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HER MAJESTY'S CORONER
INNER WEST LONDON

Sir Paul Stevenson
Commissioner
Metropolitan Police Service
New Scotland Yard
London
SW1

8 October 2010

Inquest into the death of Mark Saunders (deceased)

An Inquest was held between 20 September 2010 and 7 October 2010 into the death of the above. He received fatal shots when 7 police officers opened fire on Tuesday 6 May 2008 at 21.32pm.

During an extensive and complex inquest a number of issues arose.

I now write to you formally under the provisions of Rule 43 of The Coroners (Amendment) Rules 2008 and I do so by this Report.

1. I formally draw to your attention the fact that there appears to have been a blurring of the distinction between the Firearms Tactical Advisor and Firearms Bronze Commander – and I do so for any action you may think appropriate.
2. I formally bring to your attention that Mr Saunders, in the jury's opinion, was a vulnerable person with regard to nature, proximity and numbers in the police containment - although in this circumstance I note that the jury did not consider it likely that it made a contribution to the cause of death. I bring this to your attention realising it is a very difficult area for whatever action you may think fit.

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3. I formally bring to your attention matters concerning documentation associated with police use of firearms generally for the reasons set out to Secretary of State for Home Affairs, a copy of which I enclose herewith.

Paul A Knapman
HM Coroner
Inner West London

c.c The Lord Chancellor, and Secretary of State for Justice
BCL Burton Copeland Solicitors
Mr & Mrs R Saunders
Russell Jones & Walker Solicitors
Metropolitan Police Service, Directorate of Legal Services

IPCC investigation into the death of Mark Saunders - organisational learning

The changes and improvements that have occurred since the tragic death of Mr Saunders. Each IPCC finding is set out below and separately answered.

Finding 1: Recording Issues: During this incident firearms officers communicated with each other on channel 75 which is not recorded. As a result there is no record of the briefings given to the officers over the radio and no record of any use of force warnings being given to officers. This is contrary to ACPO advice that briefings should be audio recorded. In addition there was no audio recording of any discussions between the command team, discussions of tactics or of the Silver meeting.

National recommendations

It is recommended that radio channels used by firearms officers (in the MPS this was channel 75) are audio recorded. Alternatively firearms officers should use an alternative recorded radio channel for their communication.

It is also recommended that commanding officers and Tactical Advisors are equipped with recording equipment to audio record briefings, tactical discussions, meetings and other discussions between members of the command team to provide a transparent record of communication and decision making during an incident.

The Commissioner's response

In the MPS, Channel 75 has now been replaced by Airwave and the firearms channels are now recorded. Furthermore, MPS control rooms used to command firearms operations are fitted with recordings equipment and planned firearms operations are subject to recorded briefings. The MPS have commissioned a project to find an appropriate robust device that can be used for recording purposes at spontaneous incidents.

Finding 2: Learning and Good Practice relating to negotiation: In this incident negotiators used police vehicles to drive them to the scene of the incident to ensure they arrived promptly. During this incident a firearms officer was located in the negotiating cell and provided negotiators with a commentary and information about Mr Saunders' movements and behaviour from firearms officers on the containment. This meant that negotiators, who were on the phone to him but could not see him, were told when Mr Saunders picked up his gun and could ask him to put it down. They were also told the content of notes Mr Saunders held up to the window, and were told what he said to officers on the containment at the rear of the property. Although a contemporaneous log and notes were made within the negotiating cell and recorded events within it, there is no contemporaneous record of communication between the Negotiator Coordinator and the Silver Commander or Bronze Intelligence Commander.

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National Recommendations

It is recommended that the National Negotiator Group acknowledges as best practice the use of police vehicles by negotiators to get to scenes quickly.

It is recommended that the National Negotiator Group acknowledges as best practice the use of a Firearms Liaison Officer within negotiating cells to facilitate communication between negotiators and firearms officers.

It is recommended that the National Negotiator Group develops standard[s] to be used by Negotiator Coordinators to facilitate a contemporaneous and timed recording of communication between the Negotiator Coordinator, the Silver commander and other parties during incidents.

