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PLASTIC BATON ROUNDS

Operational Requirement

Q1. Why does the Army (RUC) need to use PBRs?

A. PBRs are used by the police and Army in Northern Ireland only where life or property is at risk, and provide a means by which police officers and soldiers can protect themselves when under attack, without resort to lethal force. Ideally, it would not be necessary to use them; if there were no violent disorder there would be no requirement to deploy plastic baton rounds.

Q2. Are alternative methods of control not available?

A. The nature and scale of public order situations which can arise in Northern Ireland, and the threat of terrorist attack, often prevent the security forces from attempting to control rioters at close quarters. Plastic baton rounds allow the police and Army to keep a distance between themselves and those engaged in rioting, who are often armed with petrol bombs and other lethal missiles. Alternative methods of riot control have been employed but have generally proved less effective in Northern Ireland conditions. While plastic baton rounds are not ideal, they offer a better option than the use of live ammunition or hand-to-hand fighting.

Q3. Is it the case that the Army use PBRs indiscriminately?

A. Certainly not. There are strict rules governing the use of PBRs. Their use is also governed by Section 3 of the Criminal Law Act 1987 in that force used must be reasonable in the circumstances. Where a death or injury occurs, a full and thorough investigation is carried out into the circumstances surrounding the incident and a file is submitted to the Director of Public Prosecutions.

Performance of the 1994 rounds

Q4. How do you know the 1994 rounds were going too fast?

A. Tests were being carried out on the rounds as part of the overall baton round development programme. These indicated that some of the rounds manufactured in 1994 went marginally faster than specified.

Q5. So you found out by chance that the rounds were going too fast?

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A. In a manner of speaking, yes. But the rounds had already been tested after manufacture and were found to be within the specifications we had set.

Q6 How big is the problem?

A. The initial tests showed that about 10% of the 1994 rounds marginally exceeded the maximum velocity specified in the requirement. Further tests are continuing, the initial results of which indicate that the proportion may in fact be higher.

According to the tests currently being undertaken, the proportion of rounds exceeding the specified velocity of 70 m/s now averages 33%. Most of these rounds are going between 70 - 72 m/s. The fastest recorded round is 76.05 m/s]

Q7. What is the effect of the baton round going faster than it should?

A. There are two main effects. The first is a slightly greater transfer of energy on impact (ie it hits 'harder') and the second is that the round hits the target higher than the point of aim.

Q8. Does this mean that the rounds are more likely to hit the head and cause serious injury? What is the effect of the faster round if it does strike the head?

A. Soldiers (and the RUC) are trained to aim PBRs at the lower body, where injuries received are painful but unlikely to be serious. PBRs striking the head are likely to result in serious injury, regardless of whether the round is within the specified maximum velocity or exceeds it by the margin indicated in the tests. If a round is aimed at the lower body, but is travelling faster than normal, it is likely to hit higher up the body. The use of the 1994 round was unlikely to result in an increase in the frequency of head injuries; there are additional external factors which can effect the trajectory of the round.

Q9. When did you first know that they were going too fast?

A. A report in January 1996 indicated that some of the rounds were going faster than specified in the requirement. However, the tests were not considered conclusive. It was accepted, at that time, that proof results from the manufacturer were still valid.

[If asked why tests not considered conclusive: Because some were not carried out according to proofing specifications and the others were done on a very limited scale.]

Q10. Why didn't you do further tests?

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A. We did, but these tests were carried out on rounds manufactured in 1996, to see if there had been any improvement in the later batches. The results of these tests were available in October 1996 and indicated that the 1996 rounds did not exceed the maximum specified velocity. The performances of the 1994 and 1996 rounds were evaluated at a full technical meeting in February 1997 when it was agreed that the 1996 rounds carried a marginally lower risk of serious injury. It was therefore decided that the 1994 rounds should be withdrawn. The rounds were withdrawn from all operational use in April 1997.

Q11. Why didn't you withdraw the 1994 rounds sooner?

A. The decision not to withdraw the 1994 baton rounds on receipt of the 1996 report was taken within MOD, by the technical staffs involved, because the velocity increase was considered operationally insignificant and because the tests were regarded as inconclusive. This was supported by the medical opinion contained within the report that the velocity increase would not have a significant effect on the incidence of serious injury nor on its severity. We felt we should be sure that the 1996 rounds provided a better alternative before we withdrew the 1994 rounds.

