



**Police
History
Series**

Rules and Regulations

Mike Waldren QPM



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Head Office: PFOA, PO Box 116, March, PE15 5BA - Email: info@pfoa.co.uk

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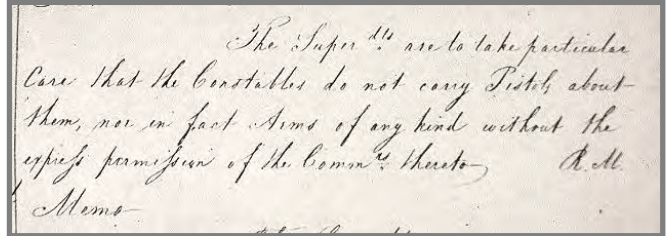
July 2013

Early Instructions



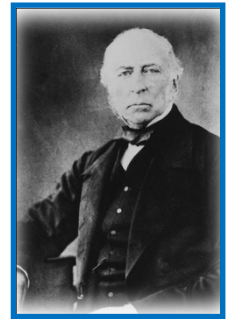
Mayne

The earliest instruction relating to police firearms is dated 8 November 1831 and carries the initials of (later Sir) Richard Mayne, one of the two joint-Commissioners of the newly-formed Met. It reads: 'The Superintendents are to take particular care that the Constables do not carry Pistols about them, nor in fact Arms of any kind without the express permission of the Commissioners thereto'.



Earliest Instruction in the Met

Broadly similar instructions were issued when other forces were created. For example Gloucestershire County Constabulary was formed in December 1839 and on 24 September 1842 the Chief Constable, Anthony Lefroy, directed that: 'The Superintendents will inform the Sergeants and Constables of their districts that on no account or under any pretence whatever will they be allowed to carry pistols or other firearms with them when on duty and the first man reported for so doing will be instantly dismissed'.



Lefroy

The Met's Commissioners (they did not actually hold this title officially until 1839) believed that they alone should give authority for their officers to be armed although they did seek the views of the Home Secretary when they thought it necessary. On 18 November 1830 the local residents of Tulse Hill in Brixton petitioned for the officers in their neighbourhood to be supplied with a sword or cutlass and 'at least one pistol' because 'the men are not sufficiently protected for the fearless discharge of their duty in the dead of night in such a neighbourhood as ours'.

The matter was referred to Lord Melbourne who, presumably at the suggestion of the Commissioners, 'approved of the proposal that each Police Officer in that district should be provided with a Cutlass for his defence'. [For Full Document see Appendix I or Click Here](#)

The cutlass was the weapon of choice as far as the Commissioners were concerned and on this occasion constables would have to make do without pistols. Nevertheless the Met certainly had firearms available. There are records in the Commissioners' letter books of 21 December 1829 asking for the purchase of fifty pairs of pistols and when the Bow Street Police Horse Patrol was brought under the Met commissioners in 1836 it retained its firearms (each member had a personal issue pistol) as did the Thames River Police in 1839. According to the Met's regulations dated 1851 it was the Superintendent of 'A' (Whitehall) Division who was responsible for keeping track of all the firearms held by the force and some of the subsequent contracts for police equipment still survive. One dated August 1856 is for the supply of pistols, swords, truncheons, rattles and handcuffs (see *Early Police Firearms*).



Contemporary representation of a Fenian soldier during the US civil war

The outbreak of Irish republican terrorism in the 1860s by the Fenian Brotherhood and its sister organisation in Ireland, the Irish Republican Brotherhood, resulted in the recall of the obsolete muzzle-loaded pistols held by the Met and their being replaced by revolvers. There are also records of revolvers and cutlasses being issued to some officers in Warwickshire Constabulary and of the Warrington Borough Police, which at the time consisted of a chief constable, two sergeants and twenty-three constables, being 'issued on government orders with enough revolvers and ammunition to arm each member of the force for their personal protection if the need ever arose'. In October 1867 the Head Constable of Birkenhead Borough Police reported that he had received thirty pistols and holsters from Chester Castle and in 1868 the Chief Constable of Caernarvonshire was told by his watch committee to 'apply for six revolvers and 250 rounds of ammunition from the Board of Ordnance'.

Undoubtedly other forces were also supplied with firearms from military ordnance stores and this led to media speculation on when they could be used, as was pointed out on the floor of the House of Commons on 17 February 1868. Colonel Fitzstephen French MP said that: 'There had been threats of the assassination of Her Majesty's Ministers, and there had been the actual assassination of some of the police. The Government appeared to have taken the subject into consideration, and had adopted certain precautionary measures. They had increased the Metropolitan Police Force and armed the constabulary with revolvers. It appeared, however, that the constables were not to use them in their own defence, or in

carrying out the law; for a constable was expected, according to the newspapers, to have three shots fired at him before he returned fire’.

This requirement seems highly unlikely and it was probably no more than a widespread rumour. No such regulation has so far been found in any police documentation of the time. In fact regulations of any kind, other than those prohibiting the carrying of firearms without permission, are noticeable by their absence. Officers had to rely on their knowledge of the law and this sometimes left them in a precarious position.

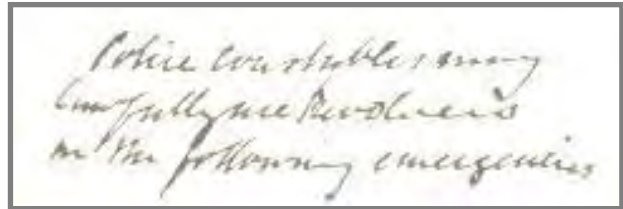
For example in 1850 George Dadson, a parish constable for Cranbrook in Kent, had been keeping watch on a copse from which wood was being stolen. William Walters emerged carrying stolen firewood and Dadson called on him to stop but instead he tried to run away. Dadson, ‘believing it to be his duty and having no other means of apprehending him’ shot him, wounding him in the leg. Although it was not unlawful to shoot an escaping felon, stealing wood was not a felony unless the thief had at least two previous convictions. In fact, Walters had numerous convictions for theft but Dadson did not know this until later and so he was charged with unlawful wounding with intent to cause grievous bodily harm. He was found guilty at the Kent Summer Assizes at Maidstone on 29 July but he appealed against his conviction on the grounds that Walters was indeed a felon. The conviction was upheld by the Court of Appeal in November because there was ‘no reason for supposing that [Dadson] knew the difference between the rules of law relating to felony’ and ‘the fact that Walters was committing a felony was not known to prisoner at the time. He was therefore liable to be convicted, though the amount of punishment might deserve great consideration’. Dadson returned to court in March 1851 to be sentenced to five days in prison.

Legal Advice

There was a need for the law on the subject to be clearly spelled out but it was not until 1882 that anyone sat down and officially tried to identify the circumstances under which a police officer could use a firearm. The man responsible was James Edward Davis and few people today will have heard of him but his work would end up guiding policy in the Met and probably many other forces for nearly a century. Davis was born in Presteigne, at the time the county town of what used to be Radnorshire in Wales. He was the son of a doctor, studied law and was admitted to the Middle Temple in 1839, being called to the Bar in November

1842. In December 1882 at the request of the Met Commissioner, Lieutenant-Colonel Sir Edmund Henderson, he examined the legal position on the police use of firearms. Written in a barely legible hand with a pen that required repeated dipping into an ink-holder (a patent on the first practical fountain pen was still two years away), Davis came up with six circumstances in which he believed that 'police constables may lawfully use revolvers:

1. In self defence where there is necessity for resorting to the use, as when the Constable is attacked by a person with firearms or other deadly weapon and cannot otherwise reasonably protect himself. A Constable (as a private person also) may resort to a revolver as a means of defence.



