



## DEVON & CORNWALL CONSTABULARY

Force Policy & Procedure Guideline	POLICE USE OF FIREARMS: POLICY AND OPERATIONAL
Reference Number	D83
Policy Version Date	15 July 2005
Review Date	1 May 2006
Policy Ownership:	Crime Department
Portfolio Holder:	Assistant Chief Constable (O)

**Links or overlaps with other policies:** D73 Negotiators  
D84 Police Use of Firearms : Training  
D144 Police Dogs & their use  
D147 TPAC  
D241 Post Incident Procedures (Firearms)  
D242 Use of Handheld Digital Recorders

DEVON & CORNWALL CONSTABULARY POLICY & PROCEDURES D83  
POLICE USE OF FIREARMS: POLICY AND OPERATIONAL

VERSION DATED 15/07/05

### 1.0 POLICY IDENTIFICATION

- 1.1 This policy has been drafted in accordance with the principles of Human Rights legislation, Race Relations (Amendment) Act 2000 and Freedom of Information Act 2000. Public disclosure is approved unless where otherwise indicated and justified by relevant exemptions.

## **2.0 POLICY STATEMENTS/INTENTIONS (FOIA - OPEN)**

2.1 This guideline outlines the Firearms Strategy for the Devon & Cornwall Constabulary. It sets out how and by whom the strategy will be delivered as well as giving guidance on specific operational circumstances.

## **3.0 INTRODUCTION (FOIA - OPEN)**

3.1 It is the policy of the Devon & Cornwall Constabulary, at all incidents involving the police use of firearms to comply with the guidelines detailed in the ACPO Manual of Guidance on the Police Use of Firearms.

3.2 In keeping with the Manual of Guidance, the underlying principle for the interpretation of this guideline should be the application of common sense, reinforced by teamwork.

## **4.0 IMPLICATIONS OF THE POLICY (FOIA - OPEN)**

4.1 This guideline should be read in conjunction with PPS D84 Police Use of Firearms: Training.

## **5.0 PROCEDURES/GUIDANCE/TACTICS**

### **5.1 STRATEGIC OUTLINE (FOIA - OPEN)**

5.1.1 Twenty four hour spontaneous response to firearms incidents is delivered by Armed Response Vehicles (ARVs), which fulfil a dual role with a generic Road Policing function.

5.1.2 Second phase response and a pre-planned firearms capability will be provided by three Tactical Aid Group (TAG) Serials located at Exeter, Plymouth and Bodmin which fulfil a dual role with a full TAG capability.

5.1.3 The Tactical Firearms Unit (OUFT) provides a further operational support function.

### **5.2 GOLD (FOIA - OPEN)**

5.2.1 The Gold Commander is the officer in overall strategic command and has responsibility and accountability for all firearms operations.

5.2.2 The Gold function will be undertaken by the duty ACC or Chief Superintendent as indicated on the ACPO DV screen on OIS.

5.2.3 Gold will authorise/ratify all armed deployments. Officers performing Gold below the rank of ACC, on the authority of the Chief Constable, may also

Command the following operations:

Pre-planned interception of subjects travelling to, or from, or engaged in the commission of an offence requiring the deployment of armed officers, and dynamic entry into buildings.

- 5.2.4 Gold will set, review and update the strategy, for incidents and operations involving the police use of firearms, which may include some tactical parameters.
- 5.3 FIREARMS SILVER CADRE
- 5.3.1 **(FOIA - CLOSED. S31(1)(a))**
- 5.3.2 **(FOIA - CLOSED. S31(1)(a))**
- 5.3.3 Officers will not normally be permitted to form part of the Hostage Negotiators Cadre in addition to the Firearms Silver Cadre. Where, in exceptional cases, officers are members of both groups, then duty rosters must be organised so as to avoid any possibility of both roles being required of the same officer. **(FOIA - OPEN)**
- 5.3.4 Officers will only remain as part of the cadre on successful completion of annual modular refresher training provided by the Force Tactical Firearms Unit (OUFT). **(FOIA - OPEN)**
- 5.3.5 Any specific training needs identified during the review of the Firearms Briefing Sheet and Record of Deployment, Form 208, will be addressed by CI Tactical Firearms Unit (OUFT). Form 208 has a retention period of 6 years. **(FOIA - OPEN)**
- 5.3.6 Operations Department will ensure, where possible, that there are enough Firearms Silvers trained to carry out that role to provide resilience for the Force. **(FOIA - OPEN)**
- 5.4 DISPOSITION OF FIREARMS SILVER CADRE **(FOIA - OPEN)**
- 5.4.1 Each BCU Commander will ensure the availability of a Firearms Commander for their respective BCU throughout the 24 hour period. Adjoining BCU's can agree to provide a single Commander to cover for both the BCU's providing such an arrangement meets the business need.
- 5.4.2 During the period 1900hrs to 0300hrs one Silver Cadre member covering the whole Force will be ON DUTY centrally located (with the callsign Y2). Responsibility for this provision resting with the cadre members. The Silver Commander will commence at 1900 hrs at his/her duty station and locate at

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Launceston, Charles Cross or Crownhill Police Station, with the tour of duty being completed at 0300 hrs at the duty station.

- 5.4.3 Cadre members must reside/work within reasonable travelling distance of the appropriate BCU, with any queries being referred to ACC(O).
- 5.4.4 Full details of all cadre members are available on the OIS PV screen, to be maintained by the Firearms Training Unit (OUFT).
- 5.4.5 Advance duties for the cadre will be available on a call out rota on OIS. The responsibility for the maintenance of rotas rests with each BCU. The rota for the on duty Force cadre member (Y2) will be administered by the Force Logistics Unit.
- 5.5 **DEPLOYMENT OF FIREARMS SILVER CADRE (FOIA - OPEN)**
  - 5.5.1 A Firearms Silver Cadre member will be appointed to take tactical command of all spontaneous and pre-planned armed incidents, including close armed support, with exception of Armed Escorts (para 5.32.7), Protection duties, or the humane destruction of animals.
  - 5.5.2 Pre-planned incidents will ONLY be commanded by a trained Firearms Silver Cadre member.
  - 5.5.3 Spontaneous armed incidents will be commanded by Force Control Room Duty Officer UNTIL the arrival and briefing of a Firearms Silver Cadre member. Liaison between such officers whilst the cadre member is en route for advice purposes is however encouraged as good practice.
  - 5.5.4 The transfer of command between officers will be formally declared and noted on the relevant OIS log.
  - 5.5.5 The BCU '10' will attend as directed by the Silver Commander and will adopt a Bronze callsign. This officer will have responsibility for activating the plan formulated by the Silver Commander and will liaise closely with the nominated Firearms Bronze at the scene.
  - 5.5.6 A firearms bronze commander should be deployed on all operations. A full list of trained officers can be found on OIS PV screen.
- 5.6 **TRANSPORT OF FIREARMS SILVER CADRE (FOIA - OPEN)**

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5.6.1 Responsibility for the provision of transport to convey cadre members to a scene rests with Force Control Room Duty Officer and will be considered a priority task.

