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Code of Practice on Armed Policing and Police use of Less Lethal Weapons

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4 Procedures for the selection and acquisition of firearms, ammunition and specialist munitions

4.1 Selection and acquisition of weapons

- 4.1.1 Chief officers are responsible for the selection and acquisition of firearms and ammunition. The selection of weapons and ammunition must be based on the operational requirement identified by the threat and risk assessment process set out in 3.2. The chief officer must ensure that the weapons selected are evaluated against a documented operational requirement in accordance with this code. This evaluation should be centrally coordinated as per **section 4.2**.
- 4.1.2 Chief officers must have regard to APP-AP, National Police Firearms Training Curriculum (NPFTC) and Government⁶ guidance as it relates to the selection of firearms, including their calibre, ammunition and specialist munitions.
- 4.1.3 The selection and acquisition process should take account of procurement best practice principles. However this should not compromise the need to minimise the risk of serious or permanent injury or death (refer to **section 1.3**). Cross-force collaboration should take place whenever possible to ensure cost savings.
- 4.1.4 Guidance for the selection of ammunition can be found in the APP-AP.

4.2 Development of new firearms, munitions and specialist munitions

- 4.2.1 Chief officers should monitor emerging operational requirements in their forces, and the availability of new weapon systems, which may improve the safety of operations involving weapons. It is important that the continuing development of weapon systems, including their related operating procedures, should be centrally coordinated. This is to ensure that emerging requirements of the police service may be properly identified and met, that weapon systems may be adequately tested and evaluated for police use, and that good practice may be promulgated and adopted within the service.
- 4.2.2 Where a force identifies an operational requirement that is not met by an existing weapon system then they must consult NPCC Armed Policing Lead who can request technical information on the system. Dstl, under direction of the Home Office, provides guidance on the evaluation of weapons and munitions. NPCC centrally coordinates evaluation data.

⁶ Formerly Home Office CAST (Centre for Applied Science and Technology) prior to their merger with Dstl in April 2018.

- 4.2.3 When chief officers identify a requirement to introduce any new type of firearm, ammunition or specialist munition they must ensure that the operational requirement is documented and the new weapon system is adequately tested against these requirements before it is introduced.
- 4.2.4 For any ammunition to be used operationally by the police it must be recommended by Dstl, having been assessed against the documented operational requirement and have been:
- evaluated by Dstl in respect of its characteristics and ability to meet the defined operational requirement OR
 - have identical or superior characteristics to ammunition which has been evaluated and recommended by Dstl or other Home Office approved body.

4.3 Availability of approved firearms, ammunitions and specialist munitions

- 4.3.1 Chief officers of police must ensure that their officers who are authorised to use firearms and specialist munitions are equipped and trained in accordance with this code.
- 4.3.2 The training for and operational use of such weapons must follow any specific guidance relating to the use of each weapon as set out in section 6 and according to the National Police Firearms Training Curriculum (NPFTC) and APP-AP.

4.4 Issue of weapons to competent officers

- 4.4.1 Firearms and specialist munitions must be issued only to officers assessed as competent to use them in accordance with the training and assessment procedures in **section 6**.

4.5 Approval of specialist munitions

- 4.5.1 Where specialist munitions achieve their intended purpose through a physical effect on an individual(s) they will also require appropriate medical evaluation and must be considered for approval by the Home Office. Where this is the case, the approval process will be aligned with the approval process for less lethal weapons. Refer to **section 5** for detail of the approval process.

