would also go some way to showing that public funds have been spent appropriately.

For Retention

Disclosure will place the PSNI at a tactical disadvantage. It will enable criminals and terrorists to determine whether the Service is vulnerable in terms of the firearms they possess. This would have a detrimental effect on law enforcement.

Decision

There are very strong arguments for non-disclosure of the information requested in requests 2, 3, and 4. These revolve around the prejudicial effect on law enforcement which could hinder the prevention of crime, compromise police tactics and place individuals at risk. These far outweigh the arguments for release of the information. Therefore, at this time the balance falls in favour of non-disclosure.

For your information I have included the below links which you may find of interest:

<https://www.mi5.gov.uk/threat-levels>

<https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/police-recorded-crime-statistics/2018/october/crime-bulletin-oct-18.pdf>

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

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.