5.7 RESPONSIBILITY OF FIREARMS SILVER CADRE (FOIA - OPEN)

5.7.1 The Firearms Silver is responsible for all activity within the outer cordon and ensuring an adequate risk assessment is completed for such activity and recorded on Form 208. (see 5.24.2)

5.7.2 The Firearms Silver reports directly to Gold.

5.7.3 Activity outside the outer cordon will be commanded in accordance with the normal command structure.

5.7.4 The BCU Commander or duty AMT member, where deployed, is the link with Gold, responsible for resource and other logistical requirements. This officer will retain his or her usual call sign.

5.8 FIREARMS TACTICAL ADVISORS (TA) (FOIA - OPEN)

5.8.1 A TA must be contacted as a priority at an early stage where there is an incident involving the actual or potential deployment of AFO's, spontaneous or pre-planned.

5.8.2 The responsibility for the validity and reliability of the advice lies with the TA, but the responsibility for the use of the advice lies with the Silver Commander.

5.8.3 All TA's will have undertaken either a National Firearms Tactics Advisor or Firearms Instructor Course.

5.8.4 Tactical advice will be available twenty-four hours per day, 365 days per year by an on duty ARV TA, designated the call sign Y20, with advanced duties indicated in the ARV Duties Rota Folder on the 'G' drive of the IFN.

5.8.5 Second phase response and pre-planned TA advice will be available from the Tactical Firearms Unit (OUFT), as indicated on the OUF DV screen on OIS. These officers will also be utilised for spontaneous TA advice on occasions when the Y20 callsign is not available.

5.9 FORCE CONTROL ROOM DUTY OFFICER (FOIA - OPEN)

5.9.1 The Force Control Room Duty Officer will be notified of all spontaneous incidents requiring or potentially requiring the Police Use of Firearms, and

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will make an initial assessment of the appropriate level of response including:

- i) Requirement for ARVs.
- ii) Authorisation of ARVs.
- iii) Deployment of unarmed units and safety warnings.

5.9.2 The Force Control Room Duty Officer will ensure the incident is notified as a matter of priority to:

- i) BCU Duty Officer (10).
- ii) On Duty TA Y20.
- iii) Duty Firearms Silver Commander.

5.9.3 Where the criteria for the issue of firearms are met (see section 5.19), the Force Control Room Duty Officer will authorise the deployment of ARVs in authorised mode.

5.9.4 The Force Control Room Duty Officer will always seek the advice of a TA in making their initial assessment.

5.9.5 The Force Control Room Duty Officer will seek ratification of all ARV authorisations from the Duty Gold or in an emergency (where a delay could result in loss of life or serious injury) the Duty Firearms Silver Commander.

5.9.6 Where the Force Control Room Duty Officer and TA cannot agree with regard to the authorisation of ARVs, the matter will IMMEDIATELY be referred to the Duty Gold Commander or in an emergency the Duty Firearms Silver Commander.

5.9.7 At all times the officer in command of the incident/operation will be clearly noted in the relevant OIS log. This information will be retained for a period of seven years.

5.9.8 Where armed officers have been deployed and a weapon has been discharged by any party to the incident, whether or not any person is injured by the discharge of that firearm, the Force Control Room Duty Officer will activate the Post Incident Procedure as detailed Force policy D241 – Post Incident Procedures (Firearms and Less Lethal Options).

5.10 ARMED RESPONSE VEHICLES (ARVS) **(FOIA - CLOSED. S31(1)(a))**

5.11 TACTICAL AID GROUP (TAG) - FIREARMS SERIALS **(FOIA - OPEN)**

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- 5.11.1 Three TAG Firearms Serials (Sergeant and seven AFO Constables each) will be provided by the Operations Unit, Operations Department.
- 5.11.2 The serials priority role will be to provide second phase and pre-planned firearms support, whilst maintaining generic TAG skills for routine deployment.
- 5.11.3 Requests for the TAG firearms serials should be made through the force TA via the OUFT DV screen on OIS.
- 5.12 **FIREARMS TRAINING (OUFT) (FOIA - OPEN)**
  - 5.12.1 Firearms Training (OUFT) will deliver firearms training requirements of the Force as detailed in PPS D84 Firearms Training.
  - 5.12.2 Firearms Training (OUFT) will resource the duty rota on OIS.
  - 5.12.3 Chief Inspector/Inspector Firearms Training (OUFT) will be available as part of the Firearms Post Incident Procedure Gold Support rota as outlined in the appropriate policy document.
- 5.13 **NEGOTIATORS (FOIA - OPEN)**
  - 5.13.1 The Firearms Silver Commander will decide if negotiators are required to assist in the resolution of a firearms incident. In cases of doubt, guidance on their suitability should be sought from the Duty Negotiator Co-ordinator.
  - 5.13.2 A Duty Negotiator Co-ordinator will be available 24 hours per day as indicated on the O Rota Negotiator Co-ordinators DV facility on OIS.
  - 5.13.3 All other issues relating to the use of negotiators will be in accordance with PPS D72 - Negotiators.
- 5.14 **DOGS (FOIA - OPEN)**
  - 5.14.1 Firearms Containment Dogs work with AFO's on an inner cordon to prevent escape by subjects. Such dogs can also be utilised for the non compliance attack option.
  - 5.14.2 Firearms Support Dogs work in close support of AFO's to search buildings and other locations for subjects.
  - 5.14.3 As a minimum a containment dog should be deployed to all incidents to which AFO's are deployed (except Protection duties and the Humane Destruction of Animals).

