

mobile phone in prison and this was how he was organising his escape. I cannot remember the exact choice of words that S105 used.

On page 4 line 3 of my typed detailed statement I refer to the tactical briefing. I cannot remember the exact choice of words that was used during the tactical briefing, or the actual intelligence that was given to us. I was made aware that a lost of stolen Audi that at the time was parked in Eastern Road would most likely feature and that an unknown number of subjects would attack the prison van and effect the escape of the males in custody. I was made aware that the suspects planning the escape were believed to be armed with firearms in order to force prison staff to release the males.

On page 6 line 14 of my typed detailed statement there is a typing error in that it reads 'visual' firearms warning when it should read USUAL. Firearms warnings are given to firearms officers prior to deploying on pre-planned firearms operations. Although described as warnings, they are a set of guidelines that appear in an officers Form 6590 (Firearms Authorisation Blue card) and are read out during a briefing. I am aware of these guidelines as they form part of training, and the reading of these firearms warnings during a briefing is intended to refresh an officer's memory. I feel that if I were to try and summarise these warnings I may not do them justice, and so will list them in full as set out on my form 6590 Authorisation Blue card. In listing them I accept they may differ slightly to the wording given during the briefing, but that given in the briefing is purely a reminder.

*INDIVIDUAL OFFICERS RESPONSIBILITY:*

*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 also constitute an assault and must also be reported and recorded.*

*CIRCUMSTANCES WHEN WEAPONS MAY BE FIRED:*

*Firearms are to be fired by AFOs in the course of their duty only when absolutely necessary after conventional methods have been tried and failed or must, from the nature of the circumstances, be*

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*unlikely to succeed if tried. (It is strongly advised that warning shots are a dangerous option as they may lead a subject or other officers to believe they are under fire or cause collateral injury).*

*ORAL WARNING:*

*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.*

On page 8 line 21 of my typed detailed statements I refer to activating the strobe light on my weapon. The strobe light is a small, weapon mounted system, fitted to the MCX carbine, and is situated slightly below the barrel on a rail. It has the appearance of a small torch and does incorporate a torch with strobe facility together with an aiming laser. It can be activated using a switch on the back of the unit, or using a pressure pad switch which attaches via a short lead. The strobe is activated when the on/off switch is pressed several times in quick succession. This activates the strobe and it will continue to operate whilst the switch is pressed. The torch points forwards and illuminates the area where the MCX is pointed, and as such, the strobe also covers the same area. The strobe is intended to distract armed subjects in close proximity, and can help dominate subjects.

At the time I activated the strobe light I cannot be precise as to exactly where my vehicle was. I was in the front passenger seat facing the Audi and my best estimate is that I was several metres away from the windscreen of the Audi. The front of our vehicle was across the front of the Audi and close enough to hopefully prevent it from driving out forwards. Because of this, I would have been only a few metres away from the windscreen of the Audi and the front seat occupants. Although I had a clear and unobstructed view of the front windscreen for several seconds until the other officers moved in from the left and right, there appeared to be tinting on the glass of the Audi which cast darkness into the inside and prevented me from seeing any of the occupants. In addition to this, there was a certain amount of reflection from the windscreen due to its angle, which hindered my vision into the vehicle. The strobe only illuminated the outlines of the front seat occupants, and I could make out their faces, which I described as appearing to be dark skinned, and their eyes which I saw were open and looking towards the

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