The IPCC also recommends that the National Negotiators Group provides clear guidance to forces and negotiators on the use of recording equipment. This should include guidance that, wherever possible, both sides of negotiation with a subject should be recorded. Furthermore that the recording should continue between periods of dialogue with a subject to ensure a full capture of events and associated taskings and briefing with the negotiating cell.

The Commissioner's response

In respect of the final two paragraphs, whilst they are national recommendations, the Commissioner would at this stage comment that the issues are not straightforward. Based on experience and a simulation exercise carried out by the MPS, recording in written form has been found to restrict any debate between negotiators and others who are usually dealing with a fast moving situation. The only realistic alternative is for negotiators to carry recording devices which are permanently on, however there are practical difficulties with the quality of any such recordings that may be obtained (as some may be outside) and in real terms if everything is continually recorded there is a risk that this will inhibit free thinking and restrict frank and open discussion between negotiators in difficult and tense situations. That said, there has been the provision of audio recording to all negotiators within the MPS (see the reply to Finding 8).

Finding 3 - Firearms incidents involving emotionally and mentally distressed people. In recent years the IPCC has investigated several incidents in which armed subjects have been fatally shot by police and where, although it is a matter for a Coroner's inquest to decide, there is a question about whether the incident was a victim induced or provoked police shooting.

National recommendation

The IPCC therefore recommends that the NPIA and ACPO work with forces to learn from incidents such as this one to identify those factors which might identify to police early on if there is an incident to have the potential to develop into a provoked police shooting, and to attempt to develop a wider range of tactical options for dealing with such incidents.

The Commissioner's response

It is recognised that a person dealt with by armed officers may be emotionally or mentally distressed and tactics for what the officer should consider and how they might respond are included within initial and development firearms training. An on-going dialogue with ACPO and the NPIA allows the MPS to contribute to the wider debate on developing tactical options and sharing good practice which the MPS intends to follow up.

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Finding 4 - Issues relating to firearms licensing. This incident has raised issues in relation to firearms licensing and a passage of information between GPs and Forces granting licenses. The IPCC has an input into the ACPO administration of firearms and explosives licensing working group and findings from this investigation will be passed to it so that any learning can be fed into the development of policy in this area.

Commissioner's response

The IPCC position is noted.

Finding 5. Recording of ARV deployment and initial tactical advice. When the 999 calls from the public were received by the MPS and ARVs were assigned to attend the area, no record was made on the CAD of the decision and rationale for granting the authority for the deployment of ARVs to the incident, or of who made this decision. The requirement to record this information is detailed in the MPS Standard Operating Procedure for the Police use of Firearms.

ARV officers requested initial tactical advice from their base sergeant but the tactical advice provided was not recorded in any contemporaneous log.

Local Recommendations. It is recommended that the MPS reminds duty officers of the MPS SOP for the police use of firearms and the need to record the rationale for the deployment of ARVs so that a clear audible record is made of decision making when ARVs are assigned to an incident.

It is also recommended that the provision and recording where practical of initial tactical advice to ARV officers responding to incidents is formalised in the MPS SOP.

Commissioner's response

The recommendation is noted and is included within continuation training for those that perform tactical firearms commander duties. A current review of the MPS model for commanding spontaneous firearms incidents may provide an opportunity to improve procedures for such record keeping.

Separate to this, it should be noted that tactical advice provided via telephone and radio is now recorded by the MPS.

Finding 6. Separation of the Bronze Commander and Tactical Advisor Roles. The investigation has shown that there was confusion about who had the role of the Bronze Firearms Commander. Initially, as is common because he was the senior officer present, Inspector Bennett assumed the role of both firearms Commander and Tactical Advisor.

However, Inspector Bennett and PS SE both state that after 18.40 PS SE was Bronze and Inspector Bennett was the Tactical Advisor, although Silver Commander, Superintendent Wise believes that Inspector Bennett continued to be the Bronze Firearms Commander and Tactical Advisor.

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The IPCC believes that communication issues were, at least in part, due to the fact that Inspector Bennett was acting as both Bronze Firearms Commander and Tactical Advisor. This dual responsibility requires him to be available to the Silver Commander in the Silver Suite to provide him with the tactical advice as required, and require him to be located so as to command the firearms team and communicate back to the Silver Commander the developments during an incident.