[For Full Document see Appendix II or Click Here](#)

2. If a constable finds a person committing, or attempting to commit, a murder, he is justified in shooting him, if reasonably necessary to prevent the completion of the offence.
3. In the case of committing burglary, or robbery with violence, if the offender, after the Constable has told him he will fire, does not at once desist, the Constable may use his revolver. If the offender is himself armed and offers violence, the justification of the Constable may be as before stated under (1) without notice.
4. If immediately after the complete offence under (2) or (3), the offender flies, the use of the revolver, after notice, to disable him in continued flight, is lawful, if no other means to effect his capture are reasonably open to the Constable. If death ensues it is misadventure. The Constable would not be criminally responsible.
5. If while watching or surprising a supposed offender, and the case is not as yet ripe for arrest, and the quality of the offence is unknown, and the supposed offender fires, or manifests an intention to use a deadly weapon towards the Constable, the Constable is justified in using a revolver.
6. In attempting to effect an arrest under a warrant, or without a warrant after a lapse of time after the commission of the crime justifying such an arrest, the use of the revolver is not justifiable. If resistance is offered by the use of firearms or deadly weapons so as to bring the case within (1) and the rule there laid down, a revolver may be used'.

Davis went on to explain that: 'It is obvious that in all cases of death or wounding resulting from the use of a revolver by a Constable his complete justification depends on facts, which upon trial or inquest, would be the province of a jury to determine, but a Constable should always act as if a jury, if it came before a jury, would find and express the

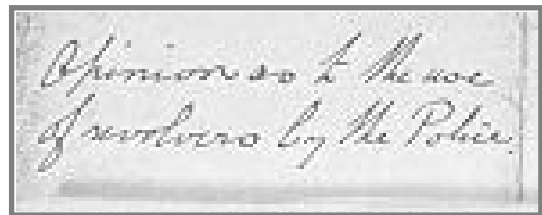


Inside Millbank prison

truth and act firmly and fearlessly, but not rashly.' He was making the point that in the final analysis a jury may be asked to decide whether a police officer's action was justified.

It seems that a separate consideration was the legal position of the police officers who had been assigned to Millbank convict prison (closed in 1890 but situated at the time on the left bank of the Thames near Vauxhall Bridge) which had been housing Fenian prisoners ever since the 'Clerkenwell Outrage' in 1867. Davis's advice was again sought and he replied on 20 September 1883:

'If a constable, so on duty, sees any person attempting to enter the prison forcibly by scaling the walls or otherwise under circumstances reasonably leading to the belief that the person has for his object the rescue or release of another confined in the prison, or the injury of any officer of the prison, or any injury to the fabric of the prison (including in the word prison, the prison walls) he should call upon the offender to desist and to surrender, failing either



[For Full Document see Appendix III or Click Here](#)

he may and ought to fire. If the attempt witnessed does not admit of a moments delay, as for example if the Constable is reasonably assured that an explosive substance is being applied, or about to be applied to the prison, or any personal violence with deadly weapons is about to be used toward another, he may and ought to fire. If the Constable, in the discharge of his particular duty above referred to, is himself engaged in deadly conflict whether by the use by the felon of firearms or other weapon, he may fire to protect his own life. In the service of the above instructions the Constable should not use his revolver rashly or in any way of retaliation or on mere suspicion, but on full reasonable assurance of the felonious purpose of the offender'.

As soon as Henderson received this advice he sought Home Office authority to arm the police officers at Millbank and this was granted on 22 September (three sergeants and twenty-four constables from 'A' Division, all armed, were posted to Newgate Prison at about the same time) but what specific printed instructions they were given (if any) has not survived.



Harcourt

Henderson had sent Davis's 1882 advice on when 'police constables may lawfully use revolvers' to the Home Office and had been told by (later Sir) Godfrey Lushington, the Permanent Under-Secretary, that the 'Secretary of State [Sir William Vernon Harcourt] has to instruct you that the men are to be strictly enjoined that the revolver is only to be employed in self defence under the circumstances stated in Mr. Davis's minute of December 27 under Head 1 and not for any of the other purposes set forth under the Heads of the same minute. The Secretary of State desires special attention to be paid to this instruction as it will greatly obviate the risks apprehended and does not think it safe to entrust the Police Constables with the discretion involved in the other Heads of Mr. Davis's minute'.

In other words only self-defence was to be permitted despite use under other circumstances being considered lawful but, whilst anxiety at the prospect of the police shooting burglars who (somewhat improbably) refuse to desist (as in (3)) or fleeing criminals (as in (4)) is understandable, the implications of ruling out the use of a firearm to prevent someone from being murdered (as in (2)) seem to have been poorly considered. The more so since on 1 December 1882 Harcourt had agreed that the Met could buy twelve revolvers specifically for the purpose of arming the police officers assigned to the personal protection of Her Majesty's ministers (see *Churchill's Other Bodyguards*). Under what circumstances did he imagine the police so assigned were going to use the firearms they were now carrying?

New Regulations

At the time there was a possibility that the Met as a whole could end up fully armed (see *Armed Burglars – The 1880s*) and it was realised at last that some form of official regulations were needed. Henderson formed a committee of four superintendents to draw these up and this reported on 23 May 1884. However the committee was clearly not told

about the Home Secretary's response to Davis's memo, despite the requirement that 'special attention' be paid to it, because the whole of the advice was included in a draft police order. To make matters worse, also included were directions that 'officers carrying revolvers are to be cautioned in the terms of the Legal Advisors Memo of 27th December 1882, and a copy of the Memo, printed in the form of a notice, is to be exhibited in the charge-rooms, or other places where Police parade'. Although Davis pointed out on 26 May that 'some verbal inaccuracies seem to have crept into the copy, doubtless my fault for writing illegibly' (for example 'flies' in (4) became 'fires' in the printed copy), the draft was sent to the Home Office for approval and, not surprisingly, it was returned for redrafting. Responsibility for this was given to Davis who, after being shown the earlier correspondence from Lushington, deleted most of the content with only the first of his 'circumstances' in a slightly modified form surviving the cut. [For Full Document see Appendix IV or Click Here](#)

When resubmitted to the Home Office on 19 June the final version was approved to become the first ever Met regulations on when police officers could use

5. Officers carrying revolvers are to be strictly enjoined that they are only to be used in self defence where there is necessity for resorting to their use, as when the Constable is attacked by a person with firearms or other deadly weapon and cannot otherwise reasonably protect himself, a Constable (as a private person also) may resort to a revolver as a means of defence.

firearms and this particular paragraph

[For Full Document see Appendix V or Click Here](#)

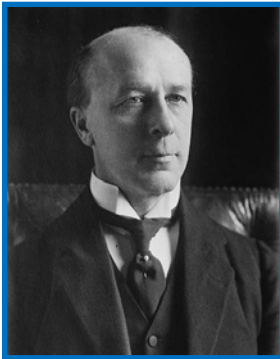
would remain almost unchanged for ninety-eight years, nine months and three days. Major William Henry Poyntz, the Chief Constable of Essex, issued almost identical instructions to his force on 1 June 1885. [For Full Document see Appendix VI or Click Here](#)



[For Full Document see Appendix VII or Click Here](#)

It would turn out that the first recorded use of a revolver by a Met police officer after these instructions were published had nothing to do with self-defence. On 18 February 1887 at five o'clock in the morning Constable Henry Owen was on duty at Keston Common when he found a house on fire and he fired six shots over its roof to wake up the occupants. His own superintendent was less than impressed and considered not only that the use of a revolver to raise the alarm was 'an unusual method to adopt' but that the officer was 'not a stalwart man' and that firing the revolver was not justified. However, Lieutenant-Colonel Richard Pearson, one of the two Assistant Commissioners, noted on the file before forwarding the report to Henderson for his information that 'I do not attach much blame to the P.C.'.