5 Development and the approval of less lethal weapons by the Home Office

5.1 Strategic principles

- 5.1.1 The Home Office and the national police lead for less lethal weapons should monitor the continuing research into, and the development of, acceptable and effective less lethal weapon systems in response to an evolving operational requirement and capability gaps.
- 5.1.2 The strategic objective of the development of new weapon systems is to provide police officers with less lethal tactical options which will:
- reduce the reliance on conventional firearms and ammunition
 - allow police officers to achieve a lawful objective when the force used is reasonable and proportionate in the circumstances.
- 5.1.3 New less lethal weapon systems and significant changes to pre-approved less lethal weapons systems will require approval by the Home Office before they can be used by police forces in England and Wales. This approval process is required because of the unique risks and societal implications that apply to use of less lethal weapons, including the careful balance that needs to be struck between them being as effective as possible while also minimising risk of serious or permanent injury or death. All changes to less lethal weapons must be referred to the national policing lead and the Home Office for consideration.
- 5.1.4 Where approval is required by the Home Office, the Home Office will determine on a case by case basis whether the decision is made by the Secretary of State for the Home Department or a delegated Home Office authority as appropriate.
- 5.1.5 As part of the approval, evaluation and assessment process for such weapons the following must be considered, and will include, where appropriate:
- a needs analysis
 - determination of operational requirement
 - independent (of the manufacturer) technical and medical assessment (to include capability, limitations effect and lethality)
 - operational performance trials.

The approval process will take into account relevant strategic, ethical, operational and societal issues.

5.1.6 The threshold for requiring Home Office approval will be met when:

- a new weapons system – which has no precedent of use by law enforcement in England and Wales – meets the definition of a **less lethal weapon** (or certain specialist munitions)
- a significant change (technical, physical or usage) is made to an approved less lethal weapon (or certain specialist munitions)
- a new weapons system, or a change to an approved weapons system, represents a potential change to the UK model of policing by consent.

5.1.7 Where there is any doubt whether the need for Home Office approval applies to a less lethal weapon system (or certain specialist munitions), or changes to a less lethal weapon system (or certain specialist munitions), it must be referred to the Home Office and the relevant NPCC lead for consideration. The decision on whether Home Office approval is required will be made on a case by case basis by the Home Office following consultation with relevant parties.

5.1.8 Where this threshold is not met, the Home Office will notify the NPCC as such, and the decision on approval may be undertaken by the NPCC, taking into account factors as set out in **paragraph 5.1.6**.

5.1.9 As set out in the APP-AP, chief officers must not use new less lethal weapons except in accordance with this code.

5.2 The process for Home Office approval of less lethal weapon systems

5.2.1 Chief officers must monitor:

- emerging capability gaps in their forces, by means of the strategic threat and risk assessment process
- in cooperation with each other and the relevant national policing lead, the availability of new less lethal weapon systems which may improve the safety of operations.

- 5.2.2 When a new less lethal weapon (or certain specialist munitions) is identified which requires Home Office approval, the Home Office will provide police with guidance on the information (as set out in **paragraph 5.1.6**) required to demonstrate its suitability for use by police forces in England and Wales.
- 5.2.3 The Home Office will then commission independent technical and medical advice to assess the technical characteristics and medical implications associated with the weapon system's use. The Home Office will take into account all relevant information and make a decision on approval.
- 5.2.4 A similar process will take place to allow the Home Office to consider the approval of a significant technical, physical or usage change to a pre-approved less lethal weapon (or certain specialist munitions).

5.3 The acquisition and use of less lethal weapons

- 5.3.1 Chief officers will be responsible for the acquisition of less lethal weapons (which have already been approved through the NPCC/Home Office process) for use in their force areas, on the basis of the threat and risk assessment processes referred to at **section 3.2** above.
- 5.3.2 Appropriate chief officers should consider procurement best practice when acquiring less lethal weapons. However this should not compromise the need to minimise the risk of serious or permanent injury or death (refer to **section 1.3**). Cross-force collaboration should take place whenever possible to ensure cost savings.
- 5.3.3 Chief officers may also have less lethal weapons undergoing trial or evaluation available as part of the national approval process detailed at **section 5.2**. In such cases, and in adherence to the clear criteria and parameters that will have been issued by the Home Office to chief officers of designated trial forces, they may authorise deployment of such weapons in accordance with any related guidance for use.
- 5.3.4 Chief officers must ensure that only officers who are specially trained in accordance with this code may use less lethal weapons.
- 5.3.5 The training for and operational use of such weapons should follow relevant training curriculum and APP-AP guidance relating to the use of each weapon.