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# **Manual of Guidance on Police Vehicle Pursuits**

**April 2009**

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## **Foreword**

This policy has been created following a review of the original 2004 ACPOS Manual of Guidance on Police Vehicle Pursuits. It has built on the operational experience gained since publication and is a comprehensive manual that seeks to provide a range of guidance and tactics that achieve a safe resolution to vehicle pursuits.

I acknowledge the work of ACPO colleagues who have carried out a similar review of policy and guidance and I am grateful for their continued cooperation through the National Police Driving Schools' Conference.

High speed driving, and vehicle pursuits in particular involve, by definition, an element of risk to the offender, the general public and the police officers involved. These risks must be balanced against the public benefit and reasonable expectations that the police service will provide a proportionate response in order to prevent crime, ensure public safety and, where required, apprehend offenders.

The guidance and tactics contained in the manual are designed to assist in dealing with incidents that are encountered by officers in day to day policing. It is recognised, however, that there may be extraordinary circumstances when officers are required to take significant actions, to protect the public, which are out with the scope of this guidance. The provision of high quality training will provide officers and staff with the skills and knowledge to make informed decisions appropriate to the circumstances.

I am confident that this Manual of Guidance provides the required guidance to enable the police service in Scotland to effectively manage safe resolutions to vehicle pursuits. This is, however, an area in which the service seeks continuous improvement and work will continue at a national level to bring about such improvements.

Kevin Smith  
Chief Constable  
Chair  
ACPOS, Road Policing Business Area.

**Publication, Access and Complaints**

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**Human Rights**

Consideration has been given to the compatibility of this policy and related procedures with The Human Rights Act; with particular reference to the legal basis of its precepts; the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve its aims; and that it defines the need to document the relevant decision making processes and outcomes of action.

**Health and Safety**

The police service is bound by a duty of care to any person who may be at risk from the foreseeable dangers inherent in pursuit situations, regardless of whether they are service employees, members of the public or suspects.

This document is intended to complement existing legislation, policy and guidance on the subject of Health and Safety.

**1 POLICY STATEMENT**

1.1 A police driver is deemed to be in pursuit when: -

*'a driver indicates by their actions or continuance of their manner of driving that they have no intention of stopping for police and the police driver believes that the driver of the subject vehicle is aware of the requirement to stop and decides to continue behind the subject vehicle with a view to either reporting its progress or stopping it. Pursuit may be spontaneous or pre-planned'*

1.2 The clarity of the pursuit definition is such that there is no place for the term 'follow' in this context. A police vehicle is either in pursuit or it is not.

1.3 The strategic objective of any police pursuit is to secure a safe resolution which will lead to the apprehension of offenders and prevention of crime.

1.4 The pursuit of vehicles by police carries potential danger for police officers and suspects, as well as members of the public lawfully using the roads.

1.5 It is imperative that before any decision to pursue or authorise continued pursuit is made, police officers, control room staff and all supervisors are in a position to recognise, accept, and discharge their responsibilities in compliance with these Codes of Practice.

1.6 Persons performing any role in pursuit management must be properly trained in order to comply with the guidance contained in this document. Drivers must be qualified within the terms of current ACPOS approved National Training Standards.

1.7 Police drivers who are required to undertake pursuit driving at any level must have undergone a pursuit training module commensurate with their level of involvement. Forces should be in a position to produce documentary evidence of individual driver competence levels.

1.8 Operational Commanders and appropriate control room staff (identified by forces) have a responsibility to discontinue pursuit once it has been identified the level of risk is disproportionate to the reason for undertaking it.

1.9 All staff must be in a position to explain and justify decisions and actions taken if required to do so in any post event enquiry.

1.10 This guidance emphasises the need to consider use of tactical options to prevent or conclude pursuits as quickly, safely, and proportionately as possible. A major consideration in any pursuit must be safety. A pursuit may only be continued where a force has tactical options available for deployment within a timescale which strikes a balance between operational need and the foreseeable potential for harm. Pursuit tactical advisors should be identified to assist control room staff with their decision making. Pursuits will not be authorised in the absence of tactical options for resolution.

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- 1.11 Authorisation of pursuit is an acknowledgement that the driver and vehicle are appropriate for the task, the force has at its disposal a menu of options for resolution and the information provided indicates pursuit is proportionate to the circumstances and in line with the criteria in para 7.2
- 1.12 Granting authority to pursue gives Operational Commanders agreement in principle to use one or more of the tactics set out in the Tactics Directory published alongside this guidance with the exception of those for which authority of a senior officer is required.
- 1.13 Notwithstanding the agreement in principle described at para 1.11, Operational Commanders must maintain dialogue with control room staff to ensure available intelligence continues to support proposed physical implementation of any particular tactic.
- 1.14 The following pages contain a number of references to the need for varying levels of formal authority to be granted before pursuit can continue or tactics be deployed. There is, however, recognition of the fact that on occasion officers will be confronted with circumstances which require immediate action in respect of their duty to protect life and property. In such circumstances trained and authorised officers may self authorise the deployment of a particular tactic.
- 1.15 If an officer takes the decision to self authorise deployment of a tactic it is imperative the decision can be justified and seen to be proportionate in any subsequent investigation or enquiry.
- 1.16 All forces will have systems in place for the accurate recording of pursuit activity.
- 1.17 These systems should be subject to internal governance and involve the capture of data which will assist the positive development of control measures for future use.
- 1.18 This guidance and the tactics accompanying them are designed and intended to control the routine acts of criminality likely to be encountered by officers in the course of policing. No policy or manual of guidance can dissect, risk-assess, encapsulate and then carry in text, every potential tactical option necessary to protect the public in extraordinary circumstances where people prepare to commit atrocities. In such circumstances, it is acknowledged significant actions may be considered and taken in very short timescales outside the scope of this guidance.