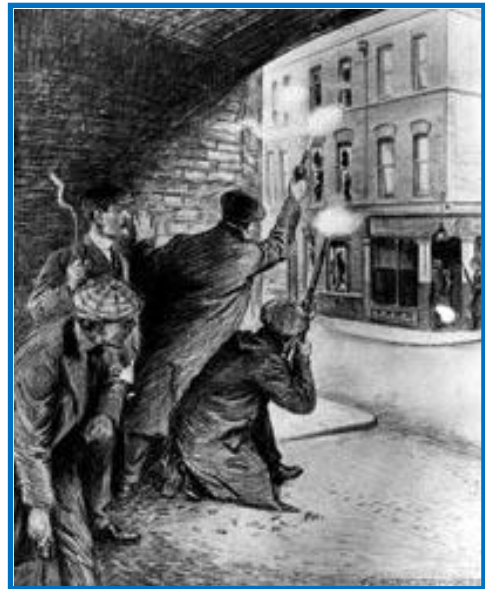
Questions In The House



McKenna

The new regulations allowed any officer on night duty in the Met to carry a revolver if he wished and questions about when the police could be armed were raised occasionally in the House of Commons, usually after some event had drawn public attention to it. For example, after the Siege of Sidney Street in 1911 it was clear that the guns available to the police were outdated and unfit for the purpose. When the Met therefore decided to change to another weapon rumours soon started to spread and on 14 November the Home Secretary, Reginald McKenna, was asked: 'How far are the Metropolitan Police armed with revolvers or other firearms; are they always carried when constables are on duty or only on special occasions or special hours; has there been any recent regulation extending the practice of carrying these weapons; and is it the custom of provincial police to carry firearms?' He replied: 'A new type of revolver [in fact it was a Webley & Scott self-loading pistol] has recently been sanctioned for the Metropolitan Police, but there has been no change in the practice which has existed for many years; and no change is contemplated. Firearms are not, as a rule, carried by police unless they are engaged on special and dangerous duty, and though the rules allow police employed at night on lonely beats to carry firearms on application being made by them, this permission is seldom asked for. It is not, I believe, the custom for provincial police to carry firearms on their ordinary duties'.

The vagueness of the reply when it came to the rules for forces outside London is instructive. Clearly it was not something that McKenna felt the need to examine too closely. There were about 193 police forces in England and Wales at the time and although not all of them had firearms it would still have taken a major effort on the part of his staff to produce a comprehensive answer. Curiously the official regulations in the



Police return fire at the Siege of Sidney Street

Met still only referred to officers on night duty. There was nothing about officers 'engaged on special and dangerous duty' being allowed to carry firearms and so McKenna must have been told about this verbally. It was obviously permitted or there would have been no police firearms at the Siege of Sidney Street and no armed officers would be guarding prominent buildings or on personal protection duty during the daylight hours. It seems the need for firearms under such circumstances was so manifestly clear that official instructions to cover it were not needed and this would remain the case until 1936.

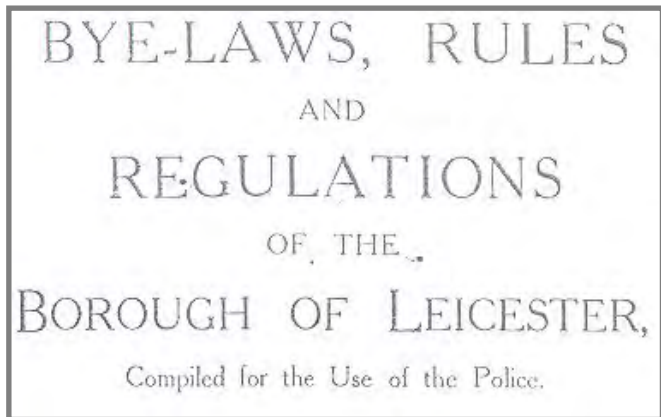
In May 1920 it was announced in force orders that the 'annual firing practice' was to be restarted in the Met after its suspension for the duration of World War I and when this came to public notice there was speculation in the media that this was another new development in police arming. The Home Secretary, Edward Shortt, was therefore asked: 'What Regulations are in force with regard to the arming of the police force; and who is the authority who decides what events justify the putting of these Regulations into practice?' He replied: 'The Regulations in force in the Metropolitan Police provide that officers engaged on night duty may carry automatic pistols for purposes of self-defence, if they so desire, and, in the opinion of the station officer, can be trusted in their use. I have approved similar Regulations for county forces when application has been made; and Regulations for borough forces can be made by watch committees'. In spite of this reply it is worth noting that there were a considerable number of police officers around the country carrying firearms either for protection purposes or on anti-terrorist patrols in the 1920s (see *The Nineteen Twenties*) but in most if not in all forces there was almost certainly no regulation that allowed for it – although, of course, chief constables were at liberty to overrule their own rules whenever they liked.



Shortt

A surviving example of the regulations approved by a Watch Committee is the 'Bye-Laws, Rules and Regulations of the Borough of Leicester'. These were drawn up in 1911 by Major John Hall-Dalwood who was the Head Constable of Leicester from September 1907 until 1912. He, like Davis, was a qualified barrister and his instructions were far more legalistic than those found in the Met and the other forces that had used the Met's regulations as a basis for their own. Indeed, at the conclusion of training there was a 'test', part of which required that the trainee should 'write a paper on the law relating to Homicide' and it was

made quite clear that ‘no officer must under any circumstances be entrusted with one of these weapons until he has passed the test’.



Officially, firearms in Leicester could only be issued to members of the ‘Detective and Bye-Laws Departments’ and ‘a selected number of officers and constables from each Division’. They

[For Full Document see Appendix VIII or Click Here](#)

could be carried only ‘in cases of urgent necessity such as the arrest of a dangerous criminal believed to be armed and, who is expected to make a violent attack upon the police to avoid arrest’. The regulations went on to say that: ‘It cannot be too strongly impressed upon the minds of all officers that the use of firearms is only justified as a last resort of self-defence, and that under no circumstances will the killing of another exonerate the slayer unless he be in immediate and obvious danger of instant death or grievous bodily harm’.

Once again only self-defence was to be permitted. Weapons were kept at the force headquarters and issued with the authority of the chief and detective superintendents, although this was reduced to ‘the senior inspector in charge’ out of office hours.

