



Manual of Guidance on

THE MANAGEMENT, COMMAND AND DEPLOYMENT OF ARMED OFFICERS

Third Edition

2011

Produced on behalf of the Association of Chief Police Officers,
the Association of Chief Police Officers in Scotland and the
National Policing Improvement Agency

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Manual of Guidance on **THE MANAGEMENT, COMMAND AND DEPLOYMENT OF ARMED OFFICERS**

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Introduction

- 0.1 This manual sets out the guidance issued by the Association of Chief Police Officers (ACPO) of England, Wales and Northern Ireland on the management, command and deployment of armed officers. It replaces **ACPO (2006) Manual of Guidance on the Police Use of Firearms** and **ACPO (2010) Manual of Guidance on the Management, Command and Deployment of Armed Officers, Second Edition**. The provisions in this manual have also been endorsed by the Association of Chief Police Officers in Scotland (ACPOS). All references in this manual to ACPO officers include representatives of ACPOS.
- 0.2 The Association of Chief Police Officers in Scotland (ACPOS) and the Serious Organised Crime Agency (SOCA) have also undertaken to comply with this manual. All references in this manual to the Police Service and police officers apply to SOCA and SOCA agents.
- 0.3 Following the implementation of the Police Reform Act 2002, the Secretary of State has issued **Home Office (2003) Code of Practice on Police Use of Firearms and Less Lethal Weapons** (hereafter referred to as the **Code of Practice**). Subsequently, ACPOS, the Police Service of Northern Ireland (PSNI) and a number of non Home Office Police Services have issued Statements of Intent in respect of compliance with the provisions of the **Code of Practice**. This manual puts the **Code of Practice** into an operational context.
- 0.4 The purpose of the **Code of Practice** is to:
- Set out the basic principles in relation to the selection, testing, acquisition and use of firearms and less lethal weapons by police;
 - Set out the manner in which those principles are to be implemented within the Police Service;
 - Provide a statement on standards of competence, accreditation and operational practice relating to police use of firearms and less lethal weapons;
 - Ensure observance of these principles, and the standards for implementation, resulting in a systematic programme of continuous development of police policy, practice and capability;
 - Promote compatibility of operating procedures for such weapons, in order to support procedures for testing and maintaining standards of competence, and to support operations involving officers drawn from more than one force;

- Foster the identification and promulgation of good practice;
- Encourage and support the continuing development and improvement of police responses to potentially violent situations, and police management of conflict.

0.5 Section 2.2.1 of the **Code of Practice** states:

Chief officers of police will make arrangements under this code for the authorisation, deployment and use of weapons requiring special authorisation, taking account of detailed operational guidance updated and adopted collectively by chief officers of police. Guidance in respect of weapons requiring special authorisation is set out in the Manual of Guidance on Police Use of Firearms.

0.6 **ACPO (2010) Manual of Guidance on the Management, Command and Deployment of Armed Officers** highlights the importance of the professional responsibility placed on the Police Service to intervene in potentially violent situations to protect the rights of all persons, the need to ensure that human dignity and rights are upheld, and that firearms should only be operationally discharged by police officers when absolutely necessary. These are principles set out in the **United Nations Code of Conduct for Law Enforcement Officials** adopted by General Assembly resolution 34/169 of 17 December 1979 and the **United Nations Basic Principles on Use of Force and Firearms by Law Enforcement Officials** (as adopted by the UN Congress on the Prevention of Crime and Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990), (hereafter referred to as the **UN Basic Principles**).

0.7 The original **ACPO (1983) Manual of Guidance on the Police Use of Firearms** was constantly reviewed and updated. This new manual reflects good operational practice, lessons learned and changes in legislation. The responsibility for this is undertaken by the ACPO Working Group on Armed Policing, whose purpose is to provide the Police Service with strategic direction and guidance in order to improve its efficiency and effectiveness in all matters concerning the police use of firearms. Members are officers with command, operational and training experience relating to the police use of firearms. There are also representatives from the Home Office Scientific Development Branch (HOSDB), the National Policing Improvement Agency (NPIA), Her Majesty's Inspectorate of Constabulary (HMIC), the Independent Police Complaints Commission (IPCC), the Police Ombudsman for Northern Ireland (PONI) and Police Staff Associations. It is the responsibility of the ACPO Armed Policing Secretariat to bring forward proposed amendments to this manual to the ACPO Working Group on Armed Policing, which meets twice a year (or more frequently if the need arises). The latest version of this manual and all relevant updates are published on POLKA website at <http://www.polka.pnn.police.uk>

- 0.8 This revised manual places the management, command and deployment of armed officers into the context of general policing and provides:
- Guidance on the appropriate issue and use of firearms and related less lethal options within the Police Service.
 - A basis for the training of all relevant police staff in matters relating to the operational use of firearms. This includes command issues at strategic, tactical and operational levels.
 - Guidance on command structures, tactical options and operational issues associated with the deployment of Authorised Firearms Officers (AFOs).
- 0.9 This manual does not seek to be prescriptive in terms of its content, however, where the term ‘must’ appears, it is to be interpreted as follows:
- A police force or an individual officer is under a positive obligation in law, or that given the gravity of the issue, the inclusion of the term ‘must’ has been approved by ACPO Chief Constables’ Council, thereby endorsing the need for this action to be completed. If a chief officer determines it necessary to issue separate instructions, due to the operational context or legal provisions appertaining in a specific jurisdiction, they should produce a documented audit trail explaining their rationale for doing so and this should be included within their force’s Strategic Firearms Threat and Risk Assessment.
- 0.10 ACPO recognises that situations involving the deployment of AFOs, by their very nature, often involve a set of circumstances which are constantly evolving. Nothing in this manual is intended to restrict police officers from taking innovative action to effectively resolve incidents in ways which are not included in this manual.
- 0.11 ACPO firmly acknowledges that those involved in armed deployments are required to make critical judgements in the most difficult of situations and often in life-threatening circumstances. Their contribution in helping to resolve these situations and in providing protection to the public and other police officers is highly valued by the Police Service. It is, therefore, important that the safety, welfare and rights of these officers are appropriately addressed by ACPO.
- 0.12 Training in matters relating to the operational use of firearms is dealt with in the National Police Firearms Training Curriculum (NPFTC). This is a restricted document available on the POLKA website. The Police Service has developed a framework of occupational and operational competencies that are relevant to a number of roles undertaken in respect of the deployment and command of AFOs. They are set out in the NPFTC.

- 0.13 The **ACPO (2010) Manual of Guidance on the Management, Command and Deployment of Armed Officers** applies to all weapons that require special authorisation as defined in the **Code of Practice**. The code does not extend to weapons routinely issued to patrol officers for self-defence purposes, such as batons and incapacitant sprays. AFOs will be trained in self-defence, arrest and restraint skills and related equipment. Further information can be found in **ACPO (2009) Guidance on Personal Safety Training and the ACPO Personal Safety Manual**.
- 0.14 This manual takes full account of the principles of the European Convention on Human Rights (ECHR) and the Human Rights Act 1998. The legislation predominantly referred to in this manual applies to England and Wales. As far as has been practicable, the equivalent legislation for Scotland and Northern Ireland has been referenced, however, readers should ensure that the provisions of the manual are interpreted in respect of the jurisdiction in which they are operating.
- 0.15 **ACPO (2008) Manual of Guidance on Keeping the Peace, ACPO (2009) Manual of Guidance on the Management, Command and Deployment of Armed Officers** and the **ACPO Personal Safety Manual** are designed to assist operational officers, planners, advisors and commanders to manage their response to conflict in a reasonable and proportionate way. In managing conflict, keeping the peace, protecting life and intervening in potentially violent situations, commanders and AFOs should follow the guidance contained in each of these manuals.
- 0.16 Generic guidance on command is set out in **ACPO (2009) Guidance on Command and Control**. Other guidance documents used by the Police Service which are referred to in this manual can, for the most part, be found on the POLKA website at <http://www.polka.pnn.police.uk>
- 0.17 Any other manuals providing guidance on the management, command and deployment of authorised firearms officers in any operations, specifically guidance included in the ACPO manuals on surveillance, kidnap, close protection and counter-terrorism, must be interpreted in accordance with the guidance set out in this manual.
- 0.18 Any proposed revision to the above manuals will be considered by the ACPO Armed Policing Secretariat, to ensure compatibility with this manual.

1

Legal Framework

This chapter sets out the legislation and human rights principles relevant to the use of force and firearms by police officers.

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The Law and Regulations Relating to the Use of Force

- 1.0 The law and regulations relating to the use of force are contained in:
- The Human Rights Act 1998 (which gives further effect to the rights and freedoms guaranteed under the European Convention on Human Rights), see **European Convention on Human Rights and the Use of Force** (1.14 - 1.39);
 - Section 3(1) Criminal Law Act 1967 and section 3(1) Criminal Law Act (Northern Ireland) 1967;
 - Section 117 Police and Criminal Evidence Act (PACE) 1984 and Article 88 Police and Criminal Evidence (PACE) (Northern Ireland) Order 1989;
 - Common law provisions in respect of self-defence;
 - The Police (Conduct) Regulations 2008, the Police Standards of Professional Behaviour, PSNI's Code of Ethics and the Police (Conduct) (Scotland) Regulations 1996.

Section 3(1) Criminal Law Act 1967 and Section 3(1) Criminal Law Act (Northern Ireland) 1967

- 1.1 Section 3(1) Criminal Law Act 1967 states that:

A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.

Section 117 Police and Criminal Evidence Act 1984 and Article 88 Police and Criminal Evidence (Northern Ireland) Order 1989

- 1.2 Section 117 Police and Criminal Evidence Act (PACE) 1984 and Article 88 Police and Criminal Evidence (Northern Ireland) Order 1989 apply where any provision of this Act or Order:

- (a) Confers a power on a constable; and
- (b) Does not provide that the power may only be exercised with the consent of some person, other than a police officer,

the officer may use reasonable force, if necessary, in the exercise of the power.

Common Law

- 1.3 The right of self-defence is recognised in common law. This includes the right for a person to use force to protect themselves or another, to prevent crime and to effect a lawful arrest. The force used must be necessary and reasonable in the circumstances.
- 1.4 The law does not require persons (including police officers) to wait until there has been an assault before they take action. As confirmed by Lord Griffiths in *Beckford v The Queen* [1988] AC 130 'A man about to be attacked does not have to wait for his assailant to strike the first blow, or fire the first shot, circumstances may justify a pre-emptive strike'. Police officers, therefore, have the right to defend themselves from unlawful physical violence. They also have a duty to protect others from harm. If police officers do not take appropriate and proportionate action to protect others from harm, they may be violating the human rights of those involved. Therefore, it is important that police officers give high regard to the rights of individuals, in how they exercise their discretion.
- 1.5 The common law principles of self-defence have been clarified by the Criminal Justice and Immigration Act 2008. Under section 76 of this Act, and in line with leading case law (*R v Williams* 78 Cr App Rep 276 and *Palmer v The Queen* [1971] AC 814), an individual has the power to use reasonable force to defend themselves. There is a subjective element to this defence; the question of whether the degree of force used by a person was reasonable in the circumstances is to be decided by reference to those circumstances as that person genuinely and honestly believed them to be. This is so even if their belief is mistaken. Whether the degree of force used in the circumstances (as the person believed them to be) was actually reasonable will, however, be assessed objectively by the courts. The degree of force used by a person will not be regarded as having been reasonable if it was disproportionate in the circumstances.
- 1.6 Under the common law of Scotland there are three conditions which have to be met before the defence of self-defence or defence of another is available. These requirements, coming from the case of *HM Advocate v Doherty* 1954 JC 1 at 4-5, are:
 - (i) There must be imminent danger to the life or limb of the accused or another;
 - (ii) The force used in the face of this danger must be necessary for the safety of the accused or the safety of the other
 - by this it is meant that the force must be both necessary in the circumstances and should be proportional to the threat which is being combated; and
 - (iii) If the person assaulted has means of escape or retreat, he is bound to use them.

- 1.7 In Scottish law the concept of 'reasonable belief' is outlined in the following guidance to officers which has been circulated by the crown agent;

A police officer is not entitled to discharge a firearm against a person unless the officer has reasonable grounds for believing that the person is committing, or about to commit, an action likely to endanger the life or cause serious injury to the officer or any other person, and there is no other way to prevent the danger.'

The Scottish common law principles are complemented by the ECHR and Human Rights Act 1998.

- 1.8 For further information and legal case studies in relation to the use of force, see *ACPO Personal Safety Manual*.

Police Regulations Relevant to the Use of Force and Firearms

- 1.9 The Standards of Professional Behaviour set out in the Police (Conduct) Regulations 2008 address the use of force and abuse of authority, including:

Honesty and Integrity

Police officers are honest, act with integrity and do not compromise or abuse their position.

Authority, Respect and Courtesy

Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Use of Force

Police officers only use force to the extent that is necessary, proportionate and reasonable in all the circumstances.

- 1.10 Officers in the Police Service of Northern Ireland are under a duty to act in accordance with the PSNI Police Code of Ethics. Article 4 of the PSNI Police Code of Ethics deals specifically with the use of force, and includes the responsibilities of those in command.
- 1.11 In Scotland, officers must comply with the Police (Conduct) (Scotland) Regulations 1996.

General Provisions in Respect of the Use of Force

1.12 When police are required to use force to achieve a lawful objective (such as making a lawful arrest, acting in self-defence or protecting others), all force used must be reasonable in the circumstances. Factors which may assist in establishing whether or not the use of force was reasonable in the circumstances are:

- Was the use of force lawful? i.e. is the aim one of those outlined in section 3 Criminal Law Act, PACE or Common law?
- Was the degree of force used proportionate in the circumstances?
- Were other options considered? If so, what were they?
- Why were those options discounted?
- Was the method of applying force in accordance with police procedures and training?

1.13 Any force used must not be greater than was reasonable and proportionate in the circumstances. If the force used is not reasonable and proportionate, it may leave the officer open to criminal or misconduct proceedings. In addition, it may constitute a violation of the human rights of the person against whom the force was used.

1.14 When determining whether the level of force used in any particular instance was lawful, the courts will take account of the ECHR provisions. Human rights which are most likely to be directly interfered with in situations where force is used are:

Article 2 - the right to life;

Article 3 - prohibition of torture, inhuman or degrading treatment or punishment;

Article 8 - the right to respect for private and family life.

European Convention on Human Rights and the Use of Force

The Principles of Human Rights

1.15 Respect for an individual's human rights should be the central focus throughout the entire policing process, and there is an expectation that all policing will be conducted reasonably and within the bounds of the law. This is particularly important in any situation involving the use of force or firearms.

1.16 Under the ECHR, the state has a positive obligation to ensure that the rights and freedoms guaranteed by the ECHR are protected.

- 1.17 The rights and freedoms of the ECHR that may be most relevant to policing include:
- Article 2 – the right to life;
 - Article 3 – prohibition of torture, inhuman or degrading treatment or punishment;
 - Article 5 – the right to liberty and security of the person;
 - Article 6 – the right to a fair trial;
 - Article 7 – no punishment without law;
 - Article 8 – the right to respect for private and family life;
 - Article 9 – freedom of thought, conscience and religion;
 - Article 10 – freedom of expression;
 - Article 11 – freedom of assembly and association;
 - Article 14 – prohibition of discrimination.
- 1.18 The full text of the articles can be found in the ECHR or in Schedule 1 to the Human Rights Act 1998. Their application to policing and other activities by public authorities is made clear by an examination of related case law.
- 1.19 Articles 2 (right to life), 3 (prohibition of torture, inhuman or degrading treatment or punishment), 5 (right to liberty and security of person), 8 (the right to respect for private and family life), 10 (freedom of expression), 11 (freedom of assembly and association) and 14 (enjoyment of the ECHR rights and freedoms without discrimination) are of particular relevance where AFOs are intervening to manage conflict or arrest offenders, or are responding to potentially dangerous situations.
- 1.20 All officers have an individual responsibility for ensuring that they are aware of relevant legislation and are informed about the extent of their legal powers and the context within which those powers can be properly exercised. Forces should constantly identify any relevant legislation for the continued professional development of firearms commanders and AFOs.
- 1.21 Despite making important and often time-critical decisions, police officers are still accountable through the law for their actions. Use of force by police officers can result in judicial proceedings in both the criminal and civil courts. In cases where death has resulted, a public inquest or other inquiry will be held by the coroner or other officer. Every effort should be made to resolve a situation without resorting to the use of force or firearms, however, the overriding consideration should be a human rights-based approach to public and officer safety.

The Human Rights Act 1998

1.22 The Human Rights Act 1998 incorporated most of the ECHR Articles into UK domestic law. Section 3(1) of the Human Rights Act 1998 states:

So far as it is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention rights.

1.23 When considering their powers under common law, section 3 Criminal Law Act 1967 and PACE, police officers must bear in mind the ECHR and Human Rights Act principles. The following considerations will assist in ensuring that the principles of accountability, legality, necessity and proportionality are addressed in respect of any action being considered.

- What is my objective?
- Is what I am doing proportionate?
- Do I have a lawful power?
- Is there a legal basis to my action?
- Is the proposed action relevant and necessary?
- Is there a reasonable relationship between the aim to be achieved and the means used?
- Is there a less intrusive alternative?
- Can the objective be achieved with less impact on the rights of the subject and any other(s) likely to be affected by the action?
- Is the operation being planned to minimise, to the greatest extent possible, recourse to the use of lethal force? (*McCann v United Kingdom* (1995) 21 EHRR 97).

ECHR Article 2 – Right to Life

1.24 Article 2 of the ECHR states:

Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:

- in defence of any person from unlawful violence;

- in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
 - in action lawfully taken for the purpose of quelling a riot or insurrection.
- 1.25 Article 2 also places a positive obligation on the State to take action to uphold the right to life. Section 6 of the Human Rights Act 1998 makes it unlawful for a public authority to act in a way which is incompatible with the ECHR rights, and the police are regarded as being a public authority for the purpose of the Act.
- 1.26 The European Court of Human Rights has made a distinction between the use of force which is intended to be lethal, or as a result of which death occurs, and other uses of force. Article 2 will be invoked whenever death occurs at the hands of the State (or serious injury in a situation where death could have occurred), irrespective of the police contact or type of force or weapon used. The European Court has held that this will apply to:
- The use of force which is intended to result in the death of a person and which has that effect;
 - The use of force which results in the death of a person and which could have been reasonably foreseen to have that consequence;
 - The use of force which results in serious injury to a person, where death could have occurred.
- 1.27 The European Court of Human Rights has held that ‘in keeping with the importance of this provision [the right to life] in a democratic society the court must, in making its assessment, subject deprivation of life to the most careful scrutiny taking into consideration not only the actions of the agents of the State who actually administer the force but also all the surrounding circumstances including such matters as the planning and control of the actions under examination.’ (*McCann v United Kingdom* (1995) 21 EHRR 97 at paragraph 150).
- 1.28 Article 2 can also require, in certain well-defined circumstances¹, a positive obligation on the authorities to take preventive operational measures to protect an individual whose life is at risk from the criminal acts of another individual (*Osman v United Kingdom* (1998) 29 EHRR 245). The police also have a duty of care to take reasonable steps to prevent a person self-harming or threatening to self-harm or carrying out acts intended to

¹ See *Osman v UK* (1998) 29 EHRR 245. “In certain well defined circumstances” is defined within Article 2(1) “it must be established that the authorities knew or ought to have known at the time of the existence of a real and immediate risk to the life of an identified individual or individuals from the criminal acts of a third party and that they failed to take measures within the scope of their powers which, judged reasonably, might have been expected to avoid that risk”.

result in suicide. The force used would then have to be proportionate to the harm anticipated and designed to minimise the risk to the subject.

1.29 Article 2 of the ECHR imposes on States an obligation to safeguard life. This consists of the following main duties:

- An obligation to protect the right to life;
- Prohibition on the taking of life;
- Procedural obligation to investigate deaths resulting from the State's use of force or from the State's failure to protect the right to life.

Absolute Necessity

1.30 Article 2 imposes a requirement of strict proportionality between (a) the objective and (b) the force used to achieve it. Deprivation of life shall not be regarded as inflicted in contravention of Article 2 when it results from the use of force which is no more than absolutely necessary to achieve one of the permitted objectives. See **Common Law (1.5)** for details of the common law principles of self defence, and **ECHR Article 2 – Right to Life (1.24)**.

1.31 The question of whether a use of force was absolutely necessary in the circumstances is one that depends to a large degree on the facts of the individual case. Key issues to consider include:

- The nature of the aim pursued - is it the protection of a person from unlawful violence which poses a real and immediate risk to life?
- Is the use of firearms or force which has the potential to result in death absolutely necessary in the circumstances, bearing in mind the dangers to the lives of all persons involved?
- What are the risks to others, including the subject of the force and all others in the vicinity?
- What other options were considered before resorting to the use of force?
- What weapons or equipment were available at the time?
- Why were these options discounted?
- Have all relevant decisions been recorded and reported?

ECHR Article 3 – Prohibition of Torture, Inhuman or Degrading Treatment or Punishment

- 1.32 Article 3 of the ECHR prohibits torture or inhuman or degrading treatment or punishment.
- 1.33 The European Court of Human Rights have made clear that everyone is entitled to the protection of Article 3, irrespective of their conduct (*Chahal v UK* (1996) 23 EHRR 413).
- 1.34 This is an absolute right from which there can be no derogation, even in times of war or other public emergency (Article 15 ECHR), ie, there can be no justification for engaging in behaviour prohibited by Article 3. The European Court of Human Rights, in the case of *Ireland v United Kingdom* (1978) 2 EHRR 25, characterised the activities prohibited by Article 3 as:
- Torture – deliberate inhuman treatment causing very serious and cruel suffering;
 - Inhuman treatment – treatment that causes intense physical and mental suffering;
 - Degrading treatment – treatment that arouses in the victim a feeling of fear, anguish and inferiority capable of humiliating and debasing the victim and possibly breaking their physical or moral resistance.
- 1.35 Article 3 of the ECHR is particularly relevant to any excessive or inappropriate use of force by the police. In *Ribitsch v Austria* (1996) 21 EHRR 573 the court held that:
- In respect of a person deprived of his liberty, any recourse to physical force which has not been made strictly necessary by his own conduct diminishes human dignity and is in principle an infringement of the right set forth in Article 3 of the Convention.
- 1.36 Firearms, less lethal weapons and arrest and restraint procedures must not be used by police officers with the sole intention of inflicting severe pain or suffering on another in the performance or purported performance of official duties. Any such action may result in criminal charges and is a violation of human rights provisions and is contrary to section 134 of the Criminal Justice Act 1988 and section 3 of the Criminal Law Act 1967. Issues in respect of restraint and handcuffing are covered within the **ACPO Personal Safety Manual**.