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- 5.14.4 Further appropriately trained dogs will be deployed at the request of the Firearms Silver or TA.
- 5.14.5 Dog handlers deployed within an inner cordon will be accompanied by an AFO.
- 5.14.6 Dog availability and call out procedures will be in accordance with PPS D144 Police Dog Section paras 3.5 and 3.6).
- 5.15 **BCU/DISTRICT SUPPORT (FOIA - OPEN)**
- 5.15.1 The majority of incidents/operations involving the police use of firearms are owned by BCU.
- 5.15.2 BCU will ensure the availability of:
- i) Silver commander (non-firearms).
  - ii) Senior Investigating Officer.
  - iii) Intelligence package/cell.
  - iv) Prisoner reception/transportation team.
  - v) Search Team.
- 5.16 **POLICE USE OF FIREARMS (FOIA - OPEN)**
- 5.16.1 The primary aim of most operations involving the deployment of AFO's is to safeguard the public. This will involve the necessity to Identify, Locate, Contain and Neutralise the threat posed.
- 5.16.2 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.
- 5.17 **RIGHT TO LIFE (FOIA - OPEN)**
- 5.17.1 It is the duty of the Police Service to safeguard the public.
- 5.17.2 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.
- 5.18 **USE OF FORCE (FOIA - OPEN)**
- 5.18.1 A person may use such force as is reasonable in the circumstances in the prevention of crime, or in the effecting or assisting in the lawful arrest of



offenders or suspected offenders or of persons unlawfully at large, (Section 3 Criminal Law Act 1967).

5.19 CRITERIA FOR ISSUE (FOIA - OPEN)

5.19.1 In this context, the issue of firearms means the making available for immediate operational use; ie actually carrying a weapon as opposed to its being kept in a mobile armoury.

5.19.2 Firearms are to be issued to AFO's (following authorisation by the appropriate authorising officer):

- a) Where the authorising officer has reason to suppose that they, in the course of their duty, may have to protect themselves or others from a person who:
  - i) Is in possession of a firearm, or
  - ii) Has immediate access to a firearm, or
  - iii) Is otherwise so dangerous that the officer's use of a firearm may be necessary.
- b) For the humane destruction of animals which are dangerous or are suffering unnecessarily.

5.19.3 The use of the words 'reason to suppose' sets the level of knowledge required as to the existence of a threat justifying the issue of firearms at a far lower level or probability than that which would actually justify their use. There can be no justification therefore for making use of a weapon based solely on the fact that firearms have been issued.

5.19.4 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.

5.19.5 Consideration should be given to further investigation being carried out by AFOs, authorised, in a more discreet operation, with a view to:

- i) Gathering sufficient information to either confirm or negate the intelligence in respect of the nature of a threat.
- ii) Being in a position to immediately contain the situation should the need arise.
- iii) Being in a position to neutralise the threat should the need arise.

5.19.6 AFO's engaged on ARV duties have standing authority for the issue of side arms and Taser in covert mode. All other weapons will be secured in the vehicle armoury.

5.20 THE HUMANE DESTRUCTION OF ANIMALS (FOIA - OPEN)

5.20.1 The humane 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 killed 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.

5.20.2 The destruction of large marine mammals does not fall within the remit of the Police Service and should be referred to the Local Authority.

5.20.3 When an animal needs to be dispatched on private or public land, an ARV should be sent to the scene as soon as possible, preferably with a rifle officer, to assess the situation. The rifle officer should be authorised immediately to obtain his rifle and ammunition from the armoury and attend the scene. If the animal is a wild animal eg a deer, then consideration should be given to authorise a rifle officer as soon as possible to destroy the animal and prevent unnecessary suffering. The Force Control Duty Officer should gather as much information concerning the circumstances of the request to ensure that the Forces resources are not being used unnecessarily.

5.20.4 A veterinary Surgeon should be summoned in cases where the injury of the animal is in doubt or the animal is marked, as belonging to someone i.e. by the presence of an ear tag or the animal is domestic. Details of the incident should be told to the vet, who should be asked:

- i) Does he have the means to destroy the animal in question if it is necessary
- ii) Is he aware of the exact location of the incident
- iii) What is his ETA to the scene

5.20.5 Ideally two authorised rifle officers are to be used to dispatch the animal, however, where the animal is wild and in the opinion of the rifle officer, the animal is suffering unnecessarily, consideration should be given to authorise the rifle officer to destroy the animal with an AFO used as backup. It will be the responsibility of the rifle officer at the scene to liaise with a tactical advisor and assure him and the Force Duty Control Officer that the animal can be destroyed safely and that he has briefed the AFO fully.

5.20.6 The deployment of armed Police Officers to dispatch animals falls into three categories, namely:

- A) When an animal is a danger to life then, or if action is not taken, in the near future.

- B) When an animal is a danger to property or
- C) When an animal is so diseased or injured AND a licensed slaughterman or veterinary surgeon is not immediately available or is unable to dispatch that animal then a Police Officer may do so, to prevent unnecessary suffering. There is no limitation on these powers restricting them to public places.

5.20.7 Authorised rifle officers have the training and capacity to kill animals. Headquarters Firearms Instructors have an additional capability to utilize tranquillising darts.

5.20.8 Once the animal has been dispatched, the removal of the carcass will be the responsibility of the owner, if known, or the District Local Authority if not.

#### 5.21 AUTHORITY TO DEPLOY (FOIA - OPEN)

##### Spontaneous Incidents

5.21.1 The Force Control Duty Officer may authorise or refuse the deployment of ARVs in authorised mode.

5.21.2 The decision must, as soon as possible, be ratified by a Gold Commander, or in an emergency (where a delay could result in loss of life or serious injury), by an accredited Firearms Silver Commander of Superintendent or Chief Inspector rank.

5.21.3 When an officer other than a Gold Commander ratifies a decision to authorise, approval of that ratification must be obtained from a Gold Commander as soon as practicable.