## **2 TERMINOLOGY**

2.1 Only the following terms and definitions should be used:

### **2.1.1 PURSUIT**

A police driver is deemed to be in pursuit when: A driver indicates by their actions or continuance of their manner of driving that they have no intention of stopping for police and the police driver believes that the driver of the subject vehicle is aware of the requirement to stop and decides to continue behind the subject vehicle with a view to either reporting its progress or stopping it. Pursuit may be spontaneous or pre-planned

### **2.1.2 SPONTANEOUS PURSUIT**

A pursuit will be considered to be spontaneous when the actions of the suspect driver in deciding to flee are triggered by the presence of a patrolling police vehicle without prior warning or sufficient time for the development of specific strategy and plans, regardless of whether or not the patrolling officer made an initial requirement for the vehicle to stop.

### **2.1.3 PRE-PLANNED PURSUIT**

A pursuit will be considered to have been pre-planned if the risk of pursuit was foreseeable and the police have had time and opportunity to develop strategy, identify tactics and prepare contingency plans in advance of the event.

### **2.1.4 AUTHORISATION OF PURSUIT AND TACTICS**

Authorisation for continuation of a pursuit or the implementation of tactics during the pursuit is a process by which officers seek validation of their decisions and proposed actions from control room staff. It is recognised that on occasion, the time available between recognising the need for action and the deadline for taking that action may be too short to acquire the control room authorisation. In such cases officers may self authorise and justify the decision at a later time.

### **2.1.5 FORESEEABLE RISK OF PURSUIT**

A foreseeable risk of pursuit shall be considered to be present when officers are dealing with a specific vehicle or driver within a specific time frame in a specific location and intelligence exists to suggest a driver is likely to be non-compliant with instructions to stop. It will not be considered to be present when officers are simply patrolling crime hotspots or they have been required to keep general observations for a circulated vehicle or person.

**2.1.6 EXCEPTIONAL CIRCUMSTANCES**

Exceptional circumstances are those which have the clear potential for grave consequences. They will be most likely to involve immediate risk to life, significant levels of damage to property / infrastructure, or issues of national security.

**2.1.7 SUBJECT VEHICLE**

A subject vehicle is one the police are in pursuit of (as at 2.1.1) above or is the subject of a pre-planned operation as described at section 12.

**2.1.8 INITIAL PHASE**

A spontaneous pursuit commenced by a standard/response driver/rider with a suitable vehicle, which has been authorised to continue by an appropriate member of control room staff. The driver in this phase conveys information relative to the pursuit criteria and direction of travel, but has no authority to take an active part in tactical resolution.

**2.1.9 TACTICS**

A pursuit tactic will be any action or combination of actions intended to prevent or bring about the end of a pursuit by means of physical intervention.

**2.1.10 TACTICAL PHASE**

An authorised pursuit commenced, or taken over by an authorised advanced driver who assumes the role of Operational Commander.

**2.1.11 OPERATIONAL COMMANDER**

The Operational Commander is an authorised officer within one of the pursuing Tactical Phase vehicles who is responsible for execution of vehicular tactics and maintaining communication during the management of a pursuit. The role is not rank based but will be undertaken by the person most appropriately placed and equipped to make necessary tactical decisions. The Operational Commander should clearly identify themselves as such to all other officers engaged in the pursuit and to the control room.

- 2.2 Terminology for, and descriptions of, specific operational pursuit resolution tactics are contained within the restricted Tactics Directory published alongside this guidance.

**3 VEHICLES USED TO CONDUCT PURSUITS**

3.1 Pursuits may only be conducted by appropriately authorised drivers using suitable vehicles. Suitable vehicles are:

**3.2 Initial Phase**

- Liveried vehicles fitted with visual and audible warning equipment which have been deemed suitable for use in pursuit
- Unmarked cars fitted with audible and visual warning equipment which are driven by authorised advanced drivers and deemed fit for use in tactical phase pursuit
- Police response motorcycles fitted with audible and visual warning equipment may be used in Initial Phase pursuits.

**3.3 Tactical Phase**

- Liveried cars deemed fit for the purpose of tactical phase pursuit and fitted with audible and visual warning equipment
- Unmarked cars deemed fit for the purpose of tactical phase pursuit and fitted with audible and visual warning equipment

3.4 Where the driver of an unmarked car is in pursuit, a suitably liveried car should take over at the earliest opportunity due to the limitations in terms of conspicuity.

3.5 ACPOS does not recommend the use of vans or 4x4 utility vehicles of a type available to standard/response drivers for use in pursuit situations. In Forces where Chief Officers deem it operationally necessary to use specific vehicles, they must be limited to the initial phase and their use should be formally risk assessed with written documentation available for inspection.

3.6 The use of vehicles with larger people carrying capacity such as personnel carriers and MPVs, unmarked vehicles which do not have audible and visual warning equipment fitted, including hired or personal vehicles, and motorcycles ridden by non-response level motorcyclists, has a clear and foreseeable potential to increase dangers associated with vehicle pursuit. The use of such vehicles for pursuit is prohibited.

3.7 Where circumstances dictate, it is acceptable for high-performance 4x4 utility vehicles to be used in pursuit by authorised advanced drivers who are familiar with the performance and handling characteristics of the vehicles. Such circumstances would normally include motorway patrol or pre-planned operations where the resource is deemed necessary.

3.8 Specific vehicles will be identified and procured through force systems. The main consideration for forces in defining suitable vehicles which may be used in pursuit situations, is fitness for purpose.

