

CHAPTER 5 - USE OF FIREARMS

1. INTRODUCTION

- 1.1 This chapter provides an overview of the Police Service's use of firearms and the tactics, training and different capabilities involved, as well as individual officers' responsibilities in accordance with the law.

2. CIRCUMSTANCES WHEN WEAPONS MAY BE FIRED

- 2.1 Firearms may be fired by AFOs in the course of their duty only when absolutely necessary after traditional methods have been tried and failed or must, from the nature of the circumstances, be unlikely to succeed if tried.
- 2.2 Police should not normally fire warning shots. There are serious risks associated with the firing of such shots, which have the potential to cause unintentional death or injury. They may also lead a subject or other officer to believe that they are under fire. **(Warning shots are not permitted in Scotland)**
- 2.3 An officer will only be justified in resorting to the discharge of a warning shot(s) in the most serious and exceptional of circumstances, where failure to do so would result in the loss of life or serious injury. Police officers who discharge a firearm under any circumstances must give full consideration to public safety.
- 2.4 The test of using '**force which is no more than absolutely necessary**' as set out in Article 2 (2) of the European Convention on Human Rights, should be applied in relation to the operational discharge of any weapon.

3. INDIVIDUAL OFFICER'S RESPONSIBILITY

- 3.1 The ultimate responsibility for firing a weapon rests with the individual officer, who is answerable ultimately to the law in the courts. Individual officers are accountable and responsible for all rounds they fire and must be in a position to justify them in the light of their legal responsibilities and powers. Any discharge of a weapon other than in training, whether intentional or otherwise, must be reported by the officer concerned. The pointing of a firearm at any person may constitute an assault and must also be reported and recorded.

4. ORAL WARNING

- 4.1 AFOs shall identify themselves as such and shall give a clear warning of their intent to use firearms, with sufficient time for the warnings to be observed, unless to do so would unduly place any person at a risk of death or serious harm, or it would be clearly inappropriate or pointless in the circumstances of the incident.

5. AUTHORITY TO FIRE

- 5.1 A Gold or Silver Commander can authorise when shots MAY be fired but such authorisation will not exempt an individual from their responsibility. No general rule can be laid down and much will depend on the circumstances of individual incidents.

However, it may also be appropriate for a Commander to direct that shots WILL be fired. Such a direction will not exempt an individual from their responsibility and, therefore, must always be supported by appropriate and necessary information to justify the firer's actions. An example of circumstances where directed fire may be necessary would be in seige or terrorist incidents e.g. suicide bombers.

6. OPENING FIRE

- 6.1 When it is considered necessary to open fire on a subject, using conventional ammunition, 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 to legislation and consideration of necessity, reasonableness and proportionality. Research has indicated that only shots hitting the central nervous system (which is largely located in the central body mass) are likely to be effective in achieving rapid incapacitation. Shots which strike other parts of the body cannot be depended upon to achieve this.
- 6.2 Research has also shown that the accuracy of shots fired under training conditions is generally greater than in operational circumstances. Police officers are therefore normally trained to fire at the largest part of the target they can see which in most cases will be the central body mass.
- 6.3 Alternative points of aim will be appropriate for approved less lethal technologies in accordance with guidelines, i.e. the use of baton rounds with the intention that they should strike the lower part of a subject's body. As no such technology can be guaranteed as non-lethal, opening fire with such weaponry should only be considered within existing legislation in respect to necessity, reasonableness and proportionality and should only be with the intention to stop an imminent threat to life or of serious injury. This acknowledges that, in law, consideration of proportionality would indicate that it may be lawful to use less lethal technologies before weapons firing conventional ammunition. This is not intended to be a hierarchy in respect to use of force, however, AFOs may be able to justify use of less lethal technologies at an earlier stage during the escalation of any threat.
- 6.4 Officers should constantly assess the need for any further action depending on the threat posed.

7. PUBLIC IMAGE OF POLICE OPERATIONS

- 7.1 Police operations involving the deployment of AFOs are of particular interest to the media and the general public. The reputation of the Police Service is always at stake, and can be affected particularly by the physical appearance and deportment of armed officers in public. It is important for public confidence that by their bearing and conduct police officers are seen to be well trained and disciplined in handling potentially lethal weapons.
- 7.2 The overriding principle is that officers should be readily identifiable as police officers. They should therefore, whenever practicable, wear unmistakable Police uniform but it is recognised that different clothing may be worn for operational reasons.
- 7.3 As a general rule, camouflage type clothing is required only by Rifle Officers engaged in surveillance.