5.21.4 Incidents of large scale public disorder where the use of baton guns is a consideration, must be subject to ACPO authorisation with appropriate advice from the OUFT duty TA.

#### 5.22 SELF AUTHORISATION / ARMING (FOIA - OPEN)

5.22.1 It is also recognised that there may be some eventuality where officers with immediate access to firearms and less lethal options suddenly encounter a situation where there is reason to suppose that the protection of life or prevention of serious injury cannot be achieved without immediate use of firearms and/or less lethal options. In such circumstances it is expected that the officers would act accordingly and be ready to use the weapons without further authority, in accordance with their training and the law.

- 5.22.2 In such circumstances where officers self arm, Force Control Room Duty Officer should be informed as soon as possible to facilitate a prompt review of deployment.
- 5.23 SUSPENSION FROM AFO OPERATIONAL DUTIES
- 5.23.1 Any officer suspended from AFO operational duties (or who self suspends) will surrender his/her armoury key and firearms authorisation card. In the case of those armouries utilising a safe with combination number, this will be changed. A duty report will be raised and forwarded to C/I OUF to ensure an audit trail is maintained. (FOIA-OPEN)
- 5.23.2 **(FOIA - CLOSED.s31(1)(a))**
- 5.24 PRE-PLANNED OPERATIONS **(FOIA - OPEN)**
- 5.24.1 A pre-planned operation is one where a minimum of four hours notice is given. This definition is intended as a guide and should not be regarded as absolute.
- 5.24.2 A pre-planned operation will ONLY be commanded by a Firearms Silver Cadre member, who will be nominated at the commencement of the planning phase.
- 5.24.3 Tactical advice for pre-planned operations should, in the first instance, be sought from the Tactical Firearms Unit (OUFT).
- 5.24.4 A Gold Commander MUST authorise the issue and deployment of firearms and less lethal technologies on all pre-planned operations (see force policy re VIP protection).
- 5.24.5 ARVs should not be routinely deployed for pre-planned operations, however consideration may be given for their use on operations where they can be immediately re-deployed if required.
- 5.24.6 The use of ARVs in pre-planned operations will only be undertaken on the advice and under the review of the Tactical Firearms Unit (OUFT) or the on duty ARV Sergeant, Y20.
- 5.24.7 The Force Control Room Duty Officer, both Communications Rooms, Chief Inspector (OUFT) and Duty Y20 will be on the Distribution List of any Operational Order, or be apprised of the relevant OIS Log, for all pre planned operations.
- 5.25 RECORD OF AUTHORISATION/REFUSAL AND RECORDS **(FOIA - OPEN)**

- 5.25.1 Outline details of ALL authorisations and refusals to deploy firearms to spontaneous incidents, pre-planned operations will be recorded in the Firearms Working Practices folder on the IFN, by the relevant Force Control Room Duty Officer.
- 5.25.2 A Firearms Briefing Sheet and Record of Deployment, Form 208, will be completed by the Firearms Silver Commander for all firearms incidents and operations and a Firearms Gold log must be completed by the gold commanders. In addition to the form 208, Firearms silvers may use a serious crime policy book as an audit trail. A Sony stick recording device has also been issued to all Firearms Silver cadre members and should be used in conjunction with PPS D242.
- 5.25.3 In an emergency these records can be retrospective.
- 5.26 DRAWING OF WEAPONS & AMMUNITION (FOIA - OPEN)
- 5.26.1 Following the appropriate authorisation, or in accordance with standing ARV authority (see paragraph 5.19.5), the following procedures will be adopted for the withdrawal and return of firearms, ammunition and munitions and less lethal weapons and munitions from Force Armouries.
- 5.26.2 For all withdrawals, a supervisor or the senior AFO present will ensure the appropriate issue register is fully completed, accurately recording all weapons and the quantity of ammunition drawn. He / She will also ensure that weapons, ammunition and munitions are only issued to AFOs who:
- i) Are in possession of their authorisation cards.
  - ii) By signing the appropriate register, AFOs are declaring they are not under the influence of alcohol or prescribed drugs.
  - iii) Sign the appropriate register for the receipt of weapons and munitions.
- 5.26.3 Each AFO, in addition to the above, has personal responsibility for ensuring:
- i) Ammunition is counted and matches the number of rounds signed for.
  - ii) Serial numbers of weapons match those signed for.
  - iii) All weapons are checked for operational suitability.
  - iv) The SIG and MP5 breach is clear and safety applied, test the sighting system of both weapons and correct operation of the fore-end torch. The correct function check will be carried out on the Taser.

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- v) At the conclusion of the tour of duty ammunition drawn will be checked to ensure the correct number of rounds are being handed on or returned to the armoury.
  - vi) Chambered rounds are replaced and properly accounted for.
- 5.26.4 There is a requirement for SIG, MP5 and Baton guns to be checked zeroed regularly to ensure they are operationally fit for purpose. To that end, ARV Sgts at the relevant ARV centre will ensure a regime is in place to audit the rotation of weapons for zero. These audit forms will be retained for 2 years.
- 5.27 **RESTRICTION UPON QUANTITIES OF AMMUNITION CARRIED BY AFO'S (FOIA - OPEN)**
- 5.27.1 AFO's will carry restricted quantities of ammunition in order to regulate their carriage of hazardous equipment.
  - 5.27.2 All weapons and ammunition will only be stored at approved ARV centres and Force HQ armouries
  - 5.27.3 Supt OU has overall responsibility for all force armouries. It is the responsibility of sector traffic inspectors to ensure monthly audit checks are carried out and each ARV centre will have an armoury representative.
  - 5.27.4 The duty ARV crew will conduct weekly weapon and ammunition checks at each ARV centre; respective audit forms will be completed. These audit forms are retained for a period of 2 years.
  - 5.27.5 Weekly audit forms will be submitted on the day of completion direct to the Tactical Firearms Unit (OUFT) for checking.
  - 5.27.6 Monthly audit forms will be submitted to arrive at HQ no later than the end of the first week of the following month. These audit forms are retained for a period of 2 years.
  - 5.27.7 Exchanges for chambered rounds will only be made at the HQ armoury and will be signed out at each ARV centre and recorded at HQ armoury.
  - 5.27.8 If discrepancies are found and ammunition is unaccounted for, then C/I Tactical Firearms Unit (OUFT) must be informed immediately and plans made to search for the ammunition. The loss and steps taken to account for it will be made subject of a report to be forwarded via the Tactical Firearms Unit (OUFT) to Superintendent OU for notification of ACC (O), who will determine whether further action is required.
- 5.28 **SPECIFIC OPERATIONAL CONSIDERATIONS**