An Attempt At Standardisation

The situation of having different regulations in nearly every force became a matter for concern in March 1965 following a survey by Her Majesty’s Inspectors of Constabulary (HMIC). This had found that of the 122 forces then in existence in England and Wales (amalgamations had reduced the number since 1911), ten did not hold any firearms at all – Bedfordshire, Barrow, Carmarthen and Cardigan, Huddersfield, Flintshire, Luton, Mid-Wales, Merthyr Tydfil, Staffordshire and Stoke-on-Trent.

Of the remainder, sixty-five required the personal authority of the chief constable or deputy before firearms could be issued. The Met and forty-three provincial forces issued weapons on the authority of the person in nominal charge of the place where weapons were kept, usually a sergeant or an inspector. Presumably the other three forces with firearms either had no directions or did not respond to the survey.

A 'Working Party on Arming the Police in Time of Emergency', a Home Office-led sub-group of the 'Police War Duties Committee', had been formed after World War II to advise on police arming in the event of another war but after the HMIC survey it produced an 'Interim Report: Arms for the Police in Peacetime' with a view to 'recommending a standard practice for all police forces'. The proposals were agreed by a preliminary meeting of the Central Conference of Chief Constables on 10 November 1965 and they identified three main requirements to be met – arms to be carried on the person as a regular precaution; arms to be available for rapid issue; and arms to be held as a reserve. Circumstances in which firearms might be needed were seen as being 'guarding important and threatened persons, searching for or apprehending dangerous lunatics and criminals, guarding special premises and, in certain cases, manning roadblocks designed to catch dangerous criminals'.

For the authority level required to issue firearms the report proposed that an officer of superintendent rank was appropriate. However, in an attempt to make this acceptable to those chief constables who believed that only they should give authority, a rider was added that any such authority should only be given after 'consultation' with the chief constable or, in his absence, the deputy. Since no superintendent was going to go against the views of his chief after a 'consultation', the compromise rendered assigning the level of authority to the superintendent rank quite meaningless. Moreover, chief officers in forces where the authority was vested at a much lower level, usually for sound operational reasons, had no intention of being dictated to and so they ignored the Interim Report (there was no 'Final Report') and left their internal instructions as they were.

Standardisation Is Imposed

The attempt at standardisation was a failure but this would not be the case after a shooting in Kensington by Met officers in January 1983. Stephen Waldorf was shot and wounded in the mistaken belief that he was a dangerous wanted criminal, David Martin, and that he was trying to reach for a gun. Although Waldorf recovered there was a huge public outcry and for the first time the rules on the issue of firearms to the police became the subject of close public scrutiny. The pervading belief was that there must have been far more to this incident than simple human error. The regulations themselves must have contributed to it. For example in the House of



Commons the Home Secretary, William Whitelaw, was asked by Roy Hattersley MP to 'understand that the nation-wide concern that has been expressed about last Friday's tragedy involves not simply the shooting of one innocent man but the practices and procedures that made that tragedy possible? I therefore ask the Home Secretary to understand that the House, like the country, expects an inquiry into the regulations governing the issue of firearms to police officers and ... that he must tell us how he ... proposes to remedy the problems that allowed it to happen in the first place?'

There were many similar contributions to the discussion, the general tone of which was that if firearms had not been issued then a police officer could not have shot someone by mistake; an entirely logical viewpoint but one which took absolutely no account of the



Part of the briefing board for the officers searching for Martin

dangers posed by Martin to the officers who were looking for him.

Arguments that each force was different and therefore each needed its own regulations were no longer considered sustainable. Certainly the general public could not understand why the rules on the issue of firearms to their local police depended on which county they happened to live in. The Home Office was under pressure to be seen to be doing something and so on 22 March 1983 it wrote to every chief constable in England and Wales (in circular 47/1983) and included new 'Guidelines for the Police on the Issue and Use of Firearms'. Similar guidelines 'to be read in conjunction with the guidelines for the police on the operational use of firearms prepared by the Lord Advocate' were approved by George Younger, the Secretary of State for Scotland, and sent to forces north of the border the same day.

In future only very senior officers were to decide whether or not firearms were really necessary. The level of authority required was standardised across the board at ACPO rank (members of the Association of Chief Police Officers – at least commander in London and assistant chief constable in other forces), although if a delay could result in loss of life or serious injury, a chief superintendent or superintendent could authorise issue. Even then, an officer of ACPO rank had to be informed as soon as possible and any authority given could then be overruled.

Under the 'Principles governing issue and use' was a revised set of circumstances under which firearms could be used thereby putting an official end to the versions produced by Davis, Hall-Dalwood and probably a few others over the years: 'Firearms are to be used by authorised and trained police officers only as a last resort where conventional methods have been tried and failed, or must, from the nature of the circumstances obtaining, be unlikely to succeed if tried. They may be used, for example, when it is apparent that a police officer cannot achieve the lawful purpose of preventing loss, or further loss, of life by any other means'. This would sometimes lead to lively discussions on training courses over exactly what failed 'conventional methods' the Home Office had in mind when it came to dealing with someone with a gun.

GUIDELINES FOR THE POLICE ON THE ISSUE AND USE OF FIREARMS

Principles governing issue and use

Firearms are to be issued only where there is reason to suppose that a police officer may have to face a person who is armed or otherwise so dangerous that he could not safely be restrained without the use of firearms; for protection purposes; or for the destruction of dangerous animals.

[For Full Document see Appendix IX or Click Here](#)

The new guidelines formed the first chapter of the ACPO Manual of Guidance on Police Use of Firearms which was also first produced in 1983. They would have made no



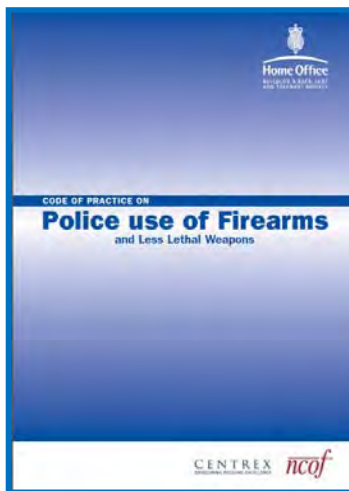
difference to events had they been in effect the previous January but that was irrelevant. They were intended as a public reassurance exercise. However they were to have a profound effect on police morale. Many junior officers who were used to having inspectors or even sergeants giving the authority for firearms issue felt that ACPO rank was far too remote from the dangers involved in everyday policing.

Nevertheless they were adopted by every force without exception but even at ACPO level there was a feeling that the Home Office was interfering in matters that had historically always been within the operational province of individual chief constables. However the United Nations 'Basic Principles on the Use of Force and Firearms by Law Enforcement Officials' were agreed in 1990 and these required that: 'Governments and law enforcement agencies shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials'. Included was the need to: 'Specify the

circumstances under which law enforcement officials are authorised to carry firearms and prescribe the types of firearms and ammunition permitted'. Governments then had (and still have) an obligation to be an active participant in determining the rules and regulations relating to the police use of firearms in their respective countries.

By June 1995 the highly charged atmosphere that had been responsible for the new guidelines had dissipated and pressure from the lower ranks in the service resulted in the authority level being officially reduced to that of the officer in charge of a 'Basic Command Unit' (superintendent) or an inspector in urgent cases. At the same time, officers crewing armed response vehicles could join their colleagues performing protection duty in having a standing authority to carry firearms – although this was only if their chief constable agreed and some didn't.