8. BASIC PRINCIPLES OF TACTICS

- 8.1 Police officers are at greatest risk when called upon to deal with armed subjects if they act upon their own initiative. A form of tactics is necessary in order to minimise danger, particularly in the early (and probably unarmed) stages of an incident.
- 8.2 Tactics can be defined as 'plans and means in carrying out a scheme or achieving some end'. They should be formed by the application of common sense, reinforced by teamwork, a knowledge of firearms including their capabilities and limitations, some special techniques and a knowledge of the law. The tactical options then used will depend upon the information available and the threat assessment made (referred to in the Conflict Management Model in Chapter 2 and expanded in Part II of this Manual).

Aims

- 8.3 The aim of most operations involving AFOs is to IDENTIFY, LOCATE, CONTAIN, and NEUTRALISE the threat posed. While conflict management within the Police Service normally aims to manage / minimise threats, the degree of threat justifying the deployment of AFOs is such that it must be neutralised (i.e. ensuring no continuing threat exists).

Investigative Assessment

- 8.4 Tactics should be sufficiently flexible to take into account situations where the initial intelligence is insufficient to confirm or negate the nature or existence of a threat. In such situations further investigation by unarmed officers may be deemed inappropriate. Consideration should be given to further investigative assessment (with authorised firearms deployment) being carried out by AFOs in a more discreet operation with the following aims:
- a. To gather sufficient information to either confirm or negate the intelligence in respect of the nature or existence of a threat.
 - b. To be in a position to immediately contain the situation should the need arise.
 - c. To be in a position to neutralise the threat, again, should the need arise.

Right to Life

- 8.5 It is the duty of the Police Service to safeguard the public.
- 8.6 In keeping with the principles of the European Convention on Human Rights (ECHR) the rights of all people must be considered, including those of the subject. Each individual's right to life is absolute. However, potentially lethal force may be used if it is absolutely necessary for the legitimate aims outlined in Article 2 of the ECHR.
- 8.7 Police officers must not be expected to endanger their own lives or the lives of their colleagues in ill-considered attempts at rescue, or to effect an early arrest. However, in accordance with the primary aim, an early consideration must be the deployment of police officers between any threat and the public. Consequently, the availability and deployment of trained and equipped AFOs provides the service with an appropriate armed response which meets the aim to safeguard the public.

9. ENVIRONMENTS

- 9.1 Each of the following tactical options has the potential to interfere with individuals' rights under the ECHR and should therefore only be used when it is considered that the option is lawful and a proportionate response to an identified threat.

Armed Subjects in Buildings

- 9.2 Police officers constantly visit premises in the course of their normal policing duties for a wide variety of reasons. These visits are usually carried out by unarmed officers but there are occasions, when an assessment of the threat level and the application of the criteria for the issue of firearms means the sending of unarmed officers is not appropriate.
- 9.3 The tactics adopted in such cases will be governed by the information available concerning the potential threat but at the lowest level it may be necessary to do no more than arm the officers for their own protection when going to a particular address. In these circumstances, the weapons should usually be carried covertly holstered. Once the officers have completed their attendance, they will normally leave without anybody in the vicinity being aware that an operation involving AFOs has taken place.
- 9.4 When the threat assessment is greater the tactics used are likely to be more overt.
- 9.5 A factor for early consideration will be whether the subject is aware of police officers' presence. Entry into premises by AFOs exposes them and any persons in the building to a high degree of risk. When practicable the tactic likely to be adopted, once a subject is aware of police presence, will be one of containment and negotiation resulting in the subject leaving the premises voluntarily.
- 9.6 The option is also available to enter premises with the intention of arresting the subject and securing evidence before they can react if they are not aware of police officers' presence. Even so, entry to premises, especially family homes, should only be attempted after a specific analysis of all the information, all the options, and a positive decision that entry is the necessary tactic.
- 9.7 If the subject is aware of police officers' presence, it may still be necessary for police to enter premises to save life. These situations may include:
- a. A situation involving hostages, where shooting or other extreme violence commences or is anticipated, and it is believed that lives are at risk.
 - b. Immediate pursuit of an armed subject, in order to protect lives.
 - c. A situation where all other means of attempting to establish contact with the subject or occupants have failed or are not practicable, then entry can be made to locate the subject. (In these circumstances entry should be slow and methodical with the sole object of locating the subject).
- 9.8 It is necessary to distinguish between Dynamic Intervention in hostage rescue situations, and Dynamic Entry to arrest and secure readily disposable evidence. In

the former the rescue of hostages is the primary aim, in the latter the benefits of protecting persons from unlawful violence by securing evidence to place before the Courts must be considered alongside the risks to all of those involved.