Local Recommendations. It is therefore recommended that as an incident progresses it is best practice to separate the two roles of Bronze Firearms Commander and Tactical Advisor to provide clarity to each persons' role and decision making capacity, and to ensure one person is not put under pressure by performing both roles simultaneously.

Commissioner's response

The comments within the recommendation reflect MPS practice and the roles were separated at this incident. It is unfortunate that due to a misunderstanding this was not apparent to Superintendent Wise at the time.

Finding 7. Conflict Management Model. In this incident officers refer to using the Conflict Management Model to assist them in their threat assessment and consideration of tactical options. However, there is no documented evidence of the model being used for reviewing the intelligence, threat assessment powers policy and tactical options during the incident.

Local Recommendation. It is recommended that the MPS reviews its Standard Operating Procedure for the police use of firearms and its firearms commander training to ensure that the use of conflict management model reflects the emphasis put on it in the ACPO Manual of Guidance.

Commissioner's response

This incident occurred during a transition phase of command training (involving several hundred officers). The conflict management model is at the very heart of all firearms command training and is used as the standard decision making model.

Finding 8 Use of Recording Equipment by Negotiators

Local Recommendation The IPCC made an early recommendation to the MPS in relation to the availabilities to negotiators of equipment which would allow them to record both sides of the conversation with the subject. The MPS has told the IPCC that although such equipment has always been available it is now obtained funding to upgrade the equipment and distribute it to all negotiators.

Commissioner's response

All MPS negotiators have been issued with an Olympus digital audio recorder and microphone lead. They have also been issued with a telephone ear recorder and a splitter cable to allow other negotiators to hear telephone conversations. The negotiators have been asked to bring these devices with them when deployed to an incident and at the conclusion the product from the negotiation can be downloaded into a laptop for the purposes of learning points and the

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debriefing of individual negotiator officers.

Finding 9. Tactical considerations around the risk of a provoked shooting. Although the ACPO Guidance for dealing with potential provoked police shooting was followed, no officer documented his or her consideration of this risk or actions taken to mitigate it.

Local Recommendation. It is recommended that where this is appropriate and relevant, officers specifically document their considerations in relation to the risk of a provoked police shooting and any tactical consideration and actions taken to mitigate any risk.

Commissioner's response

The consideration that an individual may be attempting to provoke police to shoot him/her is addressed within training for both instructors, firearms commanders and authorised firearms officers together with the necessity to document circumstances and the rationale for using force (which may include the use of a firearm) is included within that training.

Finding 10. Training for Negotiator Coordinators. In the MPS experienced Negotiators are sometimes deployed in the role of negotiator coordinator without any specific training for this role.

Local Recommendation. It is recommended that the MPS develops a specific course for negotiator coordinators which might include training on the areas of the role which are specific to the coordinator and which should be a pre-requisite before assuming the role.

Commissioner's response

The MPS has now developed and implemented a training course for all coordinators which includes modules as to operational methodology, incident assessment, technical assistance and command and control. This is a full day immersive exercise with a following debrief. Older existing coordinators have undergone an abridged version of this training course.

Finding 11. Non MPS staff entering the inner cordon. During the incident two members of sub-contracted staff from Interserve were required, with armed officers to deliver lighting to two properties in Bywater Street.

Local Recommendation. The IPCC recommends that firearms officers are given the knowledge required to operate any equipment they might need to deploy during an incident prior to it being deployed. This knowledge might be imparted during training or at the scene, but should prevent the need for staff such as those from 'Interserve' to enter the inner cordon or visit containment positions where they might be at risk.

Commissioner's response

It is impractical to train firearms officers to operate every conceivable piece of equipment that might be required during an incident. Certain specific items of equipment essential to saving life are within the training regime (e.g. operating fire fighting equipment). On occasions where it is necessary to use unarmed police officers (e.g. negotiators) and/or support staff in close proximity to a firearms incident, proper consideration is given to mitigating or eliminating the risks associated with such a deployment.

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Finding 12. Cordon Logs. The IPCC has found that these were not completed fully and officers had not always completed or signed statements when logs were handed over.