[If Pressed: Action has been taken to ensure that, in future, decisions relating to baton rounds are taken in consultation with all interested parties.]

Q12. When did you tell other Departments about the problem?

A. In March of this year.

Q13. Why are they going faster?

A. We do not know the reasons for the increase in velocity; that is currently under investigation.

Q14. How can you be sure that the 1996 rounds will not go faster with the passage of time?

A. We are conducting a series of tests on the 1996 rounds to see if they might be at risk of degradation over time. It is now our intention to conduct regular tests on baton ammunition and we shall purchase additional rounds to facilitate this. We are also investigating the implications of moving to annual buys of ammunition, so when new ammunition is available the previous year's stock is used for training.

Q15. What medical advice is sought before PBRs are issued for use?

A. Medical approval is not a pre-requisite for the deployment of PBRs. Advice was nevertheless sought from independent medical members of the Chemical and Biological Human Technologies Board

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(CBHTB), who advised that the current round could be used while work continued on a replacement programme (see Q23).

Q16. Who set the velocity limit at 70 m/s? When was it set? What was the rationale for choosing 70 m/s?

A. The limit of 70 m/s was established in the 1970s by MOD on the basis of a judgment about the optimum balance between safety and effectiveness.

Q17. Were the 1994 rounds used at Drumcree last year.

A. Yes. [IF ASKED: About 6,000 rounds were fired at that time.]

Q18. How many rounds were fired last year?

A. During 1996 the Army fired 1,387 rounds and the RUC fired 6,949. [Almost all were from the 1994 batches.]

Claims for injury

Q19. How many people were injured by 1994 PBRs?

A. We understand that, over the last 3 years, there have been some 100 injuries from all baton rounds fired by the security forces in Northern Ireland. It is possible that some of these injuries were caused by PBRs manufactured before or after 1994.

Q20. Have all the claims been settled?

A. No. The Ministry of Defence has received three claims for compensation in which it is alleged that three members of the public were injured during an incident in July 1996 where baton rounds were used. It is not yet clear whether the rounds in question were fired by the Army or the RUC. There are a number of other outstanding claims against the RUC, but we do not know the details.

Procurement Issues

Q21. Who are the manufacturers of the rounds?

A. For reasons of confidentiality, we do not intend to name the manufacturer of the rounds.

Q22. Why did they fail to supply rounds to the correct specification?

A. The cause of the problem with the rounds has not yet been established. Investigations are continuing and it is not possible

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at this stage to say whether any rounds were delivered which were not to the correct specification. What is clear is that, after manufacture, representative samples of the rounds were proof tested and there was no indication then of any problems with them.

Q23. Will the MOD or RUC seek compensation from them or take other legal action?

A. The matter is still under investigation and the cause of the problem with the rounds yet to be established. Consideration of any legal claim will have to wait until all of the facts have been fully established.

PBRs in Current Use (1996 rounds)

Q24. Are the rounds in current use safe?

A. PBRs are designed to inflict a temporarily disabling blow. Their use is subject to strict guidelines, as well as the criminal law, and soldiers and policemen receive considerable training in their use.

Q25. Will the Army/RUC have enough PBRs to use for the summer marching season?

A. Stocks of PBRs are sufficient to meet our operational requirements.

Q26. Have there been any problems with the 1996 rounds?

A. The 1996 rounds do not exceed the specified velocity, but they do perform at a wider range of lower speeds. New batches of the rounds should be more consistent, yet still below the maximum velocity.

Q27. [ONLY IF ASKED: So what are the risks from baton rounds which perform at lower speeds?]

A. If a baton round is going too slow and is fired at the maximum distance from the target, it may fall short, strike the ground and bounce up above the target area.

Future new rounds/research

Q28. Can't you develop a better round?

A. Work has continued over the years in an effort to reduce the risk of serious injury from PBRs. A new design of baton round is being pursued. However, it can take at least 2 years before a new

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round can be designed, manufactured, tested and approved and put into production.

Q29. What research are you undertaking into other methods of less than lethal force?

A. The MOD's involvement is currently confined to research of the biological effects of non-lethal force. We continue to look for effective methods of non-lethal force, but as yet no suitable alternatives have been identified. In the meantime, our efforts are directed at producing a more advanced and accurate PBR.

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