



Home Office

BUILDING A SAFE, JUST
AND TOLERANT SOCIETY

CODE OF PRACTICE ON

Police use of Firearms

and Less Lethal Weapons

CENTREX
DEVELOPING POLICING EXCELLENCE

ncof

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1. Introduction

1.1 Purpose of the code

1.1.1 The purpose of this code is:

- a** To set out the basic principles in relation to the selection, testing, acquisition and use of firearms and less lethal weapons by police;
- b** To set out the manner in which those principles are to be implemented within the police service;
- c** To provide a statement on standards of competence, accreditation and operational practice relating to police use of firearms and less lethal weapons;
- d** To ensure that observance of these principles, and the standards for implementation, results in a systematic programme of continuous development of police policy, practice and capability;
- e** To promote compatibility of operating procedures for such weapons, in order to support procedures for testing and maintaining standards of competence, and to support operations involving officers drawn from more than one force;
- f** To foster the identification and promulgation of good practice; and
- g** To encourage and support the continuing development and improvement of police responses to potentially violent situations, and police management of conflict.

1.2 Statutory basis of the code

1.2.1 This code of practice comes into effect on December 3 2003.

1.2.2 This code of practice is made under:

- a** section 39 of the Police Act 1996, which permits the Secretary of State to issue codes of practice relating to the discharge by police authorities of any of their functions;
- b** section 39A of the same Act (see Section 2 of the Police Reform Act 2002) which permits the Secretary of State to issue codes of practice for the purpose of promoting the efficiency and effectiveness of police forces in England and Wales relating to the discharge of their functions by chief officers;
- c** section 73 of the Police Act 1997, which permits the Secretary of State to issue codes of practice relating to the discharge by the National Crime Squad (NCS) Service Authority of any of their functions; and under
- d** section 73A of the Police Act 1997 (see section 8 and Schedule 1 of the Police Reform Act 2002), which permits the Secretary of State to issue codes of practice relating to the discharge by the Director General of the National Crime Squad of any of the Director General's functions.

3. Basic Requirements of this Code

3.1 Nominated senior firearms officer in each force

- 3.1.1 For the purpose of maintaining standards within each force, chief officers should ensure that an officer of at least the rank of Assistant Chief Constable, or equivalent, is nominated to take the lead within the force in relation to operational policy and practice in respect of weapons requiring special authorisation.

3.2 Threat and risk assessment

- 3.2.1 Chief officers of police are responsible for establishing the operational requirement for their police areas in order to determine a policy for the provision of weapons requiring special authorisation, and the equipment, training and accreditation of users. For this purpose chief officers should assess the known and reasonably foreseeable threats and risks in their police areas which may be relevant to the use of weapons requiring special authorisation.
- 3.2.2 Threat assessment is the process of considering available information and applying it to the circumstances of a particular operation or contingency plan. Chief officers should ensure that guidance on threat in the Manual of Guidance on Police Use of Firearms is understood and implemented in their forces.
- 3.2.3 Chief officers of police should ensure that in addition to generic risk assessments which exist for the broad range of police activity, further assessments are carried out in relation to all operations involving weapons requiring special authorisation.
- 3.2.4 Each force's assessments should be regularly updated, having regard to the recommendations of HM Inspectorate of Constabulary.
- 3.2.5 These assessments may include:
- a the pattern of crime in the police area;
 - b the geographical and logistical considerations affecting the availability of weapons requiring special authorisation, and the deployment of personnel trained to use such weapons or to command incidents involving their use;
 - c the threat posed by armed persons such as criminals, terrorists and armed groups, which members of the force might need to confront;
 - d the force's potential obligations under mutual aid arrangements; and
 - e the force's responsibilities in respect of national emergencies and nationally based plans.

- 3.2.6 Chief officers of police should use these assessments as a basis for deciding:
- a what types of weapons need to be available within their forces, either from each force's own resources or by agreement with one or more other forces;
 - b the numbers of officers required to be trained in their forces in the use of such weapons, and in providing tactical advice in the use of such weapons; and the numbers and ranks of officers to be trained to command incidents involving such weapons;
 - c arrangements for the deployment within their forces of weapons and personnel trained to use them.

3.3 Authorisation procedures for weapons requiring special authorisation

- 3.3.1 Chief officers of police are responsible for weapons requiring special authorisation to be made available within their forces, and for the procedures for authorising their issue. The rank at which such decisions may be taken may vary, in accordance with those procedures, depending on:
- a the class of weapon involved and the surrounding circumstances,
 - b the urgency of the situation,
 - c the time available, and
 - d the feasibility of timely access to more senior officers.
- 3.3.2 These procedures should also provide for officers in possession of weapons requiring special authorisation to make immediate use of them without further authority, where to do so is necessary to protect life or prevent serious injury.
- 3.3.3 Arrangements for authorising issue of weapons requiring special authorisation are set out in ACPO Manuals of Guidance, and chief officers should ensure that their force's arrangements comply with that guidance.

3.4 Planning of operations

- 3.4.1 In considering the weapons and tactics to be used, the planning of operations involving weapons requiring special authorisation should take account of the characteristics of those weapon systems and the possible effect on communities and individuals of their use. In certain circumstance the use of particular weapons may present specific hazards which may need to be taken into account in decisions regarding their use.

- 3.4.2 Where possible, an early community impact assessment should be undertaken and kept under review. Opportunities for reassurance of communities affected should be considered for inclusion in the operational plan.
- 3.4.3 Operations involving weapons requiring special authorisation may require the most thorough and careful planning permitted by the circumstances. Such planning should take account of all information reasonably available to officers involved, so that operations may be undertaken in a safe and appropriate manner. This applies both to contingency planning for dealing with foreseeable threats, and immediate action which may be necessary at short notice. The level and nature of the information available, the threat, and the available time will inevitably affect planning in a particular case.
- 3.4.4 Police officers responsible for planning and undertaking operations where the use of force is a possibility should plan and undertake them so as to minimise, to the greatest extent possible, recourse to force and, in particular, lethal force.

3.5 Health and Safety

- 3.5.1 Legislation provides for the duties of employers regarding health and safety to extend to persons other than employees. Planning of operations involving weapons requiring special authorisation must therefore take account of possible risks to all personnel engaged as part of the operation, and any others who might be affected by it.
- 3.5.2 Chief officers of police are responsible to their police authorities for ensuring that training for and planning of operations involving weapons requiring special authorisation take account of any guidance on Health & Safety for Police Authorities and Chief Officers.
- 3.5.3 They should also ensure that the management and command of operations involving such weapons take continuing account of health and safety considerations.