Local Recommendation. The IPCC recommends that training for those officers who may be assigned cordon duties is reviewed to ensure that detailed comprehensive and signed logs are completed to ensure that the continuity of any scene and exhibits within it are maintained.

Commissioner's response

The training for police officers does contain specific lessons around crime scene scenarios, the use of cordons and crime scene logs (Lesson 79). This is part of the foundation course and following this, all probationer police constables complete 3 weekly HYDRA courses which includes practical scenarios. The training for PCSOs includes crime scene training which includes the use of cordons and crime scene logs.

The MPS is constantly updating training and will ensure the recommendation above is specifically brought out in training in the future.

Finding 13. Communication with a resident at the scene re Mrs Richard - Information should have been passed from Metcall to the Commanders, a decision about evacuating her should have been made sooner and Mrs Richard should have been regularly contacted by police to reassure her and to give her accurate instructions about where she should go to in her house.

Local Recommendation. It is recommended that the MPS reviews this incident to establish how to improve communication between Metcall and officers on the ground to ensure that Commanders of incidents are provided with all information which is relevant to their decision making.

Commissioner's response

Overview of CCC processes

Central Communications Command (CCC) is responsible for receiving all emergency and non-emergency calls (via the single non-emergency number) on behalf of the MPS. The calls are taken by 'First Contact' operators based at one of three centres at Lambeth, Hendon and Bow. First Contact operators will grade calls for urgency (against national standards) and will then create a demand record which is passed to 'Despatch' operators. Each London borough will have a dedicated despatch 'pod', the function of which is to identify and allocate the correct police resource to an incident and maintain radio communications. Each CCC centre has a specific area of geographic responsibility although given the importance of ensuring that calls are answered as quickly as possible, a call routing system exists. In essence this means that a call relating to an incident in Lambeth, could well be answered by an 'First Contact' operator in Bow. In such cases, the Bow operator will transfer the demand record to the appropriate 'Despatch' pod for deployment.

In addition to the above, the Lambeth centre has additional capacity to manage pan-London events and incidents. One of these functions, Command Support, provides resilience to the

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borough 'despatch' pods for more serious, protracted or developing incidents. This allows dedicated command and control resources to manage an incident whilst enhancing the MPS' ability to continue 'business as usual' in the geographical area in which the incident is taking place.

Identifying and communicating linked events

First Contact processes are managed by two key IT systems, the older Computer Aided Despatch (CAD) and the newer Contact Handling System (CHS). CHS provides increased capacity over CAD to match key details (locations, caller, telephone and vehicle details) and present potential linked incident data to operators. First contact operators are trained to link incident demands that are either duplicated or are relevant to one and other. They must pass to the despatch position or to the borough any incident that requires deployment or holds relevant and extra information pertaining to an active incident. CHS is now being driven by Central Communications Command senior Management to ensure it is the primary operating system in use in first contact. Usage is closely scrutinised by the senior management team (CAD stills exists within the first contact environment but is primarily intended to act as a business continuity system).

It is worth noting that during the early part of 2010, CCC staff were extensively briefed around how to identify repeat, vulnerable or upset callers, through usage of IT asset and by enhanced questioning of the caller. This is subject to daily dip-sampling by the CCC Performance Improvement Unit.

Upon receipt of linked incident demands, despatch operators are required to pass all relevant information to attending police officers. This has recently been formalised in a revised operating protocol between CCC and the 32 London boroughs. Where the level of the incident escalates and it is brought into the Command Support environment there are now established working processes to ensure all key information and linked events are passed to the operational commander through the command structure.

Further a review of MPS procedures for commanding spontaneous firearms operations is assessing the feasibility of locating commanders within the central communications complex (along with tactical advisors).

Finding 14. Delay in informing Mr Saunders parents of his death - A three hour delay caused by an accumulation of factors including the need for a fax to be sent from the MPS to Cheshire Police and the lack of an available Cheshire Police FLO.

Local Recommendation. It is recommended that the MPS and Cheshire Police review their communication on the night to ensure any possible improvements are identified and implemented.