**4 PURSUIT STAGES**

- 4.1 Pursuits will be divided into two phases, the Initial Phase and the Tactical Phase.
- 4.2 The Initial Phase begins as soon as a driver fails to stop for police or flees on sight of the patrol vehicle. The police driver must immediately communicate the facts to the control room and seek authorisation to continue the pursuit. A control room supervisor must be notified at the earliest opportunity. The police driver will be asked to convey information relative to the pursuit criteria set out in para. 7.2. of this document. The control room supervisor will oversee the dynamic risk assessment process based upon the information as it is provided. This process will continue throughout the pursuit in order to deal with changing circumstances.
- 4.3 In the interests of safety and swift resolution, the tactical option of tyre deflation systems may be used in the Initial Phase as it requires no driver input from the pursuing police driver.
- 4.4 Only currently qualified and authorised standard and advanced drivers / riders using suitable vehicles (see sections 3 & 6) will be permitted to be involved in Initial Phase pursuit.
- 4.5 Forces may wish to identify appropriate control room staff who may declare a pursuit to be in the Tactical Phase once it is under the control of appropriate authorised advanced drivers in suitable vehicles, and an Operational Commander identified.
- 4.6 Once the pursuit moves into the Tactical Phase, tactical options for bringing the pursuit to a conclusion will be decided. A pursuit tactical advisor should be in place, if possible, to assist the decision making process.

**5 PURSUIT MANAGEMENT**

**Initial Action**

- 5.1 There are many occasions during the course of routine police patrol when an officer driving a police vehicle will intentionally travel behind another moving motor vehicle with the intention of stopping that vehicle when the opportunity presents itself. Officers engaging in speed enforcement are a good example. Such activity does not fall within the definition of pursuit and is not affected by these codes of practice.
- 5.2 If a police driver anticipates that a vehicle may refuse to stop when required to do so, preventative actions should be considered. Where necessary, a request should be made at the earliest opportunity for assistance from an authorised advanced driver in a suitable vehicle.
- 5.3 Once the behaviour of a suspect driver falls within the definition of pursuit, the officer concerned will, at the outset, use their own judgement, experience, skills, and knowledge of these guidelines, to decide whether a pursuit is justified, proportionate and conforms to the principle of least intrusion.
- 5.4 The driver's decision to commence pursuit must be based on the pursuit criteria set out within para 7.2. It is essential drivers possess a sound knowledge of the criteria as many short duration pursuits may not allow time for specific guidance from the control room.
- 5.5 As soon as a pursuit commences, the patrol involved must inform the control room. If immediate radio communication cannot be made or is lost between the vehicle and the control room then the pursuit must be discontinued.
- 5.6 If decisions are made to commence and authorise continuance of pursuit, staff involved in pursuit management and delivery of tactical options must continue to dynamically risk assess progress in light of potentially rapid changes in circumstances and intelligence. In common with all major operational decisions, officers and staff must be in a position to justify the decision to start and continue a pursuit. It must be considered that such justification may be tested in the spotlight of legal proceedings.

**Attitude**

- 5.7 'Red Mist' is a term used to describe a complex emotional situation affecting the state of mind of drivers who can become so focused on an objective or outside influence their ability to accurately assess driving risk is severely reduced.
- 5.8 The consequence of a driver suffering red mist is a significant increase in the risk of a collision. It is important to understand that this can happen as much in short pursuits at relatively low speeds as pursuits at higher speeds.

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- 5.9 Police drivers must not personalise during pursuit. A pitfall for drivers in pursuit is to perceive the suspect as an adversary and see the situation as a personal challenge. Officers must remain dispassionate about the task and concentrate purely on driver behaviour, the dynamic risk assessment process and communicating quality information.
- 5.10 Persons engaged in pursuit management must be equipped to identify indications of red mist in themselves and others and take appropriate actions. Such actions may involve removing themselves from the situation, changes in the roles of individuals, calling a specific unit off a pursuit or stopping the pursuit itself.
- 5.11 Under no circumstances should the driver of any police vehicle continue in pursuit of a subject vehicle if they feel their personal ability to function properly is being outstripped by the nature of the event, regardless of the continued proportionality of the pursuit itself.
- 5.12 Police drivers must develop positive attitudes that will assist reducing the risk of a collision by:
- Recognising that all pursuits are inherently dangerous
  - Showing tolerance and consideration for other road users
  - Having a realistic appraisal of their own abilities
  - Having a high degree of care for their own safety, their passengers safety and that of other road users
  - Recognising that they are vulnerable

## **6 AUTHORITY TO CONDUCT PURSUITS**

### **Basic Drivers**

- 6.1 Where basic grade drivers are permitted by their force to stop vehicles, they must immediately inform the control room of the circumstances when it becomes evident that a vehicle is refusing to stop. At this point the situation falls within the definition of pursuit and basic drivers must immediately withdraw and take no part in that pursuit.

### **Standard/Response Drivers**

- 6.2 Standard/Response drivers must immediately inform the control room of the circumstances when it becomes evident that a vehicle is refusing or is likely to refuse to stop having been required to do so. Authority to continue will be sought and, if it is granted, the driver may pursue in the initial phase only. Once a suitably qualified and authorised advanced driver in a suitable vehicle is in a position to take over the pursuit the standard/response driver will withdraw.
- 6.3 The role of standard/response drivers in the Initial Phase is to convey information regarding the circumstances and direction of the pursuit, in order that control room staff can properly organise and deploy appropriate resources. Standard/Response drivers must not become involved in any vehicular attempt to stop the subject vehicle in a pursuit. This does not preclude suitably qualified and authorised officers from deploying tyre deflation systems and/or acting as a feeder vehicle.