BATON GUN

5.28.1 The deployment of the Baton Gun in situations other than in public order situations is intended to provide a less lethal option to control and neutralise the threat and should be considered within the terms of the Conflict Management Model. **(FOIA - OPEN)**

5.28.2 When deploying Baton Guns to firearms incidents, the following criteria must be considered:

**(FOIA - CLOSED. S31(1)(a))**

5.28.3 The minimum level of authority for granting the issue of the Baton Gun, in situations other than public disorder is identical to that for the issue of conventional firearms. **(FOIA - OPEN)**

5.29 MEDICAL SUPPORT (BATON GUN) **(FOIA - OPEN)**

5.29.1 Any subject struck by an impact device will be given medical support as soon as practicable once the threat posed by the subject has been neutralised.

5.29.2 Subjects should normally be conveyed to hospital for treatment and evaluation. However, where this is impractical due to the demeanour of this individual or the subject declines medical treatment at a hospital, a police surgeon will be asked to attend and examine the subject in custody at the earliest opportunity.

5.29.3 Subjects detained prior to medical evaluation must be kept under constant supervision until a police surgeon or doctor declares them fit for detention and agrees the appropriate level of supervision or medical attention required.

5.29.4 If there is any doubt whatsoever as to the welfare of the subject he or she must be conveyed to hospital at the earliest opportunity.

5.30 TASER

Taser should be deployed in accordance with ACPO policy. Specifically the following criteria should be considered. **(FOIA - OPEN)**

- i) **(FOIA - CLOSED S31(1)(a))**
- ii) **(FOIA - CLOSED S31(1)(a))**
- iii) **(FOIA - CLOSED S31(1)(a))**

5.30.2 Minimum level of authority for granting Taser is identical to that for issue of conventional firearms. **(FOIA - OPEN)**

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- 5.30.3 When deployed in support or as part of a team, the command structure will be as per ACPO Manual on Police Use of Firearms with respect to conventional weapons. **(FOIA - OPEN)**
- 5.30.4 **(FOIA - CLOSED S31(1)(a))**
- 5.30.5 On signing for the Taser it is the responsibility of the receiving officer to carry out the correct function check in accordance with their training and policy.
- i) A one second activation when the weapon is signed for
  - ii) One full 5 second activation once a week. **(FOIA - OPEN)**
- 5.30.6 **(FOIA - CLOSED S32(1)(a))**
- 5.30.7 It is the responsibility of the armoury supervisor to ensure each weapon is subject to data download once a month. **(FOIA - OPEN)**
- 5.30.8 Taser batteries must be placed when their charge drops to 20%. The depleted batteries should be returned to the Tactical Firearms Unit (OUF) for a replacement to be issued. **(FOIA - OPEN)**
- 5.31 MEDICAL SUPPORT (TASER) **(FOIA - OPEN)**
- 5.31.1 Any subject struck by Taser will be given medical support as soon as practicable once the threat posed by the subject has been neutralised.
- 5.31.2 If the probes have only penetrated the outer clothing they may be removed when it is safe to do so.
- 5.31.3 If the prods have penetrated the skin the copper wire should be broken or cut.
- 5.31.4 No attempt should be made to remove the probes that have penetrated skin. This should be done by a medical professional either at the scene, or custody centre (see Force Policy D148 – Prisoners: Arrest & Detention).
- 5.31.5 More serious injuries could occur if the probes were to strike a sensitive area i.e. face, neck, eyes or genital areas. In these circumstance the subject must be conveyed to hospital.
- 5.31.6 If the subject has a cardiac pacemaker or other implant device, or pre-existing condition leading to increased medical risk, immediate referral to a hospital should be considered.



5.31.7 At the earliest opportunity, after arrival at the custody suite, the subject should be given an information leaflet explaining Taser and its effects. This should be recorded on the Custody record.

## 5.32 UNINTENTIONAL DISCHARGES (FOIA - OPEN)

5.32.1 In an operational setting, the term 'unintentional discharge', covers situations referred to as 'involuntary discharge', 'accidental discharge' and 'neglect discharge'.

- i) Involuntary discharge - This may be defined as involuntary direct or indirect discharge of a weapon without deliberate or conscious intent, for example, as caused by an involuntary muscle contraction, or inter-limb interaction. (Inter-limb interaction is the involuntary contraction of the hand or finger muscles, which can be caused by startle effect, balance disturbance or fall, or use of force with the free hand).
- ii) Accidental discharge - This may be defined as the accidental discharge of a weapon caused by mechanical malfunction of the weapon, or ammunition. It could also be caused by a physical event that could not be prevented or foreseen by the user.
- iii) Neglect Discharge - this may be defined as the negligent discharge of a weapon caused by an act, which could and should have been foreseen and prevented. This act would be accompanied by a degree of negligence or recklessness. (There will inevitably be an overlap between classifying what is involuntary and what is negligence. Such situations can be measured objectively, subjectively or with a combination of both).

5.32.2 Where an unintentional discharge occurs, in a non-training environment, with or without injury, the incident is to be reported immediately to the Force Control Room Duty Officer.

5.32.3 The Force Control Room Duty Officer will ensure the Duty Gold is notified immediately.

5.32.4 The officer concerned will be removed from armed operational duties and the Chief Inspector OUFT will be consulted to provide specialist advice and support. Incidents involving the discharge of a firearm by a police officer are, by their very nature, highly emotive and stressful for all involved. As a consequence, both investigative and welfare considerations are to be afforded a high priority.

5.32.5 A report will be forwarded to ACC(O) for a decision regarding future action. These reports will be retained for a period of 6 years after the officer concerned has left the force.

5.32.6 It is essential that the procedures followed do not compromise the safety of officers or jeopardise the evidential trail.