ECHR Article 8 – Right to Respect for Private and Family Life

1.37 Article 8 of the ECHR states:

Everyone has the right to respect for his private and family life, his home and his correspondence.

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security,

public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

1.38 The Joint Committee on Human Rights, Deaths in Custody, **Third Report (2004)**, paragraph 232, states:

Article 8, which protects the right to physical integrity, requires that action that interferes with physical integrity should be in accordance with established law and guidelines, that it should be for a legitimate purpose, and that it should be necessary for and proportionate to that purpose. For a physical intervention to be considered proportionate, it must be the least intrusive measure possible in the circumstances. Proportionality, therefore, requires both any form of restraint should be a last resort only; and where there must be recourse to restraint it is the minimum necessary, and applied for the shortest time necessary, to ensure safety.

ECHR Article 14 – Freedom From Discrimination

1.39 Article 14 ECHR requires that there must be no discrimination in the protection of Convention rights, and makes the principle of equality central to the obligations to protect life and physical integrity under Articles 2, 3 and 8 and is relevant to the use of force by police officers, including the use of restraint against detained persons.

Where any of these rights are engaged, a difference in treatment which cannot be objectively and reasonably justified in the circumstances will breach Article 14, which states:

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground

such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Other Relevant Legal Provisions

Corporate Manslaughter

- 1.40 The Corporate Manslaughter and Corporate Homicide Act 2007 received royal assent on 26 July 2007². In England, Wales and Northern Ireland, the new offence is called corporate manslaughter, and in Scotland it is called corporate homicide.
- 1.41 Under section 1 of the CMCHA 2007, an organisation is guilty of an offence if the way in which its activities are managed or organised:
- (a) Causes a person's death; and
 - (b) Amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased.
- 1.42 An organisation is guilty of an offence only if the way in which its activities are managed or organised by its senior management is a substantial element in the breach referred to in CMCHA 2007 subsection (1).

Lawful Orders

- 1.43 The Standards of Professional Behaviour contained in the schedule to the Police (Conduct) Regulations 2008 address the responsibility of police officers to abide by all lawful orders. The Police Service is a disciplined body. Unless there is good and sufficient cause to do otherwise, officers must obey all lawful orders. Officers must support their colleagues in the execution of their legal duties, and oppose any improper behaviour, reporting it where appropriate.
- 1.44 Unless an order to use force or firearms is manifestly illegal or beyond the tactical capability of the AFO(s) concerned, the AFO has a duty to respond in a professional and active manner to such instructions. However, officers shall continuously analyse and assess the situation, respond appropriately to any immediate change in that situation, and act in a measured and appropriate way. Their actions must take account of all circumstances of the dynamic situation and all information immediately available to them.

²Section 2(1)(d) is yet to be brought into force.

- 1.45 Obedience to the orders of a commander or supervisor is no defence in law. If an AFO knows that the order to use force was unlawful and they have a reasonable opportunity to refuse to obey that order, they have a professional and legal responsibility to do so.
- 1.46 Any police officer who has reason to believe that improper force has been used or is about to be used by another police officer shall, to the best of their capability, prevent and rigorously oppose any such use of force. An officer shall, at the earliest opportunity, report the matter to their commander or supervisor and, where necessary, to other appropriate authorities vested with responsibility for investigating such matters.
- 1.47 Commanders and supervisory officers will be held responsible if they know, or should have known, through the proper discharge of their duties, that officers under their command are resorting, or have resorted, to the unlawful use of force, and they did not take all reasonable measures to prevent or report such use.

Misconduct in Public Office

- 1.48 This is a common law offence; the elements of misconduct in public office are:
- A public officer acting as such; and
 - Wilfully neglects to perform his duty and/or wilfully misconducts himself; and
 - To such a degree as to amount to an abuse of the public's trust in the office holder; and
 - Without reasonable excuse or justification.

Health and Safety at Work Etc Act 1974

- 1.49 Section 33 (1)(a) of the Health and Safety at Work etc Act 1974 creates a single offence of failing to discharge the duties imposed by subsections 2 to 7. The relevant duty in this situation is provided by section 3 (1), which states:

It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health and safety.

2

Use of Force, Firearms and Less Lethal Weapons

This chapter details the general principles for the police use of force, firearms and less lethal weapons, the circumstances when weapons may be discharged, and the accountability of AFOs and commanders for their use. The overall context is set out within a Human Rights framework.

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General Principles

- 2.0 The Police Service approach to managing conflict and the use of force is set out in the Police Service statement of common purpose and values which states:
- The purpose of the Police Service is to uphold the law fairly and firmly; to prevent crime; to pursue and bring to justice those who break the law; and to keep the Queen's Peace; to protect, help and reassure the community; and to be seen to do all this with integrity, common sense and sound judgement. We must be compassionate, courteous and patient, acting without fear or favour or prejudice to the rights of others. We need to be professional, calm and restrained in the face of violence and apply only that force which is necessary to accomplish our lawful duty. We must strive to reduce the fears of the public and, so far as we can, to reflect their priorities in the action we take. We must respond to well founded criticism with a willingness to change.
- 2.1 The **Code of Practice** and the guidance set out in this manual reflect the **UN Basic Principles**, which at Article 4 and 5 states:
- Law enforcement officials, in carrying out their duty, shall, as far as possible, apply nonviolent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result (Article 4).
- 2.2 Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall:
- Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
 - Minimise damage and injury, and respect and preserve human life;
 - Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;
 - Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment (Article 5).
- 2.3 The intended result of police action referred to in Article 4 must be a lawful objective and the test is, therefore, that police officers must only resort to the use of force or firearms if other means remain ineffective or there is no realistic prospect of achieving the lawful objective without exposing police officers, or anyone whom it is their duty to protect, to a real risk of harm or injury. Officers must ensure that they make a record of the event in accordance with force policy, and comply with the guidance set out in this manual and the Police (Conduct) Regulations 2008.

Firearms and Less Lethal Weapons

- 2.4 Police officers are frequently required to deal with situations of conflict. The careful use of well-chosen and appropriate words and the management of human interaction will resolve many situations. Others will necessarily involve the application of varying degrees of physical force, including, on occasions, the use of firearms. This proportionate response is a well-established and necessary approach to managing conflict in a democratic society.
- 2.5 Article 2 of the **UN Basic Principles** states that:
- Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms.
- 2.6 The **Code of Practice** provides the framework in which the Police Services in the UK are provided with types of weapons and ammunition that would allow for a differentiated use of force and firearms.
- 2.7 In accordance with the **Code of Practice**, the range of equipment available to police officers includes not only conventional firearms but also other types of less lethal weapons and munitions, some of which may not necessarily fall within the statutory definition of a firearm, but for which stringent standards of competence in their command, deployment and use are required. The **Code of Practice** applies to all weapons requiring special authorisation, available to police forces now or in the future.
- 2.8 The availability of less lethal weapons and tactical options are intended to provide officers, including those issued with conventional firearms, with a 'differentiated use of force and firearms' (Article 2 **UN Basic Principles**). Less lethal weapons will, where appropriate, be deployed alongside conventional firearms and other less lethal technologies and options available to firearms officers.
- 2.9 ACPO have researched the issues associated with hierarchical continuums of force and have concluded that they are both operationally and legally inappropriate for adoption by the Police Service. The availability of less lethal options can enable officers to resolve a situation prior to it becoming absolutely necessary to discharge a firearm, in order to save life.
- 2.10 The Police Service has a range of firearms, less lethal weapons and technologies each of which have different purposes and characteristics and each may offer unique advantages in specific circumstances.

Less Lethal Options

- 2.11 The term ‘less lethal options’ refers to weapons, devices and tactics, developed and used to minimise the need for recourse to conventional firearms. In addition to less lethal weapons, the term less lethal options includes:
- Negotiation;
 - Police dogs;
 - Barriers to restrict or impede movement;
 - Vehicle stopping devices;
 - Tactics and devices designed to minimise the risks to a subject;
 - The range of tactical options set out in the *ACPO Personal Safety Manual* and the *ACPO Manual of Guidance on Keeping the Peace*.

Less lethal options should be considered in all police responses, including counter-terrorist operations.

Less Lethal Weapons

- 2.12 As no technology can be guaranteed to be non-lethal, ACPO in conjunction with the Home Office, have adopted the term ‘less lethal’ to denote weapons and munitions designed to be used without a substantial risk of serious or permanent injury or death to the subject on whom they are applied. While the actual outcome may, on occasions, be lethal, this outcome is less likely than if conventional firearms are used.
- 2.13 Only less lethal weapons that have been approved by the Secretary of State may be used by UK Police Services. The evaluation and assessment processes for such weapons include, where appropriate, a needs analysis, determination of operational requirement, technical evaluation, medical assessment and operational performance trials, and will take into account relevant strategic, ethical, operational and societal issues. This also includes an assessment of environmental factors. See **3 Weapons and Equipment**.

The Systems Approach

- 2.14 The term less lethal weapons is often used generically. The less lethal aspect does not, however, derive from the weapon or munitions alone but from the weapon system, and it is this which is evaluated on behalf of the Secretary of State before the system is authorised for use. Typically, the system includes:

- The weapon or launch platform;
 - The sighting system;
 - The munitions;
 - The zeroing instructions;
 - Maintenance and storage instructions;
 - ACPO guidance on use.
- 2.15 Any change, or addition to any part of the system, can have implications on the less lethal nature of the system and requires operational, technical, and medical re-evaluation before authorisation.
- 2.16 As with all applications of force, there is a potential for unintended serious or even fatal injury, either as a direct result of an application of the weapon system or as a result of secondary injuries, for example, injuries caused by a subject falling. It should, however, be remembered that no weapon system, including conventional firearms, is universally effective and police may have to resort to a combination of tactical responses and use of force options in dealing with a situation.
- 2.17 Less lethal weapons are not to be regarded as a substitute for firearms. Officers armed only with less lethal weapons should not, therefore, expose themselves to unnecessary risks by confronting subjects who may be armed with a firearm.

Use of Firearms and Less Lethal Weapons

- 2.18 The carriage of firearms by a police officer or the presence of an armed officer does not, in itself, constitute a use of force. When a police officer makes use of a firearm or less lethal weapon, for example, by pointing it or by discharging the weapon, that will constitute a use of force for which the officer is both legally and organisationally accountable.
- 2.19 For the purpose of this guidance, a police officer will be deemed to have used a firearm or a less lethal weapon when it is:
- Pointed or aimed at another person;
 - Fired at another person;
 - Discharged in any other operational circumstances, including an unintentional discharge.

Authority and Discretion to Use Force and Firearms

- 2.20 AFOs are first and foremost police officers, and in exercising the duties of the office of constable they have a personal accountability and responsibility for the protection of life and carrying out duties associated with that office.
- 2.21 In most situations it is the individual AFO who must assess the immediacy and proximity of the threat and make an operational decision as to whether it is absolutely necessary to discharge a firearm or take other decisive action.

Responsibility and Accountability for Use of Force Decisions

- 2.22 Each AFO is individually responsible and accountable for their decisions and actions and nothing can absolve them from such responsibility and accountability. This includes decisions to refrain from using force as well as any decisive action taken, including the use of force or a firearm.
- 2.23 AFOs are answerable, ultimately, to the law in the courts and must be in a position to justify their decisions and actions based on their honestly held belief as to the circumstances that existed at the time, and their professional and legal responsibilities; see **1 Legal Framework**.
- 2.24 An AFO's appreciation of the critical nature of the situation may be informed by a combination of the following factors:
- Their observation and assessment of the situation;
 - Their perception of any imminent threat;
 - Their understanding of the wider police operation;
 - Information or intelligence that has been communicated to them;
 - Any direction or authorisation given to them.

Command Decisions

- 2.25 Commanders and AFOs are trained to analyse and determine appropriate courses of action in the course of armed deployments. See **National Decision Model** (6.1).
- 2.26 Commanders and those involved with the assessment of intelligence, provision of tactical advice, and relaying of communications will be legally and professionally responsible for decisions that they make and advice, or directions, or authorisations that they give. Any advice or

directions or authorisations and subsequent action must be 'reasonable in the circumstances' and where appropriate the test of 'absolute necessity' as required by Article 2 ECHR must be met.

- 2.27 Where a commander, on the basis of information and intelligence available to them, considers it necessary to constrain or direct or authorise officers in respect of their use of force, firearms or any less lethal option, it is important that these decisions and relevant directions or authorisations are communicated with clarity and in a timely fashion.
- 2.28 The context within which command decisions are made, and any directions or authorisations given to AFOs may include:
- The information available;
 - The consequence and scale of the threat being addressed;
 - The immediacy of the threat including the assessment of capability and intent of the subject(s);
 - The command structures that are in place;
 - The speed at which the situation is developing;
 - The tactical options and contingencies available.
- 2.29 In some situations a commander may have access to decisive information relevant to an imminent threat to life, of which an AFO who is operationally deployed would not be aware. It is essential that it is understood that a commander may not be able to pass this decisive information to the AFO for one or more of three principal reasons: first, the danger may be so imminent that there is insufficient time for a commander to fully brief the AFO on all available details; second, a commander may be prevented by law from passing some or all of the information and its source (and therefore its quality and reliability) to the AFO; third, the source of the information (and therefore its quality and reliability) may be so confidential that a commander may be unable to pass some or all of the information to the AFO. In these circumstances it may be necessary for a commander who has access to the whole of the decisive information (the 'bigger picture') to constrain or direct or authorise an AFO in their use of force in order to minimise the risk to life of those involved.
- 2.30 In such a situation, the commander may wish to constrain the AFO from discharging a firearm or from taking other significant action which otherwise the AFO might have done in exercising the AFO's own independent discretion. The constraint may prevent loss of life or serious harm to others such as hostages or other persons at risk.

- 2.31 Conversely, a direction or authorisation from a commander to an AFO to discharge a firearm or take other decisive action may be necessary where a failure to take such action would result in a loss of life. This is only likely to be necessary in the most extreme of circumstances where, for example:
- The AFO has limited knowledge of the immediate threat to life;
 - The commander is aware of the immediate threat to life; and
 - The commander is either unable to pass the detail and the quality and reliability of that information to the AFO for the reasons given above or if able, any delay caused by attempting to fully brief the AFO may place life at immediate risk.
- 2.32 Where command decisions are made to constrain, or direct, or authorise the action of an AFO, the communication from the commander will form an essential part of an AFO's decision making.
- 2.33 Any direction or authorisation from a commander to an AFO in these circumstances must be communicated with absolute clarity as to what is being directed or authorised and the action required, including any time imperative.
- 2.34 If a commander decides that as a last resort a critical shot is absolutely necessary in self-defence, which includes the defence of another, a commander will communicate that decision to an AFO with the words, "critical shot authorised", and an AFO will be entitled to rely on them subject to whatever other information is available, principally that from the scene. Such a communication is an authorisation to use such force and not an order to do so.
- 2.35 It will be for the commander who authorises a critical shot to later justify the authorisation, and for the AFO to explain their individual response and any action taken. Post incident accountability rests with the commander for giving the authorisation, and the AFO for their response. For the use of force to be justified and lawful it must be in self-defence, or in defence of another: see Article 2 ECHR, section 3(1) Criminal Law Act 1967, section 76 Criminal Justice and Immigration Act 2008 and common law.

Circumstances When Firearms May Be Discharged

Challenging and Communicating with Subjects

- 2.36 Where circumstances permit, AFOs should identify themselves as armed officers and give a clear direction to the subject, giving sufficient time for the directions to be observed unless to do so would unduly place any person at risk, or would be clearly inappropriate or pointless in the

circumstances of the incident. Oral or visual warnings should make the subject aware of the nature of the armed police intervention, these should serve as a clear warning to them and make it clear that force and/or firearms may be used.

- 2.37 All AFOs should receive training in communicating with subjects. On first verbal contact, officers should normally:
- Identify themselves as police officers and state that they are armed;
 - Clarify who it is they are seeking to communicate with;
 - Communicate in a clear and appropriate manner.

- 2.38 Where weapons are fitted with torches or laser sights, officers should consider the effects of their use during any confrontation.

For further information see **Environmental and Behavioural Influencers** (6.92 - 6.100).

Discharge of Firearms

- 2.39 The primary intention of the police, when discharging a firearm, is to prevent an immediate threat to life by shooting to stop the subject from carrying out their intended or threatened course of action. In most circumstances this is achieved by aiming to strike the central body mass (ie, the torso).
- 2.40 Research indicates that the accuracy of shots fired under training conditions is generally greater than in operational circumstances. Police officers are normally trained to discharge conventional firearms at the largest part of the subject they can see, which in most cases will be the central body mass.
- 2.41 The physical response of a person to having been shot is unpredictable; there are a range of physical and psychological moderators which can contribute to the nature and extent of any response. Only shots striking the central nervous system (which is largely located in the brain and spinal cord) and the major organs, which are contained in the upper body, are likely to result in rapid incapacitation.
- 2.42 There will be circumstances when aiming directly for the head will be necessary, as aiming to strike another part of the body would:
- Be impractical in the circumstances;
 - Present increased risk to life;
 - Be unlikely to achieve immediate incapacitation.

- 2.43 A 'critical shot' is a shot or shots intended to immediately incapacitate the subject. A critical shot should only be fired when absolutely necessary in defence of a person when there is an imminent and extreme risk to life from unlawful violence. A critical shot is a shot or shots to the head, if possible, or otherwise to the central nervous system or major organs.
- 2.44 Alternative points of aim will be appropriate for approved less lethal weapons in accordance with weapon-specific guidelines. Where alternative points of aim and intended points of impact are referenced in the guidelines, the purpose is normally to minimise the risk of unintentional effects or potentially lethal injuries, and to maximise the effectiveness of the weapon system.
- 2.45 When it is considered necessary to discharge a firearm at a subject, police officers need to shoot to stop an imminent threat to life. The imminence of any threat should be judged, in respect to the potential for loss of life, with due regard paid to legislation and consideration of necessity, reasonableness and proportionality.
- 2.46 When an AFO decides to discharge a firearm, the number and sequencing of rounds fired will depend on the circumstances that exist at the time. Officers must constantly assess the threat posed by the subject and the continuance of the threat. Officers must be able to demonstrate that the degree of force used was absolutely necessary and relative to the threat posed. The use of excessive force is strictly prohibited.
- 2.47 The discharge of firearms by police may not necessarily result in the death of a subject, therefore, every effort must be taken by police to provide medical assistance.

Accountability For All Rounds Fired

- 2.48 AFOs are accountable for all rounds they discharge and they should be aimed so as to minimise risk (either directly or by ricochet) to any person other than the subject. Where in exceptional circumstances a round is discharged in a direction where it is not intended to strike a person or defined area, officers must take account of potential unintentional harm being caused as a consequence. This could also include death or serious injury of a person not in the immediate proximity.
- 2.49 Officers should be aware that any discharge of a firearm may lead a subject or other officer to believe that they are under fire.

Suspects in Vehicles

2.50 Police officers should not, in normal circumstances, fire at or from moving vehicles. There may be situations where life is at risk and the only course of action available is to engage a subject in, or from, a moving vehicle. Firearms should not be discharged at a moving vehicle simply because it has failed to stop when directed, or to immobilise the vehicle, unless there is intelligence to support such action. It may be appropriate to use firearms to immobilise a moving vehicle if warranted by the threat. In these circumstances only appropriately trained officers using authorised equipment and ammunition may undertake this activity. If such a course of action is deemed absolutely necessary, officers must be aware of the potential consequences and their responsibilities to the public. The following matters must be borne in mind:

- The construction of modern vehicles means that shots are unlikely to be effective in immobilising the vehicle and there may be real danger of ricochet;
- Rounds may over penetrate the vehicle causing danger to innocent persons;
- If the driver is killed or injured, there is a high risk of the vehicle going out of control;
- The difficulty of maintaining accuracy when firing from a moving vehicle;
- When bullets, especially those from high-velocity weapons, strike the windows or bodywork of a motor vehicle, a flash is produced which may resemble the muzzle flash of a weapon, thereby potentially causing officers to believe that they are being fired at.

The same effect could be produced when a high-velocity bullet strikes the window of a building or other solid matter.

See also **Vehicle Stopping and Immobilisation** (3.75 - 3.77).

3

Weapons and Equipment

This chapter provides guidelines on the selection of weapons and equipment which may be used when AFOs are deployed.

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Introduction

- 3.0 Equipment selected should be appropriate for the purpose for which it is issued. Operational requirements have been prepared by ACPO in respect of equipment, firearms and less lethal weapons. Equipment issued should have been evaluated against these operational requirements. Officers and police staff should, as far as is practical and appropriate to their roles, be provided with information in respect of the nature of the equipment and its function (including its capabilities), limitations and risk factors associated with its use.
- 3.1 The **UN Basic Principles** set out the requirement for governments and law enforcement officials to equip officers with firearms and less lethal weapons, self-defence and personal protective equipment.
- 3.2 Article 2 of the **UN Basic Principles** places an obligation on governments and law enforcement agencies to develop what the **UN Basic Principles** refer to as ‘non-lethal’, incapacitating weapons for use in appropriate situations, with a view to increasingly restraining the application of means capable of causing death or injury to persons. For the same purpose, it should also be possible for law enforcement officials to be equipped with self-defence equipment such as shields, helmets, bulletproof vests and bulletproof means of transportation in order to decrease the need to use weapons of any kind.
- 3.3 Throughout this manual and HOSDB publications, terms such as ‘bullet resistant’, ‘ballistically protected’ and ‘body armour’ are used in favour of terms like ‘bulletproof’ in recognition that the degree of protection afforded depends on the type of weapon and ammunition used and the nature of the attack.

Legislative Framework

- 3.4 Health and safety legislation, in particular the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999 (and the legislation that extends this to the Police Service), the Police (Health and Safety) Act 1997 and the Police (Health and Safety) Regulations 1999, puts an onus on the employer to carry out risk assessments and develop safe systems of work as part of an overall process to manage health and safety, both for the staff and members of the public, where a duty of care is owed.
- 3.5 It is essential, therefore, that officers and police staff are appropriately trained, equipped and use work-related equipment and personal protective equipment (PPE) in accordance with guidance provided to and by the Police Service.

