



# FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2021-00839

**Keyword:** Operational Policing

**Subject:** Use Of CEDs

**Request and Answer:**

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act we 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 Number 2 is 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 A - E**

For the years financial years 2017/18, 2018/19 and 2019/20 please provide:

- a. The number of officers who withdrew their Tasers?
- b. The number of officers who discharged their Tasers?
- c. The highest number of times a single officer withdrew their Taser?
- d. The highest number of times a single officer discharged their Taser?
- e. The number of Tasers reported lost, stolen or missing if any?

**Answers 1 A – E**

In response to request 1 (A) ‘Table 1’ provides the number of officers who drew their Conductive Energy Device (CED) during each of the financial years 2017/18 – 2019/20.

**Table 1**

Financial Year	Number of officers
2017/18	74
2018/19	80
2019/20	74

In response to request 1 (B) ‘Table 2’ provides the number of officers who fired their CED during each of the financial years 2017/18 – 2019/20.

**Table 2**

Financial Year	Number of officers
2017/18	25
2018/19	22
2019/20	18

In response to request 1 (C) 'Table 3' provides the highest number of times a single officer drew their CED during each of the financial years 2017/18 – 2019/20.

**Table 3**

Financial Year	Number of times
2017/18	25
2018/19	33
2019/20	19

In response to request 1 (D) 'Table 4' shows the highest number of times a single officer fired their CED during each of the financial years 2017/18 – 2019/20.

**Table 4**

Financial Year	Number of times
2017/18	4
2018/19	1
2019/20	4

**The notes below are to assist with the responses provided:**

- (1) Includes drawn, aimed, arced, and red-dotted.
- (2) An officer may have drawn their CED on more than one occasion during a financial year.
- (3) An officer may have fired their CED on more than one occasion during a financial year.
- (4) An officer who drew and fired their CED on different occasions will appear in both tables 1 and 2.

In response to request 1 (E) PSNI can confirm there were no CEDs reported lost, stolen or missing in the time period requested.

**Request 2**

Please provide the number of each sort of Taser you have, including the shotgun variety?

**Answer**

PSNI use the following models / types of CED:

- X26 CED
- X2 CED

However PSNI have made the decision to withhold the quantities of the CED weapons it possesses and the rationale for this is detailed below.

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, 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 which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would likely to prejudice (a) the prevention or detection of crime (b) the apprehension or prosecution of offenders.

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).

Section 31 is a qualified prejudiced based exemption and evidence of harm and a public interest test must be applied

### **Harm**

PSNI consider this information crucial to its methodologies and operational policing. Disclosing full details of the quantities of the CED inventory held by PSNI would undermine the effective delivery of operational law enforcement by revealing tactical capability.

PSNI is aware of the mosaic and precedent effects of releasing information which may be of use to those with malign intent. 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 within the public domain.

### **Public Interest Test**

#### Factors favouring disclosure 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 that funds are not used unnecessarily or unwisely.

#### Factors favouring non-disclosure Section 31

Disclosing the information sought could leave officers vulnerable to attack by those elements seeking to subvert police, compromising law enforcement tactics and hindering the prevention and detection of crime and apprehension or prosecution of offenders, impacting on police resources. To disclose the total number of CEDs held by PSNI would provide sensitive tactical information which may be used by individuals to make an informed judgement as to the likelihood of an officer carrying a CED or not thereby highlighting vulnerabilities/tactical options for the PSNI.

### **Decision**

The protection of PSNI officers cannot be compromised by placing into the public domain information in relation to the protection levels.

Whilst accountability surrounding the use of public funds is always a strong argument in favour of releasing information, the balance will always favour retention where there is a significant risk to the safety of individuals including our officer's lives and therefore it is considered that disclosing would not be in the public interest. It is vitally important that the ongoing ability of police to combat all threats is not hindered and 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.

**The release of information under Freedom of Information (FOI) is a release into the public domain and not just to the individual requesting the information. 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 disclosure to the world in general.**

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. It is therefore determined that the release of this information into the public domain would not be in the public interest.

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 Corporate Information Branch, 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 Corporate Information Branch, 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.