The 'Code of Practice on Police use of Firearms and Less Lethal Weapons', drawn up in theory by the Home Office (and for some reason Centrex also insisted on its logo being put on the front cover) but in reality by the ACPO Firearms Secretariat in 2003, replaced the Home Office guidelines and introduced the concept of chief constables conducting threat and risk assessments to determine the operational requirement for police firearms in their respective areas. As a by-product it also finally did away with specifying a rank at which authority for firearms issue could be given, leaving that for individual chief constables to decide once more.



Although the Manual of Guidance itself has been updated many times since it was first introduced, and renamed the Manual of Guidance on The Management, Command and Deployment of Armed Officers in 2009, references to when firearms can be actually used by the police have remained identical for all forces since 1983. Today it is the European Convention on Human Rights that officers must keep in mind and: 'In all situations it is the individual [Authorised Firearms Officer] who must assess the immediacy and proximity of the threat and make an operational decision as to whether it is absolutely necessary to discharge a firearm or take other decisive action. ... Each [Authorised Firearms Officer] is individually accountable for their decisions and actions. This includes decisions to refrain from using force as well as any decisive action taken, including the use of force or a firearm'.

The introduction of Armed Response Vehicles in the 1980s and early 1990s has made police firearms more readily available but in many ways very little has changed in terms of when those firearms could be used over the last hundred years. ‘Necessity for resorting to their use’ and ‘as a last resort of self-defence’ became ‘only as a last resort’ and is now only in cases of ‘absolute necessity’. The personal responsibility for the use of a firearm has remained the same although after two decades of standardisation the flexibility implicit in the Code of Practice has allowed the police service to return to the days when all forces had different internal instructions on the process for firearms issue.

The major difference today is that the Code of Practice and the Manual of Guidance provide the central definitive reference points with no less than twelve pages devoted to just the ‘Legal Framework’ within which armed officers have to operate – and against which their actions (or lack of them) will be judged.

Note:

If you have any information on developments to do with police firearms in your force/area, particularly any old force instructions, please contact mike.policehistory@yahoo.com.

© Mike Waldren

Water Hill, Boston 18 November
1838

Appendix I

To the Commissioners of Police

Gentlemen

Having what occurred at the back of Mr Henry
Hickins house on the night of the 15th inst. and also
at Miss Cotes the next morning, on the 16th inst. We take
the liberty of suggesting to you, the propriety of the Police
constables in our neighbourhood being furnished with a sword
or bludge and at least one pistol each man, from a conviction
that the men are not sufficiently protected, for a family dis-
charge of their duty on the dead of the night in such a neighbour-
hood as ours, and particularly as it appears there are a gang
of desperate ruffians about. We are decidedly of opinion
that had the Man Wray been armed with the above mentioned
weapons, he would have taken hold the ruffians, not safe-
ly, but without having been so grievously attacked.

We also respectfully submit we do not feel ourselves fully
protected, from a scarcity of men in our immediate vicinity,
and therefore earnestly request, the case may be taken into your
immediate and favorable consideration, placing much
confidence in the Policemen. We must at some time regret
our almost total failure, in the very important conduct of the
Policemen Wray on the night of the 15th inst. and hope some
apostrophe will be rendered him to manifest his speedy
recovery - And we gentlemen

Yours Most Respectfully

Lewis Saxons

J. H. Rogers & Co

Wm. H. Smith

George M. Perkins

Thomas F. Davis

Samuel H. Smith

Secord Deacons

J. Hayscraft

Robert Platt

Chas. West

Wm. M. Farland

Henry Butler

J. Martinian

George Mahan

Thomas Farley

Samuel Smith

William D.

George Hyne

John Rust

Wm. Nash

Trust Deacon

Thos. Lee

Rhymage

A. M. Wether

Geo. Lovegrove

Wm. Cole

Mr. Galt

William Andrews

Henry Osborn

Jos. Bale

John Gubb

John Haggitt

William White

J. J. Hine

N. H. Picher Carvers

A. C. Cole

Isaac Cole

J. Gibson

F. Schuster

Chas. Richardson

Charles Martinian

Henry H. Cohen

Whitehall

15th Nov 1750

Gentiana,

I have laid before Viscount
Melbourne the Letter herewith returned
addressed to you by the Inhabitants
of Grahamstown.

and I am directed by His
Lordship to inform you, that upon the
recommendation of the Inhabitants, and
in consideration of the circumstances they
have stated, he approves of the proposal
that each Police Officer in that district
should

Recompenses of Police

should be provided with a bulwark
for his defence. [To Return to Main Article](#)

[To Return to Main Article Click Here](#)

I am
Yours most devoted Servant

Am Phillips

Police Constables may lawfully use Revolvers in the following emergencies.

1. In self defence where there is necessity for resorting to the use ^{of} where the Constable is attacked by a person with fire arms or other deadly weapon & cannot otherwise reasonably protect himself. A Constable has a private person choosing resort to a revolver as a means of defence.

2. If a Constable finds a person committing, or attempting to commit, a murder he is justified in shooting him if reasonably necessary to prevent the completion of the offence.

3. In the case of committing burglary, or robbery with violence, if the offender, after

the Constable has told him he will fire, does not at once desist, the Constable may use his revolver.

If the offender is himself armed and offers violence the justification of the Constable may be, as before stated, under (1), without notice.

4. If immediately after the complete offence under (2) or (3) the offender flies, the use of a revolver, after notice to disperse him, ^{in an attempt to arrest} if no other ~~reasonable~~ means to effect his capture are reasonably open to the Constable, ~~the~~ death entreats it is misadventure. The Constable would not be criminally responsible.




6 In attempting to effect
an arrest under a
warrant, or without a
warrant after a lapse
of time after the commission
of a ~~serious~~ crime justifying
such an arrest, the use of
a revolver is not justifiable
if resistance is offered
by the use of fire arms or
deadly weapons so as to
make the case within
the rule there laid

Applying recent cases
to the above rules, if
opportunities had served,
the Constables murdered
at Kingston & Dalston &
the Constable shot at Hampstead
might have lawfully
used Revolvers under
Rules 1 & 5.

It is obvious that in all cases of death or wounding resulting from the use of a Revolver by a Constable, his complete justification depends on facts which upon a trial or inquest, will would be the province of a Jury to determine; but a Constable should always act as if a Jury, if it came before a Jury, would


The escape or attempted
escape from prisons
or while undergoing
penal servitude, I
have not touched upon,
as not affecting the scope of the
question put to me.

27 Dec. 1912


 The verbal command addressed
 to me ^{by the Comptroller of the Prison} ~~reporting~~ instructions to be given
 to police officers guarding Millbank
 Prison of the City of State District
 or Sanctions their being armed
 with Revolvers, under the belief
 that there are grounds for apprehending
 that felonious attempts for the
 release of one or more prisoners
 are contemplated, I recommend that
 the following instructions be given.

If the Constable on duty sees any
 person attempting to enter the prison
 forcibly ^{by scaling the walls or otherwise} ~~unlawfully~~ under
 circumstances reasonably leading
 to the ~~inference~~ ^{belief} that the person has
 for his object the rescue or release
 of another confined in the prison, or
 the injury of any officer of the prison.