Relevant Health and Safety at Work Legislation

3.6 Since 1 July 1998, all police activities have been subject to health and safety at work legislation. This legislation forms part of criminal law, and a breach of the legislation can result in criminal prosecution by the Health and Safety Executive (HSE), which is the enforcing authority. The main pieces of health and safety legislation that are relevant to firearms, less lethal weapons, munitions and the deployment of AFOs are:

- Health and Safety at Work etc Act 1974;
- The Health and Safety (First Aid) Regulations 1981;
- The Electricity at Work Regulations 1989;
- The Manual Handling Operations Regulations 1992;
- The Personal Protective Equipment at Work Regulations 1992;
- The Workplace (Health Safety and Welfare) Regulations 1992;
- The Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995;
- The Police (Health and Safety) Act 1997;
- The Provision and Use of Work Equipment Regulations 1998;
- The Management of Health and Safety at Work Regulations 1999;
- Police (Health and Safety) Regulations 1999;
- The Pressure Systems Safety Regulations 2000;
- The Control of Substances Hazardous to Health (COSHH) Regulations 2002;
- The Dangerous Substances and Explosive Atmospheres Regulations 2002;
- The Work at Height Regulations 2005;
- The Control of Noise at Work Regulations 2005;
- The Manufacture and Storage of Explosives Regulations 2005.

3.7 Injuries, accidents and incidents referred to within RIDDOR as 'dangerous occurrences' (near misses) should be reported in accordance with force operational practice.

Acquisition of Firearms

3.8 The **Code of Practice** states that:

Chief officers of police, in consultation with their police authorities, will be responsible for the acquisition of weapons requiring special authorisation for use in their force areas, on the basis of the threat and risk assessment processes.

3.9 Chief officers of police are responsible for establishing the operational requirement for their police areas, in order to determine a policy for the provision of weapons requiring special authorisation, and the equipment, training and accreditation of users. For this purpose, chief officers should assess the known and reasonably foreseeable threats and risks in their police areas which may be relevant to the use of weapons requiring special authorisation.

3.10 ACPO, in conjunction with HOSDB, have provided guidance on a weapon evaluation procedure to support forces in the selection of appropriate firearms within the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

3.11 Forces, in selecting weapons, should evaluate them against an operational requirement which includes:

- The purpose for which the weapon is being acquired;
- The environment in which it is likely to be deployed;
- The ballistics of the ammunition.

Due regard should also be given to the training implications, including the availability of suitable firing ranges for the calibres involved, and the advice given by ACPO on hearing protection.

3.12 Forces must be able to show an audit trail for the procurement of any firearms or less lethal weapons they purchase. Weapon types used by the Police Service include:

- Handguns, including self-loading pistols and revolvers;
- Carbines and rifles;
- Precision rifles fitted with telescopic sights;
- Shotguns (pump-action or self-loading) with appropriate sighting system and bored true cylinder to enable specialist munitions to be used (for example, CS and breaching rounds);
- 37mm Launchers, L104A1/2 with L18A1/2 optic sight (there are other launchers for use with signal flares and specialist munitions);
- Conductive Energy Devices (Taser X26 and M26).

- 3.13 The majority of weapons used in the Police Service are in 9 mm, 5.56 mm and 7.62 mm calibres. Some forces maintain weapons in different calibres for both general and specialist use.

Acquisition of Ammunition

- 3.14 HOSDB has published advice in respect of police ammunition. Further information is available from HOSDB.
- 3.15 Only ammunition subject to strict factory quality control should be issued for operational purposes. All ammunition purchased should be accompanied by a proof house pressure certificate giving details of its mean service pressure. This must be consistent with that of the weapon used; any difficulties should be referred to HOSDB. Batch pressure tests should be carried out periodically where forces reload their own training ammunition.
- 3.16 Suitable provision should be made to facilitate the safe carriage of issued ammunition. This may include the use of magazines, magazine pouches and similar devices for other ammunition types.
- 3.17 All operationally carried ammunition should be regularly examined and rounds which show any sign of wear or damage should be disposed of in accordance with ACPO/HOSDB advice.
- 3.18 Details in respect of ammunition configuration are contained within HOSDB publications. Bullet configuration is designed to address issues associated with the penetrative qualities of the ammunition as well as minimising the potential of ricochet and over penetration. Where forces choose a calibre or bullet configuration that has not been assessed by HOSDB to the ACPO operational requirement, the ammunition must comply with international conventions and any policy issued by ACPO. In addition, forces must be satisfied that the ammunition functions correctly in the weapon issued and that the ballistic performance of the ammunition meets operational requirements.
- 3.19 Most forces hold a range of 12 gauge and 37mm munitions for dealing with specialist situations, which include:
- 37mm Attenuating Energy Projectile;
 - 12 gauge breaching rounds and CS(m) barricade penetrating rounds.
- 3.20 Forces that have identified a need to be able to deal with large animals should hold weapons and ammunition calibres appropriate to the task.

Training Munitions

- 3.21 When munitions are used in training and are designed to either produce a noise or fire a projectile which only has a training application (for example, blanks, or marker rounds), care must be taken that HOSDB guidelines (where applicable) and all other appropriate safety precautions are followed. See ***HOSDB (1997) A Guide to Ear Defenders for Firearms Training 15/97 [Restricted]*** and ***HOSDB (1992) Noise Levels and Hearing Protection for Blank Ammunition 21/92***.
- 3.22 All munitions are hazardous and must be used in accordance with the manufacturer's guidance, or advice provided by HOSDB where applicable.
- 3.23 Minimum engagement distances and safety precautions should be observed when using blank ammunition. Stringent precautions need to be followed to ensure that conventional ammunition does not become mixed with training munitions, such as blank or marker rounds. Similar provisions must apply to drill rounds used in weapon handling classes, which must be stored and used away from any round capable of being discharged, including blank rounds.

Acquisition of Less Lethal Weapons

- 3.24 In accordance with the ***Code of Practice***, the Police Service should maintain the capability to centrally assess, evaluate and, where appropriate, adopt effective less lethal weapon systems where they might reduce reliance on conventional firearms or ammunition, without compromising the safety of police officers or others who might be affected. This is coordinated on behalf of the Police Service by ACPO. The ***Code of Practice*** requires that where ACPO regard new weapon systems as suitable for further evaluation and testing they should consult the Secretary of State. Research and evaluation of less lethal weapons and their introduction into operational police use is coordinated by a steering group chaired by the Home Office.
- 3.25 The processes for evaluating, assessing and adopting new less lethal weapon systems and arranging for any related training to accredited standards must be completed before such weapons are issued operationally.
- 3.26 Evaluation and assessment processes for such weapons include, where appropriate, a needs analysis, determination of operational requirement, technical evaluation, medical assessment and operational performance trials, and will take into account relevant strategic, ethical, operational and societal issues.

Storage of Firearms, Munitions and Explosives

- 3.27 Chief officers must ensure that there are secure armoury facilities for the storage of firearms and munitions held for operational and training purposes. This should include centrally held stocks and those carried in armed response vehicles. The term munitions includes: ammunition, pyrotechnics and explosive-based material. The method of storage and storage conditions must comply with recommended security, storage and health and safety standards. Advice on relevant standards can be obtained from HOSDB. See ***HOSDB (2008) Guidance on the Safe and Secure Storage of Small Arms Ammunition Within Police Armouries. EBP/GN/2008/001 05 February 2008 (Edition 1)***.
- 3.28 Weapons and ammunition should be physically separated within the armoury.

Weapons Storage

- 3.29 The method of retaining weapons within the armoury should include purpose-built racking or a storage system suitable for the storage of both weapons and magazines. The system adopted should:
- Prevent weapons from falling or being damaged;
 - Facilitate ready accounting for weapons.
- 3.30 The organisation of weapons in an armoury should segregate operational and training weapons, and weapons stored for other reasons.

Ammunition Storage

- 3.31 The term ammunition includes all operational, training and blank ammunition of all types.
- 3.32 The storage arrangements and procedures used within the armoury should be designed to prevent blank, drill purpose and all forms of inert munitions becoming mixed with other ammunition. Procedures should be put in place for accepting or returning munitions to stock. Ammunition stocks should be arranged separately according to calibre and type, to facilitate accountancy procedures.

Administration and Record Keeping

- 3.33 The system of accounting for weapons and ammunition must provide an audit trail for the movement of weapons, and of the issue and use of ammunition.
- 3.34 An inventory must be kept of all weapons and equipment held in the armoury, including serial numbers. Where weapons are allocated easily read reference numbers, these should be cross-referenced to the original serial number.

- 3.35 An audit trail in respect of each weapon should be maintained. This must include a record of all withdrawals from the armoury for training or operational purposes. All inspections and repairs undertaken in respect of weapons must be recorded. Any design faults or recurring problems with either weapons or ammunition must be reported to HOSDB using the weapons failure form which is available from the ACPO Armed Policing Secretariat or the Uniformed Policing – Firearms Community at <http://www.polka.pnn.police.uk>
- 3.36 Where it is necessary to store training and operational ammunition in the same armoury, they should be accounted for separately.
- 3.37 Ammunition records should be capable of being cross-referenced with range records showing details of range expenditure.

Storage of Explosive Articles and Substances

- 3.38 Guidance on the storage of explosive articles and substances for use by police units is set out in the following HOSDB guidance notes:
- ***HOSDB Guidance Note 9A/08: Storage of Explosives (UN Hazard Division 1.1) in Police Facilities. 29 February 2008 (Edition 1);***
 - ***HOSDB Guidance Note 9B/08: Storage of Explosives (UN Hazard Division 1.2 and 1.3) in Police Facilities. 29 February 2008 (Edition 1);***
 - ***HOSDB Guidance Note 9C/08: Storage of Ammunition (UN Hazard Division 1.4) in Police Facilities. 29 February 2008 (Edition 2);***
 - ***HOSDB Guidance Note 9D/08: Storage of Explosives in Police Facilities (Compatibility and Mixing Rules). 19 February 2008 (Edition 1).***

Weapons Maintenance

- 3.39 An effective maintenance programme must be in place to ensure that weapons and ammunition used by police officers are in a serviceable condition. This will normally be the responsibility of a force armourer or weapons maintainer in line with the NPFTC. Chief officers should ensure that such staff have the appropriate qualifications and skills, and take into account any recommendations concerning re-qualification.

Destruction of Surplus Firearms

- 3.40 As one of the control measures designed to ensure that firearms do not pass into illegal use, it is ACPO policy that all firearms owned by the Police Service should be destroyed when they are deemed to be surplus to the requirements of the Service.
- 3.41 An exception to this policy relates to situations where surplus firearms are being sold, or otherwise disposed of, to other forces, and firearms which are kept for instructional purposes, or as a historical record.
- 3.42 Once a decision has been made that certain firearms are surplus, they should be destroyed in the same manner as illegal firearms that come into the possession of the Police Service. Before disposing of a firearm, chief officers should ensure that there are no criminal, civil or judicial proceedings which a weapon may be required for.

Holsters

- 3.43 Holsters used by the Police Service should be suitable for the task and the environment in which the weapon is being carried. The holster should:
- Provide protection for the weapon;
 - Provide security for the weapon;
 - Enable the wearer to easily access the weapon.

Optical Sights and Observation Equipment

- 3.44 Sighting systems and accessories which aid observation, identification and shooting in a range of lighting conditions should be available to officers who may be required to use a weapon in low-light conditions. HOSDB has produced a document that will help forces choose an appropriate sighting system, see ***HOSDB (2001) Optical Sights for use with Police Firearms 06/01***.
- 3.45 Accessories fitted to weapons can alter the balance and functioning of the weapon system. These should be fitted only after thorough evaluation of the complete system in the configuration intended to be used operationally.

Body Armour and Ballistic Protection

- 3.46 A quality framework process in respect of body armour standards has been developed by HOSDB, ACPO, Police Staff Associations and forces. These are set out in a series of HOSDB publications on body armour.
- 3.47 Body armour and ballistic protection available to the Police Service includes protection against:
- Knife and spike attack;
 - Blunt trauma;
 - Ballistic injuries.

- 3.48 Forces must regularly review the threats, via the Strategic Firearms Threat and Risk Assessment, to which officers are being exposed. This includes changing trends in respect of the types of incidents and operations to which officers are being deployed. It is, therefore, important that officers' personal protective equipment (PPE) is matched to the risks they are likely to face and that risk assessments are role specific. Forces should consider whether they require a hybrid body armour that provides both ballistic and sharp edged weapon protection.
- 3.49 Chief officers should factor into their risk assessment not only the weaponry likely to be used by subjects that officers may have to confront, but also the ballistic threat posed by the weapon that officers are being deployed with.
- 3.50 The issues associated with body armour are particularly relevant to chief officers. Body armour falls within the definition of personal protective equipment for the purposes of the Personal Protective Equipment at Work Regulations 1992 and, therefore, carries legislative responsibilities for which chief officers are required to take cognisance.
- 3.51 HOSDB standards for ballistic body armour give a choice of different levels of protection, including protection against handgun, shotgun and rifle calibres. The specific protection levels are set out in the HOSDB publication ***HOSDB (2007) Body Armour Standards for UK Police Part 2: Ballistic Resistance.***
- 3.52 Each of the ballistic protection levels set out in the HOSDB publications can be combined with stab protection levels to offer dual stab and ballistic protection. See ***HOSDB (2007), Body Armour Standards for UK Police, Part 3: Knife and Spike Resistance 39-07-C.***
- 3.53 HOSDB recommends that body armour is checked at regular intervals to ensure that it is in a serviceable condition; forces should introduce a system whereby reminders are provided for staff in accordance with HOSDB recommendations.
- 3.54 Where body armour has been the subject of a stab, ballistic or blunt trauma attack, HOSDB advice in respect of replacing the armour should be followed.
- 3.55 Advice on the correct wearing of body armour and related equipment is contained in ***HOSDB (2006) Carriage of Police Equipment 10-06.***
- 3.56 Other ballistic resistant equipment which may be provided includes portable blankets, shields or screens and ballistic helmets. The standard issue helmet for situations involving public disorder does not offer any ballistic protection. See ***HOSDB (2004) Portable Ballistic Protection Standard for Police 34-04.***

Clothing

- 3.57 All clothing issued to AFOs should be appropriate for their role and provide suitable protection from the weather and any other risk-assessed hazards.
- 3.58 In situations where threat and risk assessment justifies visually protecting the identity of AFOs, balaclavas or face-overs can provide a degree of protection.

Uniformed AFOs

- 3.59 Uniform headwear with clearly visible police markings, or ballistic helmets can assist in the visual identification of AFOs as police officers. Ski caps or berets should normally be of a dark blue, black or dark green colour commensurate with the uniform worn by the force.
- 3.60 Forces should determine the operational attire to be worn by uniformed AFOs when undertaking uniformed duties. This should normally include ballistic body armour and should take account of threat and risk assessment in respect of threats to which officers might foreseeably be exposed.

Non-Uniformed AFOs

- 3.61 When non-uniformed officers are carrying firearms, consideration should be given as to how they would be identified as police officers should they have to draw a firearm or become overtly armed. The system used will depend on the nature of the duties that they are performing, and may include the availability of a dark blue, dark green or black ski cap, with police markings. The wearing of a high-visibility vest, shirt or jacket with police markings may also prove beneficial. Where these methods of identification are not available, officers should consider the production of warrant cards and verbal identification of themselves as armed police officers.
- 3.62 In certain circumstances the use of discreet, agreed markers which assist other officers in identifying AFOs can be beneficial. It is, therefore, important that a suitable system of identification is defined, and that all officers involved are fully briefed and aware of it.
- 3.63 Advice on ballistic protection for non-uniformed officers can be obtained from HOSDB.
- 3.64 Where the nature of the duties performed makes the wearing of ballistic protection impractical, a threat and risk assessment should be completed and the rationale for not deploying officers with ballistic protection recorded. See **Body Armour and Ballistic Protection** (3.46 - 3.56).

Non-Uniformed Unarmed Officers

- 3.65 Where non-uniformed, unarmed officers are working alongside armed officers, consideration should be given as to how they could be identified in the event of them having an overt role. Wearing a high-visibility cap, vest, shirt or jacket with police markings may prove beneficial. Where these systems of identification are not available, officers should consider the production of warrant cards and verbal identification of themselves as police officers.
- 3.66 It is vital that a suitable system of identification is defined, and that all officers involved are fully briefed and aware of it.
- 3.67 Ballistic protection is equally important to armed and unarmed officers in situations where firearms may be discharged, and consideration should be given as to appropriate ballistic protection.

Respirators

- 3.68 It is important that respirators are matched to the specific threat that they are intended to protect against. The current respirator is designed to protect against CS; it should not be presumed that it will protect against other threats. In particular, it will not offer protection in oxygen deficient atmospheres such as burning buildings. AFOs who are issued with respirators must receive training in the correct use of the equipment.
- 3.69 Advice for operations where police officers require respiratory protection equipment against CS can be found in ***HOSDB (2004) Evaluation of Respirators for Specialist Police Firearms Operations 92/04 [Restricted]***.
- 3.70 A number of officers are also equipped to undertake duties to deal with Chemical, Biological, Radiological and Nuclear (CBRN) environments, and they have been issued with equipment relevant to these tasks.

Tactical Equipment

- 3.71 A clear audit trail for the use, maintenance and service of all tactical equipment should be identified in the risk assessment process adopted by each force.

Forcible Entry Equipment

- 3.72 The main categories of entry and door breaching equipment include:
- Kinetic devices;
 - Hydraulic equipment;
 - Cutting equipment;
 - Shotgun breaching rounds;
 - Explosive breaching devices.

- 3.73 There are specific hazards associated with each of these options. It is essential that officers responsible for their use are fully trained in the option and that risk assessments are undertaken in respect of the use of these specific methods.
- 3.74 Officers being deployed when these methods are being used must be briefed on the potential consequences and effects. It is also important that commanders authorising the use of forcible entry equipment (also referred to as Method of Entry (MOE) equipment) are fully aware of the implications associated with their use.
- 3.75 There are several types of vehicle stopping devices designed to slow a vehicle and bring it to a halt in a controlled manner.
- 3.76 In appropriate situations shotgun breaching rounds can be used to rapidly deflate the tyres of a vehicle which has been brought under control, in a way which minimises risk. Officers should, however, take account of the fact that subjects may believe they are under fire, resulting in an escalation of the situation. This should be balanced against the situational benefits of preventing a subject from driving off.
- 3.77 Conventional ammunition should not be used to deflate tyres as it is unlikely to be effective and can ricochet, thereby presenting unacceptable risks. See also **Suspects in Vehicles** (2.50).

Vehicle Stopping and Immobilisation

- 3.78 Specialist munitions include pyrotechnic distraction devices and CS munitions. Specialist munitions have the potential to cause injury and damage even when used correctly. Instructions on safe handling and detonation procedures must be carefully adhered to.
- 3.79 The term pyrotechnics includes all substances, munitions, devices or other articles which, on their own or in combination with other equipment, are capable of producing an explosive or burning effect, whether designed to be ignited manually or electrically.
- 3.80 Pyrotechnics which produce a large range of visual, sound and smoke effects are commercially available. Various types of percussion (stun) grenades and barricade breaching munitions are also available, all of which can provide officers with a tactical advantage when operating in buildings or other physical structures. Forces should have authorisation protocols for the issue, deployment and use of specialist munitions.

Specialist Munitions

Use and Safe Handling

- 3.81 Trained personnel should be responsible for all handling, setting up and firing of pyrotechnics. No other person should handle any pyrotechnic, wiring or initiation device except under the direct instruction of the designated responsible person. Pyrotechnics should be used only in accordance with current safety instructions.

Use of Percussion Grenades

- 3.82 The use of percussion grenades may create a risk of fire, blast and fragmentation. The noise created by these devices is in excess of the safe level under health and safety legislation, and care should be taken during operational use. ACPO, in conjunction with HOSDB, has provided guidance on hearing protection while using percussion grenades in both operational and training environments. Further information in relation to hearing protection in firearms training and operations can be obtained from the ACPO Armed Policing Secretariat.
- 3.83 Only certain types of percussion grenades are suitable for use in operational situations. Forces should only use devices that have been recommended by HOSDB.
- 3.84 During training, suitable hearing, eye and face protection should be used at all times. Operationally, the type of face protection should be decided after a risk assessment has been carried out.

Chemical Munitions

Smoke

- 3.85 Pyrotechnic generated smoke can cause disorientation and suffocation. Smoke producing devices should not be used in confined spaces unless specifically intended for use in such environments. Even then, where possible, staff should not be exposed to concentrations of smoke unless wearing a suitable respirator.

CS Munitions

- 3.86 Chemical munitions (other than incapacitant sprays) authorised for use by the Police Service in the UK are subject to approval as set out in the **Code of Practice**. CS-based munitions are the only approved chemical munitions for use in support of firearms operations.

Characteristics and Effects of CS

- 3.87 CS is not a gas but a white crystalline solid. It can be delivered directly as a micronised powder or as a pyrotechnic mixture, where the particles of CS are carried in the smoke. It can also be dissolved in a suitable solvent which, when deployed, evaporates leaving a fine dispersion of CS particles.
- 3.88 Used in appropriate quantities and in enclosed spaces, CS can reduce a person's offensive capability and the extent of their coordinated action. The effects can include pain and discomfort in the eyes, which causes excessive watering, involuntary spasm of the eyelids leading to blinking or closure of the eyes and sneezing, coughing, retching and a stinging or burning sensation on exposed skin.

Aftercare of People Exposed to CS

- 3.89 Tactical training in the use of CS will emphasise the precautions to be taken in relation to self-contamination, appropriate restraint techniques and aftercare of subjects. For information on aftercare for persons exposed to incapacitant sprays, see the **ACPO Personal Safety Manual**.
- 3.90 There are a number of products sold on the open market claiming to be antidotes or neutralising agents. There are, however, no antidotes for CS and these products should not be used on people. In some cases their use can be harmful.

CS/PAVA Aerosols

- 3.91 There may be occasions during incidents when AFOs carrying CS or PAVA (Pelargonic Acid Vanillylamide) aerosols consider that the use of such equipment is appropriate. CS or PAVA aerosols should be used only in accordance with guidelines contained in the **ACPO Personal Safety Manual**.
- 3.92 AFOs should be aware that contamination by their own or a colleague's CS or PAVA aerosol may seriously affect their ability to use a firearm effectively. Operational guidance on the use of CS and PAVA incapacitant sprays can be found within the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

Conducted Energy Devices

- 3.93 There are two conducted energy devices approved for use by police officers in the UK; these are the M26 Advanced Taser and X26 Taser. These are single-shot weapons designed to temporarily incapacitate a subject through the use of an electrical current which temporarily interferes with the body's neuromuscular system.
- 3.94 The weapons are laser-sighted and use cartridges attached to the end of a cartridge bay. The cartridges project a pair of barbs or darts attached to insulated wires. The maximum range of the device is determined by the length of the wires that carry the current and attach the barbs to the weapon. The effective range at which it is likely that the two barbs will attach themselves to the target may be a lesser distance. It may also be used in a direct contact stun mode. For further information see **ACPO (2008) Policy on the Operational Use of Taser by Authorised Firearms Officers**.