5.33 ARMED SUPPORT VEHICLES (ASV'S) (FOIA - OPEN)

5.33.1 Following a terrorist incident or receipt of intelligence indicating the possibility of such an incident, ASV's may be considered to:

- i) Provide a high visibility deterrent
- ii) Seal off the principal road network-
- iii) Provide mobile patrols capable of first response to a terrorist incident including scene management.

5.33.2 ASV's will be deployed as part of a pre-planned operation in addition to the ARV capability.

5.33.3 ASV's will be crewed by AFO's with long weapons carried overtly.

5.34 ARMED POLICE RESPONSE TO A TERRORIST INCIDENT AT A MILITARY ESTABLISHMENT (FOIA - CLOSED. S31(1)(a))

5.35 ARMED ESCORTS (FOIA - OPEN)

5.35.1 Armed escorts will, subject to intelligence led risk assessments, be provided for persons at risk and / or valuable, sensitive or vulnerable loads.

5.35.2 The majority of armed escorts in this force will be carried out to provide protection for prisoners during movements between court, prison or police premises.

5.35.3 This section focuses on the provision of armed escorts for high risk prisoners, but the broad principles can be applied to valuable, sensitive or vulnerable loads.

Risk Assessments

5.35.4 Prior to every movement of a high risk prisoner a risk assessment panel will be held, comprising of:

- i) Assistant Chief Constable (O).
- ii) Senior Investigating Officer (Force & relevant agency, eg HM Customs & Excise).
- iii) Chief Inspector Intelligence (OCI).
- iv) Force Prison Liaison Officer (OCIL).

- v) Tactics Advisor/Escort Commander.
- 5.35.5 The panel will be intelligence led and should consider all available information including:
- i) Nature of the crime.
  - ii) CURRENT level of intelligence which supports the risk.
  - iii) Vulnerability of the prisoner.
  - iv) Location of prison and court routes.
  - v) Any other special factors (eg media coverage).
- 5.35.6 The individual risk assessment will dictate the exact nature of the escort group provided, however in deciding upon the constitution of the group reference should be made to the Manual Of Guidance, chapter 10.
- 5.35.7 The escort group will be commanded by an officer not below the rank of Sergeant, who is appropriately trained.
- 5.35.8 Having identified, through a process of risk assessment, that a prisoner requires an armed escort, the security arrangements should continue at court (see section 5.33 below)
- 5.35.9 Once the escort enters the confines of the court, command should be handed over to the nominated Firearms Silver Commander.
- 5.36 **ARMED POLICE AT COURTS (FOIA - OPEN)**
- 5.36.1 The deployment of armed police officers within court buildings is governed by Home Office Circular 69/1988.
- 5.36.2 The primary principle is that such deployments are only permissible in the most exceptional circumstances after consideration by the presiding judge/magistrate.
- 5.36.3 When it is believed to be necessary to deploy armed police in the precincts of a court, approval should be sought at an early stage from the Court Administrator (Crown Court) or Magistrates' Clerk (Magistrates' Court).
- 5.36.4 The confidential request for approval, to be submitted by the nominated Firearms Silver Commander should include:
- i) Nature of risk.
  - ii) Reasons why other forms of security are believed inadequate.
  - iii) Relevant security information or intelligence.
  - iv) Intended deployment and operational use of armed officers.

5.37 CROSS BORDER ARMED OPERATIONS (FOIA - OPEN)

- 5.37.1 Any incident / operation involving the pursuit of a subject(s) across force boundaries will be subject to the guidelines contained in PPS D147 TPAC (Tactical Pursuit And Containment). This section details additional considerations when such cross border incidents / operations involve armed officers.
- 5.37.2 Where an operation for which firearms have been issued requires officers to follow a subject into another force area, the initial authorisation will remain valid.
- 5.37.3 The Control Room Supervisor from whose Force the incident is/is likely to move (the originating Force) must immediately contact the Force Control Room of the force into which the operation is/is likely to move (the host force).
- 5.37.4 The host force Control Room Supervisor will immediately contact:
- i) Duty Tactics Advisor.
  - ii) Duty Firearms Silver Commander.
  - iii) Duty Gold Commander.
- 5.37.5 The Duty Gold Commander will consider:
- i) Authorising AFOs from the originating force together with their command to continue running the operation.
  - ii) Assuming responsibility for the operation, including command and the provision of AFOs.
  - iii) Reviewing the firearms authority, assuming the responsibility of Gold Commander and dealing with the incident using the armed officers from the originating Force.
  - iv) Assuming responsibility and curtailing the operation.
- 5.37.6 The pursuing vehicles should remain on the originating force radio frequency until directed otherwise.
- 5.37.7 When it is known that an armed operation will transcend one or more force boundaries, each of the forces should be notified in advance and prior authority sought for the carriage of firearms.
- 5.37.8 This notification should include:
- i) Time, date and place of commencement of operation.
  - ii) Police vehicles, make, registration numbers and number of occupants.

- iii) Direction of travel.
- iv) Authorising Officer.
- v) Silver Commander and contact details.
- vi) Tactics Advisor.

#### 5.38 ARMING OF THE NATIONAL CRIME SQUAD (FOIA - OPEN)

5.38.1 The National Crime Squad has jurisdiction in England and Wales and whilst part of the Police Service, it operates with independent authority under the control of the Director General, who together with the Service Authority, has a statutory responsibility for ensuring that the squad is efficient and effective.

5.38.2 The National Crime Squad has an armed capability in the South West region and may well enter the Force area under a M.A.S.T.I.F operation (Mobile Armed Surveillance Travelling Inter Force),

#### Authority to issue firearms to NCS

5.38.3 The Director General shall hold the rank of Chief Constable.

5.38.4 Like any Chief Constable, the Director General has operational discretion and it is therefore for the Director General to determine at what level authorisation for the issue of firearms to NCS officers will be granted. This will however be an officer of no less rank than Assistant Chief Constable.