P


or any injury to the fabric of the
prison (including ^{in the good prison} the prison walls)
he should call on the offender to
desist and to surrender, & failing
either, he may ^{be ought to} fire.

If the attempt withstood ~~is~~ does
not admit of a moment's delay, as
for example if the constable is narrowly
apprised that an explosive substance
is ^{being applied on} about to be applied to the ~~walls~~ prison,
or any personal violence with ^{deadly} weapons
is ^{about to be used} used towards another, he may ~~fire~~
and ought to fire.

If the constable ^{should} in the discharge
of his ~~duty~~ ^{particular}
duty above referred to, is himself engaged
in deadly conflict, whether by the use
by the ~~offender~~ of fire arms or other
^{deadly} weapons, he may fire to protect
his own life..



In the exercise of the above instructions
the Constable should not use his violence
easily or only by way of retaliation, or
on mere suspicion. but on full reasonable
assurances of the felonious purpose
of the offender -

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20 Sept 1853

Metropolitan Police Office.

Appendix IV

POLICE ORDERS.

FIREARMS.— The following regulations relating to the issue to, and use by Police of revolvers, having been approved, the Superintendents are to see that they are strictly adhered to:—

2. 1. The revolvers are to be kept at the stations to which men who are to use them are attached, the Officers on duty thereat being held responsible for their safe custody and efficient condition.
3. 2. A revolver is to be issued to a Constable on parading for duty, on his own application only, at the time of parading. It is to be loaded by the Officer parading the relief, and placed in the holster. An entry is then to be made in the Occurrence Book, showing the number and name of the constable to whom a revolver has been issued, and also the number of the revolver.
4. 3. The revolver is to be carried in the holster on the belt on the right side in front of the truncheon, and is not to be taken out of the holster for any purpose whatsoever, except for self defence.
5. 4. Officers carrying revolvers are to be ~~governed by the terms of the Legal~~ *strictly enjoined* ~~Adviser's Memo. of 27th December, 1882, and a copy of the Memo, printed in the form of a notice, is to be exhibited in the charge rooms, or other places where Police parade.~~

~~Note: The following are the terms of the Memorandum referred to:—~~

~~"Police Constables may lawfully use revolvers in the following emergencies.~~

That revolvers are only to be used in self defence (a) In self defence where there is necessity for resorting to the use, as when the Constable is attacked by a person with firearms or other deadly weapon and cannot otherwise reasonably protect himself, a Constable (as a private person also) may resort to a revolver as a means of defence.

as follows (b). If a Constable finds a person committing, or attempting to commit, a murder, he is justified in shooting him, if reasonably necessary to prevent the completion of the offence.

(c). In the case of committing burglary, or robbery with violence, if the offender, after the Constable has told him he will fire, does not at once desist the Constable may use his revolver. If the offender is himself armed and offers violence, the justification of the Constable may be as before stated under (a) without notice.

(d). If immediately after the complete offence, under (b) or (c), the offender fires, the use of a revolver, after notice, to disable him in continued flight, is lawful, if no other means to effect his capture are reasonably open to the Constable. If death ensues it is misadventure. The Constable would not be criminally responsible.

(e). If while watching or surprising a supposed offender, and the case is not ripe for arrest, and the ~~result~~ *character* of the offence is unknown, and the supposed offender fires, or manifests an intention to use a deadly weapon towards the Constable, the Constable is justified in using a revolver.

(f). In attempting to effect an arrest under a warrant, or without a warrant after a lapse of time after the commission of a crime justifying such an arrest, the use of a revolver is not justifiable. If resistance is offered by the use of firearms or deadly weapons so as to bring the case within (a) and the rule there laid down, a revolver may be used.

(g). It is obvious that in all cases of death or wounding, resulting from the use of a revolver by a Constable, his complete justification depends on facts, which, upon a trial or inquest, would be the province of a jury to determine; but a Constable should always act as if a jury, if it came before a jury, would find and express the truth, and act firmly and fearlessly, but not rashly."

6. On going off duty the Officer in charge of the Station is to receive the revolvers from the Police, and in their presence extract the cartridges, carefully examine both weapon and cartridges and make an entry in the Occurrence Book of the condition in which they are delivered to him.

7. The Officer having the use of a revolver is to report, on going off duty, every instance in which he has had occasion to remove it from the holster during his tour of duty, whether it has been used or not. Such reports are to be dealt with as "Urgent," and submitted at once to Commissioner through District Superintendent.

8. Before a revolver is issued to an Officer, he is to be properly instructed in its use, and a report of his competency submitted, through the District Superintendent, to Commissioner for his approval.

A 1842^B
31



Whitehall

June 1881.



Sir,

I am directed by
Secretary Sir William
Vernon Harcourt to
acquaint you that he
approves of the amended
Police Order on the subject
of the use of revolvers
by the Police as submitted
with your Memorandum
of the 19th Instant.

The Commissioner of Police.
Yours obedient Servant,
Godfrey Lushington



Police Orders. June 30th 1884.

FIREARMS.—

The following regulations relating to the issue to, and use by Police of revolvers, having been approved, the Superintendents are to see that they are strictly adhered to:—

1. Revolvers are only to be issued to men who desire to have them when employed on night duty, and who can, in the opinion of the Divisional officer, be trusted to use them with discretion.

2. The revolvers are to be kept at the stations to which men who are to use them are attached, the Officers on duty thereat being held responsible for their safe custody and efficient condition.

3. A revolver is to be issued to a Constable on parading for duty, on his own application only, at the time of parading. It is to be loaded by the Officer parading the relief, and placed in the holster. An entry is then to be made in the Occurrence Book, showing the number and name of the constable to whom a revolver has been issued, and also the number of the revolver.

4. The revolver is to be carried in the holster on the belt on the right side in front of the truncheon, and is not to be taken out of the holster for any purpose whatsoever, except for self defence.

5. Officers carrying revolvers are to be strictly enjoined that they are only to be used in self defence where there is necessity for resorting to their use, as when the Constable is attacked by a person with firearms or other deadly weapon and cannot otherwise reasonably protect himself, a Constable (as a private person also) may resort to a revolver as a means of defence.

6. On going off duty the Officer in charge of the Station is to receive the revolvers from the Police, and in their presence extract the cartridges, carefully examine both weapon and cartridges and make an entry in the Occurrence Book of the condition in which they are delivered to him.

7. The Officer having the use of a revolver is to report, on going off duty, every instance in which he has had occasion to remove it from the holster during his tour of duty, whether it has been used or not. Such reports are to be dealt with as "Urgent," and submitted at once to Commissioner through District Superintendent.

8. Before a revolver is issued to an Officer, he is to be properly instructed in its use, and a report of his competency submitted, through the District Superintendent, to Commissioner for his approval.

E. Y. W. HENDERSON.

ESSEX CONSTABULARY.

The following regulations relating to the issue to and use by Police of Revolvers, having been approved by the Court of Quarter Sessions and Secretary of State, the Superintendents are to see that they are strictly adhered to:—

1.—Revolvers are only to be issued to men who desire to have them when employed on night duty, and who can, in the opinion of the Divisional Officer, be trusted to use them with discretion.

2.—The Revolvers are to be kept at the stations to which men who are to use them are attached, the Officers in charge thereof being held responsible for their safe custody and efficient condition.