Commissioner's response

The MPS accepts that the 3 hour delay in informing the family of Mr Saunders of his death is unacceptable. The Family Liaison Officer (FLO) within the MPS contacted Cheshire Police within an hour of the confirmation of death. Cheshire Police requested written confirmation to

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be faxed to them before they could action it. The FLO at the scene did not have access to a fax machine. This resulted in a senior MPS officer making a phone call to a senior member of Cheshire Police so that the message could be given to the parents of Mr Saunders. Unfortunately, it is felt by the MPS that the delay was in large part use to the request by Cheshire Police for the message to be delivered by fax. The MPS now has a system in force whereby officers are asked to contact the DPS Intelligence Bureau for the purposes of fax sending should this be required during working hours and the MPS contact desk outside working hours.

Finding 15. Although no issues arose from it, the IPCC identified that there was no record kept of weapons and ammunition booked out from the kit van at the scene.

Local Recommendation. The IPCC made an early recommendation in relation to this and the MPS has updated its armoury's procedures to specify that a record must be made on the armed incident log if any weapons and ammunition booked out from the kit van at the scene and who it was booked out by.

Commissioner's response

This has been completed. A record of issue system is now in use in relation to this.

POST-INQUEST NOTE

INQUEST TOUCHING UPON THE DEATH OF MARK SAUNDERS

<i>Venue:</i>	Westminster Coroner's Court sitting at the Third Floor, Westminster Council Annex, 64 Upper Montague Street, W1A 1FP
<i>Coroner:</i>	Dr Knapman
<i>Date:</i>	Full Hearing - 20 September 2010 - 08 October 2010.
<i>Mode of Hearing:</i>	Hearing before a Jury
<i>Counsel for the Commissioner:</i>	David Perry QC and Edwin Buckett
<i>Solicitor for the Commissioner:</i>	Mark Spanton (67925)
<i>Counsel to the Inquest:</i>	Nicholas Hilliard QC
<i>Solicitor to the Inquest:</i>	Hayley Davies of Westminster C.C
<i>Counsel for CO19 Cat A Officers:</i>	Michael Egan QC
<i>Solicitor for CO19 Cat A Officers:</i>	Susan Freeburn of Russell Jones & Walker
<i>Counsel for Mrs Elizabeth Saunders:</i>	Patrick Gibbs Q.C. and Hugh Davies
<i>Solicitor for Mrs Elizabeth Saunders:</i>	Jane Glass of Burton Copeland

Following nine days of evidence the following questions were left to the jury, who returned majority verdicts of 9-2:

1. Do you consider that it is established as likely that the fatal wound to the head of Mark Saunders was caused by a shot which was lawfully fired, i.e. in necessary and reasonable self defence and/or defence of someone else? **Jury response Yes**
2. Do you consider that it is established as likely that the fatal wound to the heart of Mark Saunders was caused by a shot which was lawfully fired, i.e. in necessary and reasonable self defence and/or defence of someone else? **Jury response Yes**
3. Do you consider that it is established as likely that the fatal wound to the liver of Mark Saunders was caused by a shot which was lawfully fired, i.e. in necessary and reasonable self defence and/or defence of someone else? **Jury response Yes**
4. Do you consider that it is established on the evidence so that you are sure that Mark Saunders deliberately and consciously took steps with a shotgun as shown on the film at

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9.32 pm with the intention of causing police officers to shoot and kill him because it was his wish that he should be killed by them? *Jury response No*

5. Do you consider that it is established as likely, that more detailed consideration should have been given at an early stage to enabling contact to take place between Mr. Bradley and/or Mrs. Saunders and the deceased? *Jury response Yes* If yes, do you consider that it is established as likely that this circumstance made some contribution to the cause of his death? *Jury response No*

6. Do you consider that it is established as likely that there was a lack of clarity between the roles of the Firearms Tactical Advisor and the Firearms Bronze Commander? *Jury response Yes* If yes, do you consider that it is established as likely that this circumstance made some contribution to the cause of his death? *Jury response No*

7. Do you consider that it is established as likely that insufficient weight was given after 9.09pm to the fact that Mr. Saunders was a member of what used to be called a Special Population Group (now "vulnerable person") with regard to the nature, proximity, and numbers in the police containment? *Jury response Yes* If yes, do you consider that it is established as likely that this circumstance made some contribution to the cause of his death? *Jury response No*

The Coroner has also given the following Rule 43 recommendations:

"1. I formally draw to your attention the fact that there appears to have been a blurring of the distinction between the Firearms Tactical Advisor and Firearms Bronze Commander - and I do so for any action you may think appropriate.