#### CLASSIFICATION OF NATIONAL CRIME SQUAD FIREARMS OPERATIONS

5.38.5 National Crime Squad operations involving the deployment of firearms can be divided into two basic types, with provision also for spontaneous incidents.

i) TYPE A  
A pre-planned operation where a threat has been identified, based upon an honestly held belief that there is a person or persons presenting a threat which can only be overcome by presentation and possible use of lethal force, where the location of the subjects or anticipated offence is known and the purpose of the operation is to disrupt an offence or arrest the subject. All Type A firearms operations will be the responsibility of the Chief Officer of the relevant force, with the exception of certain rural deployments where officers employed on a NCS operation are issued with firearms for their own protection.

ii) TYPE B

A pre-planned operation where a threat has been identified, based upon an honestly held belief that there is a person or persons presenting a threat which can only be overcome by the presentation and possible use of lethal force, where the purpose of the operation is one of the following, ie

- a) To gather intelligence or evidence,
- b) To disrupt an offence,
- c) To arrest the subjects.

Where the location of the offence or the precise time for such a presentation and possible use of lethal force is not known.

5.38.6 Not all TYPE B operations will be undertaken by the NCS. It will depend on the nature of the investigation/incident and the respective capabilities of the NCS and the relevant geographic forces to undertake the operation. The responsibility for Type B operations carried out by NCS rests with the Director General, who has final authority for the deployment of NCS Firearms team, following consultation with the Chief Officer of the relevant force area(s).

5.39 M.A.S.T.I.F OPERATIONS (MOBILE ARMED SURVEILLANCE TRAVELLING INTER FORCE) (FOIA - OPEN)

5.39.1 During the planning stages of any NCS firearms operations, consideration should be given to the possibilities of transcending force boundaries.

5.39.2 At the outset of any such operation it will be the responsibility of the NCS Gold Commander to inform the force where the operation commences of the NCS operation and its details.

5.39.3 If the operation transcends boundaries, or is likely to do so, the NCS Gold Commander will be responsible for informing a Chief Police Officer from those forces, into which intelligence suggests that the surveillance will travel. The initial authorisation to issue firearms, by the NCS Gold Commander, will remain valid.

5.39.4 This will take the form of a MASTIF notification and will provide details of:

- i) Time, date and place of commencement of operations.
- ii) Police vehicles, makes, registration numbers and numbers of occupants.
- iii) Direction of travel, forces involved.
- iv) Authorising Officer.
- v) Gold Commander.
- vi) Silver Commander.
- vii) Bronze Commander.
- viii) Tactical Advisor.

- 5.39.5 Whenever possible these details should be transmitted prior to commencement of any such operation, in order that consultation can take place between ACPO officers and allow for suitable contingency plans to be prepared by Force Tactical Teams in the event of the operation becoming a TYPE A.
- 5.39.6 The NCS Silver Commander will ensure whenever a suspect, subject of an ongoing operation, is approaching or about to transcend a force boundary that:
- i) The Force Control Room, for the area that is being entered, is informed.
  - ii) The Force Control Room for the area that has been left is updated.
- 5.39.7 It is only in EXCEPTIONAL circumstances, such as those effecting the integrity of the operation or individuals involved, that the notification to the Force Control Room shall not be given and only following agreement of the NCS Gold Commander will in such circumstances still liaise with the Chief Officer from that force.
- 5.39.8 In the event of a M.A.S.T.I.F notification being received into the Force Control Room, the Force Control Room Duty Officer will inform:
- i) Duty Gold.
  - ii) Commander (OU) or Deputy SIO.
  - iii) Inspector OUFT (MASTIF TA).
- 5.39.9 The Gold Commander will then instigate a meeting as soon as practicable with Commander Operations Department, OUFT and Firearms Silver commander to identify the response to the MASTIF notification.
- 5.40 VIP CLOSE PROTECTION OFFICERS
- 5.40.1 The protection of all VIP's in the United Kingdom remain the responsibility of The Commissioner of Police Metropolitan Police Service. Armed protection is provided in the case of categorised VIPs by members of the Metropolitan Police Special Branch (MPSB - SO.12), and in the case of designated members of the Royal family by members of the Metropolitan Police Royalty Protection Department (RPD - SO14 (2)). **(FOIA - OPEN)**
- 5.40.2 Where a visiting VIP requiring armed protection enters the Force additional armed support is provided by officers from this Force who are Nationally trained VIP Close Protection Officers (CPO). **(FOIA - OPEN)**

NOT PROTECTIVELY MARKED

- 5.40.3 A number of AFOs are qualified to undertake this role, shown on OIS PV screen - Firearms - Protection. **(FOIA - OPEN)**
- 5.40.4 Only Nationally trained currently authorised CPOs who have received and retained training in search, use of force techniques, and who are qualified firearms medics, will undertake CPO duties. **(FOIA - OPEN)**
- 5.40.5 The exception being officers required to undertake night-guard duties. All AFOs who have received In-Force training may undertake night-guard duties for the protection of the VIP. **(FOIA - OPEN)**
- 5.40.6 Any impending visit to the Force by a VIP should be notified to the Security Inspector, Contingency Planning Unit, who acts as the Security Co-ordinator (SeCo) for all protected visits. Following receipt of such information, the SeCo will inform the Tactical Firearms Unit of the visit. **(FOIA - OPEN)**
- 5.40.7 An OIS log will be raised by Contingency Planning with appropriate security access. **(FOIA - OPEN)**
- 5.40.8 The SeCo and the Tactical Firearms Unit will agree the armed protection requirements for the visit. **(FOIA - OPEN)**.
- 5.40.9 Tactical Firearms Unit will co-ordinate CPO duties for all VIP visits. **(FOIA - OPEN)**
- 5.40.10 **(FOIA - CLOSED S31(1)(a))**
- 5.40.11 **(FOIA - CLOSED S31(1)(a))**
- 5.40.12 Authority for the carriage of firearms by Devon & Cornwall CPOs will be by way of a firearms authority recorded on the OIS log, endorsed by ACC(O)/Firearms Gold. This authority will also record the carriage of firearms in this Force by members of the Metropolitan Police Service acting in a Close protection role. **(FOIA - OPEN)**
- 5.40.13 CPOs are deployed to ensure the safety of the VIP. Should a situation arise it may be necessary in order to protect the VIP, to self-authorise as at 5.22. **(FOIA - OPEN)**
- 5.40.14 In the event of an armed incident occurring the safety of the VIP is paramount. The VIP will, where possible, be evacuated to a pre-determined 'safe house', or if requiring medical attention, to the nearest hospital with appropriate facilities. **(FOIA - OPEN)**
- 5.40.15 Where the threat has not been neutralised and passed to unarmed officers, the SeCo who is Firearms Silver Command trained, will wherever possible



remain at the scene and take command until the relevant BCU duty Firearms Silver Commander attends. The Force Duty Control Officer will be advised as a matter of urgency to treat the incident as a spontaneous firearms incident. **(FOIA - OPEN)**