### **Response Motorcyclists**

- 6.4 Where response motorcyclists on appropriate machines become involved in pursuit situations, their responsibilities will be in line with those of the standard/response driver. Motorcycles may be used as feeder vehicles.

### **Authorised Advanced Drivers**

- 6.5 Authorised advanced drivers must immediately inform the control room of the circumstances when it becomes evident a pursuit has commenced and seek authority to continue. If this authority is granted, they will declare themselves Operational Commander. The Operational Commander may be the vehicle radio operator/observer if he or she is appropriately skilled to undertake the task.
- 6.6 Appropriate control room staff (as identified by forces) may authorise the pursuit to go directly to the Tactical Phase if the pursuit is initiated by an authorised advanced driver in a suitable vehicle and he/she is immediately accepted as Operational Commander.

**Training and Authorisation**

- 6.7 The requirement for police drivers involved in pursuit to be trained and authorised in line with ACPOS approved National Training Standards is absolute. It is neither flexible nor open to interpretation.
- 6.8 Any police driver who has not undertaken a formal pursuit training module will align their involvement to that of standard response drivers and take no part in vehicle pursuit.

**7 INITIAL AND CONTINUED AUTHORISATION TO PURSUE**

- 7.1 A disciplined team approach by police drivers, control room staff and supervisors is essential if pursuits are to be successfully resolved. Drivers must display restraint at all stages of pursuits, reacting positively to directions from the control room. Control room staff should mobilise, deploy and co-ordinate resources in support of those directly engaged, whilst continually appraising incoming information.
- 7.2 Before requesting or granting authorisation for a pursuit, it must be decided whether immediate action is necessary or whether subsequent investigative action may be the preferred option. There are a number of criteria which drivers and control room staff must consider in this decision making process. The Pursuit Criteria are:
1. The current level of risk taking by the pursued driver
  2. Whether or not the suspect's identity is known
  3. The seriousness of any known offence committed or suspected
  4. The weight of intelligence as to whether the suspects are, or are likely to be, armed (See para 9.8-9.12)
  5. Whether the driver is, or appears to be, a juvenile or whether it appears other vulnerable person(s) may be carried in the vehicle
  6. The type of vehicle pursued e.g. car, motorcycle etc
  7. The current/anticipated route as regards time of day, road, weather, traffic or specific considerations such as schools, licensed premises or off road terrain etc
  8. The availability of tactical options
- 7.3 It is acknowledged the criteria above can give the impression that pursuing drivers and control room staff must make their way through a pro forma check list whilst a rapidly developing situation unfolds before them. Such a situation could not be workable. Competent police drivers will recognise sufficient strands of information received concurrently to enable them to make proper decisions regarding commencement. This level of competence should be recorded in driver training documentation. Individuals should not be authorised to pursue if they are unable to reach the required level of competence.
- 7.4 Officers should convey information to the control room regarding their own driving authority level and the police vehicle they are using, a description of the subject vehicle and occupants and direction of travel. All information relating to the pursuit criteria must be conveyed immediately it becomes available or changes from the last update.
- 7.5 Information available to the pursuing officer should be prioritised and relayed to the control room at the earliest opportunity. It is the responsibility of the initiating driver to pass all relevant information to control room staff.
- 7.6 It is imperative that any changes affecting the level of risk created by a pursuit are immediately reported to the control room. If the dynamic risk assessment process highlights increased risk, the issue of proportionality must be reconsidered and current authorities reviewed.

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- 7.7 The two way flow of information between control room and the person providing the pursuit commentary throws up a challenge to control room staff. They must be in a position to continually and dynamically assess a potentially rapid flow of incoming information and where necessary probe the information source in order to elicit specific points relating to the pursuit criteria. Incoming and outgoing information must be recorded in a format which can be produced at a later time if required. It is likely control room voice recording facilities will be the primary mechanism for this purpose.
- 7.8 On receipt of updated information, an appropriate member of control room staff (as identified by forces) will make immediate decisions whether to allow continuation of the pursuit or discontinue it. Decisions must be relayed to the police driver and recorded.
- 7.9 There will be cases where specific information regarding one or more of the pursuit criteria may not be available, or one or more of the criteria for continuance are not met. Such situations should not automatically preclude the authorisation or continuance of a pursuit. For example, there may be situations where it is imperative a known subject is apprehended without delay and a vehicle pursuit entirely proportionate. Each individual case must be considered on the information and intelligence at hand and measured against the collective criteria.
- 7.10 In cases where the subject vehicle in an authorised pursuit has been lost but there is a continuous ongoing operation in place to find it i.e. police vehicles searching an area for that vehicle, then the authority in place will be deemed to be continuous for the resumption of that pursuit. This should, nonetheless, be communicated to the control room immediately.
- 7.11 However, where a pursuit has been discontinued or where a vehicle has been lost and is then randomly re-sighted, it is necessary for a fresh authority based on the latest intelligence and circumstances to be in place to pursue again.

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### **8 COMMUNICATIONS AND CROSS BORDER PURSUITS**

- 8.1 All pursuits must be controlled through a force control room or equivalent.
- 8.2 All vehicles that are likely to be involved in pursuits should be equipped with a radio system capable of communicating with that control room.
- 8.3 For effective management of pursuit, only plain language and nationally agreed terms should be used in radio transmissions and commentaries.
- 8.4 Double-crewed vehicles should be used if available. Where vehicles involved in pursuits are double-crewed, the police driver is free to concentrate on their driving and tactic development, whilst the radio operator delivers the information required to other participants and control rooms by verbal commentary.
- 8.5 Where more than one vehicle is engaged in a pursuit and the second vehicle is double crewed, it may be advantageous for that vehicle to provide the commentary, thus allowing the crew of the first vehicle to concentrate on the actual pursuit. Where this is the case it will be essential to identify clear role responsibility with regard to command functions.
- 8.6 Decisions and actions should be included in the commentary and be recorded on control room voice recording facilities.