For the most up-to-date version of this policy see **ACPO (2008) Taser Policy and Operational Guidance 2008, Version 4** within the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

37mm Attenuating Energy Projectile

- 3.95 The Attenuating Energy Projectile (AEP) is a 37mm Impact Projectile. The approved launcher is the L104A1/2 equipped with an approved L18A1/A2 optical sight.
- 3.96 The projectile has been designed with a nose cap that encloses a void. This design feature is intended to attenuate the delivery of the impact energy by extending the duration of the impact and minimising the peak forces.
- 3.97 The AEP is designed to deliver an impact which is not intended to cause serious or life-threatening injury. It is of sufficient force to dissuade or prevent a violent or potentially violent person from their intended course of action, and thereby neutralises the threat. As with all applications of force, however, there is a potential for unintended, serious and even fatal injury either as a direct result of an impact or as a result of secondary injuries caused by a subject falling. It should be remembered that no weapon system, including conventional firearms, is universally effective.

- 3.98 The reaction of a person struck by the AEP will vary depending on the area of the body struck and the degree of motivation being exhibited by the individual.
- 3.99 Operational Guidance on the 37mm Attenuating Energy system can be found in **ACPO (2005) Operational Guidance for the Attenuating Energy Projectile** within the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

4

Operational Issue and Carriage of Firearms and Deployment of AFOs

This chapter gives guidance on the operational issue and carriage of firearms and related equipment. The criteria for the deployment of AFOs are also set out.

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Authorised Firearms Officer

4.0 An Authorised Firearms Officer (AFO) is a police officer who has been selected, trained, accredited and authorised by their chief officer to carry a firearm operationally.

4.1 There are a range of specialist roles for which AFOs receive specific tactical training and accreditation. Further information is contained in the National Police Firearms Training Curriculum.

The Issue and Carriage of Firearms

4.2 Chief officers must ensure an effective and auditable system exists for the storage and issue of firearms and related equipment in their force area, and that the systems in place for the issue of firearms comply with the principles set out in this manual. Criteria for the deployment of armed officers are set out in **Criteria for the Deployment of AFOs** (4.20 - 4.21).

4.3 Chief officers should consider the circumstances in which they provide:

- Standing authority for the issue and carriage of firearms;
- Specific authority for the issue and carriage of firearms.

Standing Authority for the Issue and Carriage of Firearms

4.4 A standing authority for the issue of firearms may be provided by a chief officer to officers engaged on specific duties where a threat and risk assessment deems this appropriate. Examples of duties which might fall under this heading include officers crewing armed response vehicles (ARVs), officers undertaking protection duties, those involved in specific escort duties, or officers involved in prolonged operations for which the issue and carriage of firearms is an integral part of those duties. The continuing need for the standing authority should be reviewed on a regular basis, at least annually in line with the force's Strategic Firearms Threat and Risk Assessment.

4.5 In recognition of the special circumstances prevailing in Northern Ireland, the Chief Constable has given standing authority for all officers, subject to successful training, to be issued with a personal issue handgun which may be carried when officers are both on and off duty. In addition, the standing authority addresses situations in which officers may be issued with other firearms and less lethal weapons when they are on duty. The standing authority issued by the Chief Constable of the PSNI is kept under regular review in accordance with Recommendation 65 of ***A New Beginning: Policing in Northern Ireland - Report of the Independent Commission on Policing for Northern Ireland (1999)***.

Specific Authority for the Issue of Firearms

- 4.6 To address situations where there is a requirement for officers to be issued with and carry firearms operationally and there is no standing authority in place, forces should, as part of their standard operational practice, identify at what level and by whom such authority can be given. The actual deployment of armed officers must accord with the criteria and guidance set out in Deployment of AFOs (4.19 - 4.28).

Recording the Issue of Firearms and Related Equipment

- 4.7 Where firearms are issued operationally to officers, those officers must be trained and currently authorised to use that particular type of weapon.
- 4.8 A full audit trail must be maintained, detailing the issue, transfer and return of all firearms and equipment issued to AFOs or other police staff, irrespective of the reason for issue. The person to whom the equipment is issued is responsible for its security and carriage, in accordance with force procedures.
- 4.9 A system must exist within each force area which enables officers issuing firearms, less lethal weapons, munitions or specialist munitions to establish that each AFO is currently authorised in the equipment issued.

Fitness for Duty

- 4.10 The use of drugs in medical treatment or consumption of alcohol can reduce an officer's alertness and performance. The Standards of Professional Behaviour provided under the Police (Conduct) Regulations 2008 address the importance of officers' fitness for duty and issues associated with consumption of alcohol, illegal drugs and prescription drugs. These standards are particularly important in respect of officers undertaking firearms duties. An officer who is receiving a course of drug treatment must seek the advice of their own doctor or occupational health unit if they are concerned about side effects of the drugs. Any other relevant concerns or medical advice given to an officer must be brought to the attention of their immediate supervisor or force occupational health unit, who should take appropriate action.
- 4.11 AFOs, commanders and Tactical Advisors, without prejudice to the role they undertake, can request to be temporarily stood down from such duties. This is particularly relevant where there are medical, emotional or other life stresses which may interfere with the discharge of critical decision making or their overall effectiveness. This process should also apply to those involved in key support roles.

Operational Carriage of Firearms

- 4.12 AFOs have a personal responsibility to inform the issuing officer or a supervisor of any circumstances where they believe that they may be unfit to carry out their duties as an AFO. The issuing officer or supervisor is responsible for deciding whether that officer should be issued with a firearm and record their decision and the rationale for it.
- 4.13 It is the responsibility of each AFO to whom a firearm has been issued to ensure that the weapon is operating correctly. Weapon function checks, including safety precautions should be completed before any firearm is loaded.
- 4.14 When a firearm is to be carried in a holster, it is important that any retention mechanisms, including lanyards (where issued), are fitted properly and are in working order. Similarly, where slings are issued for particular types of weapons they should be fitted correctly.
- 4.15 Firearms should be loaded and carried in accordance with force standard operating practice relevant to each weapon.

Carriage of Firearms in Armed Response Vehicles

- 4.16 A standing authority for ARV officers should set out whether officers patrol overtly armed, or with weapons retained in secured arms cabinets in the ARV. Force standard operating practice should also specify which weapons and related equipment are carried in an ARV.

Carriage of Firearms in Aircraft and Vessels

- 4.17 The responsibility for the safety of an aircraft or vessel rests at all times with the person in charge of the craft. In aircraft this is governed by guidance issued by the Civil Aviation Authority (CAA). Chief officers should ensure that protocols exist for the operational carriage of firearms in aircraft or vessels.
- 4.18 The overriding consideration in the carriage of armed officers or firearms and munitions is that the safety of the aircraft or vessel, persons on board, or persons or property on the ground is maintained.

Deployment of AFOs

- 4.19 AFOs are considered as being deployed when they are required to conduct a specific task during which the possession of a firearm, with appropriate authorisation, is a required element. This includes when they self-deploy as provided for under the guidance set out in this manual.

Criteria for the Deployment of AFOs

4.20 The deployment of AFOs should only be authorised in the following circumstances:

- Where the officer authorising the deployment has reason to suppose that officers may have to protect themselves or others from a person who:
 - is in possession of, or has immediate access to, a firearm or other potentially lethal weapon, or
 - is otherwise so dangerous that the deployment of armed officers is considered to be appropriate; or
- As an operational contingency in a specific operation (based on the threat assessment); or
- For the destruction of animals which are dangerous or are suffering unnecessarily.

4.21 **Note:** The use of the words 'reason to suppose' sets the level of knowledge required (about the existence of a threat justifying the deployment of AFOs) at a far lower level than that which would actually justify the use of firearms.

Destruction of Animals

4.22 The destruction of an animal is a duty which may fall to the Police Service if the animal represents a danger to lives or property, or if it is in such a condition that it must be destroyed to avoid unnecessary suffering, and no veterinary surgeon or licensed slaughterer is available to perform the task or they are otherwise unable to do so. Suitable calibre weapons should be used. Where time permits, a firearms Tactical Advisor should be contacted.

4.23 For further information on the destruction of animals, see ***HOSDB (1998) The Humane Destruction of Animals by Police.***

Authority to Deploy AFOs

4.24 Chief officers must ensure that there is an officer immediately available in their force area to consider and authorise the deployment of AFOs where one or more of the criteria have been met. This may be provided by the force control room supervisor who is an accredited Tactical Firearms Commander. However, a Strategic Firearms Commander should be contacted as soon as practicable and informed that an incident requiring the deployment of armed officers is taking place. It is the responsibility of the officer deploying AFOs to ensure that an appropriate command structure is instigated as soon as is practicable.

- 4.25 Authorising officers should be aware that AFOs may deploy with a range of firearms, specialist munitions and less lethal options. Chief officers should decide on the types of firearms, specialist munitions and less lethal options that are available to officers undertaking differing roles. This decision should be based on the force's Strategic Firearms Threat and Risk Assessment.
- 4.26 Unless there is an immediate and overriding risk to public safety, the use of specialist munitions must be approved in accordance with authority levels agreed by the chief officer of the force.

Self-Deployment of AFOs

- 4.27 Where AFOs encounter a situation where they believe that the criteria for deployment of AFOs has been met, and delay in seeking authority to deploy would be detrimental to public or officer safety, officers should deploy and take the necessary and proportionate action in accordance with their training.
- 4.28 Where this occurs, the AFOs should inform the force control room as soon as practicable so that a Tactical Firearms Commander can be informed. The Tactical Firearms Commander should assess and review the actions of the AFOs in line with the National Decision Model (NDM) and determine whether continued deployment is appropriate. See **The National Decision Model** (6.1 - 6.6) and **Applying the National Decision Model** (6.7 - 6.8). The Tactical Firearms Commander should also consider what further resources may be required and inform a Strategic Firearms Commander as soon as practicable.
- 4.29 In all cases where AFOs have been deployed, commanders must regularly review the need for their continued deployment. This will be particularly relevant when any update of intelligence relating to the threat is available. Where a review is undertaken, the outcome and reasons for decisions made should be recorded.

Review of Deployment of AFOs

Armed Support to Covert Operations

- 4.30 Armed support to covert operations, when performed by covert officers, is grouped into three operational response types:
- Armed Surveillance;
 - Mobile Armed Support to Surveillance (MASTS);
 - Operations to Counter Threats to Life.
- 4.31 Agreed standards of training, equipment and tactics provide police forces and law enforcement agencies with the ability to make accurate assessments of the capability and capacity of firearms resources to manage identified threats within covert operations including counter-terrorism.

Armed Surveillance

- 4.32 The response will include armed surveillance staff within the covert operation. Their primary function is in the provision of covert surveillance and they must have successfully undergone training in the carriage and use of firearms.
- 4.33 Where a decision is made to deploy an armed surveillance team which is not fully armed, the authorising officer must be satisfied that the armed resources are capable of effectively mitigating the threat.

Mobile Armed Support to Surveillance (MASTS)

- 4.34 Covert operations requiring armed support for contingency or planned interception need a higher level of tactical capability than that required to conduct armed surveillance. Such operations will require the deployment of armed resources in support of armed or unarmed surveillance, with the appropriate tactical capabilities to offer effective control measures to mitigate the assessed threat. This support is called MASTS.
- 4.35 Officers providing a MASTS capability will operate in covert vehicles, or on foot and in plain clothes. The minimum standards, which must be met, are contained in the NPFTC.
- 4.36 There will also be occasions when it is appropriate to provide overtly armed officers in support of surveillance. Where covert operations are supported solely by an overt response, however, this will not be recognised or described as MASTS.

Operations to Counter Threats to Life

- 4.37 When conducting covert police operations involving an identified threat to life and the potential risk is identified as high, there is a requirement to provide dynamic and highly effective control measures to mitigate the risk. The armed staff who provide this capability will require enhanced firearms skills as contained in the NPFTC. Officers providing these enhanced firearms skills may operate in covert vehicles and dress appropriately, enabling them to operate discreetly and effectively in support of a covert police operation.

5

Command

This chapter details the command structure and supporting measures appropriate to the deployment of AFOs.

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Accreditation of Commanders

- 5.0 Chief officers must ensure that arrangements exist whereby appropriately selected, trained, assessed and accredited commanders and tactical advisors are available to command and advise on situations in which AFOs have been deployed.
- 5.1 Chief officers should consider the types of situations that police officers and staff may become involved in and ensure that there are sufficient numbers of trained officers who are security vetted to the appropriate level to act as Strategic, Tactical and Operational Firearms Commanders, Tactical Advisors and AFOs (see **Command Structure** (5.8 - 5.27)). This is particularly important in relation to intelligence-led operations involving organised crime or terrorist-related incidents.

Occupational and Operational Competence within Command and Tactical Advisor Roles

- 5.2 When an officer has attended and satisfactorily completed a course of instruction based on a command or tactical advice module in the National Police Firearms Training Curriculum, they will be assessed to be occupationally competent to perform that role.
- 5.3 Chief Officers are responsible for ensuring that individuals who have been assessed as occupationally competent are professionally developed to ensure that they can be classed as operationally competent. A commander or tactical advisor must remain operationally competent by regularly performing the roles for which they have been trained. Forces should consider implementing an auditable period of shadowing, mentoring and performance review as a means of achieving operational competence.

Re-Accreditation and Refresher Process for Commanders and Tactical Advisors

- 5.4 Commanders at all levels and tactical advisors must undergo annual commander/tactical advisor refresher training. This process must consist of the relevant NPIA approved annual command or tactical advisor refresher package, supplemented by additional local training which supports force and regional issues identified in the force's Strategic Firearms Threat and Risk Assessment.
- 5.5 On the annual completion of these packages, a commander or tactical advisor's occupational competence should be formally approved by the lead chief officer, or a person nominated by them, with responsibility for the management, command and deployment of armed officers.
- 5.6 Forces should maintain records of officers' refresher training in order to show their continued competence.

Command Structure

- 5.7 Officers in command and tactical advisor roles must be formally re-accredited at least every five years, but consideration should be given to re-accreditation between three to five years depending on operational exposure.
- 5.8 The generic command structure used in the UK Police Service operates at three levels, strategic, tactical and operational. When translated into command roles, they are generally referred to as Gold (strategic), Silver (tactical) and Bronze (operational). For further information see **ACPO (2009) Guidance on Command and Control**.
- 5.9 Firearms operations often form one part of a more complex, multi-faceted operation that will already be using Gold, Silver, Bronze command descriptors. It is, therefore, important to define the command of the firearms element through the use of functional descriptors. The descriptors used throughout this manual are:
- Strategic Firearms Commander;
 - Tactical Firearms Commander;
 - Operational Firearms Commander(s).
- 5.10 **Strategic Firearms Commander** – Determines the strategic objectives and sets any tactical parameters. Retains strategic oversight and overall command responsibility.
- 5.11 **Tactical Firearms Commander** – Develops, commands and coordinates the overall tactical response in accordance with strategic objectives.
- 5.12 **Operational Firearms Commander(s)** – Commands a group of officers carrying out functional or territorial responsibilities related to a tactical plan.
- 5.13 In an operation where the sole purpose is to use armed officers to carry out a specific action at a single location, the roles performed by commanders will be as outlined in **Table 1**.

Table 1 Command Roles and Functions

Function	Role
Strategic Firearms Commander	Gold
Tactical Firearms Commander	Silver
Operational Firearms Commander	Bronze

- 5.14 In a complex, multi-seated or cross-boundary operation, where the Gold and Silver Commanders for the entire operation are coordinating and directing the deployment of different police disciplines or other agencies, it may be appropriate for the firearms element of the operation to be commanded by a commander who is working to the Gold and Silver Commanders for the overall operation.
- 5.15 In these situations, using the functional terms (strategic, tactical and operational) to describe the firearms commanders will clarify their roles and distinguish them from the roles being performed by those commanding the overall operation, who will retain the Gold, Silver, Bronze designations.
- 5.16 The command structure offers flexibility in response to a varied and developing range of circumstances and is functional and not based on rank. The structure must be clearly articulated to all those involved in the operation. Where time permits and it is appropriate to do so, briefing notes or flow charts showing the structure can aid people's understanding of it.
- 5.17 Any change in command structure should, where time permits, be discussed before it is undertaken and must then be documented. If an officer outside the command structure gives advice or a directive relating to the operational plan to a commander, then this must be recorded and this officer will be accountable for the advice or direction they have given.
- 5.18 Where AFOs are being deployed, the provisions of Article 2 ECHR and the positive obligation to protect life must take precedence over any other imperative.
- 5.19 In operations involving the deployment of AFOs, it is essential that objectivity and oversight are clearly demonstrated in the decision-making process. Separation of roles and clarity of responsibility is essential to the provision of effective command and tactical advice. Where tactical advice is required by a commander, this advice should be independent. The tactical advisor should be independent of the command structure and not part of the operational deployment. The function of the Strategic or Tactical Firearms Commander must not be undertaken by the Senior Investigating Officer responsible for the investigation of the offences for which the firearms operation is being conducted. It is the responsibility of the Strategic Firearms Commander to satisfy themselves that the tactical plan is capable of meeting the strategic aims of the operation, and that the provisions of Article 2 ECHR (positive obligation to protect life) take precedence.

Strategic Firearms Commander

5.20 The Strategic Firearms Commander:

- Has overall strategic command, with responsibility and accountability for directions given;
- Must set, review, communicate and update the strategy based on the threat assessment and the available intelligence;
- Should consider consulting a Tactical Advisor;
- Should consider any tactical parameters to be placed on the police response;
- Must ensure that the strategy for the armed deployment is recorded, including any changes to it, to provide a clear audit trail;
- Must authorise the deployment of AFOs, or ratify or rescind the deployment where it has already been approved by the Tactical Firearms Commander;
- Should ensure that all decisions are recorded, where practicable, in order to provide a clear audit trail;
- Must ensure that the firearms strategy complies with the wider strategic aims of the overall operation;
- Should test the tactical plan against the established strategy, where practicable and/or time allows;
- Is responsible for overall resourcing in respect of the deployment of AFOs;
- Where appropriate, will chair meetings of the strategic coordinating group when they are held during a multi-agency or multi-discipline response;
- Should set command protocols where appropriate;
- Should consider consulting partners, stakeholders and interest groups involved (if any) when determining strategy;
- Should consider the need for a community impact assessment;
- Should consider declaring and managing the event as a critical incident;
- Should maintain a strategic overview;
- Must be able to be contacted by the Tactical Firearms Commander;

- Is responsible for reviewing and ensuring the resilience and effectiveness of the command structure and the effectiveness of the Tactical Firearms Commander;
- Should consider the appointment of more than one Tactical Firearms Commander where there are clear demarcations geographically (ie, police boundaries), or in respect of roles, or where the management of AFOs is only one part of the operational police response.

Tactical Firearms Commander

5.21 Where a Strategic Firearms Commander is not yet in place, the Tactical Firearms Commander will set the working strategy, including any appropriate tactical parameters. These will be reviewed and ratified by a Strategic Firearms Commander as soon as practicable.

5.22 The Tactical Firearms Commander:

- Must assess and develop the available information and intelligence, and complete the threat assessment: see **Assess Threat and Risk** (6.17 - 6.25);
- Should consult a Tactical Advisor as soon as practicable;
- Is responsible for developing and coordinating the tactical plan in order to achieve the strategic aims, within any tactical parameters set;
- Is responsible for ensuring that officers and staff are fully briefed;
- Should consider the provision of medical support;
- Should be so located as to be able to maintain effective tactical command of the operation;
- Should ensure that all decisions are recorded, where practicable, in order to provide a clear audit trail;
- Provides the pivotal link in the command chain between Strategic and Operational Firearms Commanders;
- Must constantly monitor the need for the continued deployment of AFOs;
- Must review and update the tactical plan and ensure that any changes are communicated to the Operational Firearms Commanders and, where appropriate, the Strategic Firearms Commander;

- Should consider, and where appropriate, conduct a community impact assessment;
- Should consider declaring and managing the event as a critical incident;
- Should consider the number, role and function of the Operational Firearms Commanders;
- Should consider the wider community, public safety and evidential implications of the use of specialist munitions, pyrotechnic devices or incapacitants;
- Should ensure that after all deployed staff are appropriately debriefed, to ensure that operational and organisational learning takes place.

Operational Firearms Commander

5.23 The Operational Firearms Commander:

- Must have knowledge and clear understanding of their role and the overall aim of the operation;
- Must, where practicable, ensure that their staff are appropriately briefed;
- Should be located where they are able to maintain effective command of their area of responsibility;
- Ensures the implementation of the Tactical Firearms Commander's tactical plan within their territorial or functional area of responsibility;
- Updates the Tactical Firearms Commander, as appropriate, on current developments;
- Makes decisions within their agreed level of responsibility, including seeking approval for any variation in agreed tactics within their area of responsibility;
- Must ensure clear communication channels exist between themselves, the Tactical Firearms Commander and those under their command;
- Should consider declaring and managing the event as a critical incident;
- Should be available to those under their command, however, they should allow them sufficient independence to carry out their specific role in accordance with the strategy and tactical plan;

- Should ensure decisions taken are recorded, where possible, to provide a clear audit trail.

Tactical Advisor

5.24 The Tactical Advisor:

- Advises on the capabilities and limitations of the AFOs and other police resources being deployed;
- Advises the Strategic or Tactical Firearms Commander on the implication of any tactical parameters which have been set;
- Advises on the available tactical options for consideration by the Strategic and Tactical Firearms Commander within the existing strategy and any tactical parameters set;
- Advises the Firearms Commanders on the tactical considerations, contingencies and implications for each tactical option;
- Should be in a position to assist and advise the Tactical Firearms Commander at all stages of the operation;
- Provides tactical advice reflecting the existing threat assessment;
- Ensures that advice given is recorded.

5.25 The role of a Tactical Advisor is to advise and not to make command decisions. The responsibility for the validity and reliability of the advice lies with the advisor, but the responsibility for the use of that advice lies with the commander.

Command Support

5.26 Command support is a useful element of the command structure. Depending on the complexity of the operation, and the availability of support staff, all firearms commanders must consider the availability and necessity for:

- Intelligence liaison;
- Tactical Advisor;
- Negotiator Coordinator;
- Logistics support;
- Post Incident Manager(s);
- Media support.