5.40.16 Where firearms are discharged by any party the Post Incident Procedures will be implemented as outlined at within the force policy D241 - Post Incident Procedures (Firearms and Less Lethal Options) **(FOIA - OPEN)**

5.41 CARRYING OF FIREARMS BY NON-UK PROTECTION OFFICERS **(FOIA - OPEN)**

5.41.1 Home Office Central Unit guidance (May 1994) sets guidelines for Chief Officers who receive requests for non-UK officers to carry firearms when accompanying overseas dignitaries on visits to this country.

5.41.2 The guidelines recognise that most overseas dignitaries enter the UK in the Metropolitan Police District.

5.41.3 The guidelines have been agreed with ACPO and ACPO (S).

PROCEDURES **(FOIA - OPEN)**

5.41.4 Applicants will normally be sponsored by the overseas dignitary's Embassy or High Commission.

5.41.5 All permits will be authorised by the Commissioner of Police for the Metropolis - as set out in paragraph 5.37.11.

5.41.6 All permits will be granted ONLY where the overseas dignitary (the Principal) is to receive personal protection from the Metropolitan Police.

5.41.7 Personal protection arrangements will be undertaken by the Metropolitan Police, liaising as necessary with the Protocol Department of the Foreign and Commonwealth Office and the relevant Embassy or High Commission.

5.41.8 A visitors' firearms permit issued under Section 17 of the Firearms (Amendment) Act 1988 is valid throughout Great Britain. If the Principal intends to travel outside the Metropolitan Police District, the Metropolitan Police will consult the relevant Chief Constable prior to the issue of a permit.

5.41.9 On arrival in the UK, any non-UK protection officer who is authorised to carry a firearms will be given a card in both English and his native tongue (where possible) setting out the 'Guidelines on the use of minimum force and will also be required to undergo a verbal briefing.

5.41.10 Where a non-UK protection officer who is authorised to carry a firearm is accompanying a principal to Scotland, the Metropolitan Police will, in addition to informing the relevant Chief Constable as at 5.37.8 above, issue the protection officer(s) with a copy of the Lord Advocate's Guidelines on the Police use of Firearms in both English and his native tongue (where possible).

#### 5.42 AUTHORITY TO ISSUE PERMITS

5.42.1 Upon application by a foreign Government the Commissioner, taking into account the status of the person for whom protection has been requested, the nature of the visit and the level of threat, will consider granting authority for visiting protection officers to carry firearms whilst accompanying official visitors to this country. **(FOIA - OPEN)**

5.42.2 **(FOIA - CLOSED.s31(1)(a))**

5.42.3 **(FOIA - CLOSED.s31(1)(a))**

5.42.4 **(FOIA - CLOSED.s31(1)(a))**

5.42.5 The Commissioner retains the right to withhold permission in any individual case where he is not satisfied that a visiting protection officer is competent to use the firearms described above. **(FOIA - OPEN)**

5.42.6 The Commission will, in exceptional circumstances, consider applications for similar facilities in respect of those falling outside the categories shown above but of broadly comparable status. **(FOIA - OPEN)**

5.42.7 Any other circumstances relating to armed visiting protection officers will be a matter of separate and singular consideration by the Commissioner. **(FOIA - OPEN)**

#### 5.43 MEDIA

5.43.1 If the Home Office is asked for the Government's Policy on the carriage of firearms by visiting protection officers, the line in the draft statement at 5.37.9 will be followed: **(FOIA - OPEN)**

5.43.2 'As a general rule, and in accordance with the well understood convention of international practice, the United Kingdom as the host country is responsible for the protection of visitors from overseas for whom protection is necessary while they are in this country. In exceptional circumstances, notably a visit by a Head of State or Government, the Commissioner of Police for the Metropolis is prepared to give permission for the carriage of

arms by a narrowly limited number of protection officers. Each request for permission is considered in the light of all the circumstances, and permission is given only subject to strict safeguards designed to minimise the risk of accidental injury.

It will be the policy of the Government and of the Commissioner of Police of the Metropolis to decline to give information about the protection arrangements made in particular cases, for obvious security reasons.' (FOIA - OPEN)

5.43.3 (FOIA - CLOSED.s31(1)(a))

5.44 DYNAMIC ENTRY (FOIA - OPEN)

5.44.1 To be successful, Dynamic Entry to buildings (DE) requires a high degree of teamwork and specialist training. Accordingly only suitably trained officers will be used.

5.44.2 The Force has a number of officers, including Tactical Firearms Unit and the Tactical Aid Group Firearms Serials, trained in Dynamic Entry, (DE), Tactics.

5.44.3 The tactic is not designed for resolving spontaneous incidents, but should be considered for pre-planned operations or where a spontaneous incident has become protracted and it is necessary to enter premises in order to save life to either:

- i) Rescue hostages or
- ii) Arrest subjects and/or secure evidence.

5.44.4 A TA, and Firearms Silver Commander trained to command a DE operation, will always be appointed before this option is considered.

5.44.5 A trained DE Firearms Instructor from the Tactical Firearms Unit will always be appointed to act as Assault co-ordinator to work with the TA and Firearms Silver Commander.

5.44.6 Authority levels for DE are the same as for all other firearms operations, however the call out of DE resources will only be sanctioned by the Firearms Silver Commander in conjunction with Gold.

6.0 MONITORING/REVIEW (FOIA - OPEN)

6.1 Force policy and procedure in respect of police use of firearms is under continual review and assessment. In any event the content of this guideline will be reviewed annually by Commander Operations Department.

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