#### **Cross Border/Inter Force Pursuits**

- 8.7 The authority to continue or discontinue the pursuit will transfer to appropriate control room staff of the new force as soon as the boundary is crossed.
- 8.8 Where a pursuit is close to a force boundary, the adjoining force should be informed at the earliest possible time of the circumstances and any authorities in place. This will allow the adjoining force to be better prepared to make decisions regarding whether to allow or discontinue the pursuit should it cross the boundary.
- 8.9 Any authority for the use of tactics made by one force will not automatically be transferred where a pursuit travels into another force area. It will be for the receiving force to make decisions regarding continuance of that authority.
- 8.10 Forces should have written protocols to address circumstances where a pursuit crosses a border into another force area. These protocols should both address issues of communication (in line with current Airwave protocols) and transfer of authority.
- 8.11 A comprehensive protocol based on the cross border procedures currently published in the restricted section of the ACPOS Manual of Guidance on the Police Use of firearms is produced in the Tactics Directory for Police Pursuit (restricted) which is published alongside this guidance.
- 8.12 It has been devised to assist forces as they develop their cross border pursuit protocols. Forces who share boundaries should work together and may decide to adopt it, in whole or in part, or devise their own bespoke

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document which meets the needs of those concerned and ensures continued compliance with this guidance.

### **9 ENGAGEMENT WITH SUSPECTS**

- 9.1 No more than two pursuing units should be directly involved behind any subject vehicle, other than at the direction of the control room. Where appropriate, the control room may deploy a second mobile unit to support the pursuing vehicle. The second unit should maintain a safe distance behind the pursuit vehicle first in line, but be close enough to render assistance if and when required. Under no circumstances should a 'convoy' situation be allowed to develop, unless a tactical resolution is planned which requires a number of vehicles. In such a case, the Operational Commander should dictate what resources are required. Control room staff should be tactically involved, raising further resources as necessary and using local knowledge to deploy them strategically.
- 9.2 Where more than one vehicle is engaged in a pursuit, and capability allows, each vehicle should use a different audible warning sound, to alert other road users to the presence of more than one police vehicle. Additionally, officers must be aware that road users may not expect more than one police vehicle and may actually be distracted by the first.
- 9.3 Officers using vehicles not directly involved in the pursuit may take up positions in the area to offer swift operational support in anticipation of the need to deal with post pursuit issues.
- 9.4 Dog Units must not be directly involved in the pursuit unless they meet the criteria laid down for involvement as either standard, response or advanced drivers and they are driving a suitable vehicle.
- 9.5 Where dog units are not used directly in a pursuing role, they may be directed by the pursuit commentary or the control room to the vicinity in which the pursuit may be terminated to assist in apprehending suspects who may decamp on foot.

### **Pursuit of Motorcycles / Quads**

- 9.6 The tactics for stopping vehicles identified in this guidance are not intended for use against motorcycles or quads because of the vulnerability of riders, the manoeuvrability of the vehicle and the excessive speeds that such vehicles can reach.
- 9.7 Exceptional circumstances may dictate that the tactics identified in this guidance could be the best option for use against motorcycles or quads.

### **Armed Pursuits**

- 9.8 Where intelligence exists indicating that the occupants of a subject vehicle are, or are likely to be, armed, unarmed officers must not be used to terminate that pursuit and the incident must be declared an Armed Pursuit. In every such case, input from a firearms tactical advisor must be sought.

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- 9.9 Where armed pursuit is being planned for, or is in progress, with Pursuit and Firearms Tactical Advisors in place, the firearms advisor will have primacy. Any tactical resolution proposed by the firearms tactical advisor should, in so far as is possible, comply with the pursuit guidance.
- 9.10 Unless tactical advice is to the contrary, an Armed Response Vehicle (ARV) should not be used directly in unarmed pursuit situations or in tactical options which may lead to it being disabled. However, where it is believed that the suspect may be armed and an ARV is involved, only suitably qualified and authorised drivers in suitable vehicles may undertake them. Good Practice is that ARVs should only be used in unarmed pursuits when no other suitable alternative exists.
- 9.11 Firearms tactics should be used in line with current ACPOS Firearms Manual of Guidance and force policies.
- 9.12 Forces deploying Road Policing vehicles in a dual ARV role may allow the use of ARVs in a direct role within a pursuit.

### **Pursuit of Vehicles Off- Road**

- 9.13 Off-road pursuit situations can easily arise and such situations carry specific dangers for officers and suspects alike. The types of machine used in off-road activity are often ones on which the riders are considered vulnerable. Quads and motorcycles are among the most common.
- 9.14 The principles of this guidance stand in respect of off-road pursuit. The considerations are the same, but it is likely the vulnerability of both suspects and officers will be the primary issue, with the involuntary involvement of other persons being less likely to be a factor.
- 9.15 For the reasons set out in para 7.9, it would not be operationally correct to prohibit off-road pursuit. Officers are advised to carefully consider the issue of proportionality before embarking on a pursuit off-road and decisions to pursue should be sound enough to withstand robust post incident challenge.
- 9.16 Off-Road pursuit will be managed in exactly the same way as road situations, and be subject to the same risk assessment and communication requirements. However, officers undertaking off-road pursuit must be using machines specifically procured and authorised by the home force for off-road activity including pursuit.

