

equipment, including less lethal options will reduce the threat posed to the subjects. The subjects own actions will dictate the level of police response, which will be directly proportional to the threat they pose to the public and / or police.”

The SFC Strategy is defined as:

Overarching Principle:

The over-riding principle is the preservation of life and the protection of the public, police and any unknown subjects. The aim is to protect the public in the most appropriate method balancing the risk of harm to the public in the short and longer term

1. Minimise the risk to any potential Serco custodians
2. Minimise the risk to the general public/ in or outside court
3. Maximise the safety to Police Officers
4. Minimise the risks to unidentified suspects
5. Identify, Locate , contain and neutralize the threat posed by the unknown subjects

The planning process also details the Senior Investigating Officers (SIO) Objectives, and this forms part of the SFCs log.

It is noted that the TFCs working strategy holds priorities relating to the recovery of firearms, and the securing and preservation of evidence to arrest and prosecute offenders. These latter elements do not feature on SFC final strategy. This may be influenced by the presence of the SIO priorities in the assessment process and the SFCs log.

Findings

The Threat is accurately defined and the assumption regarding the potential for firearms and weapons to be encountered is fair and proportionate.

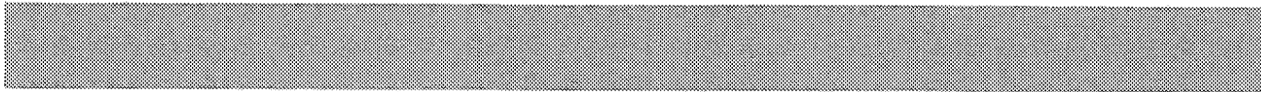
SFC Strategy sets clear, hierarchical purpose to be achieved and is a suitable foundation to drive the planning and deployments

The SFC and TFC clearly do consider timescales, implications and some elements of multi-dimensional assessment as recorded in their written considerations, however an absence of a thorough multi-dimensional assessment leads to some groups absent from final strategy; this does not undermine the overall operation.

Strategy does not have investigative priorities included.

Recommendations

National Forms of TFC and SFC logs to be updated to prompt the consistent use of multi-dimensional THR assessment.



The Metropolitan Police to adopt Multi-dimensional Threat Harm and Risk Assessment in the planning phase.

Where SIO objectives and SFC Strategy are not combined, SFC to explicitly link the two in Strategy
Policy / Powers Considerations

Both the TFC and the SFC make active reference to compliance with Article 2 and Article 8 ECHR, Authorised Police Practice (APP), PACE, Use of Force – both common law and Sect 3 Criminal Law Act, Surveillance authorities, Code of Ethics and standards of professional behaviour, MPS SOP on the Police Use of Firearms.

Detailed rationale is provided when facing the TFC decision for reaching the criteria for deployment, the critical rationale being:

“Whilst there has been no further intelligence updates to indicate that firearms will be used on Friday I take the view that there is every likelihood that this will be the case, given the antecedents of this OCG and the fact that any successful attempt would involve considerable threat and duress to any custodians.

I have reviewed the intelligence, threat assessment and strategy in line with the NDM. I take the view that the rationale for the deployment of a firearms has been met in that I have grounds to suspect that the subjects and associates will have possession of firearms or immediate access to firearms and also as an operational contingency to ensure the safety of all parties.”

Active partnerships links are made with the Crown Court Judge and security, the Prison Service and consideration given to the impact and consequence for community confidence and tension.

The scale and breadth of policy/powers considerations is extensive and appropriate. Both the SFC and TFC demonstrate competence to the point of being recognised good practice.

Tactical Options, The Plan and Contingencies

Throughout the planning phase, it is clear to me that both the TFC and the SFC have excellent situational awareness of the scale of the challenge, the implications and the consequence dependent upon the course of Police action embarked upon.

There is detailed rationale presented for the tactical control, intelligence gaps and options available for action. These are tested against the overall aim, SFC strategy and SIO priorities. This is demonstrable good practice.

The detailed considerations include a range of options to remove the threat prior to any Police Deployments, these include:

- Any opportunities to locate and recover weapons in advance of the anticipated event
- Arrest opportunities in advance for other offences
- Recovery of the Audi
- Video Link to Court or Court Change for hearing
- Search Izzet Eren and /or his prison cell for a mobile phone

Each is assessed and rationale provided why an early intervention may disrupt and deter in the short-term, but not achieve the overall Strategic aim which is sustained public protection ('The aim is to protect the public in the most appropriate method balancing the risk of harm to the public in the short and longer term').

The options considered would only mitigate risk in the very short term, and potentially lead to greater harm in the future when the Police had no control and opportunity to intervene to bring the required sustained public protection.

Finding: Advance opportunities were explored and the correct decisions were made to maintain the current operation as the best method to achieve strategy. There was no early intervention option available consistent with Strategy.

Having exhausted any advance opportunities to act the TFC then reviews all relevant tactical options for the day of the anticipated attack, and records:

"I have also considered other options, such as 'do nothing', 'arrest now', take 'mitigating action', 'wait for further intelligence', 'conduct unarmed surveillance' and 'conducting static OP's'.