Armed Subjects in the Open

- 9.9 The particular characteristics of large rural and urban environments present their own difficulties when pursuing the aims of an operation involving the deployment of AFOs.

Rural Environment

- 9.10 Containment of the search area will be the first aim.
- 9.11 Maps and the full use of local knowledge of the area concerned (together with aerial photographs if available), should be considered to identify possible places of concealment / observation.
- 9.12 The search of open areas, woods, moorland and built up areas is a difficult and arduous task requiring substantial numbers of people and amounts of equipment.
- 9.13 The terrain and obstacles will dictate the speed of search operations and the priority of areas to be searched. The Silver Commander may decide to search obvious areas of concealment first. Searching during darkness should only be carried out if absolutely necessary otherwise the area should be secured until daylight. Aerial observation or technical methods, such as heat sensors may be considered.

Urban Environment

- 9.14 Subjects in the urban area present particular difficulties for policing operations. The risk to the public is high because of the density of the population, as is the potential for the taking of hostages. Police officers' action must be positive and structured to quickly contain the location and minimise the risks to all people.

Situations Involving Public Disorder

- 9.15 There are further considerations which arise where there is a need to deploy AFOs and/or Baton Gunners amid, or even because of, a threat arising from a situation of public disorder. These are outlined in Part II of the Manual.

Armed Subjects in Vehicles

- 9.16 Full account must be taken of the implications for road safety, the ACPO Road Policing policy on pursuits, and the legal constraints concerning the use of force.
- 9.17 There are many situations where the police officers may have to deal with armed or potentially armed subjects in vehicles. Some of which are detailed hereunder:
- a. Armed Interceptions
 - b. Checking stationary subject vehicles

- c. Observation points
 - d. Static Vehicle Interception Points
 - e. Proactive Road Checks
 - f. Armed subjects travelling on motorways
 - g. Stopping armed subjects at pre-nominated static containment sites
 - h. The improvised positive road block
- 9.18 Total physical obstruction of the road is inherently dangerous and should be implemented only in extreme circumstances and in accordance with individual Force policies and training. A following operation, regardless of distance, may be preferable and this should always remain an option.
- 9.19 Where there are any suspicions that the occupants of a vehicle are in possession of a firearm, then unarmed police officers should not normally attempt to stop the vehicle and armed assistance should be sought. However such officers should be considered to deal with road safety aspects.
- 9.20 The use of air support, when available, will assist in monitoring the progress of subjects in vehicles.

Armed Police Interceptions

- 9.21 The aim of this section is to outline the guidance for operations initiated by the Police to intercept armed subjects as a result of information that a wanted person will be in a certain location at a particular time, or that an armed attack is anticipated on a person, premises, or vehicle.
- 9.22 The co-ordination of the plan will be of paramount importance to ensure that officers act in unison, when the Silver Commander decides that the plan will be activated.
- 9.23 The exposure of officers to the greater degree of risk that this type of operation entails requires that they be given suitable and adequate protection.
- 9.24 Uniformed reserves should be available at a discrete distance to quickly respond to support plain-clothes officers and to deal with members of the public.
- 9.25 Throughout any operation involving the deployment of AFOs, there is a requirement to regularly review the need for their deployment. This is particularly important in interceptions involving armed officers. If as a result of this review, or changing circumstances it is considered that the armed interception is no longer appropriate, then the operation should be aborted or modified.
- 9.26 An alternative to this option is to saturate the area with uniformed officers to deter the subjects from carrying out their criminal act.