### **Covert Surveillance**

- 9.17 The use of motor vehicles in surveillance operations aimed at gathering intelligence regarding the activities of one or more suspects is a specific and skilled area of police operation.
- 9.18 Covertly following and observing a motor vehicle occupied by a suspect or making ground unseen by the suspect with a view to taking over the covert follow does not constitute pursuit and is not governed by these codes of practice.

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- 9.19 In the event the suspect becomes aware of the presence of following police and embarks upon driving activity and behaviour designed to flee from the surveillance, the officer(s) must make decisions regarding the police response. The reason for the surveillance and the intelligence already in possession of the officer(s) places them in a good position from which to make correct decisions.
- 9.20 If surveillance officers make a decision to respond with a view to stopping the suspect, the situation will come within the definition of pursuit and these codes of practice must be complied with in all respects.

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## 10 RESPONSIBILITIES

### Basic Driver

10.1 Basic Drivers will play no part in the pursuit of vehicles.

### Standard/Response Driver & Response Motorcyclist. (*Initial Phase*)

10.2 Standard/Response Driver & Response Motorcyclists are responsible for:

- Immediately informing the control room as soon as a vehicle fails to stop, seeking authority to pursue, requesting an authorised advanced driver to assist or, where it becomes known there are no tactics available, discontinuing the pursuit immediately. This responsibility also applies to advanced drivers in suitable vehicles if they initiate the pursuit
- Dynamically risk assessing the unfolding situation and providing information to the control room regarding the pursuit criteria set out in para 7.2
- Passing control to an advanced driver as soon as possible
- Driving in accordance with their level of authority, personal capability, and in a manner which does not contribute to increased risk
- Discontinuing a pursuit as soon as risk becomes disproportionate to the known reasons for undertaking it

### Authorised Advanced Driver (*Tactical Phase*)

10.3 During the Tactical Phase the Authorised Advanced Driver in a suitable vehicle is responsible for:

- Dynamically risk assessing the pursuit as it unfolds and providing accurate information to the control room relative to the pursuit criteria set out in para 7.2
- Once appropriately placed, identify themselves or a suitably qualified radio operator as Operational Commander
- Assisting control rooms by requesting additional resources and suggesting tactical options as appropriate
- Driving in accordance with training and capabilities to manage risk levels
- Discontinuing a pursuit as soon as risk becomes disproportionate to the known reasons for undertaking it

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### **Radio Operator (Vehicle), where available**

10.4 The vehicle radio operator, where available, is responsible for:

- Maintaining a commentary containing accurate and timely information for control rooms, other units and supervision regarding pursuit criteria set out in para 7.2
- Recommending discontinuance of pursuit as soon as risk becomes disproportionate to the known reasons for undertaking it

### **Control Room Operator**

10.5 A control room operator has the following responsibilities:

- At the earliest opportunity inform the control room supervisor of the start of a pursuit
- If a supervisor is not immediately available, make decisions regarding authorisation
- Constantly risk-assess the activity based on information and intelligence received.
- Where a standard/response driver has initiated a pursuit, which has been authorised for continuance, to immediately identify and assign an advanced driver in a suitable vehicle to take the Operational Commander role
- Identify, advise, guide, deploy and control other units (including air support) during the pursuit
- Receive and record all incoming information from the pursuing vehicle including the reasons leading to the taking of a particular action and, where applicable, any other options considered
- Co-ordinate radio communications during the pursuit
- Discontinuing a pursuit as soon as risk becomes disproportionate to the known reasons for undertaking it (where authorised to do so by forces)

### **Control Room Supervisor**

10.6 In addition to providing support and advice to the operator engaged with the pursuit, the control room supervisor has the following responsibilities:

- Overall control of the pursuit (Strategic Commander)
- Constantly risk-assessing the activity based on information and intelligence received.
- Giving or approving initial and continued authority for pursuit
- Giving or approving authority for use of tyre deflation systems
- Where a standard/response driver has been authorised to conduct Initial Phase pursuit, ensuring that an authorised advanced driver in a

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suitable vehicle has been assigned and can respond within a time frame that balances operational need with the potential for harm

- Identify and agree the Operational Commander
- Consider current levels of authority in light of incoming information gleaned from the dynamic risk assessment process, sources of intelligence and advice from an appointed Tactical Advisor
- Order additional units to assist if necessary
- Suggest the range of tactical options available to the pursuing driver/Operational Commander in the circumstances surrounding the pursuit
- Ensure other forces are notified when a pursuit is approaching their boundaries and identify any tactical authorities previously given and current
- Ensure specific instructions are given that only those notified vehicles should continue the pursuit
- Discontinuing a pursuit as soon as risk becomes disproportionate to the known reasons for undertaking it

### **Pursuit Tactical Advisor**

- 10.7 Tactical advice regarding pursuit can range from simple suggestions and guidance over the radio to a pursuing driver and/or control room through to recommendations for implementation of specific tactics or discontinuance.
- 10.8 Forces should clearly identify persons deemed suitable to act as Pursuit Tactical Advisors. The primary consideration in selecting an individual to take on the responsibility should be capability rather than rank.
- 10.9 A Pursuit Tactical Advisor will be a person authorised to undertake the role, who has a thorough working knowledge of the codes of practice and associated tactics, together with sufficient operational experience of pursuit situations to be able to dynamically interpret policy and advise a proportionate course of action to be taken by those persons currently involved in pursuit. They will have no other role to play in the pursuit management in order to allow clarity of thought focused on tactical options
- 10.10 Tactical advice may be provided in real-time as part of the communications loop using personal force radio equipment or as part of the control room based team managing the event.
- 10.11 Under no circumstances should the tactical advisor be a person directly involved as a crew-member in a pursuing vehicle, the first line communicator or the managing control room supervisor.
- 10.12 Specific tasks for the tactical advisor will be