However, in the circumstances as outlined in this application and on applying the NDM these options do not meet the threat assessment or the operational aims"

The recommended Option is then presented as:

It is the intention of the operational team to conduct three surveillance operations.

1. On the Audi (Mast)
2. On the Serco Prison vehicle (Mast)
3. On Ozcan EREN if he is not with the Audi. (Unarmed)

with a view to gather intelligence / evidence in relation to the planned offence as outlined or other opportunities to arrest and disrupt the escape plan

These options will provide me with the flexibility necessary for this type of operation. It is proportionate to the threat faced and follows best practice. SC&O7,SC&O35 and SC&O19 work regularly together and is my recommendation for this operation.

This rationale is completed after consideration of the following factors: -

- 1.The current intelligence and information about the operation and subjects,
2. The strategic intention, operation policing objectives and threat assessment.
- 3.The resources available at this time
- 4.Guidance contained in the Authorised Professional Practice Armed Policing Module
5. MPS Policy.

The proposed tactics meet the threat assessment, the working strategy, and are proportionate given the threats posed. All actions are legal as documented in this document.

Given the lack of knowledge of:

- the IC3 males suspected to be carrying out the attack
- Who would supply weapons, where and when
- the lack of clarity whether Ozcan Eren was simply coordinating or taking part in the attack
- the lack of detailed knowledge of whether the stolen Audi would be used
- would more vehicles be used and lack of knowledge of precisely where and when the attack would take place

The requested and approved tactic of three surveillance operations, The first on the Audi with Mobile Armed Support to Surveillance (Mast), the second on the Serco Prison vehicle (with Mast) and the third on Ozcan EREN if he is not with the Audi. (Unarmed) is the least intrusive and most consistent approach to achieve Strategy.

There is a clear written audit trail summarising the discussion between TFC and SFC in advance of any authority being given and the relatives For's and Against's are discussed for the overall recommended plan and also for each individual tactic considered.

Finding: The authority for a three-element surveillance MAST operation was well founded and the most appropriate tactic to give best chance of achieving the Strategy as set

The MASTS tactic falls under D8.2 and D8.3 of the National Police Firearms Training Curriculum (NPFTC), a document which is owned by the College of policing (CoP).

tipping point for arrest is when the TFC (in discussion with SIO where appropriate) is satisfied that evidence supporting a conspiracy to attack the prison van is made, when the TFC has an honestly held belief that a subject is now in possession of a firearm, or where suspected subjects are in such proximity to the prison van to ensure the offence will not occur.

Finding: Clear tactical parameters are in place

Recommendations: For clarity of purpose, it is recommended that all tipping points and thresholds for intervention be clearly presented by the SFC for TFC reference.

Contingencies

A range of contingencies are considered (see briefing section), a key and relevant consideration is paid to the potential for armed suspects in a vehicle at a point of contact with the Police. The TFC records his considerations as

If any subjects are within vehicles and manage to drive away from an armed interception this will precipitate a vehicle pursuit with the associated risks to public safety

Command Structure

A clear command structure is in place.

With multiple arms to the operations, a tiered TFC structure is implemented with FE16 taking the overarching TFC role. This is seen as good practice.

Roles and responsibilities are defined and no TFC/SIO conflict of roles is encountered


The SFC is appropriately intrusive, objective and supportive, resourcing the operation, ensuring accreditation and fitness for role for the TFC, and approving C3000 for command and control function.

Finding: A clear and effective command structure is in place

Concluding the planning phase

I am satisfied that the closure of the planning phase with authorisation in place for a two MAST supported surveillance tactics, and an overt disrupt and protect tactic at the Court were the least intrusive tactics capable of achieving strategy. This operation was supported by clear tactical parameters and a clear command structure. The written logs provide sufficient detail of the considerations of both the TFC and the SFC; however, their MG11 statements provide more detail of the debate and considerations that took place in the joint risk assessment meetings.

Finding : The tactics and structures authorised at the close of the planning phase are proportionate, justified, legal and supported by a clear audit trail.



The TFC FE16 had considered the risk associated with pursuit and the risk to the public in the planning phase. He had also defined the parameter that the Prison van would not come into contact with the Audi.

Finding: The maintenance of the armed operation and MASTs armed intervention on the parked Audi, with extraction, is the correct tactic to achieve strategy and sustained public protection and is least intrusive, proportionate and justified.

In reflecting the decisions made against the central pentagon of NDM and the question – ‘what would a member of the public expect of their Police in these circumstances?’ I find that the decision-making is based on sound rationale; it is objective, fair and has integrity. When considering what the public would expect I find the following:

The Police were facing an organised crime group with extensive history of murder, extreme violence and the possession and use of many viable firearms and automatic machine guns. The intent was to spring the gang leader facing custodial sentence for recent armed crime. The Police did not know the location of the weapons or the team recruited to assault the prison van, but had opportunity to intervene, secure long-term convictions for conspiracy and possession of firearms offences, whilst still keeping the prison van safe. With the passage of the conversations in the Audi in the lead up to the Police intervention, would a general member of the public expect this to be an armed intervention? I believe they would.