3.—A Revolver is to be issued to a Constable on parading for duty at a station on his own application only, at the time of parading. It is to be loaded by the Officer parading the relief, and placed in the holster. An entry is then to be made in the Occurrence Book, showing the number and name of the Constable to whom a Revolver has been issued and also the number of the Revolver.

4.—The Revolver is to be carried in the holster on the belt on the right side and is not to be taken out of the holster for any purpose whatsoever, except for self defence.

5.—Officers carrying Revolvers are to be strictly enjoined that they are only to be used in self defence where there is necessity for resorting to their use, as when the Constable is attacked by a person with firearms or other deadly weapon and cannot otherwise reasonably protect himself, a Constable (as a private person also) may resort to a Revolver as a means of defence.

6.—On going off duty, an officer to whom a Revolver has been issued at a station is to at once extract the cartridges, and hand it over next morning as early as possible to the Superintendent or Inspector in charge, who will, in the Officer's presence, carefully examine both weapon and cartridges, making an entry in the Occurrence Book of the condition in which they are delivered to him.

7.—The Officer having the use of a Revolver is to report on going off duty, every instance in which he has had occasion to remove it from the holster during his tour of duty, whether it has been used or not; such reports are to be dealt with as "urgent" and submitted at once to the Chief Constable through Superintendents.

8.—Before a Revolver is issued to an Officer, he is to be properly instructed in its use, and a report of his competency submitted, through the Superintendent, to the Chief Constable, for his approval.

9.—A box will be supplied to each Station, and to each Officer, to whom a Revolver has been issued, in which it and the cartridges are to be kept locked up and the key retained always on the Officer's person.

10.—An Officer to whom a revolver is issued at an out detachment, and who is unable to parade at a station owing to distance therefrom, is to keep the box in a safe place locked up, and is invariably to extract the cartridges on returning from duty.

11.—Superintendents and Inspectors, when visiting their men's residences, are invariably to inspect and examine the box, revolver, and cartridges, to see that the weapon is in good order, and the proper number of cartridges accounted for.

CHIEF CONSTABLE'S OFFICE,
CHELMSFORD,

1st June, 1885.

W. H. POYNTZ,
CHIEF CONSTABLE.

C. O. REFERENCE.

DIVISIONAL REFERENCE.

77869

Report
Fr. L. J. Gens

Submitted through Chief Constable

For Cambell Division.

Subject Firearms -

Fire at Keston Village
Keston, and P.C. 161^c
over firing his revolver
& 6 cartridges over the
roof of dwelling house
to arouse inmates -

the
assist. Comm^r.

Submitted. -

19²/₂₇ W. S. Gilman.

To Col Pearson 19²/₂₇ CR.

To the Commission
L

information.

I do not attach
much importance
blame to the P.C.

MR.

21.2.87.

Forw^d to Sup^r P. to note 23/2/87.....
Ret^d to Ex. Bh. 24/2/87 210.....

Rym

No. 6.

Special Report.

Reference to Papers.

Pursuant
to Police orders
30th June 1884
para. 7-

METRO.

COMMISSIONERS OFFICE

24 FEB 27 - 1 2

P. 1

POLICE

I Division.

Lamborough Station February 18th 1887

I beg to report that about 5 Am while on duty at Roston Common I noticed a quantity of smoke in the direction of Roston Village. I made all possible haste to the spot and discovered that a large general shop belonging to Thomas Cyrus Haslett was on fire and well alight and knowing that inmates were sleeping in upper part of the dwelling house situate at the rear of shop and adjoining to it. I blew my whistle, lustily called out fire, and hammered the shutters. but failing to get any response and fearing that the lives of the inmates would be placed in jeopardy, if there were any further delay, I drew my revolver No 236 and fired six cartridges over the roof of the dwelling house. I then scaled the side fence and made my way to the rear of the House. Just as the inmates four in number viz Thomas Cyrus Haslett age 87 - William Henry Haslett - Thomas Haslett and Emma Thompson (adults) issued from back door of premises into garden Mr Haslett stating he was awake

No. 6.

Special Report.

Division.

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Reference to Papers.

by hearing a rumbling noise (evidently the shots from the revolver) and finding that the room was full of smoke he partly dressed and hurried out with the other inmates who also had been aroused, finding upon inquiry there were no other person in the house. at the request of Mr Haskett I assisted in removing a quantity of Books Documents and other property. and in extinguishing the fire which gutted both Shop & Dwelling House.

Henry Owen P. 161 P.
Respectfully Submitted

I think the PC acted wisely in using his Revolver under the Circumstances

Eastwood Insp.
Submitted in Explanation of using the Revolver, which seems to have had the effect of arousing the inmates, although an unusual method to adopt -

It seems is not a stalwart man, and I do not think the firing of the revolver was justified -

Mr. Butt Lupton

BYE-LAWS, RULES
AND
REGULATIONS
OF THE
BOROUGH OF LEICESTER,

Compiled for the Use of the Police.

EXTRACTS FROM GENERAL AND LOCAL
ACTS OF PARLIAMENT, PRACTICAL HINTS
AND INSTRUCTIONS ON CRIMINAL LAW,
AND
EXTRACTS FROM HOME OFFICE CIRCULARS.

... BY ...

MAJOR J. HALL-DALWOOD,
Of the Middle Temple, Barrister-at-Law,
Head Constable of Leicester.

PRINTED FOR THE EXCLUSIVE USE OF MEMBERS OF THE
LEICESTER BOROUGH POLICE FORCE.

Trial.

The trial can take place either where the property was obtained, or where the false pretence was made.

(See also Marriott, pp. 110-111.)

FIREARMS.

The following Rules and Regulations, approved by the Watch Committee, are made for the guidance of officers who may be called upon to use firearms.

Instruction.

All members of the Detective and Bye-Laws Departments will undergo a Course of Instruction in the mechanism and use of the authorised weapon under the supervision of a qualified instructor.

The Course will be continuous until a certain standard of efficiency in shooting, and knowledge of the weapon is attained by each man.

At the end of the Course, those members who pass the test satisfactorily, will be required to fire a certain number of rounds at intervals during each year in order to maintain their proficiency.

Classes of instruction will be formed as circumstances permit, in duty time and free of expense to the individual.

Uniform Branch.

A selected number of officers and constables from each Division will be similarly trained in the use of the firearm.

Regulations.

The following Regulations as to the carrying, use and storage of pistols must be thoroughly learnt and understood.

No officer must under any circumstances be entrusted with one of these weapons until he has passed the test.

The weapons will only be carried (as a precautionary measure) in cases of urgent necessity such as the arrest of a dangerous criminal believed to be armed and, who is expected to make a violent attack upon the police to avoid arrest.

It cannot be too strongly impressed upon the minds of all officers that the use of firearms is only justified as a last resource of self-

defence, and that under no circumstances will the killing of another exonerate the slayer unless he be in immediate and obvious danger of instant death or grievous bodily harm.

Storage.

The pistols, fully loaded and at "Safety," will be kept in locked receptacles at headquarters. The keys will be in the personal possession of the Chief and Detective Superintendents. These officers, when going off duty, will hand the keys, in a sealed linen envelope, to the senior Inspector in charge. When the Superintendents resume duty, the Inspector will at once deliver the keys to the responsible officers.