5.27 Where incidents become protracted, there may be a need to establish a dedicated command facility to manage the operation. This ensures

that operations do not impinge on day-to-day policing activity, or vice versa. Forces should ensure that adequate training is given to staff who may be required to perform roles within such a command facility.

Initial Command Responsibility

- 5.28 It is the responsibility of the officer authorising the deployment of AFOs to ensure that an appropriate command structure is instigated as soon as practicable. Where appropriate, this officer should remain in command of the deployment until any transfer of command takes place.
- 5.29 In planned operations a command structure must be in place prior to the officers being deployed. Any consideration in respect of the deployment of AFOs should be recorded along with the rationale for it. The rationale for deploying AFOs should be documented and where a recommendation for the deployment of AFOs has been declined, the rationale for that decision should also be documented. In cases where AFOs have self-deployed, they must contact their nominated firearms commander as soon as practicable, to enable a command structure to be instigated.

Initial Command of Incidents

- 5.30 Where an incident is reported or comes to the attention of the police and an immediate operational deployment of AFOs is considered appropriate, the command structure is likely to be condensed. Initial command will usually sit with the person having ready access to information, communications and resources (this may be the force control room supervisor). Forces should, therefore, have structures in place that ensure the ready availability of Tactical and Operational Firearms Commanders. Where incidents become protracted, there should be arrangements which enable command to be transferred to a dedicated Tactical Firearms Commander, thereby enabling others to return to their normal duties.
- 5.31 The command of the incident and responsibility for its management rests with the initial commander until such time as command is transferred. Until strategic firearms command is established, the Tactical Firearms Commander will be responsible for developing a working strategy, which may include the setting of tactical parameters. They must ensure that all officers are sufficiently briefed, information flows are established and all officers are given as full a briefing as possible in the time available.
- 5.32 A Strategic Firearms Commander should be contacted as soon as practicable and informed that an incident requiring the deployment of armed officers is taking place, see **Authority to Deploy AFOs** (4.24 - 4.26). The Strategic Firearms Commander, when in a position

to do so, should then review, agree or amend the strategy and any tactical parameters set and where necessary, confirm or rescind any given authority.

Transfer of Command

- 5.33 A designated Strategic Firearms or Tactical Firearms Commander may not be in a position to immediately take on the role upon being contacted. They may, however, be in a position to ratify any strategic or tactical decisions made by the officers who have assumed initial command of the incident. The transfer of command roles should take place as soon as practicable, once a commander has been briefed and is in a position to effectively communicate with others.
- 5.34 A Strategic or Tactical Firearms Commander's ability to effectively perform their respective command functions depends on them having:
- Knowledge of the circumstances and available intelligence;
 - The ability to communicate;
 - Appropriate tactical advice available;
 - A suitable environment from which to exercise the command function.
- 5.35 Initially, information can be vague and confusing. It is, therefore, important for effective command to be established as quickly as possible and undertaken by the most appropriate person available.
- 5.36 On occasions, the initial Tactical Firearms Commander may be in a better position to continue in the tactical firearms command role until a dedicated Tactical Firearms Commander is in a position to take command.
- 5.37 The transfer of roles at any level in the command structure should be documented and include the time and date of transfer, confirmation that relevant intelligence and information has been reviewed and that the new commander understands the situation and decisions taken thus far. Officers involved in the incident should be made aware of any changes in command, in so far as is practicable and where relevant to their role.
- 5.38 For further information on command decisions and logs, see **6 Armed Deployments**.
- 5.39 Commanders must, at the earliest opportunity, develop an effective strategy to direct police action. A working strategy may start to be developed once information is received. It can be formalised once a threat assessment has taken place, see **Applying the National Decision Model** (6.7 - 6.8). A strategy may contain a number of

Strategy

objectives. Information and intelligence may change, as may the threat assessment, therefore, the strategy must remain dynamic and capable of being reviewed.

- 5.40 While it is important that a strategy is defined and agreed as quickly as possible, it must be based on all the information available at the time. It is rare for a complete or perfect picture to exist. Public safety should always be the priority and at times this may require immediate action to protect life, which, of necessity, may be based on limited information.
- 5.41 While the strategy and the rationale behind it should be recorded as part of an audit trail, so should any revisions or amendments. Similarly, the strategy should be regularly reviewed, particularly where a change or handover of command occurs.

An effective strategy should:

- Provide clarity of purpose;
- Recognise public safety as a priority;
- Reflect the multidimensional threat assessment in priority order;
- Be achievable;
- Be dynamic to reflect changes in circumstance;
- Be specific to the operation.

Tactical Parameters

- 5.42 The Strategic Firearms Commander may set or ratify tactical parameters within which the Tactical Firearms Commander should develop the tactical plan. Tactical parameters are set to give strategic direction, and not to develop or dictate tactics. In setting parameters, commanders should consider consulting a Tactical Advisor to discuss the effects of the parameters on the formulation of tactics. Where tactical parameters are set, they should be clearly articulated and regularly reviewed.

Command and Operational Resilience

- 5.43 The deployment of AFOs can result in a series of management issues. These could include:
- Commanders' and AFOs' continued fitness for duty, especially during prolonged deployments;
 - Identification of emerging stress factors;
 - Command and operational resilience in protracted incidents;

- Need for mutual aid;
- Understanding of the interoperability and capability of supporting forces.

- 5.44 The above issues apply equally to AFOs and those undertaking command and support roles.
- 5.45 The management and command of situations involving the deployment of AFOs can be stressful and often involves fast, time-critical decision making. It is, therefore, essential that officers at command and support levels, as well as the AFOs involved in deployments, remain physically and mentally capable of undertaking these duties. Forces should have processes in place to monitor officers' fitness for duty.
- 5.46 Where, during a protracted incident or operation, officers are required to remain on duty for extended periods, consideration should be given to ensuring:
- Continuity of command and operational deployment;
 - Arrangements for providing rest and refreshments.
- 5.47 Rest periods and refreshment breaks which are taken must be recorded. Where it is not possible to take refreshment breaks, this must also be recorded.
- 5.48 For further information on command, the need for mutual aid or national mobilisation of policing resources, see **ACPO (2006) *Guidance on the Police National Mobilisation Plan***.
- 5.49 All firearms commanders should endeavour to be located where they can best undertake their respective roles.
- 5.50 Strategic and Tactical Firearms Commanders should be located in positions where they are able to communicate, can be updated on developments and intelligence, and have access to tactical advice. As Strategic and Tactical Firearms Commanders perform different functions, their location needs may differ.
- 5.51 Tactical Firearms Commanders should be located where they can best actively monitor events and direct police actions; this may require them to be near to the scene, in a command vehicle, or in the control room, thereby enabling them to maintain an effective command function.
- 5.52 Operational Firearms Commanders should, as far as practicable, be located close to the officers that they are commanding.
- 5.53 In situations where a Strategic or Tactical Firearms Commander does

Command Location

not have access to communications, current intelligence or other support, for example, if they need to move location, they should ensure that another commander is in a position to temporarily undertake their role. This officer will maintain command until the original commander is once more in a position to command the operation.

Command Protocols

- 5.54 Strategic and Tactical Firearms Commanders may need to agree command protocols with local geographic commanders, taking into account any community issues. Where there is a multi-agency or interdisciplinary element to an operation, command protocols can assist in clarifying areas of responsibility and command function, channels of communication and primacy of command at various stages of the operation. This is particularly relevant where the firearms commanders may be part of a larger operation using the Gold, Silver, Bronze structure.
- 5.55 Operations involving more than one area of activity or multi-agency working may benefit from the introduction of a command protocol that can deal with potentially competing demands, for example, a Tactical Firearms Commander may have to deal with firearms related threats within the context of an ongoing major crime enquiry.
- 5.56 A command protocol can assist in identifying:
- The desired outcome of the operation;
 - Who is responsible for achieving each of the tasks allocated (including contingencies);
 - Who is responsible for minimising each risk identified;
 - Who controls each of the resources;
 - Who commands each separate geographic or functional area (if appropriate);
 - Procedures for transfer of command from one commander to another - including how this is initiated, communicated and recorded;
 - How each of the functions will operate during the planning, operational and post deployment stages of the operation.

Cross-Boundary and Multi- Agency Operations

- 5.57 It is often necessary for AFOs to operate outside their assigned policing boundary. This may be as a result of a pursuit, provision of mutual aid to a neighbouring force or policing area, or as part of an operation which transcends territorial policing boundaries. This may include armed support to surveillance operations, protection or escort duties. AFOs may also be involved in multi-agency operations. In these circumstances it is important that there is as much clarity as possible in respect of:

- Command;
- Jurisdiction;
- Standard operating procedures and interoperability;
- Capability of those involved in the incident;
- Powers and roles of respective agencies.

5.58 All commanders and AFOs are trained to agreed national standards, thereby enabling interoperability across policing boundaries.

Cross-Boundary Operations

5.59 The operational carriage of firearms across policing boundaries is a regular occurrence and police forces should adopt a pragmatic and effective approach to managing such situations. Where it can be planned for in advance, deployments of armed officers across boundaries should be catered for by way of local protocols and memoranda of understanding.

5.60 Where AFOs deploy across a policing boundary in circumstances that are not expected or planned for, the original authorisation, deployment and command structure will remain in place. The appropriate Strategic Firearms Commander in the force or command area in which the deployment is taking place, however, must be notified at the earliest opportunity so that they can review the deployment and command structure. This will allow that officer to consider:

- Authorising the deployment of AFOs from the originating force or command area, together with their command structure, to continue running the operation;
- Assuming responsibility for the operation, including command and the provision of AFOs;
- Reviewing the deployment of AFOs and assuming the responsibility of Strategic Firearms Commander (or appointing a new Strategic Firearms Commander from within the force area) and dealing with the incident using the armed officers from the originating force;
- Assuming responsibility and curtailing the operation.

5.61 In circumstances where it is anticipated that AFOs will be operating across policing boundaries, command protocols should provide clarity as to any transfer of command that is required.

5.62 Where it is known that an armed deployment (including surveillance and protection operations) may transcend one or more policing boundaries, the original authority will normally remain, and no further

authority will be required unless:

- The operation is intended to intervene, intercept, contain, or have some other overt interaction with a subject or members of the public;
- The operation is likely to have a significant impact on the community through which it will pass, or take place;
- The operation will require support from the police area through which it is passing.

5.63 Where the criteria set out at (5.62) are met, the Force in whose area the deployment is taking place should be notified at the earliest opportunity. This notification should include:

- The nature and intention of the operation;
- The area in which it will be undertaken;
- Contact details of the Strategic and Tactical Firearms Commanders.

Multi-Agency Operations

5.64 There may be occasions when a chief officer agrees to assist another law enforcement agency (for example, HM Revenue and Customs (HMRC), Civil Nuclear Constabulary (CNC), HM Prison Service) with an operation that is within the force area and where the appropriate authority to deploy AFOs is given.

5.65 In these circumstances everyone involved must understand who is in command of each part of the operation. A command protocol may be a useful means of clarifying this. Close coordination and detailed planning between the organisations concerned is fundamental and should normally be agreed at Gold level or its equivalent level of management in the organisations concerned. See **Command Protocols** (5.54 - 5.56).

5.66 Forces should take account of national multi-agency protocols and have local protocols with organisations that may require the deployment of AFOs in specific circumstances, for example, hospitals and prisons.

6

Armed Deployments

This chapter explains the principles relevant to decision making by commanders, AFOs and other staff involved in armed deployments. The National Decision Model is used to provide operational context.

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Introduction

- 6.0 In situations requiring the deployment of AFOs police decision making and response is directed by available information and the assessment of threat. Police officers have a positive duty to protect the public from harm, and a duty of care to all involved must be the overriding consideration.

The nature and urgency of police action will take account of any time imperative related to public safety as well as the skills and capability of officers available.

The National Decision Model

- 6.1 To assist in the Police Service's approach to managing conflict and responding to potentially violent situations, ACPO has developed a model which is designed to assist operational officers, planners, advisors and commanders to manage their response to a situation in a reasonable and proportionate way.
- 6.2 The National Decision Model (NDM) is a decision-making model that is used throughout the Police Service. The NDM is a scalable model that can be applied before, during and after an incident requiring the deployment of AFOs. The NDM provides a framework for recording command decisions and the rationale behind them and can also be used to brief officers involved in the response.
- 6.3 The NDM is driven by information and intelligence. It is a continuous cycle, constantly reviewed in light of new information and assessment that will, ultimately, affect the response to the incident.
- 6.4 Each individual component set out within the NDM is intended to provide the user with an area for focus and consideration.
- 6.5 It will not always be possible in a dynamically evolving incident to segregate thinking or response according to each phase of the model. In some circumstances it may not be practical or possible, given the speed at which an incident may evolve, to articulate each decision and rationale when the overriding requirement is for immediate decision making and action.
- 6.6 In such circumstances it will be necessary and appropriate for officers undertaking both command and tactical response to use the professional knowledge, skills and experience which they have developed across their police service and life experience.

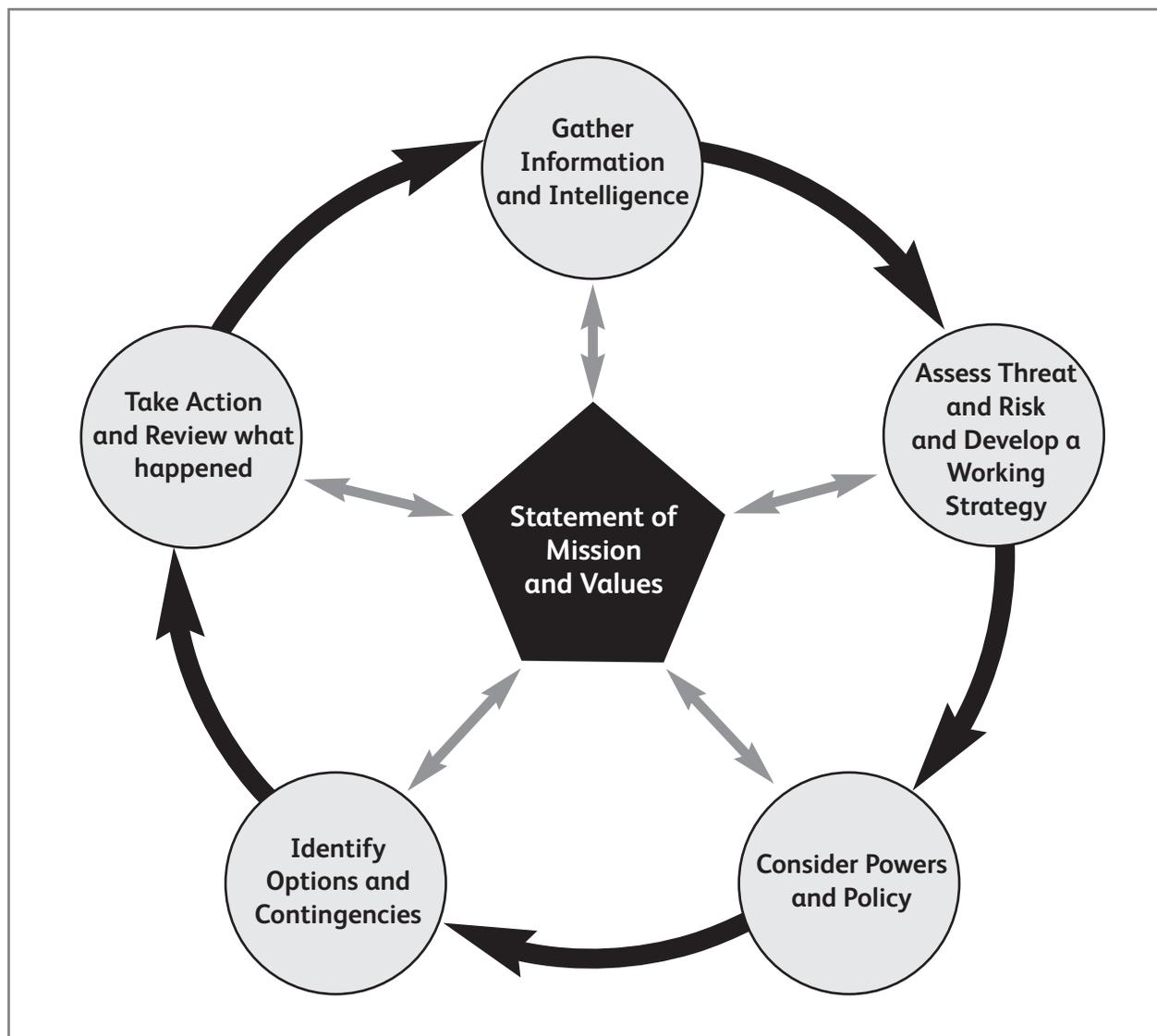
Applying the National Decision Model

- 6.7 The model can assist in the decision-making process and provides a structure for the documentation of decisions and their rationale. The cyclical nature of the model indicates the necessity for a sequential process of continual reassessment. The model prompts the decision maker to take action on the basis of the most up-to-date information and intelligence available at that time.

- 6.8 Each element of the model may be worked through and reviewed consciously or subconsciously. Decisions, and the rationale behind them, can be recorded against each element.

Figure 1 illustrates the NDM. Each element is explained in the different sections.

Figure 1 The National Decision Model



Gather Information and Intelligence

- 6.9 *ACPO (2005) Guidance on the National Intelligence Model* defines information and intelligence as follows:

- Information refers to all forms of information obtained, recorded or processed by the police including personal data and intelligence;
- Intelligence is information that has been subject to a defined evaluation and risk assessment process in order to assist with police decision making.

6.10 In firearms related situations, information and intelligence, combined with the experience of those responsible for directing the police response, will assist in determining the most appropriate response to a given situation. The assessment of information is a dynamic and continuing process throughout the life of an incident or operation. All involved have a responsibility for updating information and ensuring that, as far as possible, a full intelligence picture is maintained and that this is conveyed as appropriate to those involved.

6.11 The Tactical Firearms Commander must ensure that, as far as time permits, information and intelligence is appropriately assessed, graded and where possible verified. Information and intelligence should be passed to officers as necessary for the roles that they are performing.

Guidance on recording, evaluating and disseminating information can be found in **ACPO (2007) Practice Advice Introduction to Intelligence-Led Policing**.

6.12 Where only limited information is available it is important to establish and maintain an effective information gathering process at an early stage. In protracted or more complex incidents there may be a need to establish a dedicated intelligence function in support of the Tactical Firearms Commander.

6.13 The initial response to a situation requiring the deployment of AFOs depends on the intelligence available, the quality of the information received and the resources available for deployment. Considerations should include:

- Assessment of the current situation, including any threat being posed and to whom;
- Persons already subjected to harm and requiring medical attention;
- Reported existence of weapons;
- Situational information including location and any associated hazards or risks;
- Information available about the subject;
- Information available about the subject's associates;
- Any community impact factors associated with the event or location.

6.14 An assessment of the situation should take account of the physical capacity; emotional or mental state of the subject; cultural, religious, and ethnic or other diversity related considerations relevant to the individual or group; and the locality in which the incident is taking place. The availability of such information will be subject to the circumstances, time available and level of risk. Consideration may be given to

obtaining information from sources such as a friend or family member, locally based police officer, a health professional or a representative from a community group.

- 6.15 It is important that commanders are regularly updated on changes to information and intelligence in a timely and appropriate manner. These updates will enable the review of strategic objectives, tactical objectives and any tactical parameters set to take place.
- 6.16 Commanders should seek verification of intelligence and information, be aware of the potential for reported information to be wrong and be aware that there may be intelligence gaps or failures. See also **Identifying Tactical Options and Contingencies** (6.32).
- 6.17 A threat assessment refers to the analysis of potential or actual harm to people, the probability of it occurring and the consequences or impact should it occur. It is based on fact, information and intelligence and will vary over time. A threat assessment is used to develop a prioritised working strategy and ultimately forms the basis on which the proportionality of the police response will be judged.
- 6.18 A threat assessment:
- Should be based on information known at the time;
 - May be supported by historic information;
 - Should take account of the nature of any threat anticipated and its proximity;
 - Should identify to whom and under what circumstances the threat may occur;
 - Should describe any consequences or impacts;
 - Should take account of the impact of change;
 - May take the form of an analytical report or problem or subject profile.
- 6.19 The more accurate and specific the analysis, the greater the likelihood of being able to reduce or mitigate the threat. It may still not be possible to eliminate the risk of harm.
- 6.20 A threat assessment, however, is only as effective as the information and intelligence that is available to base it on and the capability and competency of staff to analyse it in an accurate and timely manner. The flow of information and intelligence will constantly change and this needs to be considered in a dynamic and changing operational environment.

Assess Threat and Risk

- 6.21 Threat assessment will determine the likelihood and extent of harm that may be caused through the actions of any person. It is based on the interaction of the known or suspected capability and intent of an individual subject or group. It is a continuous process and one in which commanders, planners, intelligence officers, AFOs and those involved in operational deployments will be engaged, both consciously and subconsciously as they undertake their respective functions.
- 6.22 Once the threat has been defined, it will enable a specific individual threat assessment in relation to all identified parties to be formulated. The assessment should determine whether the likelihood for harm is 'High', 'Medium', 'Low' or 'Unknown' in each individual case. The identification of an Unknown level of risk usually indicates a gap in information/intelligence which will need to be addressed.
- 6.23 Where one or more groups or individuals are identified as being at the same level of risk, evaluating their proximity to the threat may assist to prioritise actions to reduce or mitigate that risk.
- 6.24 Threat assessments should, where possible, be time specific so that actions can be prioritised accordingly. It is important to evaluate how police action or inaction may impact upon the threat assessment.
- 6.25 An accurate, multidimensional threat assessment will ultimately allow for an effective prioritised strategy and the formulation of a proportionate response. As an incident progresses, the regular review of available information and intelligence will ensure that the threat assessment remains relevant.
- 6.26 A working strategy may start to be developed once information is received and can be formalised once a threat assessment has taken place. See **Strategy** (5.39).
- 6.27 The strategy and the rationale behind it as well as any revisions or amendments should be recorded and will form an audit trail, see 5.40. The strategy should be regularly reviewed, particularly where a change or handover of command occurs.
- 6.28 The Strategic Firearms Commander may set or ratify tactical parameters within which the Tactical Firearms Commander should develop the tactical plan. Tactical parameters are set to give strategic direction, and not to develop or dictate tactics, see 5.42.
- 6.29 In determining what action should be taken, consideration should be given to which powers and policies are applicable and necessary in the circumstances to achieve the objectives set out within the tactical plan.