### **Spontaneous Pursuit**

- Provide real-time advice to Operational Commanders and/or control room staff during the pursuit
- Work with firearms tactical advisors to give advice regarding armed pursuits

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- Provide operational support to crews of pursuing police vehicles
- Monitor incoming commentary
- Consider the range of tactical options available, and make suggestions

### **Pre-Planned Pursuit**

- Take part in the operational planning process
  - Provide input to any documented risk assessment
  - Suggest the range of tactical options available
  - Where time constraints allow, be present in the control room during the operation to assist staff
- 10.13 Forces should provide training in line with ACPOS approved National Standards for all officers required to act as pursuit tactical advisors.
- 10.14 The degree of planning possible will be directly proportionate to the complexity of the task and the timescales. The level of formality in delivery of tactical advice and the location from where it is given will also be governed by these constraints.
- 10.15 In all cases, advice offered by the pursuit tactical advisor will be recorded for future reference by control room voice recording systems and /or in other forms of official computer or paper systems such as incident logs and pocket note books.

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### 11 DISCONTINUING A PURSUIT

- 11.1 A pursuit must be discontinued when the risk factor becomes disproportionate to the reason for undertaking it.
- 11.2 Instructions to discontinue a pursuit can be issued by one of the following
- Initial Phase Drivers during that phase
  - Operational Commander
  - Appropriate Control room staff (Identified by forces)
- 11.3 Initial phase drivers, Tactical Advisors, control room staff, Police aircraft observers, and local divisional supervisors are among a wider group of people who may be in a position to advise a pursuit be discontinued due to knowledge or observation of local circumstances.
- 11.4 Pursuit must never be seen as a personal challenge. A decision to discontinue a pursuit is, under certain circumstances, the most appropriate course of action. Discontinuance is always an option for consideration.
- 11.5 Decisions to discontinue, including the reasons, and the persons making them must be recorded. Once a pursuit has been discontinued, all involved ground units will disengage, turn off emergency equipment and resume normal patrol speeds. Where fitted, the incident data recorder should be manually activated.
- 11.6 Where a decision is made to discontinue a pursuit, the authorities, including the deployment of tactics, are automatically withdrawn.
- 11.7 Whilst in Scotland the availability of aircraft is limited, when deployed, they can play a major and effective role in taking pressure from ground units by monitoring progress and location of suspects and vehicles. The nature of the role and the fact that aircraft are not in a position to physically affect the progress of a subject vehicle means they are not considered to be 'in pursuit' of a subject road vehicle. Any decision to discontinue the deployment of air support is a separate issue from the decision to withdraw ground units.

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### **12 PRE-PLANNED OPERATIONS**

- 12.1 If the proposed future actions of the police carry a foreseeable risk of pursuit and there has been time to develop strategy, identify tactics and produce contingency plans, any such pursuit will be regarded as the result of a pre-planned event.
- 12.2 The degree of pre-planning and the depth of preparation will be dependant upon the length of time available before engagement or the distance a vehicle is followed before suspects become aware of police presence and a pursuit ensues.
- 12.3 Tactical advice should always be sought in the planning process for operations with a foreseeable risk of pursuit. Options to prevent the pursuit developing and use of Air support should be primary considerations in formulation of that plan.

#### **Pre-Emptive Action (Moving Vehicles)**

- 12.4 On many occasions, patrolling police officers find themselves behind suspect vehicles and drivers in the normal flow of traffic. The driver of the suspect vehicle may remain unaware of the police interest or decide to continue driving normally in the hope the officer's presence is coincidental and he/she has no interest in them or their vehicle.
- 12.5 During this period, there is time to consider the use of preventative and pre-emptive tactics. Options are set out in the Tactics Directory which is published alongside this guidance.
- 12.6 Where preventative or pre-emptive actions are clearly proportionate to the intelligence available, their use will be preferable to pursuit.

#### **Unattended Suspect Vehicles**

- 12.7 Officers will often be faced with circumstances where a suspect vehicle is found unattended. A decision has to be made as to whether the vehicle should be impounded immediately with a view to securing evidence regarding prior occupants by means of forensic examination or, setting up observations with a view to detaining suspects in the event they return. Advice is contained in the Tactics Directory which is published alongside this guidance.

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### 13 TACTICS

- 13.1 This guidance does not set out to dictate the mechanics of tactical pursuit resolution. It will remain the responsibility of each force to ensure the tactics approved for use in their area are formally risk assessed and represent a proportionate response to any set of circumstances their officers may encounter.
- 13.2 A Tactics Directory has been published alongside the guidance. It contains a menu of tactical options for pursuit prevention.
- 13.3 The tactics contained within the directory are available for use as a suite or as stand alone options to allow forces greater flexibility in pursuit resolution.
- 13.4 A cornerstone of these codes is that forces must have tactical options available for resolution of pursuit if their officers are to be authorised to undertake the task.
- 13.5 At the commencement of a pursuit, forces will be considered to have tactics in place if their own operational procedures recognise and allow for the use of tactics outlined in the Tactics Directory.
- 13.6 The formation of a specific tactical plan is something that will develop as information is received and intelligence gathered. There is no expectation there should be a definitive tactical plan in place at the commencement of a pursuit or before declaration it has moved to the tactical phase.
- 13.7 Any tactical attempt to stop a motor vehicle should be carefully considered because of the risk to life and property.
- 13.8 Whenever a decision is made to exercise (or not exercise) a legitimate action, as identified within this guidance or the accompanying Tactics Directory, the officer or control room staff member making that decision must ensure they document their reasoning at the conclusion of the incident.
- 13.9 It is recognised that pre-emptive, preventative and resolution tactics will develop and evolve over time. Forces should add value to the Tactics Directory by feeding information regarding tactical innovation and improvement to ACPOS through the Scottish Police Driving Schools Conference.