Intention to Arrest / Intercept

- 9.27 An armed interception during the commission of an offence may increase risks to

the lives of the people involved. It may even be necessary to abort an operation on the grounds of public safety

- 9.28 Factors which may have a bearing on the decision include:
- a. The likelihood or otherwise of intelligence or surveillance establishing a better opportunity / location for arrest.
 - b. The danger to which people may be exposed while the destination is established, contained and an arrest plan activated.
 - c. Availability of sufficient time to plan other options and the prevailing circumstances at the destination.
 - d. The necessity of preventing the commission of crimes which may involve danger to the public on this occasion or in the future.
 - e. Availability of suitably trained officers and equipment.
- 9.29 In all circumstances, the risks of employing an option must be balanced with the risks of not employing it. It should be appreciated that, as in any confrontational situation, there are inherent dangers. The elements of speed and surprise are essential in minimising any risk to people.
- 9.30 If at any time the circumstances which justified an arrest plan/interception change and the risks involved outweigh the benefits, the operation should be aborted. The area may be saturated with uniformed officers to deter the subjects from carrying out their criminal act, but a contingency plan should also be prepared for the contingency that such saturation may not deter the criminals.
- 9.31 It may be desirable that opportunities are sought to arrest prior to the commissioning of an offence (even if this is for lesser offences) rather than putting individuals at further risk. If this is not possible, then opportunities to arrest following the offence can be sought.
- 9.32 See Chapter 3 (Authority to Issue) for the authority level required for the interception of subjects going to, at or leaving a crime scene.

Surveillance

- 9.33 Surveillance operations in circumstances that require the deployment of AFOs can take a number of forms:
- a. Where it is not known whether the subject intends to carry out an offence or conduct a reconnaissance. In these circumstances, the intention will be to conduct a surveillance operation to gather intelligence / evidence and not necessarily to effect an immediate arrest.
 - b. More precise situations where a mobile surveillance operation has been mounted with the intention of arresting subjects. There are a number of options available in order to effect the arrest of subjects in these situations, not all of which involve the enforced stopping of vehicles.

- 9.34 In either case, the operation could involve armed mobile surveillance, armed interception of a mobile subject, or an armed operation in different environments (e.g. rural/urban). Each of these requires different considerations.
- 9.35 Command structures should be in accordance with those already set out in Chapter 3. The Silver Commander should be located in a position where they are able to collate, address and react to changing situations. In many circumstances this will include being positioned in the convoy.
- 9.36 The location and timing of any vehicle interception is of great importance in ensuring a successful outcome (with full consideration for people's safety). It therefore requires a positive decision by the Silver Commander to implement such a tactic after a balancing of the likely effects of the different options available.

Waterborne Transportation

- 9.37 The Police Service does not, unless in extreme circumstances, undertake operations on water which involve AFOs disembarking at a point where there is an immediate threat from firearms. Should this be a consideration, a rigorous risk assessment must be conducted.
- 9.38 When waterborne transportation crosses Force boundaries, the same protocols will apply as if the operation was on land.
- 9.39 The ACPO Diving and Marine Working Group has produced a Code of Practice for the Construction, Machinery, Equipping, Certification and Crewing of various classes of "police craft".
- 9.40 The responsibility for the safety of the craft, personnel and any equipment on it, rests at all times with the officer in charge of the craft.
- 9.41 Marine officers who are being engaged as crew members of the craft, but are also trained as AFOs should not undertake the latter role during the operation.
- 9.42 All transportation by water should be conducted from craft owned or operated by the Police Service, which should be capable of carrying a minimum of four AFOs in addition to the crew. However, the use of other certified craft may be considered when the need is merely to convey AFOs by water to a site where there will be no immediate operational deployment at that site.
- 9.43 For safety reasons there should never be less than two craft engaged in transportation by water.
- 9.44 It is recommended that where Forces have a marine capability or have AFOs they wish to train for such a capability the syllabus in Part III should be followed.

10. ROLES AND CAPABILITIES

Authorised Firearms Officer (AFO)

- 10.1 An Authorised Firearms Officer is a police officer who has been selected and trained in the use of firearms in policing operations. The officer will have reached the required

level of competency in weapon handling, tactical knowledge, shooting skills and judgement as required by the Chief Officer of the Force concerned.

- 10.2 Individual officers may have received training in more than one weapon and/or in a variety of tactics. There are also a range of specialised roles for which officers will receive specific firearms and tactical training. All AFOs are subject to refresher training and re-qualification, the frequency of which is also dependant on role.

Armed Response Vehicles (ARVs)

Definition

- 10.3 'Armed Response Vehicle' is the term generally used to define a patrolling vehicle which contains firearms, usually in a secure armoury. The vehicle is crewed by at least two police officers suitably trained in the use of weapons and equipment to be carried in the vehicle. Ideally, at least two of the officers should be qualified to drive the vehicle.