Developing a Working Strategy

Tactical Parameters

Consider Powers and Policy

6.30 Considerations should include:

- Under what common law or statutory provision the proposed action is being taken, eg,
 - stopping, searching or detaining an individual
 - stopping a vehicle
 - entering a building or other structure.
- Implications of any action under the Human Rights Act 1998 and potential infringement of ECHR articles. Are the powers to be actioned proportionate, legal, accountable and necessary.
- Whether a warrant is required.
- Whether the criteria for deployment of armed officers are met.
- Whether the desired objective could be met in a less intrusive manner.
- Whether the operation involves surveillance; and what level of authority is required under the Regulation of Investigatory Powers Act 2000 or the Regulation of Investigatory Powers (Scotland) Act 2000.
- How closely the proposed action meets the Strategic Firearms Commander's strategy.

6.31 Consideration should also be given to whether there are any ACPO or force policies, guidance or procedures relating to the proposed actions.

Identifying Tactical Options and Contingencies

6.32 As soon as the first information is received, generic tactical options may be considered and selected. This may include the deployment of AFOs as a contingency, or to carry out an investigative assessment, see **Investigative Assessment** (6.38), and take whatever action is deemed appropriate. As more information becomes available, tactical options should be further considered in the light of evaluated intelligence and the relevant powers and policy.

6.33 Generic tactical options set out the different ways in which a particular objective can be undertaken in a manner which minimises risk and harm. Generic tactical options are broad descriptions of the options the police may have available to them when dealing with an incident which requires the deployment of armed officers. Along with the primary aim of securing public safety, consideration should be given to whether it is possible to identify, locate and contain the subject and take appropriate action to neutralise the threat posed.

6.34 Generic tactical options to consider include:

- Waiting;

- Taking mitigating action;
- Keeping the subject under observation;
- Carrying out an investigative assessment;
- Containing the area around the subject, thereby minimising the opportunity for harm;
- Communicating with the subject;
- Taking decisive action.

Wait

- 6.35 Before selecting any other option, consideration should be given to whether it is appropriate or necessary in the circumstances to take immediate action. It may be, for example, more appropriate to record information and allow further time to gather additional information or intelligence that will enable other options to be considered. The key issue to be determined is whether a delay in a police response would create additional risks to the public or expose any persons to harm.

Take Mitigating Action

- 6.36 Mitigating action involves action to minimise harm and can include:
- High-visibility police presence;
 - Provision of protection;
 - Action to minimise the subject's capability.

Keep the Subject Under Observation

- 6.37 There may be benefits to keeping the subject under observation, either overtly or covertly. Where this option is proposed, consideration should be given to the skills needed, and whether authority is required under the Regulation of Investigatory Powers Act 2000 or the Regulation of Investigatory Powers (Scotland) Act 2000.

Investigative Assessment

- 6.38 Consideration should be given to deploying AFOs to carry out an investigative assessment. This may include AFOs taking discreet action to gather sufficient information on the nature or existence of a threat, or to gather intelligence. The use of AFOs for this purpose would enable them to be in a position to immediately contain the situation should the need arise, and to take action to neutralise the threat if necessary.

Contain the Area around the Subject

- 6.39 Containment is an option when the subject is believed to be in a particular location. The objective of this is to isolate the subject or place limits on their permitted movement. The containment can be either static or, in some circumstances, may move with the subject. It may also allow time for more detailed planning of a police response.
- 6.40 In certain situations containment may require two groups of officers. These are usually referred to as:
- Outer cordon;
 - Inner cordon.
- 6.41 Depending on the topography of the scene, it may be possible to use unarmed officers on the outer cordon.
- 6.42 In containing a subject, armed officers should take into account 'arcs of fire' in the event of them having to discharge a firearm, and have defined areas of responsibility. This is important for the safety of everyone. Officers should also consider the area behind a given subject or object and the implications should any shots be discharged, including the potential for shots to ricochet.
- 6.43 Containment may be overt or covert and may be used at any stage during the deployment of AFOs.

Communicate with the Subject

- 6.44 Communicating with the subject may necessitate a visual or verbal challenge. On occasions, this may lead to a subject engaging AFOs in some form of dialogue. Officers are encouraged to seek to reduce the threat level or neutralise it through early negotiation. While negotiating skills are included in all AFO initial training, ongoing negotiations should be undertaken by a specialist negotiator. A negotiator is an officer trained to negotiate with subjects to resolve an operation peacefully, and to gather information which may assist as part of the intelligence gathering process. When necessary negotiators should be deployed as soon as practicable.

Decisive Action

- 6.45 To take decisive action is to intervene, intercept or challenge a subject. Decisive action can be applied to a subject who is in the open, in a vehicle, or in a building or other structure. This may be undertaken in a slow and deliberate manner, or in fast time with the benefit of surprise.
- 6.46 Consideration of the ways in which a particular situation can be

resolved with the least risk of harm allows for feasible specific tactics to be identified. Tactics can be described as a method of working using agreed processes to meet specific objectives.

- 6.47 There are specific firearms tactics related to this option. Each tactic requires different levels of training, technical knowledge, skill, teamwork and experience and may involve the use of other specialist officers and equipment.
- 6.48 In formulating an appropriate tactical response, the Tactical Firearms Commander, with the assistance of a tactical advisor (if one is available), will identify the most appropriate specific tactics, as detailed in the National Police Firearms Training Curriculum.
- 6.49 Strategic and Tactical Firearms Commanders should consider each option, having regard to:
- Feasibility of success measured against the strategy;
 - Acceptability of consequences;
 - Risks involved in taking forward a specific option or taking alternative action.
- 6.50 In considering the specific tactic or combination of tactics to take, commanders, tactical advisors and AFOs should consider whether an overt or covert approach or a combination of both would be most appropriate. Operational constraints may include:
- The immediacy of any threat;
 - The limits of the information known;
 - The availability of sufficient resources, people and equipment for the various options;
 - The training and competency of officers involved in the operation for the role they will be expected to perform;
 - The amount of time available;
 - The impact of the police action on the public and wider community;
 - Environmental considerations;
 - The result of any risk assessment.
- 6.51 In considering the specific tactics, the tactical advisor and the commander should consider whether:
- A given tactic or combination of tactics will achieve all or part of

the Working Strategy;

- Identified threats are likely to be reduced or eliminated;
- The tactics are proportionate to the threat posed;
- The tactics are within any tactical parameters set.

Contingencies

6.52 Operational planning should identify contingencies at an early stage. These should address what are often referred to as the 'what ifs'. They should be reviewed as the situation develops and take account of emerging and/or changing circumstances. including:

- The subject's intention, actions or behaviour (in particular the likelihood of Fight, Flight or Compliance at the point of contact)
- Information and intelligence;
- The environment;
- The actions of others involved.

The potential for intelligence failures or gaps in the information known should also be considered.

6.53 While it is impractical to identify every possible outcome to a given situation, commanders should identify appropriate contingencies based on the:

- Probability of the outcome occurring;
- Potential impact of the outcome on the strategy and tactical plan;
- Potential risks to individuals involved in the incident and the response.

Action and Review

6.54 When a course of action has been decided on, commanders should direct resources and ensure that those involved are appropriately briefed.

6.55 Actions to be taken include:

- Briefing, including contingencies;
- Operational deployments or activation of a tactical option;
- Consideration of post-deployment issues.

6.56 Officers need to be clear on which tactical option they are required to carry out and the tactical objective they are to accomplish.

6.57 Where activation of a particular tactical option is time critical, there should, where practicable, be clearly agreed procedures for communicating any decision to defer, abort or initiate a specific tactic.

Reviewing the effect of the action taken is a distinct and crucial part of this stage of the NDM. The result of the action taken is new information which may necessitate a further application of the model.

- 6.58 Considerations could include such things as whether the identified threats have been reduced or eliminated and whether the action taken achieved all or any of the objectives of the Working Strategy.

Health and Safety Risk Assessment

- 6.59 A risk assessment gauging the risk to staff of working in a particular location or manner is a legal requirement of all employers, including the Police Service. The risk assessment will cover the hazards and risks associated with the location of the operation, the subject, any potential victims, the public and any hazards arising from the tactical options proposed.
- 6.60 A risk assessment should be carried out for each viable tactical option. The formality and complexity of the risk assessment will depend on the time and information available.

Briefing

- 6.61 All staff involved in situations where AFOs are deployed must be given as full a briefing as possible. The briefing should include the objectives and tactics that have been authorised. The level of additional detail given will depend on the circumstances prevailing at the time and the time available.
- 6.62 The key headings in the NDM should be used as a basis for briefing and debriefing officers, see **Debriefing** (7.5 – 7.8). This has the advantage of providing continuity of approach during the planning and operational phases of a deployment. The use of the NDM in this way also enables any additional information to be reviewed or updated as the situation develops.
- Other models such as IIMARCH (Information, Intention, Method, Administration, Risk Assessment, Communication and Human Rights) can be used to develop the content of the briefing.
- 6.63 The Tactical Firearms Commander should ensure that AFOs and other deployed officers are briefed using the most appropriate means of communication. Commanders should confirm their lines of communication to officers (AFOs and unarmed) once they have been deployed.
- 6.64 The briefing should outline the intended course of action and incorporate a range of contingencies. These should provide officers with as much clarity as possible for the role that they may have to undertake and any tactical parameters which have been set.

In some circumstances, it may be desirable for Operational Firearms Commanders to brief their teams on specific tasks following the briefing by the Tactical Firearms Commander. The Tactical Firearms Commander must be made aware of any such briefings.

- 6.65 The Tactical Firearms Commander should ensure that information, intelligence and detail of reliability is included in the briefing where it is relevant to the Working Strategy. The National Intelligence Model provides guidance on how commanders can assess the reliability and strength of intelligence. See **ACPO (2005) Guidance on the National Intelligence Model**.
- 6.66 Where time permits, briefings should inform officers of the procedures to be followed at the conclusion of the event to which they have been deployed.
- 6.67 This should include the procedures to adopt in respect of prisoner handling, scene preservation, evidence collection, and return to a location where post-deployment procedures will be undertaken. These may range from officers making notes and completing records, through to structured debriefing, as well as attending to organisational and welfare issues. All of these issues are addressed in **7 Post Deployment**.
- 6.68 Tactical Firearms Commanders should consider drawing on the expertise of other staff in briefings, where this may be of assistance (eg, Operational Firearms Commanders and Intelligence Officers).
- 6.69 A record should be maintained of all briefings, including the persons present and information given. The method of recording may include:
- Contemporaneous notes;
 - Use of formal briefing documents;
 - Audio recording;
 - IT systems;
 - Command and Control logs.
- 6.70 As far as practicable, the most comprehensive method of providing an accurate record of the briefing should be used. Where officers are being briefed while travelling or are in a remote location, consideration should be given to using radio or telephone recording to provide a record of the briefing. The absence of secure communication may, however, place constraints on this option in situations where classified information is being referred to.
- 6.71 Officers conducting briefings should be mindful that the content of the briefing may directly affect the response of armed officers to any

subsequent perceived threat from a subject. Officers providing briefings should stress the aim of any operation including, specifically, the individual responsibility of officers and the legal powers relevant to the deployment. See also **ACPO (2006) Guidance on the National Briefing Model**.

Operational Deployment

- 6.72 AFOs must be continually updated with information relevant to their role during their deployment.
- 6.73 Officers should, whenever possible, confirm their arrival at the scene of an incident or at a pre-determined rendezvous point. This will ensure that commanders are aware of the location of AFOs. It is also important from a personal safety perspective.
- 6.74 On arrival at the scene officers will undertake roles as directed. There will, however, be circumstances in which officers are required to make their own assessment of the situation and act accordingly. This will extend to identifying, locating, containing and, where possible, neutralising the threat posed.

Medical Assistance

- 6.75 When planning operations where AFOs are being deployed, Tactical Firearms Commanders should consider where and how emergency medical aid would be provided if this is required. This should be based on risk assessment and may, in addition to the availability of officers trained in relevant first aid, include placing an ambulance on standby.
- 6.76 Forces should ensure that agreements are in place with local emergency healthcare services to provide medical support to police operations, including those involving the deployment of AFOs.

Community Impact Assessment

- 6.77 The Strategic Firearms Commander should consider the need for a community impact assessment, the extent and formality of which will depend on the nature of the situations in which the police are involved and the time available. On some occasions the community impact assessment will be a dynamic process undertaken simultaneously by AFOs, local officers and all those in command roles.
- 6.78 Whenever time permits, however, a comprehensive community impact assessment should be completed in order to:

- Identify community, diversity and human rights issues which may be affected;

- Consider action to retain or promote community confidence and reassurance in the police action.
- 6.79 Assessments should be regularly reviewed to take account of emerging issues and may involve cross-boundary considerations.
- 6.80 Effective management of the situation should enhance the trust and confidence of the community. The consistency, robustness and management of situations involving the deployment of AFOs has the potential to cultivate good public relations with the community. The manner in which the Police Service approaches these situations can also have a significant effect on any follow-up investigation.
- 6.81 The visible deployment of AFOs may have an impact on the community. Where police officers have discharged a firearm and an individual is killed or injured as a result, this may have a significant impact on the community in which the incident occurs as well as on communities to which the individual has affiliation. In these circumstances, a community impact assessment must be carried out and consideration should be given to consulting the relevant independent advisory group or the independent investigative authority. For more information see **7 Post Deployment** and **ACPO (2007) Practice Advice on Critical Incident Management**.

Explanation and Apology

- 6.82 There will be occasions when the reason for police action may not be apparent to the public. This may cause concern or anxiety, for example, to onlookers, relatives, neighbours and subjects innocent of any wrongdoing. In such circumstances commanders should consider providing a suitable explanation for the actions taken. This may include visiting the people particularly affected (ideally by a supervisor directly involved in the incident, so long as this does not cause a conflict of interest), or distributing an information leaflet setting out the circumstances of the police action. Some form of apology may be required on occasions.
- 6.83 Depending on the effectiveness of the operation, forces may wish to ensure that the people affected are aware of all the support available to them. In appropriate circumstances they should be made aware of their options for seeking redress (for example, the police complaints process).

Record Keeping

- 6.84 Individual commanders must be prepared to account for their decisions and to explain their rationale at the time that those decisions were taken. All plans should be documented, including options rejected or progressed, together with the reasons why such conclusions were drawn and by whom.

6.85 Incidents involving police officers' use of force or firearms may be the subject of scrutiny in a number of forums. Forces must ensure that the records kept are sufficient to meet these needs. Records and logs maintained by or on behalf of commanders and tactical advisors will be reviewed during operations as well as during post-deployment audits. A comprehensive record of key actions and decisions made by commanders, and the advice given by tactical advisors, in situations where AFOs may be or have been deployed should be maintained in accordance with national minimum standards. For further information see Minimum Standards for Command Logs in the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

Considerations When Dealing With People

6.86 Police officers at or surrounding the scene of an incident involving the deployment of AFOs will encounter people in a number of different contexts. The following sections outline the general considerations to be taken by all those involved.

Handling Subjects

6.87 The close proximity of subjects to officers with firearms at the final stages of an incident presents risks. These stages are likely to be the most dangerous phase of an incident and constitute the subject's last chance to escape.

6.88 Officers with weapons are at risk of being disarmed by subjects unless care is taken. Every effort should be made to have sufficient officers present to provide a suitable response. The use of less lethal options, including police dogs and negotiators should be considered, wherever possible, in order to enable the police officers at the scene to deal with any emerging situation.

6.89 In situations where an armed subject has taken hostages or has become closely involved with members of the public, it may be difficult to distinguish hostages and other persons from the perpetrators.

In these circumstances, it may be necessary for officers to regard all persons as a potential threat, until everyone can be isolated and their identity checked.

6.90 Hostages should be treated with consideration. Officers should bear in mind that they may have been subjected to life-threatening, degrading or humiliating treatment, and may have experienced emotions ranging from disbelief to absolute terror. Police action should be designed to minimise the risks to all those involved and avoid unnecessarily raising the level of anxiety or confusion of hostages who have been released or rescued. Hostages sometimes, as a result of a shared ordeal, form an

affinity with the hostage taker or their cause, and may voluntarily or under coercion become involved in action designed to assist their captors. The police response should, therefore, take account of these factors. Consideration should be given to providing immediate medical assistance and early support, which may include the services provided by family liaison officers.

- 6.91 All officers should, as far as practicable, remain forensically aware when handling subjects. Operational commanders should ensure that forensic issues, such as the risk of cross contamination, are taken into account in the planning of operations and the briefing and deployment of officers.

Environmental and Behavioural Influencers

- 6.92 Environmental and behavioural influencers can affect a subject's behaviour and their response to any contact with police officers. These environmental and behavioural influencers (sometimes referred to as moderators) can include issues such as:

- Crowd dynamics and peer group pressure;
- Environments where communication is difficult;
- Sensory impairment or communication difficulties, for example, hearing impairment or where the subject may have difficulty in understanding or communicating in English;
- The effects of drugs or alcohol;
- Subjects whose movements are impaired or exaggerated by reason of a medical condition;
- Subjects who have learning difficulties.

- 6.93 When, during the planning phase of an operation, there is intelligence to suggest that communication may be difficult due to language or sensory impairment, ways to address this should be included in the plan. Considerations may extend to involving someone with the required language skills, or the use of prepared phrases or written signs.

- 6.94 Officers should also consider how cultural differences may result in persons responding differently when verbally challenged, and be aware of how their language and tactics could be interpreted.

- 6.95 The potential for children or young persons to be involved in gun-related or other violent crimes, both as victims and perpetrators, should be recognised by forces within their threat and risk assessments, and subsequently, their training.

- 6.96 Special consideration should be given to situations where the use of force places children at risk.

- 6.97 Where there are known environmental and behavioural influencers involved in a situation, the following may assist in improving communication with the subject:
- Prior intelligence gathering;
 - Early use of interpreters for language or communication difficulties;
 - Early use of trained negotiators, either directly or to advise others.
- 6.98 Where information and intelligence reveals the presence of a factor which can influence behaviour and alter response, police should take this into account when considering their approach. Where appropriate, early contact should be made with healthcare professionals and/or social workers for information, intelligence and advice concerning a subject's behaviour and condition. Although the basic principles of tactics are no different from other operations involving the deployment of AFOs, officers must be aware of how their presence and tactics might be interpreted by the subject. It is important, however, that the basic principles are complied with in order to reduce the potential threat by and/or to the subject as soon as practicable.
- 6.99 The following actions can help create opportunities for the subject and officers to have more time and space to defuse the situation:
- Use of effective cover by police officers;
 - Evacuation of immediate area;
 - Being prepared to back off (if safe);
 - Giving available space and time to the subject when considering containment;
 - Early negotiation or negotiation advice.
- 6.100 This may enable:
- Tension to be diffused;
 - Officers to have more time to assess the person's vulnerability;
 - The effects of alcohol or drugs to wear off;
 - Positive communication and contact to be established;
 - The level of mental or emotional distress to decrease.

This may result in more positive and constructive communication with the subject, allowing the situation to be dealt with in a controlled manner.

Dealing with Individuals who are Emotionally or Mentally Distressed

- 6.101 The term emotionally or mentally distressed is used to describe individuals who may behave in an unexpected, extreme or challenging manner as a result of a mental health issue or emotional distress.
- 6.102 Individuals who are emotionally or mentally distressed may respond to the arrival of armed officers in an unexpected or unpredictable manner. This can be caused by a range of factors, for example, mental ill health or extreme distress, which may on occasions be aggravated by drugs or alcohol, or the absence of prescribed medication. Failure to recognise and understand why someone may not be complying with instructions or communicating could increase the tension of a situation. Negotiators and AFOs must have an understanding of how emotionally or mentally distressed individuals may respond to their presence and any visual or verbal contact made with them. Officers should consider how their language and tactics could be interpreted.
- 6.103 When dealing with emotionally or mentally distressed individuals, it can be difficult to predict potential behaviour or responses to any given visual or verbal stimuli. Certain factors may give an indication as to whether an individual is experiencing emotional or mental distress. Awareness of these factors can improve identification, management and monitoring of any potential risk posed either to or by the subject. They include:
- Previous history, for example, violence, self-harm, suicide attempts;
 - Alcohol or drugs consumed or present;
 - Recent negative life event, eg, divorce, separation, bereavement;
 - Diagnosis of schizophrenia;
 - Depression;
 - Experiencing a psychotic episode or crisis, including hearing voices, or auditory, visual or sensory hallucinations;
 - Experiencing delusions or feelings of paranoia or of being controlled by others;
 - Preoccupation with violence and/or violent fantasies;
 - Extreme agitation and excitement, particularly if escalating;
 - Apparent difficulty understanding and cooperating with instructions;
 - Impulsive or unpredictable emotions or behaviour;
 - Repetitive threats, especially if specific or focused;
 - Apparent lack of awareness of severity of the situation and potential risks;
 - Statements of intent to self-harm or die by suicide.

- 6.104 These indicators are purely a guide and cannot be guaranteed to establish, either by their presence or absence, to what extent an individual is experiencing emotional or mental distress and exactly how an armed officer should respond. Assessment of the threat, posed both by the subject and to the subject, within any given crisis situation is a continuous dynamic process.
- 6.105 The fact that the subject is emotionally or mentally distressed does not in any way reduce the harm they may cause to themselves or others if the incident is not resolved. However, officers must be aware that an inappropriate or disproportionate response to someone experiencing emotional or mental distress could, itself, escalate the situation, causing greater harm to the subject or to others.
- 6.106 Officers should be aware that where they observe a combination of the following factors, they may be encountering someone with a severe medical condition:
- Apparently inexplicable and/or aggressive behaviour;
 - Apparently confused thinking;
 - Disorientation;
 - Hallucinations;
 - Acute feelings of paranoia;
 - Panic;
 - Shouting;
 - Violence towards others;
 - Unexpected physical strength;
 - Apparent ineffectiveness of incapacitant sprays;
 - Significantly diminished sense of pain;
 - Sweating, fever, heat intolerance;
 - Sudden tranquillity after frenzied activity.
- 6.107 Where a subject has been arrested and is exhibiting these characteristics, early medical advice must be sought and the subject must be kept under visual observation. This is particularly important in respect of restrained subjects who are under the influence of alcohol or drugs, or who are extremely obese. The method of restraint and transport should ensure that their windpipe does not become blocked and that they are not transported in a face down position as this can cause positional asphyxia, see **ACPO (2010) Guidance on Responding to People With Mental Ill Health or Learning Disabilities, ACPO Personal Safety Manual** and **ACPO (2006) Guidance on the Safer Detention and Handling of Persons in Police Custody**.