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### **14 REAL TIME RECORDING OF EVIDENCE**

- 14.1 All those involved in a pursuit must bear in mind the need to provide evidence both of any criminal activities occurring during the pursuit and of the decision making processes involved in deciding to conduct the pursuit at the initial stage, together with any further decisions to allow its continuance.
- 14.2 It is highly desirable to have video-equipped vehicles in pursuit situations for evidential purposes and, whenever available, such vehicles should be deployed to take part in pursuits.
- 14.3 Where police vehicles are fitted with video equipment, it must be properly maintained and used during pursuits and emergency response. It should not be switched off during or prior to these activities.
- 14.4 If the video equipment is not in proper working order at the start of a tour or becomes so during patrol, the fact should be noted in the vehicle log and repairs undertaken at the earliest opportunity

### **Incident Data Recorders**

- 14.5 In the event a pursuit ends in a serious collision, there is a need for accurate information to be available to investigators regarding all aspects of the pursuit.
- 14.6 In the majority of cases, the actions of the police drivers are a focal point of post incident investigations. Accounts from the driver, passenger, and independent witnesses are vital to those investigations, as are traditional techniques and findings of collision reconstruction units.
- 14.7 Advances in technology mean that modern police vehicles are likely to have standard fitment items, which may be capable of interrogation in terms of performance and usage data.
- 14.8 Forces may wish to consider working towards a situation where all operational vehicles used in pursuit and response situations are fitted with IDR type devices.

### **15 USE OF POLICE DOGS**

- 15.1 The value of having police dogs available in the final stages of a pursuit cannot be underestimated. Dogs should be utilised as a visible deterrent for those who may make off or start disorder; for tracking those who have made off from a location and for illegal drug, explosive and firearms detection and recovery. Consideration should be given to the deployment of a dog unit at an early stage to remain within the locality of a pursuit, in order that the resource may be in a position to deploy rapidly at the stop or abandonment of the subject vehicle. Once a location has been selected for the stop, particularly when using tyre deflation systems, the advantage of deploying a dog unit directly to the area must not be overlooked.

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### 16 AIR SUPPORT

- 16.1 Whilst it is recognised that the availability of air support in Scotland is limited, where it is deployed, the following guidance may be of use. Wherever possible, and at the earliest opportunity, air support should be deployed in pursuit situations.
- 16.2 Air support offers the police a valuable and effective operational option which reduces potential dangers in two main ways:
- The presence of air support allows ground units to increase the distance between themselves and the subject vehicle. That greater distance reduces pressure in the mind of the suspect driver as he/she makes decisions.
  - Once air support is above the subject vehicle and monitoring its progress, there should be a vastly reduced perception on the part of the driver that continued risk taking can be successful.
- 16.3 Air support should be introduced at the earliest possible stage and in order to monitor, record and report progress of the subject vehicle and occupants, allowing the police vehicle drivers to operate without the high levels of risk associated with a close range pursuit. The aircrew will be able to advise all involved of the subject vehicle's progress and information regarding road conditions in far greater detail than any ground crew.
- 16.4 The elevated view available to the air support police observer may provide the control room staff with the option to use that individual to provide a pursuit commentary in preference to a person in one of the ground units.
- 16.5 The support aircraft is a fundamental part of the pursuit management strategy but it is not itself considered to be 'in pursuit' of the subject vehicle or occupants.
- 16.6 In the event ground patrols abandon or are instructed to abandon pursuit of a subject vehicle, there will be no automatic requirement for air support to be withdrawn. It will be legitimate for the aircrew to continue gathering evidence by monitoring the progress and behaviour of a subject vehicle and it's occupants in the period after cessation of pursuit.

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### **17 FATAL or LIFE CHANGING INJURY resulting from PURSUIT ACTIVITY**

- 17.1 Where a fatal or life changing injury is sustained as a result of a police pursuit, then an investigation of the circumstances should be carried out in accordance with the ACPOS Road Death Investigation Manual (RDIM), which highlights the importance of the early preservation and examination of the scene and any vehicles involved. Forces may also wish to consider the deployment of a Post Incident Manager to assist in the investigation. In most cases this responsibility will fall to the home force.
- 17.2 The RDIM provides detailed guidance in relation to the responsibilities of the police in informing the Procurator Fiscal following such incidents.
- 17.3 Before and during a pursuit a number of tactical options may be available. It is necessary to show that in assessing these options a clear decision making process took place. In order to demonstrate this, forces should make arrangements for documenting the decisions taken and the reasons for those decisions.
- 17.4 In particular it will be necessary to state within the document
- Why a pursuit was undertaken and what alternatives (if available) were declined
  - What the objectives of the pursuit were
  - Feasible options at various stages of the incident
  - Decisions reached
  - Outcome and learning points from a debrief.
- 17.5 At the completion of a pursuit there should be a review of the outcomes. This should occur at a debrief, which may be conducted in person or electronically.
- 17.6 Forces should appoint an individual to be responsible for recording and analysis of all pursuits. Note should be made of decisions and actions taken during pursuit and any conclusions reached during debriefings. The analysis should include a review of:
- Operational outcomes
  - Good practice
  - Compliance with these Guidelines
  - Impact upon an individual's human rights.