Aims

- 10.4 To provide an immediate armed response to appropriate incidents with the ability to use firearms if justified.
- 10.5 Following the issue of firearms to provide initial containment at such an incident, pending the arrival of other firearms support, unless exceptional circumstances necessitate immediate action to save life or prevent harm or injury to any person. (This is the minimum capability – some forces may choose to train their patrolling AFOs in further specific operational tactics).
- 10.6 The role includes:
- a. Identifying and locating an armed subject which may involve search techniques.
 - b. Plans to deal with the armed subject surrendering which may include initial negotiations.
- 10.7 In addition to the primary role of ARVs in providing an immediate response to those firearms incidents of a spontaneous nature, Silver Commanders may wish to consider the inclusion of ARVs on pre-planned operations involving the deployment of firearms with due reference to tactical advice and the officers' level of training.

Deployment

- 10.8 In deploying ARVs, especially in circumstances beyond containment, consideration needs to be given to the capability remaining within the force to deal with spontaneous incidents requiring a firearms response.
- 10.9 It is important that ARVs are deployed to spontaneous incidents requiring a firearms response in sufficient numbers to effectively contain the scene of the threat. ARVs should normally be deployed to a spontaneous incident requiring a firearms response in pairs. However, there will be occasions when this criterion is impossible to meet and where only one ARV is deployed initially, every effort should be made to provide additional armed support.

- 10.10 It is also important that supervisors and control room staff are aware of the terms of reference for ARV deployment.

Dynamic Entry to Buildings

- 10.11 Dynamic Intervention to rescue hostages should be distinguished from a Dynamic Entry to arrest and secure readily disposable evidence, both of which are intended to protect life.
- 10.12 To be successful, Dynamic Intervention and Dynamic Entry require a high degree of teamwork and rehearsed methods. Both, by their nature, create a situation in which decision making under stress becomes critical. Individual officers tasked with undertaking such an entry require a high level of skill and adaptability.

Rifle Officers

- 10.13 In certain types of incident the deployment of Rifle Officers will be appropriate in order to make use of their skills in observation, logging, and concealment in both rural and urban environments. Their capability in precision shooting will provide a containment facility over longer ranges and an additional option for consideration by the Commanders of hostage situations.
- 10.14 Rifle Officers should be deployed in pairs at each position to enable one officer to act as observer / radio operator, and the other to provide the rifle cover. This will provide for a sharing of roles and reduce the isolation and possible vulnerability of individual officers.
- 10.15 Factors bearing on the number of Rifle Officers in each Force include:
- a. the requirement for sufficient initial cover, including the provision of relief for the duration of incident which may become protracted.
 - b. any requirement to provide roof top cover for pre-planned security operations and the need for a capability to dispatch dangerous escaped animals which cannot be dealt with by any other means.

Air Support

- 10.16 Apart from the carriage of officers, weapons and other equipment air support can provide assistance to the operation in the following ways:
- a. Flood lighting of an area.
 - b. Public address.
 - c. Thermal imaging.
 - d. Video down-link (enabling observations from safe distance).
 - e. Distraction (may distract police officers as well as the subject).
 - f. Over-flight to give an overview.

- g. Aerial Photography.

Dog Support

- 10.17 Consideration should be given to the deployment or availability of police dogs at all incidents involving the deployment of AFOs.
- 10.18 Police dogs may be attached to any of the groups involved in such an incident i.e. Cover Group, Entry Team etc. The primary uses of a police dog in these circumstances are:-
 - a. Pursuit and apprehension of subjects.
 - b. Tracking and searching of open ground.
 - c. Initial search of buildings, vehicles etc.
 - d. Restraint of Compliant Subjects
- 10.19 An additional option, where available, is the use of Firearms Support Dogs, which are trained specifically to assist in operations involving the deployment of AFOs, and are trained in a greater range of disciplines. Details of the capabilities and limitations of these dogs are contained within the Police Dogs Training and Care Manual.
- 10.20 When deployed as a Dog Handler, this is the officer's primary role. In these circumstances, any firearm issued to the officer is for personal protection or emergency use only. The Dog Handler should not be regarded as part of a firearms team but should have an appreciation of firearms tactics and participate in training with AFOs

Protection Officers

- 10.21 The objective of Protection Officers is to keep alive the person (or 'Principal') who is being protected either by eliminating the possibility, or minimising the effect, of any attack. In the United Kingdom this has traditionally been achieved in a discreet and unobtrusive fashion by striking a balance between the Principal's wishes, protocol requirements and appropriate security measures, i.e. managing the risk.
- 10.22 Personal protection may be provided to members of the Royal Family, other VIPs and others who are at particular risk (e.g. some witnesses).
- 10.23 Guidance on the role of Protection Officers, the policy and tactics they adopt and the training required, is to be found in the confidential document – ACPO Manual of Guidance on Protection Duties.