Provoked Shootings

- 6.108 The term provoked shooting refers to a situation in which a subject engages in life-threatening behaviour or criminal activity in an attempt to create a situation where a police officer will shoot them. However, it should not be assumed that every person who points a weapon at the police or makes statements about being armed, fully appreciates or intends the consequences of their actions or words.
- 6.109 Where a person appears to be engaging in life-threatening behaviour or criminal activity with the intention of creating a situation where a police officer will shoot them, officers should consider how their communication with the person and their actions may be perceived. Officers should consider the full range of tactical options, including the use of less lethal weapons.

Other Persons Involved

- 6.110 Other persons involved may be able to provide information which could be of value in tactical planning, and also provide evidence in subsequent investigations. If it is inappropriate to take full statements from witnesses (including police officers) during the initial stages of the investigation, then a record should be made of their first accounts in accordance with normal evidential procedures. The safety and welfare of witnesses should always be a prime consideration.

Police Responders

- 6.111 In many situations the initial police responders to arrive at the scene of an incident will be unarmed. Where it becomes apparent that this is an incident to which AFOs will be deployed, the safety of unarmed officers and police staff and the impact that they may have on the situation needs to be considered. However, subject to risk assessment, unarmed responders may provide a visible deterrent or reassurance; they can move potential victims or other vulnerable persons from locations where harm may occur, or gather information and report back. Those directing the use of unarmed responders should provide them with clear instructions on what they are required to do and on what they should not attempt to do.

The ***NPIA (2010) Stay Safe at Firearms Incidents*** guidance document advises that Unarmed First Responders should:

- **STAY SAFE** – Think about your own and the public's safety;
- **SEE** – What is happening and where;
- **TELL** – Communicate, describe incident/type of weapon;
- **ACT** – Stay Safe, update, observe/contain.

These principles may also be relevant to AFOs who arrive at the scene of a developing incident.

For more detailed guidance for unarmed first response to firearms incidents see ***Stay Safe at Firearms Incidents*** within the Uniformed Operational Policing – Firearms Community at <http://www.polka.pnn.police.uk>

- 6.112 Although negotiating principles are included in all initial training of AFOs, this is unlikely to be the case for unarmed responders attending the scene. Initial, unarmed responders may be confronted by a subject attempting to engage them in some form of communication. This should not be ignored and responders may try to reduce the threat level or neutralise it by early communication with the subject. **Although, unarmed responders should not do this if by doing so they would place themselves or members of the public in danger.**

7

Post Deployment

This chapter describes the post deployment process and includes issues associated with debriefing and organisational learning. Where police officers have discharged weapons and/or persons have been killed or injured, the welfare and legal issues, and the provision of accounts by officers, are outlined. The responsibilities of the key roles involved in the post deployment process are also explained.

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Introduction

- 7.0 This chapter outlines post deployment procedures in a broadly chronological manner. These procedures are designed to ensure that the post deployment phase of all armed deployments, irrespective of whether weapons have been discharged, are conducted in a manner which:
- Ensures the integrity of the legal process in respect of police action, persons arrested or evidential material seized;
 - Enables follow-up action related to any ongoing crime;
 - Identifies any operational or safety-critical issues in respect of procedures, training, weapons or equipment used;
 - Ensures individual, team and organisational learning takes place and is addressed both locally and nationally as appropriate.
- 7.1 The procedures are scalable, and forces should consider their proportionate application according to the circumstances. The procedures to be adopted will range from the documentation of outcomes, through to structured operational debriefing. An auditable log of each armed deployment must be made and signed off by an appropriate supervisor or commander in accordance with force policy.
- 7.2 The National Decision Model provides a structure which can be used to ensure that post deployment issues are addressed and can assist as a structure for any debrief process.
- 7.3 The following should be considered following deployment of AFOs:
- The community impact of the deployment, see **Community Impact Assessment** (6.75 - 6.79);
 - Media management, see **Media Releases** (7.118 - 7.121);
 - The nature of any debrief to be undertaken;
 - Consideration of an explanation or, where appropriate, an apology to those persons affected by the operation.
- 7.4 The appropriateness and sequence of the above issues will depend on the circumstances and whether the criteria for a post incident investigation have been met, see **Criteria for a Post Incident Investigation** (7.10 - 7.13). If a post incident investigation is to be undertaken, the appropriateness of any of the above considerations should be discussed and agreed with the relevant investigative authority. Issues which become relevant when an investigation is to be conducted are set out later in this chapter.

Debriefing

- 7.5 Once an armed deployment has been concluded, a full debrief should be considered to identify opportunities for operational and organisational learning. Large or protracted operations should include arrangements for a specific debriefing session so that any aspect of the command structure, tactics or equipment used, which demonstrated good practice or caused a problem, can be identified and lessons learned. Debriefs should be documented.
- 7.6 Only in exceptional circumstances should debriefing take place when the criteria for post incident investigation have been met, see **Criteria for a Post Incident Investigation** (7.10 - 7.13), and this should only be with the agreement of any investigative authority which is involved. For further information see **Situational or Safety Critical Information** (7.40 - 7.41).
- 7.7 The ACPO Armed Policing Secretariat has a responsibility for disseminating good practice and lessons learned. Forces are encouraged to submit early reports to the Secretariat. Contact **acpo.policeuseoffirearms@westmercia.pnn.police.uk**
- 7.8 There is a range of issues to address in a debriefing process, and not all will be required in every situation. Each has a different but equally important purpose. These are:
- Operational and tactical;
 - Organisational;
 - Evidential.

Prior to officers finishing duty, the senior supervisory officer should also consider if there are any outstanding issues which need to be addressed. See also **Defusing** (7.110).

- 7.9 The term post incident is used to describe situations in which shots have been discharged by the police, or where an investigation into police action is to be conducted. As with post deployment procedures, these procedures are scalable. For example, the full procedure may not need to take place every time and will depend on the significance and consequences of the event.

Criteria for a Post Incident Investigation

- 7.10 Post incident investigations will be commenced in all situations where there has been a discharge of a weapon by the police (including those involving a conventional firearm or less lethal weapon), whether intentional or unintentional which has, or may have:

Post Incident Procedures

- Resulted in death or serious injury;
 - Revealed failings in command;
 - Caused danger to officers or the public.
- 7.11 Cases which result in death or serious injury will be subject to mandatory referral to the Independent Police Complaints Commission, or another independent investigative authority. Cases which have revealed failings in command, or have caused danger to the public, or where it is in the public interest should be referred to the independent investigative authority, as a voluntary referral. If the above criteria are not met, the force should consider the proportionate application of these procedures, where appropriate.
- 7.12 Where firearms and less lethal weapons have been discharged by police officers, it is in the interests of the public, the Police Service and everyone involved in the incident, that subsequent procedures should be open and transparent, and that the integrity of all action can be demonstrated. The post incident process will involve an investigation which may be conducted by the force professional standards department or an independent investigative authority, such as the Independent Police Complaints Commission, Police Ombudsman for Northern Ireland, and in Scotland under arrangements set out by the Procurator Fiscal. Investigations may also be undertaken by the Health and Safety Executive.
- 7.13 The **Code of Practice** requires chief officers to ensure that operating protocols exist within their forces that define the action to be taken throughout the various stages of an investigation. For further information on investigations, see **Article 2 ECHR and the Duty to Investigate** (7.72 - 7.82) and **Independent Investigations** (7.83 - 7.90).

Initial Action

- 7.14 Where weapons have been discharged or a person has been shot or seriously injured during an armed deployment, the force control room or Tactical Firearms Commander (where appointed) must be informed immediately. Arrangements should also be made to ensure that the Strategic Firearms Commander and appropriate ACPO officer on duty or on call are informed as soon as possible.
- 7.15 The overall responsibility for post incident procedures should rest with an ACPO officer or senior officer (who has not been involved in the operational phase). This officer is responsible for initiating:
- The post incident investigation (including informing the independent investigative authority);
 - Post incident management.

- 7.16 The relevant independent investigative authority should be informed so that a decision can be made as to whether the incident meets the criteria for independent investigation. Where an independent investigation is to take place, the information given to the investigative authority should include the action being taken and arrangements made for them to commence a post incident investigation.
- 7.17 In situations which do not require investigation by an independent investigative authority, the incident may be investigated by the professional standards department of the force concerned, in accordance with local procedures. The information provided in this chapter is relevant to any investigation, whether carried out by the force's professional standards department or by the relevant independent investigative authority.

Post Incident Roles

- 7.18 There are a number of roles specific to the post incident process. These are:
- Post Incident Manager (PIM), see **The Role of the Post Incident Manager** (7.44 - 7.49);
 - Initial Investigating Officer (IIO);
 - Investigator from an independent investigative authority or force professional standards department.
- 7.19 The responsibilities of those involved in the post incident process, including the Strategic, Tactical and Operational Firearms Commanders, are outlined in **Post Incident Responsibilities** (7.126).

Immediate Post Incident Command Considerations

- 7.20 Following the discharge of a firearm, the Tactical Firearms Commander should initially establish what has taken place, including the extent of any casualties and take action, as appropriate, to ensure:
- Resources are adequately deployed to deal with the situation, including medical aid, welfare and operational and technical support;
 - Continuity of command of any ongoing crime-in-action;
 - Integrity of process in relation to securing best evidence;
 - Senior command and independent investigative authorities are notified of the event;
 - The community impact is considered, and where appropriate, action is taken to address these issues.

- 7.21 The Strategic Firearms Commander, on being notified of the incident, should make an assessment regarding continuity of command, and take action to ensure command resilience. This may involve consideration as to what command support is required.
- 7.22 The Strategic Firearms Commander should also consider what strategic issues need to be addressed in respect of the:
- Incident;
 - Community;
 - Police force(s) involved and any service-wide considerations.
- 7.23 Until such time as the Tactical Firearms Commander is relieved of their responsibilities, or the incident is brought to a conclusion, the Tactical Firearms Command responsibilities will include identifying and actioning the following issues:
- Is any person injured - and, if so, are they receiving appropriate medical attention?
 - What action is being taken, or needs to be taken, to secure the scene?
 - What additional resources are required?
 - Is there an ongoing threat to life or operational imperative that requires continued action from armed officers at the location of the incident?
 - To what extent have the original operational objectives been met?
 - Are there any new or emerging threats or risks outstanding to any person?
 - What control measures are in place in respect of these?
 - Are there any critical operational safety issues identified that require immediate attention?
 - Are any subjects at large? What action is required to locate them?
 - Have relevant scenes been identified? What action is required to preserve scenes and evidence?
 - Has an appropriate Post Incident Procedure been implemented?
 - Have arrangements been made to hand over to the IIO?
 - Has the force professional standards department been notified?
 - Has the Strategic Firearms Commander been briefed?
- 7.24 Where there will be a time delay in the arrival of an investigator, a command decision should be made as to how and by whom the scene should be managed and investigatory issues commenced. Initial

policing priorities pending the arrival of the independent investigative authority include:

- Management of the scene;
- Establishing what took place;
- Identification of witnesses;
- Identification of Principal Officers, see **Principal Officers** (7.42 - 7.43);
- Identification and securing of exhibits;
- Media management.

The responsibilities in relation to the welfare of all staff involved are addressed in **Welfare Considerations** (7.64 - 7.68).

- 7.25 Consideration should be given to the appointment of an IIO by the force in which the incident occurred. Where appropriate, this should be done in consultation with the independent investigative authority (where involved). The role of the IIO should include all initial investigative issues pending the hand over to an appointed investigator from an independent investigative authority or other department.
- 7.26 The interim arrangements should enable a managed transition from the operational phase of the incident to the investigation. In this transitional phase, close liaison is essential between the Tactical Firearms Commander, the IIO and an officer appointed by the force to manage the post incident processes. See **The Role of the Post Incident Manager** (7.44 - 7.49).

Management at the Scene

- 7.27 When weapons have been discharged, officers should take all necessary action to ensure that threats are neutralised and that the scene is safe. The fact that weapons have been discharged and details of any persons injured or killed should be reported to the control room and/or Tactical Firearms Commander as soon as practicable. Provision of medical aid is also a priority. Situational and safety critical information should be relayed as soon as possible, see **Situational or Safety Critical Information** (7.40 - 7.41). Officers should remain operationally active until stood down.
- 7.28 Where possible, and without compromise to the security of officers and persons in the vicinity, action should be taken to secure the scene.
- 7.29 Securing firearms and ammunition carried by officers is an important part of the evidence gathering process.

- 7.30 Weapons which have been fired should, as far as practicable, be maintained in the condition they were in immediately after being fired, pending forensic examination. Where any police weapon has failed to fire, was discharged unintentionally or is suspected of any malfunction, it should be isolated for forensic examination.
- 7.31 All firearms which have been discharged, operationally drawn or pointed during the operation should be identified, as this will be relevant information in the post incident investigation. The IIO, in conjunction with the independent investigative authority, will determine which of these weapons need to be treated as exhibits.
- 7.32 An officer who is injured, traumatised or in a state of shock should have their weapon removed by the Operational Firearms Commander, team leader or other suitably qualified officer. This should, preferably, be someone who has not been directly involved in the discharge of firearms. This officer should ensure the weapon's security. A dual emphasis on safety and evidential integrity should apply at all times.
- 7.33 Where a subject has been shot and a weapon is still in their possession, it should be removed from them and secured. Any other weapons found at a scene should remain where they are located, unless this compromises public safety or the security of the exhibit. Wherever possible, weapons recovered at the scene should not be interfered with or made safe, unless there is an operational or safety imperative. The position of recovered weapons should be noted and relayed to the person who is taking charge at the scene. Where, for operational or security reasons, it has been necessary to take any action in respect of a recovered weapon, details of the precise procedures followed should be recorded.
- 7.34 The appointment of a scene manager should be a priority. The scene manager will be responsible for securing evidence, deploying forensic experts and ensuring forensic recovery in accordance with the forensic strategy.
- 7.35 As far as possible, the positions of officers at the scene of an incident where firearms have been discharged should be recorded. However, the deployment of AFOs will often demand rapid movement of officers and may involve key actions being taken and weapons being discharged by officers from more than one position during an event which is developing in very fast time. In addition, officers may become involved in detaining a subject, action to search and secure any weapons found and/or in the provision of medical assistance. In these circumstances precise and accurate recall of where officers were at each stage of the tactical deployment is often not possible.
- 7.36 Unless there is a safety critical reason, the police vehicles in which the Principal Officers attended the scene are not to be removed without the express authority of the Tactical Firearms Commander or the IIO.

- 7.37 Where there is an operational imperative to remove a person, vehicle or equipment from the scene at an early stage, the reason for this should be recorded along with their initial location, for the purpose of any future investigation.
- 7.38 As soon as is practicable after the scene has been secured, AFOs involved in the incident should return to a police station or other suitable location where post incident procedures will take place. This will assist in securing the integrity of the scene, defuse any tensions at the scene and enable post incident issues, including those of evidence and welfare, to be attended to.
- 7.39 Officers who have been involved in an incident where shots have been discharged, or where death or serious injury has occurred should not be isolated from one another, other than for situation specific reasons such as preventing forensic cross-contamination.

Situational or Safety Critical Information

- 7.40 Where officers have discharged weapons, they are permitted, and may be required, to relay situational and safety critical information to those involved in the ongoing management of the incident or operation.
- 7.41 On their return to a police station or location where post incident procedures will take place, arrangements will be made for the initial welfare and investigative issues to be addressed in a structured and sensitive manner.

Post Incident Management

Principal Officers

- 7.42 Where a post incident investigation is taking place, the independent investigative authority will at an early stage wish to identify Principal Officers who were directly related to the decision to use force. As the investigation unfolds, others involved in the operation, whose actions or decisions were involved in informing or making critical decisions, may be regarded as Principal Officers. In the initial stages all actions taken by, and in respect of, Principal Officers in relation to securing evidence, discussion undertaken and notes made must be documented.
- 7.43 Prior to officers providing accounts of what happened, the following issues should be addressed:
- Weapons and exhibits secured;
 - Welfare, including medical and legal advice considerations, see **Welfare Considerations** (7.64 - 7.68).

The Role of the Post Incident Manager

7.44 Post Incident Managers (PIMs) facilitate, manage and ensure the integrity of the post incident procedure. Chief officers must ensure that arrangements exist whereby appropriately selected, trained, assessed and accredited PIMs are available to manage post incident procedures. When an officer has attended and satisfactorily completed a course of instruction based on the PIM module in the National Police Firearms Training Curriculum, they will be assessed to be occupationally competent to perform the role of a PIM.

Chief officers are responsible for ensuring that PIMs are able to maintain their operational competence by regularly performing the role or actively participating in relevant continuous professional development activities. Forces should consider implementing an auditable period of shadowing, mentoring and performance review as a means of achieving operational competence.

7.45 PIMs must undertake annual refresher training. This process must include any relevant ACPO Armed Policing updates and refresher packages supplied by the NPFA, together with local training which supports force and regional issues identified in the force's Strategic Firearms Threat and Risk Assessment. On completion of this annual refresher training, a PIM's operational competence should be formally approved by the lead chief officer, or a person nominated by them, with responsibility for the management, command and deployment of armed officers. Forces should maintain records of officers' refresher training in order to show their continued competence. PIMs must be formally re-accredited at least every five years, but consideration should be given to re-accreditation between three to five years depending on operational exposure.

7.46 A PIM will usually be nominated by the force to which the principal officer(s) belong. This will apply to any policing incident or operation, including those which cross force boundaries. Appropriate support should be available from the force in which the incident occurs. Forces should consider the possibility of such occurrences and have appropriate joint operational force and regional protocols to deal with post incident procedures. PIMs often perform their role as part of a PIM team, under the direction of an overall PIM.

7.47 An early decision should be made on which officers will be considered Principal Officers, by the PIM in conjunction with the ACPO officer/delegated senior officer responsible for the post incident procedures, the Tactical Firearms Commander and the IIO. The outcome of this decision will depend on the circumstances of the incident.

- 7.48 The PIM's responsibilities will normally commence following the return of the Principal Officers to a police station or other area where the post incident procedures will take place. In some situations, for example, where officers are delayed at the scene, it may be appropriate for the PIM to go to the scene. The PIM's role is to facilitate the investigation, to ensure integrity of process, and to ensure that the Principal Officers' needs are addressed in a manner which does not compromise the investigative process. This will include keeping Principal Officers informed of developments and providing appropriate explanations of procedure, as well as obtaining necessary practical assistance for them.
- 7.49 The PIM will establish the basic facts of what happened. In the first instance the PIM should obtain this information from a source other than the Principal Officers. If this information is only available from the Principal Officers, the PIM should remind them of the importance of taking legal advice before obtaining the information. The PIM will also ensure that the basic facts are passed to the investigator. For further information on the roles undertaken by the PIM or a member of the PIM team, see **Post Incident Manager** (7.131).

Anonymity of Officers

- 7.50 The PIM should, where necessary, consider approaching an ACPO officer or delegated senior officer regarding the need to protect the anonymity of Principal Officers.
- 7.51 As with any witness or suspect, concerns for the safety of some Principal Officers and their families means their anonymity should be addressed at an early stage.
- 7.52 Procedures should be in place to consider the anonymity of officers prior to deployment, if necessary, and subsequently should any shooting occur. It should be made clear to officers involved that the issue of anonymity may be the subject of judicial proceedings or challenges and may have to be reversed at a later stage.
- 7.53 Suggested measures to preserve the anonymity of Principal Officers include:
- Restricting access to systems and documents containing details of Principal Officers;
 - Using anonymous references (eg, Officer 'A') at an early stage (with a list of such references compiled for inclusion in documents);
 - Omitting officer details and identity from communications and circulations, including media releases;
 - Advising all officers of their responsibility to maintain confidentiality;

- Advising the independent investigative authority, Crown Prosecution Service and other agencies that anonymous references have been used.
- 7.54 The PIM will normally maintain a list of the names of officers involved in the incident, which should be protectively marked as appropriate. The PIM should ensure that action is taken to maintain the anonymity of Principal Officers until such a time as this is deemed to be unnecessary. The PIM should consult an ACPO officer or delegated senior officer regarding this issue.

Weapons and Exhibits

- 7.55 On return to the location where post incident procedures are taking place, weapons which have been discharged should be identified, as should all other weapons deployed in the immediate vicinity of the shooting.
- 7.56 Where practicable, when weapons are unloaded and exhibited, consideration should be given to photographing or videoing the process. Where this is not practicable, a detailed documentary account of the weapon's state and the procedure used for unloading should be completed. The handling and securing of weapons involved in the incident must be undertaken in a manner which maintains the forensic integrity of these exhibits.
- 7.57 All firearms, ammunition, less lethal weapons and specialist munitions should be accounted for in a manner which ensures that safety, recording and accountability are properly addressed.
- 7.58 Initial investigating officers will, in liaison with the independent investigative authority (where involved), consider which weapons are required to be secured as exhibits, and whether clothing should be secured or officers examined for forensic traces. It is good practice for this decision to be outlined to the officers in person.
- 7.59 Officers' weapons should be secured by a different person from the one securing the subject's weapon, to avoid any dangers of cross-contamination. Since AFOs will, invariably, have moved to another location, it is important that they do not have to await the conclusion of the scene examination before their firearms are taken for examination.
- 7.60 Given that officers who train with firearms and visit locations at which weapons and munitions are used and stored, such exhibits may be of limited value. Many AFOs train wearing operational clothing, the evidential value of this clothing for examination is, therefore, likely to be limited. All officers involved in an incident will be required to assist with the forensic preservation of their weapons and equipment.

- 7.61 The PIM or officer coordinating collection of weapon exhibits will ensure that the weapons are unloaded and handed over, in a controlled manner and by an appropriately trained officer, to the appointed exhibits officer at the post incident management suite or other appropriate location.
- 7.62 Where a weapon is examined and found not to have been fired or is no longer required as evidence, arrangements should be made, in liaison with the independent investigative authority (where involved), for it to be returned to the relevant department as soon as practicable.
- 7.63 If there is no dispute as to who fired shots, there may be no requirement for other measures to identify officers. Measures such as the securing of clothing or taking of swab samples to forensically identify those officers contaminated by firearms discharge residue will normally only be adopted in exceptional circumstances. When an investigating officer considers it necessary to obtain such additional forensic evidence from officers, the PIM will record the rationale and discuss it with the IIO. If the IIO requires additional forensic evidence, the PIM will explain the rationale to the officers concerned and make a record in their policy log. If clothing is to be taken, suitable, alternative clothing must be provided.
- 7.64 The welfare needs of officers should be addressed throughout the post incident process.
- 7.65 The welfare needs of officers will include, but should not be limited to:
- Immediate need for first aid and other medical assistance;
 - Securing weapons and equipment;
 - The provision of refreshments;
 - Making phone calls to immediate family members or partners regarding officers' wellbeing and possible retention on duty;
 - Showering and appropriate change of clothes (provided there are no forensic matters to be addressed).
- 7.66 Principal Officers should be supported by their supervisory officers and given the opportunity to consult representatives of their relevant staff association as soon as possible. Every effort should be made to ensure that early professional legal advice is made available in appropriate cases. This is particularly important where officers have used force as they may be subject to an investigation which can include potential criminal offences.
- 7.67 An incident involving the use of firearms by police officers which results in death or injury may affect those involved differently and it is not possible to say who may be affected and to what extent. However,

Welfare Considerations

those affected may include people at the scene, and those who were directing resources (including control room staff and those involved in making critical decisions). Officers who have not discharged weapons or suffered injury may also be traumatised.