2. I formally bring to your attention that Mr. Saunders, in the jury's opinion, was a vulnerable person with regard to nature, proximity and numbers in the police containment - although I note that the jury did not consider it likely that it made a contribution to the cause of death. I bring this to your attention realizing it is a very difficult area for whatever action you may think fit.

3. I formally bring to your attention matters concerning documentation associated with police use of firearms generally for the reasons set out to the Secretary of State for Home Affairs"

This letter referred to in 3 suggests an amalgamation or simplification of the documentation relating to Firearms Officers - it also suggests that in operations lasting many hours there may be scope for a very senior officer from anywhere in the UK attending to review the entire operation, and to change the strategy and tactics if necessary.

Mark Spanton

For Director

cc: DLS: Edward Solomons, Naz Saleh, Franca Olliffe Guy Morgan
DPA: Chief Press Officer (Ed Stearns) and DPA Mailbox – Press Bureau Elian Fletcher
DPS: Commander Mark Simmons
Borough Commander: Chief Supt Mark Heath
CO1 - Commander Savill
CO19: Chief Supt Bill Tillbrook Supt Ian Chappell
SCD7 Supt Sean Cunningham
SO6 Supt Bernie Verrier
TPHQ - Commander Jones



Working together for a safer London

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Our ref: DPS IX-00034-09
3rd December 2010

Dear Dr Knapman,

Re: Inquest into the death of Mark Saunders, Rule 43 Coroners Rules 1984

Following the inquest touching the death of Mark Saunders conducted at Westminster Coroner's Court between 20th September 2010 and 7th October 2010 you wrote to the Commissioner of the Metropolitan Police under the provisions of Rule 43 Coroners Rules 1984. The Metropolitan Police Service response on the three points in your letter is as follows:

- 4) *I formally draw your attention the fact that there appears to have been a blurring of the distinction between the Firearms Tactical Advisor and Firearms Bronze Commander - and I do so for any action you may think appropriate.*

In the initial stages of the operation the Tactical Advisor was acting as the Bronze Commander simultaneously (this is not uncommon in the early, fast-moving stages of an operation). Ambiguity arose because in the latter stages of the operation the roles became separated. After this point both the Tactical Advisor and Bronze Commander then had distinct and separate roles but incorrect references to their role titles were made by other officers. Those that subsequently investigated this incident have identified the discrepancy between the titles attributed to the different officers in incident records. This became the subject of detailed examination during the inquest and there was no evidence that it had any adverse effect on the conduct of the operation or contributed to the outcome.

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Notwithstanding this case, a new nationally accredited Bronze Commander course has been developed this year. The MPS has adopted this course and will start to train in January 2011. This is aimed at further strengthening operational command of firearms incidents and aligning the MPS fully with national command requirements, terminology and interoperability. Clarity of command in these types of incidents would in the future be provided by the Strategic Firearms Commander from CO5 (dedicated MPS Firearms Command Unit) who would have responsibility as per the ACPO Manual of Guidance in ensuring an effective and resilient command structure was in place. The MPS would resist suggestions that the point raised had a material difference on the outcome of this operation.

5) *I formally bring to your attention that Mr Saunders, in the jury's opinion, was a vulnerable person with regard to nature, proximity and numbers in the police containment - although in this circumstance I note that the jury did not consider it likely that it made a contribution to the cause of death. I bring this to your attention realising it is a very difficult area for what ever action you may think fit.*

This point relates to the question posed to the jury concerning insufficient weight being given after 9.09pm (after a shot was fired by Mr Saunders and police returned fire) to the fact that Mr Saunders was a member of a special population group (prior to fatal shots at 9.32pm). The term 'special population group' has now been replaced by 'emotionally or mentally distressed'. It was identified very early on in the operation that Mr Saunders fell into this category because of his alcohol consumption. The ACPO manual at that time made specific reference to tactical considerations in situations where it was considered that a subject may be trying to force police into a provoked shooting, such as using cover, evacuating an area, or backing off.