The lockers containing the weapons must not be opened nor the pistols taken out, except by the Instructor for the purpose of practice or cleaning, or by the authorised officers referred to in the preceding paragraph, when it is deemed necessary to issue them to duly qualified members of the Force.

Procedure.

In cases of grave emergency, the officer requiring assistance and the use of weapons, should at once, by the nearest telephone or other means, communicate with one or other of the officers mentioned above, who will take such steps as in his judgment the circumstances of the case warrant.

No practice will be allowed unless on the range selected and under the personal supervision of the Instructor.

All ammunition will be supplied from headquarters. The date, number of rounds supplied, to whom supplied, and signature of officer receiving will be kept in a book by the Sergt.-Major at headquarters.

After distribution, each round must be accounted for ; any discrepancy will be the subject of enquiry.

The weapons will be cleaned by some trained and experienced officer detailed for the purpose, as soon as possible after completion of practice.

The conditions under which the use of firearms may be justified and the Law upon the subject, will be found on page 118 to 120.

**Details of the Course for Officers being trained in
the Use of Firearms.**

1st Day	Lecture on Theoretical principles	$\frac{1}{2}$ -hour.
	Instruction in aiming	$\frac{1}{2}$ -hour.
	Drill in use of pistol	$\frac{1}{2}$ -hour.
2nd Day	Loading and snapping with dummy cartridges	$\frac{1}{2}$ -hour.
	Instruction in aiming	$\frac{1}{2}$ -hour.
	Instruction in mechanism of pistol	$\frac{1}{2}$ -hour.
3rd Day	Practice with ball ammunition :— Right hand 5 rounds Left hand 5 rounds	1 hour.
4th Day	Practice with ball ammunition :— Right hand 5 rounds Left hand 5 rounds	1 hour.
5th Day	Practice with ball ammunition :— Right hand 5 rounds Left hand 5 rounds	1 hour.
6th Day	Practice with ball ammunition :— Right hand 5 rounds Left hand 5 rounds	1 hour.
7th Day	Examination and Test :— 1.—Examination in the mechanism of the pistol. 2.—How to deal with the weapon should a cartridge become jammed. 3.—Write a paper on the Law relat- ing to Homicide. 4.—Practice with ball ammunition : Right hand, deliberate .. 5 rounds. Left hand, deliberate .. 5 rounds. Right hand, rapid .. 5 rounds. Left hand, rapid .. 5 rounds. Total rounds .. 60	

Targets and Distance.

Target, 4 feet by 4 feet.

Bull's Eye, 4 inches visible, and 12 inches invisible scoring ring.

Inner, invisible 2 feet.

Outer, remainder of target.

Scoring.

Central Bull = 5

Bull's Eye = 4

Inner = 3

Outer = 2

Distance.

3rd and 4th Days .. 25 yards.

Remaining Days .. 30 yards.

FIRES.

(See also Appendix pages 248, 249.)

(1).—Call the inmates (if any) and save life.

(2).—Call up the Fire Brigade on the nearest Fire Alarm, wait for an answer; return to the scene of the fire and assist until sent away by the officer in charge.

(3).—Send information to the Police Station by the most expeditious means at hand.

(4).—Keep a sharp look-out upon all suspicious characters.

(5).—Give all possible assistance to the Fire Brigade, by keeping back the public, and maintaining a clear space.

Note.—It is no part of a constable's duty to remove furniture, beds, etc., from burning buildings.

Fire Alarms.

Constables must make themselves acquainted with the positions of the various Fire Alarms on their beats. Many of these which have been recently erected are fitted with a telephone so that a message may be given direct to the fireman in charge at the "Call Room" in the Central Fire Station. All that is required to set them in motion is to break the glass, when the door flies open, and the message can immediately be given.

Fire Brigade and Electric Tramways Emergency Waggons in the Streets.

Constables must give every assistance in their power to facilitate

[Click to Return to Main Article](#)

GUIDELINES FOR THE POLICE ON THE ISSUE AND USE OF FIREARMS

Principles governing issue and use

Firearms are to be issued only where there is reason to suppose that a police officer may have to face a person who is armed or otherwise so dangerous that he could not safely be restrained without the use of firearms; for protection purposes; or for the destruction of dangerous animals.

2. Firearms are to be used by authorised and trained police officers only as a last resort where conventional methods have been tried and failed, or must, from the nature of the circumstances obtaining, be unlikely to succeed if tried. They may be used, for example, when it is apparent that a police officer cannot achieve the lawful purpose of preventing loss, or further loss, of life by any other means.

Authority to issue

3. Authority to issue firearms should be given by an officer of ACPO rank, save where a delay in getting in touch with an officer of ACPO rank could result in loss of life or serious injury, in which case a Chief Superintendent or Superintendent may authorise issue. In such circumstances an officer of ACPO rank should be informed as soon as possible. Special arrangements may apply where firearms are issued regularly for protection purposes, but these should be authorised by an officer of ACPO rank in the first instance.

Conditions of issue and use

4. Firearms should be issued only to officers who have been trained and authorised in a particular class of weapon. Officers authorised to use firearms must attend regular refresher courses and those failing to reach the qualifying standard will lose their authorisation and must not thereafter be issued with firearms. Each authorised officer must hold an authorisation card showing the type(s) of weapon that may be issued to him. The authorisation card must be produced before a weapon is issued and must always be carried when the officer is armed. The card holder's signature in the issue register should be verified against the signature on his warrant card. The card should be issued without alteration and should have an expiry date on it.

5. Records of issue and operational use must be maintained. All occasions on which shots are fired by police officers other than to destroy dangerous animals must be thoroughly investigated by a senior officer and a full written report prepared.

Warning

6. Unless it is considered impracticable, an oral warning is to be given before a firearm is used.

Medical assistance

7. Urgent steps are to be taken to ensure that early medical attention is provided for any casualties.

Use of minimum force

8. Nothing in these guidelines affects the principle, to which section 3 of the Criminal Law Act 1967 gives effect, that only the minimum force necessary in the circumstances must be used. The degree of force justified will vary according to the circumstances of each case. Responsibility for the use of a firearm is an individual decision which may have to be justified in legal proceedings.

Briefing

9. Briefing by senior officers is of paramount importance and must include both authorised firearms officers and non-firearms personnel involved in an operation. Senior officers must stress the objective of any operation including specifically the individual responsibility of authorised firearms officers.

10. A brief summary of the most important points for an individual officer is attached. It is suggested that this summary is placed on the reverse side of each authorisation so that an officer will have it with him whenever he is armed.

AUTHORISED FIREARMS OFFICERS
GUIDELINES ON USE OF MINIMUM FORCE

The Law

Section 3 of the Criminal Law Act 1967 reads:

"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."

Strict Reminder

A firearm is to be used only as a last resort. Other methods must have been tried and failed, or must - because of the circumstances - be unlikely to succeed if tried. For example, a firearm may be used when it is apparent that the police cannot achieve their lawful purpose of preventing loss, or further loss, of life by any other means. Wherever practicable, an oral warning is to be given before a firearm is used.

Individual Responsibility

The responsibility for the USE of the firearm is an INDIVIDUAL decision which may have to be justified in legal proceedings.

REMEMBER THE LAW. REMEMBER YOUR TRAINING.