11. WEAPONS AND SPECIALIST MUNITIONS

- 11.1 The selection of weapons to be used is a tactical decision which is made taking various factors into consideration. These factors are listed below: -
 - a. The level of force required to meet the threat

- b. The type of situation to be dealt with
- c. The likely distance between the armed police officers and the threat
- d. Information received as to the weapon/s used by the subject
- e. The operational environment
- f. The training & experience of the AFOs involved

11.2 At short range, revolvers, self-loading pistols and carbines firing handgun ammunition may be appropriate.

11.3 At greater distances, rifles and carbines using rifle ammunition may be appropriate.

Less Lethal Options

11.4 The term 'Less lethal options' is employed to indicate weapons, devices and tactics, the design and intention of which, is to induce compliance in pursuit of a legitimate aim by the Police without a substantial risk of serious or permanent injury or death to the subject on whom they are applied. In other words, the desired effect is to control and then neutralise a threat without recourse to lethal use of force. Whilst the actual outcome may, on occasions, be lethal, this is less likely than as the result of the use of firearms.

11.5 The development of 'less lethal options' is an area that requires sustained research. It is necessary to ensure that any force used is proportionate to the seriousness of the apparent threat, and appropriate options in this area assist adherence to that principle.

11.6 The Police Service continually seeks to identify appropriate 'less lethal options'. The process is carried out in conjunction with the Police Scientific Development Branch.

Specialist Munitions/Equipment

11.7 Armed officers have a range of munitions which can be used when carrying out specific tasks. The equipment can be broken down into three types:

- a. Less lethal options (including Incapacitants)
- b. Attraction/Distracton devices
- c. Entry tools

11.8 It is important to realise that Specialist Munitions have the potential to cause injury even when used correctly. In some cases the danger is minimal but in others the injury could prove fatal. Officers handling or using these devices must therefore be trained in their characteristics and proper use. In particular they should be aware of the danger from secondary fragments that may be potentially injurious.

12. TRAINING

- 12.1 Training is dealt with separately in the document entitled 'National Police Firearms Training Curriculum'.

13. DEALING WITH PEOPLE

- 13.1 Police officers at, or surrounding the scene of an incident involving the deployment of AFOs may well encounter people in a number of different contexts with an appropriate response often being a matter of life and death. The following sections seek to briefly outline the general considerations necessary in the circumstances outlined.

Handling Suspects

- 13.2 This section addresses the control and arrest of subjects by armed officers once they have been located, contained and are apparently submitting to police officers' directions. All AFOs should receive training in handling suspected armed subjects.
- 13.3 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 and constitute the subject's last chance to escape.
- 13.4 Officers with firearms are at risk of being disarmed unless care is taken.
- 13.5 It is important that sufficient officers are present to provide a suitable response. No action, unless necessary, should be taken to arrest subjects without adequate resources. Dog Handlers, batons and, where available, incapacitant sprays should be made available wherever possible to enable the police officers at the scene to deal with any threat using only such force as is absolutely necessary.
- 13.6 The general approach to handling subjects in operations involving the deployment of AFOs should be similar whether the incident is planned or spontaneous.
- 13.7 Officers must be aware of their arcs of fire at all times, in order to prevent weapons being pointed at their colleagues or other persons who are unlikely to be subjects or pose a threat.
- 13.8 The requirement will be determined by the circumstances of each individual case but the following arrest procedure should be considered.
- 13.9 On first verbal contact, officers should:
- a. identify themselves as police officers to the suspect and the fact that they are armed.
 - b. identify the suspect by name or by an identifying feature.
 - c. establish control by requiring the suspect to stop moving and put their hands in view.
 - d. arrest the suspect in accordance with the provisions of P.A.C.E. and consideration of Article 5 of ECHR.