In evidence Chief Superintendent Wise and Inspector Bennett articulated what their priorities were immediately after the exchange of shots at 9.09pm. In the 23 minutes they had available between 9.09 and 9.32 the containment positions were not reviewed by the Command Team due to competing priorities. A containment isolates the subject from other people and thereby reduces or neutralizes the threat they pose. In this instance Mr Saunders was contained within his home, (allowing him both the personal space and time to recover and disengage) with armed officers to the front and rear to prevent escape and greater public danger.

The layout of Markham Square and his home placed physical limitations on the positions the police could adopt in order to maintain sight of him and the distance they could retreat to whilst still achieving their role. This had a direct impact on the both the position the officers took up for containment and the numbers of officers involved. The number of officers deployed to this incident also reflects that consideration was given to rotating officers for rest periods and that officers with specialist skills and weapons were deployed (i.e. rifles).

As an additional safeguard, Commander Savill who is responsible for firearms, is reviewing all training to double check sufficient emphasis is attributed to individuals who may be emotionally and mentally distressed.

6) *I formally bring to your attention matters concerning documentation associated with police use of firearms generally for the reasons set out to Secretary of State for Home Affairs, a copy of which I enclose herewith."*

The letter to Theresa May MP dated 8th October 2010 drew attention to the following documentation related to police use of firearms, it then made broader comments relating to firearms documentation; with some final comments regarding leadership and authority during such operations.

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7. *"Standing Operating Procedures on police use of firearms". Metropolitan Police Service (97 pages).*
8. *"Manual of Guidance on the Police Use of Firearms" ACPO (Association of Chief Police Officers) (90 pages)*
9. *"Attenuating Energy Projectiles (AEP) Guidance" ACPO (Association of Chief Police Officers) (32 pages)*
10. *"Operational use of Taser - Operational Guidance" ACPO (Association of Chief Police Officers) (46 pages)*
11. *"Code of Practice on Police use of Firearms and Less Lethal Weapons". Home Office (Centrex) NCOF (National Crime and Operational Faculty) (18 pages)*
12. *"Manual of Guidance on the Management Command and Development of Armed Officers" NPIA (National Policing Improvement Agency) (22 pages).*

There is reference to 6 documents in the letter to the Home Secretary. Two of the national 'Manuals of Guidance' are in fact the same documents, as one is simply a revision of the other.

The MPS Standard Operating Procedure (SOP) is a reproduction of the National Manual of Guidance with additional information about procedures that are pertinent to the MPS only. None of the MPS procedures conflict with material in the national Manual of Guidance.

References to literature on AEP (known as baton rounds) and Taser guidance are specifically concerned with these less lethal options including detail on training delivery. The Home Office Code of Practice deals with such issues as each Force having to appoint an ACPO officer to manage firearms, guidance on the procurement of weapons etc.

The National Manual of Guidance (on which the MPS SOP is based) is important to define national standards and has been developed in response to operational learning and development experienced nationally. Some of this learning stems from Coroner and other third party recommendations (i.e. IPCC, HMIC).

This is complemented by the National Police Firearms Training Curriculum, which turns manual content into learning outcomes. The manuals above have a hierarchy and in their current format allow flexibility for the practitioner.

The armed officers at Markham Square acted in accordance with the law, the incident's strategic objectives and their training to counter what they believed to be an imminent threat to life. A decision to 'open fire' is a relatively straightforward test recognising that the individual in closest proximity to the threat is most likely to be best placed to make the judgement and this is supported not constrained by manual content.

Regarding the concept of having a senior officer with experience of similar situations to attend and review operations. In longer-term operations or incidents a Strategic Command/'Gold Group' may be initiated which formalises an opportunity for broader oversight. This will include an opportunity to review the policing operation and to seek critical feedback. Individual commanders can request peer support, which provides the opportunity for a colleague to challenge thinking on threat, strategy and tactical options adopted. For example in the MPS deployment to Northumbria (Raoul Moate), the senior

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MPS officer present had the opportunity to perform such a role by sharing relevant experience.

I trust you will consider these responses to the points you have raised. We remain committed to ensuring learning and best practice is incorporated into all areas of MPS business.

Yours sincerely

Mark Simmons
Commander
Directorate of Professional Standards