- 7.68 All officers involved in an incident where firearms have been discharged by police officers, whether or not they are the Principal Officers, should be able to receive support from the occupational health unit or professional health advisor employed by the force concerned, if they wish. If possible, this opportunity should be provided within seventy-two hours.

Medical Examination

- 7.69 Officers who were in the immediate vicinity of the discharge of firearms or other munitions should be examined by a registered medical practitioner as a matter of course, subject to their consent, as they may have suffered an injury of which they are not aware. All officers should check for such injuries to themselves and their colleagues.

- 7.70 Where a registered medical practitioner is called to examine an officer, they should be briefed about the background of the incident and the reasons for the examination. Any other information or personal circumstances which may be relevant to the examination should also be provided.

- 7.71 The most appropriate supervising officer to brief the registered medical practitioner may be the PIM or a member of their team. The content of any outline of the incident given to the registered medical practitioner must be documented.

- 7.72 When the issues in respect of securing weapons, equipment and exhibits and the welfare issues have been addressed, PIMs should explain the nature and implications of an Article 2 ECHR investigation.

- 7.73 Under European law, there is a procedural requirement on the State to ensure that where a death occurs at the hands of the State an effective and independent investigation takes place (this includes any death caused by or brought about as a result of police action).

- 7.74 Article 2, in conjunction with Article 1 of the Convention, imposes a positive duty on the State to conduct an effective official investigation when individuals have been killed as a result of the use of force by agents of the State, (i.e. the police). The European Court of Human Rights (ECtHR) has held in *Jordan v UK* [2003] 37 EHRR 2, and *Edwards v UK* (2002) 35 EHRR 19 that it must:

- Be on the State's own initiative (eg, not civil proceedings);
- Be independent, both institutionally and in practice;

Article 2 ECHR and the Duty To Investigate

- Be capable of leading to a determination of whether the force used was justified in the circumstances and to the identification and punishment of those responsible;
- Be prompt;
- Allow for sufficient public scrutiny to ensure accountability;
- Allow the next of kin to participate.

7.75 These principles were approved by the House of Lords in the case of *R (Amin) v Secretary of State for the Home Department* [2003] UKHL 50 (the Zahid Mubarek case).

7.76 The requirements under Article 2 ECHR are, therefore, relevant and can extend to any situation in which death or serious injury occurs during an incident or operation in which police are involved.

7.77 The essential purpose of an Article 2 investigation is:

- To secure the effective implementation of domestic laws which protect the right to life; and
- In those cases involving agents of the State, to ensure their accountability for deaths occurring under their responsibility.

7.78 The investigation must be capable of leading to a determination of whether the force used was or was not justified in the circumstances, and to the identification and punishment of those responsible in appropriate cases.

7.79 Reasonable steps must be taken to secure all relevant evidence, including witness testimony and forensic evidence.

7.80 Any deficiency in the investigation which undermines its capability of establishing the circumstances of the case or the person responsible is liable to fall short of the required measure of effectiveness.

7.81 The aim of an investigation into a police-related shooting is, therefore, twofold:

- To ensure that the applicable law is properly followed and implemented, ie, so that, where appropriate, effective criminal proceedings are brought;
- To ensure police accountability, whether or not criminal proceedings are brought.

- 7.82 Where a death does occur at the hand of the State, the burden is on the detaining authorities to provide a satisfactory and convincing explanation for the death (*Anguelova v Bulgaria*, (2002) 38 EHRR 659). In the absence of such explanation, Article 2 may be breached.

Independent Investigations

- 7.83 The scope of the investigation is likely to be wide ranging. It will not only include the circumstances of any injury to, or death of, any person who may have been shot, but also the circumstances leading up to the discharge of firearms, and all the issues surrounding this such as the management and planning of the deployment.
- 7.84 By their very nature, incidents involving the discharge of a firearm by a police officer attract public interest, and can be highly emotive and stressful for all involved. As a consequence, both the investigative function and the chief officer's duty of care to officers and police support staff involved must be afforded a high priority.
- 7.85 The duty of care to officers and police staff will extend to welfare, physical, psychological and medical support. In addition, the police staff associations have arrangements in place for the provision of advice and support to officers, including legal advice. In facilitating the provision of these services, investigating officers, Post Incident Managers and staff association representatives have distinct roles. It is, however, essential that all officers, Post Incident Managers and those involved in any debriefing process are able to demonstrate integrity of purpose in all communications between each other and in record making and debrief procedures.
- 7.86 All appropriate steps should be taken by the Police Service in the initial stages following the discharge of firearms to reduce any possible risks of the investigation, required under Article 2 ECHR, being undermined by any deficiencies, such as failing to secure the evidence, including witness testimony and forensic evidence. The procedures adopted should be designed so as to demonstrate integrity of purpose in all actions and discussions between the officers involved.
- 7.87 Nothing in this section should be interpreted as constraining effective action by the Police Service or the officers involved in adopting an operationally necessary procedure to secure best evidence, arrest or bring to justice those who may be involved in ongoing criminal activity, or a follow-up investigative process.

- 7.88 The responsibility for securing evidence and taking appropriate action in an Article 2 investigation remains with the Police Service until such time as the independent investigative authority has taken over the investigation.
- 7.89 The responsibility of the police force being investigated is to facilitate that investigation through, for example:
- Identification and preservation of scenes and exhibits;
 - Identification of immediately available witnesses;
 - Securing of physical evidence;
 - The availability of experienced family or witness liaison officers.
- 7.90 Early notification to the independent investigative authority will enable these procedures to be adopted, and initial actions being taken by the police to be agreed at an early stage.
- 7.91 Following the discharge of a firearm by the police, there will be a requirement for those involved to provide relevant information in a number of formats. This will vary depending on the recipient of the information and the purpose for which it is being provided. It can be reasonably expected that the information initially provided may become more detailed or potentially alter as the circumstances become clearer.
- 7.92 In order to clarify the purpose and status of the information provided, it may be helpful to consider the provision of information and accounts chronologically as a staged process. It is recognised that the particular circumstances of the incident may make it unnecessary or inappropriate to include one or more of the stages outlined. Where a Principal Officer is unfit to make a 'personal initial account' then stage three will not be appropriate. Where a Principal Officer is suspected of a criminal or misconduct offence then stages three or four will not apply.

Stage One – Situation Report

- 7.93 Following the discharge of firearms by the police, the Tactical Firearms Commander or force control room must be informed immediately. This notification is likely to be provided by radio communication from an officer at the scene of the incident. The information provided should be sufficient to provide a situational report which will enable the Tactical Firearms Commander to manage the ongoing incident and assist them to discharge their post incident responsibilities.

Stage Two – Post Incident Manager (PIM) Basic Facts

- 7.94 The PIM is responsible for establishing the basic facts of what happened. Where possible, this information should come from a source other than a Principal Officer (see 7.49). This is most likely to take place

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at the nominated post incident location, where the basic facts will be provided by an individual who is willing to provide them. The basic facts will be provided (subject to legal advice where appropriate) in either verbal or written format. A staff association representative may also be present. It may be appropriate for the PIM to advise all of those present of the need to maintain anonymity. The basic facts obtained by the PIM should, where possible, be sufficient to:

- Confirm which officers were at the scene;
- Describe in brief the role(s) of those at the scene;
- Confirm who discharged their weapons.

7.95 The basic facts recorded or received by the PIM should be confirmed with the person providing them to certify accuracy, and should be timed, dated and signed by the PIM. The original record should be handed to the independent investigatory authority at the earliest opportunity. A copy should be retained by the PIM and the person providing the basic facts. Where the only person able to provide the basic facts has been, or may be, identified as a Principal Officer, they must be offered the opportunity to obtain legal advice prior to the basic facts being requested. The use of a pro forma to obtain or document the PIM basic facts is not appropriate.

Stage Three – Personal Initial Accounts

7.96 Subject to legal and medical advice officers should provide a personal initial account of the incident before going off duty. Each officer's initial account should consist only of their individual recollection of events and should be written, signed and dated. Detailed accounts will be made later. The purpose of the personal initial account is to record their role, what they believed to be the essential facts and should, where relevant, outline the honestly held belief that resulted in their use of force. The same guidance relating to conferring applies to personal accounts as it does to detailed accounts, see paragraph 7.99.

Stage Four – Detailed Accounts/Evidential Statements

7.97 Detailed accounts should not normally be obtained immediately. They can be left until the officers involved in the shooting are better able to articulate their experience in a coherent format, usually after at least forty-eight hours. The detailed account should include, if relevant, why the witness considered the use of force and discharge of firearms to be absolutely necessary.

7.98 The independent investigative authority will wish to have detailed statements from witnesses. These statements may be taken by the independent investigative authority or be provided by the witnesses

themselves. The manner in which the statements are obtained or provided will be decided by individual witnesses subject to the legal advice they receive. Where officers decide to provide their own statements then these should be (except in exceptional circumstances) submitted to the independent investigative authority within seven days of the date of the incident under investigation.

7.99 As a matter of general practice, officers should not confer with others before making their accounts (whether initial or subsequent accounts). The important issue is to individually record what their honestly held belief of the situation was at the time force was used. There should, therefore, be no need for an officer to confer with others about what was in their mind at the time force was used. If, however, in a particular case a need to confer on other issues does arise, then, in order to ensure transparency and maintain public confidence, where some discussion has taken place, officers must document the fact that this has taken place, highlighting:

- Time, date and place where conferring took place;
- The issues discussed;
- With whom;
- The reasons for such discussion.

7.100 There is a positive obligation on officers involved to ensure that all activity relating to the recording of accounts is transparent and capable of withstanding scrutiny.

7.101 Where an officer has any concerns that the integrity of the process is not being maintained, they must immediately draw this to the attention of the person in charge of the post incident process and ensure that this is documented.

7.102 A person involved in a traumatic or life-threatening encounter will often experience a range of physiological and psychological responses which may determine their perception of time, distance, auditory and visual stimuli and the chronology of key events. This may affect their ability immediately after the incident to recall what may be important detail. Where, over time, officers recall further information, this should be recorded in a further account.

7.103 There may be circumstances where it is necessary for officers to provide more detailed information at an earlier stage. This could be to address issues associated with a person who is now in custody, or in relation to an ongoing criminal investigation, for example, where a person was not arrested at the scene.

Security and Welfare of Officers

- 7.104 It is the responsibility of each individual police officer involved in the incident to ensure that any information that may be relevant to the investigation is revealed, recorded and retained. This information should include an officer's own observations relating to the incident and any accounts received from witnesses.
- 7.105 Once officers involved have been able to make their initial accounts, arrangements will be made by the PIM to ensure that these accounts are secured and made available to the investigative authority.
- 7.106 The PIM will initiate an early threat assessment to determine whether there are any security issues in respect of the Principal Officers involved in the incident. This will allow the PIM to recommend that the force puts in place the appropriate control measures to ensure the safety of the officer(s) and, where necessary, their families. An ongoing threat assessment process will continue until it is no longer required.

Officers' Families and Homes

- 7.107 Consideration should be given by the force to which Principal Officers belong, to whether the officers' families will require extended welfare, medical and professional support from the force occupational health and welfare advisors. Families should be alerted to the possible reactions of those involved in such incidents and should be afforded the opportunity to discuss this situation.

The Police Firearms Officers Association (PFOA) offers valuable additional support and appropriate services to Principal Officers and their families. For more information on the role and function of the PFOA see <http://www.pfoa.co.uk>

- 7.108 The security of an officer's home should be considered at an early stage. The cost of any appropriate measures, such as the installation of a panic alarm direct to the nearest police station and improved locks, should be met by the officer's force. Forces should have a policy on providing security and anonymity in appropriate cases.

Family Liaison Officer

- 7.109 In any incident where persons have been killed or injured as a result of police action, consideration should be given to the use of family liaison officers. It can also be beneficial to use these officers to support the families of police officers who have been significantly affected by firearms incidents, especially where the officer's identity has become known to the public.

Defusing

- 7.110 Defusing is a short and informal process, which should be facilitated by trained people, and is aimed at giving immediate support to staff. It should take place as soon as possible after the event and, in any case, prior to conclusion of duty. The defusing process may assist officers and other staff to recognise and manage the reactions and feelings that they are experiencing or may experience as a result of what they have been involved in.

Additional Support

- 7.111 Consideration should be given to having a suitable person, for example, a trusted colleague, assigned to stay with an officer who has been traumatised or significantly affected during the hours immediately following the incident. In appropriate cases this person should subsequently accompany them home. Consideration should also be given to supporting the families of officers involved. These considerations should also be extended to any other officers or members of staff who are significantly affected by the incident.

Special Leave or Suspension from Duty

- 7.112 Special or administrative leave may be granted to a Principal Officer, when appropriate. There may, however, be circumstances where such leave is not in an officer's best interest and the officer and staff association should be consulted.
- 7.113 Suspension from duty should only be necessary in exceptional cases, and in accordance with force policy. When it is necessary to suspend an officer, that officer should still be able to contact colleagues within the Police Service and should still continue to receive appropriate medical and welfare support.

Authorisation

- 7.114 An officer's authorisation to operationally carry a firearm should not automatically be removed, and nor should they be automatically excluded from firearms training or other related duties.
- 7.115 An evidence-based assessment should be made by the police force, in conjunction with the independent investigative authority, the force professional standards unit and the provider of occupational health advice, as to when officers should be permitted to resume operational duties, including duties or roles in which they have regular access to firearms.

- 7.116 Any decision to remove an officer from operational firearms duty should be regularly reviewed (at least monthly) by the chief officer responsible for firearms policy, in consultation with the investigative authority.
- 7.117 Officers who have discharged their firearm must complete a mandatory occupational health post incident support programme provided by their force.

Media Releases

- 7.118 Subject to any operational reasons, a cooperative and open media strategy should be adopted. The media strategy should be formulated in consultation with the independent investigative authority. A clear factual account of the incident should be provided at the earliest opportunity. Care must be taken to avoid compromising any subsequent judicial proceedings. Consideration should be given to the appointment of a specialist media officer who has knowledge of the Police Service's use of firearms, such as the nature of training given to officers, the guidelines under which officers may discharge firearms and the kind of firearms carried.
- 7.119 Precautions should be taken to protect the officers and their families from unwanted publicity. The PIM must ensure that, where practicable, the Principal Officers are informed of all media releases prior to their circulation and he or she may make representations on their behalf. This action may assist in prompting officers to consider their families and others likely to be affected by a media release and allow them to make early arrangements to cater for any foreseeable problems.
- 7.120 No information that might unintentionally identify officers concerned with the incident should be passed to the media. In addition, sensitivity should be exercised in the completion of internal force publications or reports concerning the incident. Care must always be exercised when using communications systems, including mobile phones.
- 7.121 Officers involved in the incident should avoid discussing the detail with personnel not involved in the incident, unless there is an operational imperative to do so. This is to prevent the possibility of uninformed rumour and to protect the identity of those involved.

Progress of the Enquiry

- 7.122 The Police Reform Act 2002 requires that all interested persons should be kept informed of the progress of the enquiry. Procedures should be put in place to ensure that regular updates are provided, and the host force should consider the provision of an ongoing PIM or Force Liaison Officer (either full or part-time) to facilitate this. Procedures for providing updates may include a meeting with officers involved in an

incident, as soon as practicable after an incident, and, in any event, providing the officers with terms of reference of the investigation within forty-eight hours.

- 7.123 It will be normal for the independent investigative authority to brief the force concerned as to the current status of the investigation, usually not later than twenty-eight days after the incident.

Documentation and Disclosure

- 7.124 The originals of all documents and statements generated as a result of an incident must be handed over to the force professional standards department or independent investigative authority at the earliest opportunity.

- 7.125 The **Code of Practice** issued under section 23(1) of the Criminal Procedure and Investigations Act 1996 requires that all material obtained in the course of an investigation that may be relevant to the investigation is retained for disclosure purposes.

Post Incident Responsibilities

Operational Firearms Commander

- 7.126
- Remains operationally active until stood down;
 - In the absence of the Tactical Firearms Commander, ensures that the scene is protected and that evidence is preserved until the arrival of the IIO;
 - Should ensure that the weapon(s) or perceived weapon of the subject is located and secured in situ, unless it is dangerous to do so;
 - Ensures a weapon safety check is carried out by officers;
 - Liaises with the IIO and, where necessary, with the involvement of the scenes of crime officer supervises the unloading of the weapons and identifies which weapon was carried by each officer.

Tactical Firearms Commander

- 7.127
- Remains operationally active until stood down;
 - Ensures that the scene is protected and that evidence is preserved until the arrival of the IIO;
 - Considers the safety of the public, police personnel and the immediate welfare of casualties;

- Considers which officers are to be treated as Principal Officers (in conjunction with the ACPO officer or delegated senior officer, IIO and PIM);
- Ensures transfer of AFOs to relocation point and assists in identifying Principal Officers;
- Establishes the facts of what has taken place and ensures that all relevant information is recorded;
- Informs the force control room and the Strategic Firearms Commander of the incident;
- Determines the rendezvous point (RVP) for incoming resources;
- Briefs and formally hands over to the IIO;
- Briefs the Strategic Firearms commander.

Strategic Firearms Commander

7.128

- Remains in a position to maintain command until the strategic intention of the operation is achieved, or they are relieved;
- Continues to be available to the Tactical Firearms Commander, if required;
- Informs the ACPO officer or delegated senior officer of the incident;
- Ensures all relevant information is recorded.

ACPO Officer (or Delegated Senior Officer)

7.129

- Ensures investigation and welfare procedures are implemented;
- Appoints PIM;
- Appoints IIO;
- Ensures that Principal Officers are identified;
- Considers referral to the independent investigative authority;
- Subject to referral to the independent investigative authority, agrees the media strategy;
- Ensures all relevant information is recorded.

Initial Investigating Officer

7.130

- Has early dialogue with the independent investigative authority to agree responsibilities and key actions;
- Opens a policy log and ensures all relevant information and decisions are recorded, including issues of anonymity;
- Agrees initial terms of reference with the ACPO officer or delegated senior officer;
- Identifies and preserves evidence;
- Ensures effective scene management;
- Considers which officers are to be treated as Principal Officers (in conjunction with the ACPO officer or delegated senior officer, PIM and Tactical Firearms Commander);
- Identifies and considers relevant national guidelines;
- Liaises with the Tactical Firearms Commander as to initial action at the scene;
- Liaises with chief officers as to media policy;
- Liaises with and consults the PIM;
- Makes early contact with the appointed investigator from the independent investigative authority;
- Carries out those enquiries deemed urgent and those that may assist in the collation of evidence which may be lost prior to the arrival of the investigator from the independent investigative authority;
- Agrees initial objectives in relation to forensic evidence;
- Makes early contact with the pathologist (where appropriate);
- Liaises with the scientific support coordinator.

Post Incident Manager

7.131

- Opens a policy log and ensures all relevant information and decisions are recorded, including issues of anonymity;
- Considers which officers are to be treated as Principal Officers (in conjunction with the ACPO officer or delegated senior officer, IIO and Tactical Firearms Commander);
- Establishes immediate contact with the Principal Officers and ensures that they are given immediate support;

- Considers whether to assign a member of the PIM team to each Principal Officer;
- Advises all relevant members of staff that post incident procedures have been implemented and explains the PIM role;
- Meets the IIO or any representative from the independent investigative authority;
- Takes measures to ensure the physical and emotional wellbeing of the staff involved;
- Considers the attendance of a doctor or health adviser;
- Ensures access to telephones to enable officers to contact relatives or friends;
- Informs the following departments and agencies to attend, if required
 - Occupational Health and Welfare Unit
 - Doctor or Force Medical Examiner (FME)
 - Staff Associations as appropriate;
- Ensures that any necessary forensic procedures are dealt with as early as possible and that officers are fully informed of the relevance of the procedures (for example, the seizure of exhibits);
- Secures early legal advice or representation if requested;
- Maintains dialogue with the IIO and addresses issues with them, including press releases and the progress of the investigation, to update staff involved;
- Advises Principal Officers of their responsibilities regarding the discussion of the incident with colleagues;
- Facilitates the process in which officers provide initial accounts and ensures these (where made) are provided to the investigator, see **Providing Accounts** (7.91 - 7.105).

Appendix 1

Abbreviations and Acronyms

ACPO	Association of Chief Police Officers
ACPOS	Association of Chief Police Officers in Scotland
AEP	Attenuating Energy Projectile
AFO	Authorised Firearms Officer
ARV	Armed Response Vehicle
CAA	Civil Aviation Authority
CBRN	Chemical, Biological, Radiological and Nuclear
CMCHA	Corporate Manslaughter and Corporate Homicide Act 2007
ECHR	European Convention on Human Rights
CNC	Civil Nuclear Constabulary
COSHH	Control of Substances Hazardous to Health Regulations 2002
CS	O-Chlorobenzylidene Malonitrile
CS(m)	Micronised CS
ECtHR	European Court of Human Rights
EHRR	European Human Rights Reports
FME	Forensic Medical Examiner
HMIC	Her Majesty's Inspectorate of Constabulary
HMRC	Her Majesty's Revenue and Customs
HOSDB	Home Office Scientific Development Branch
HSE	Health and Safety Executive
IIO	Initial Investigating Officer
IPCC	Independent Police Complaints Commission
MASTS	Mobile Armed Support to Surveillance
MOE	Method of Entry
NDM	National Decision Model
NPFTC	National Police Firearms Training Curriculum
NPIA	National Policing Improvement Agency
PACE	Police and Criminal Evidence Act 1984
PAVA	Pelargonic Acid Vanillylamide
PIM	Post Incident Manager
PONI	Police Ombudsman for Northern Ireland

PPE	Personal Protective Equipment
PSNI	Police Service of Northern Ireland
RIDDOR	Reporting of Injuries Diseases and Dangerous Occurrences Regulations
RVP	Rendezvous Point
SOCA	Serious Organised Crime Agency
UN	United Nations

Appendix 2

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