- 13.10 The exact position to which the suspect will be directed should be made clear to the officers and the suspect. Full account should be taken of advice in the ACPO Personal Safety Manual on the positioning of detainees.
- 13.11 The suspect should be given clear and concise instructions to direct them to the position in which they can be arrested, searched, and if necessary, handcuffed.
- 13.12 Ideally, one officer should be responsible for verbal control. If a second officer is involved, care should be taken not to give conflicting instructions.
- 13.13 Suspects should not be approached to be physically detained or handcuffed until the officers are satisfied that all threats have been minimised. Officers should not hurry to arrest the suspect. Primary concern should be to establish control in a professional manner taking time to plan the arrest procedure if possible.
- 13.14 Ideally unarmed officers identified to act as arrest officers should be used to avoid the risks of cross contamination particularly in cases of arrest of suspects believed to have carried or used firearms. Armed officers may provide firearms cover while unarmed officers undertake the arrest and handcuffing. Care should be taken to transport prisoners in 'clean' vehicles. Where possible arresting officers should not travel with officers who are or have been carrying firearms to avoid cross contamination. Prisoners should not be transported from the scene with armed officers.
- 13.15 With respect to the use of physical force, the case of Ribitsch v. Austria deals with this issue where it is stated:
- “The Court emphasises 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.”

Cordons

- 13.16 The Police Service contains incidents and controls public access to areas by use of Cordons. These are not established in a random manner, but are deployed according to specific strategies, in order to ensure Public safety, and to contain the threat.

Special Population Groups

- 13.17 The term Special Population Group is used to describe a group of people who do not behave in an expected, rational manner as a result of some form of mental impairment (either permanent or temporary).
- 13.18 For example this impairment may be caused by a range of psychiatric disorders or the consumption of drugs or alcohol. Similar issues may be encountered when there are communication difficulties such as when the subject is deaf or has a different first language.
- 13.19 Failure to recognise why someone is not complying with instructions or the inability to communicate may escalate the tension of the situation and result in inappropriate behaviour either from or to the subject.

- 13.20 Rational individuals are likely to respond to the arrival of armed officers in a more predictable fashion than members of a Special Population Group, either surrendering or acting aggressively.
- 13.21 However, those who are not thinking or behaving rationally may not realise the seriousness of their own situation, or respond to normal negotiating strategies; nor may their response to weapons (be they conventional firearms or less lethal options), be that of the “normal” person.
- 13.22 It is important that both Negotiators and AFOs have an understanding of how disturbed people or those who have their perceptions altered through alcohol or drugs may respond to communications from police officers. It may be necessary to use language and tactics different to those used when dealing with more rational individuals.
- 13.23 Certain factors have been identified, which may give an indication as to whether a subject is a member of a Special Population Group, and assist in determining the threat these individuals pose. Some of these factors are listed below: -
- a. Alcohol / drugs consumed or present
 - b. Hopelessness
 - c. Depression
 - d. Delusions or hallucinations focused on one person
 - e. Preoccupation with violence,
 - f. Delusions of control especially with violence theme,
 - g. Agitation, excitement,
 - h. Hostile, suspicious,
 - i. Low self-esteem,
 - j. Poor collaboration,
 - k. Antisocial, explosive temperament,
 - l. Repetitive threats,
 - m. De-personalised talk,
 - n. Statements of suicide or the desire to die.
- 13.24 However, due to the unpredictable nature of Special Population Groups, these indicators are purely a guide, and cannot be guaranteed to establish beyond doubt - either by their presence or absence - whether an individual is in fact a member of a Special Population Group, or indeed how much of a threat the individual poses.
- 13.25 Action, which may reduce the risk of a fatal confrontation, includes:

- a. Prior intelligence gathering which may indicate an individual's intentions. These indicators may include previous suicide attempts, psychological disorders, particularly schizophrenia and regular alcohol and drug abuse.
 - b. Training AFOs in basic negotiating skills so that they can talk with as well as challenge a subject.
 - c. Early use of trained negotiators.
 - d. Contact with appropriate medical / social worker professionals for advice / intelligence concerning subject's behavioural patterns.
- 13.26 It should also be borne in mind that the subject may be trying to force the police officers into a provoked shooting.
- 13.27 The term provoked shooting, refers to those incidents in which an individual, determined on self-destruction, engages in a calculated life-threatening criminal incident in order to force a police officer or another individual to shoot them.
- 13.28 The initial application of the basic principles of tactics is in essence no different from other operations involving the deployment of AFOs. Indeed it is important that these basic principles are complied with in order to contain the threat as soon as practicable. However tactical considerations which may be of particular importance in this type of incident, include:
- a. Use of effective cover by police officers,
 - b. Evacuation of immediate area,
 - c. Be prepared to back off (if safe),
 - d. Giving available space and time to the subject when considering containment,
 - e. Early negotiation.
- 13.29 This may allow:
- a. The tension to diffuse,
 - b. The effects of alcohol or drugs to wear off,
 - c. The subjects mental / emotional state to stabilise.
- 13.30 A rational response from the subject **may** then result, allowing them to be dealt with in a controlled manner.
- 13.31 **The fact that the subject is a member of a Special Population Group does not in any way reduce the harm they may inflict if the incident is not resolved.** Particularly in cases of provoked shootings, the subject may escalate the level of threat to both the public and the Police in an attempt to provoke a lethal response to their actions.
- 13.32 It is the role of the Police to deal with the threat irrespective of any motivation.

- 13.33 If a member of a Special Population Group has been dealt with by the deployment of AFOs, consideration may be given to the holding of a Potentially Dangerous Offenders or similar meeting with other agencies. The intention would be to prevent any recurrence of the threat to public, Police Officers, or the subject themselves

Hostages

- 13.34 It may well be difficult in confused circumstances to separate hostages and subjects inside a building. It may be necessary to treat all persons in the building as posing a potential threat until everyone is evacuated and identified at a safe reception area.
- 13.35 The age and physical condition of occupants will have a direct bearing on the speed with which they may be evacuated. Adequate preparation and consideration should be given to the cases of infants, the elderly, infirm, physically injured or exhausted persons.
- 13.36 Whoever they may be, panic on their part is likely and they can not be expected to be responsive to commands or to think rationally. In certain circumstances hostages may act with hostility towards their rescuers. In whatever case, they should be dealt with positively and removed from danger.

Third Parties

- 13.37 It is acknowledged that during the course of an incident, members of the public may become caught up in the incident, whilst others are also put at risk because of their location as the incident develops.
- 13.38 It is therefore vital that suitable contingency plans are drawn up to allow for these groups of people to be dealt with in an appropriate manner.

Witnesses and Other Persons Involved

- 13.39 The same considerations should be observed when dealing with witnesses, and other persons involved in the incident in order to secure their safe removal from danger areas. However it should be remembered that such people may be able to provide information which could be vital in tactical planning by the Police, and also provide evidence in subsequent investigations. After ensuring their safety, such information should be sought.
- 13.40 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.
- 13.41 Witnesses' welfare should always be a prime consideration.

Family Liaison Officer/Witness Liaison Officer

- 13.42 Another early appointment is that of Family Liaison Officer for the family of any person who has been injured or died as the result of an incident involving the police officers' use of firearms. This should be done sensitively with full consideration of family wishes. Family Liaison is covered in separate ACPO guidelines and the Host Force should appoint an appropriately trained Family Liaison Officer from the outset.

Continued family liaison should be the subject of consultation between the Senior Investigating Officer and the family. Other sources such as Victim Support can also be considered.

- 13.43 In certain cases, perhaps where there are special considerations in terms of minority or ethnic groups, early consultation can be made with the Metropolitan Racial and Violent Crime Task Force who have developed some expertise in this area.
- 13.44 In the case of witnesses, they should be treated as would be the case with a witness in any prosecution and a liaison officer will often be a helpful appointment.

Explanation / Apology

- 13.45 There will be occasions when the reason for police action may not be apparent to members of the public. This may give rise to concern / anxiety, e.g. onlookers, relatives and neighbours and subjects who were innocent of any wrongdoing.
- 13.46 In such circumstances the Silver Commander should consider providing a suitable explanation for the actions taken. This may include visits to people particularly affected (ideally by a supervisor directly involved in the incident if this does not cause a conflict of interest), or the distribution of an information leaflet setting out the circumstances of police action. On occasions some form of apology may be required.
- 13.47 Depending on the effect of the operation the police service may wish to ensure that the person is aware of available support. In appropriate circumstances persons should be made aware of their options in seeking a remedy (e.g. Police complaints process).

