



Briefing for the Public Petitions Committee

Petition Number: [PE01532](#)

Main Petitioner: Garry Stagg

Subject: Stop Public Bearing of Arms by Police

Calls on the Parliament to urge the Scottish Government to prevent Sir Stephen House, Chief Constable of Scotland, from allowing armed police to routinely patrol the streets of Scottish towns and villages and cities.

Background

The unarmed nature of everyday policing in Scotland is central to a policing style that has defined policing in Scotland and the wider United Kingdom since the early 19th century. However, the police in Scotland have long had access to firearms for specific rather than general policing purposes, and in the modern era this access has been restricted to a small number of highly trained and Authorised Firearms Officers (AFOs). The tradition of unarmed policing is underpinned by the principle of “*policing by consent*” – the notion that officers owe their primary duty to those they serve, rather than to the state. This continues to the present day and contrasts with the wider international position where all major police forces in mainland Europe, as well as the United States, Canada and Australia, routinely carry firearms. The notable exceptions are the Republic of Ireland and New Zealand which have adopted an armed response model similar to that of the United Kingdom¹.

Armed Response Vehicles (ARVs) were first introduced in the United Kingdom in 1977 and have been operating in most Scottish Police forces for a number of years. At the point of transition to Police Scotland in April 2013, Dumfries and Galloway was the only force without an ARV capability.

A key aim of police reform in Scotland was to create more equal access to specialist support and national capacity, and the move to a single service presented an early opportunity for Police Scotland to implement a national solution for armed policing. As highlighted in the [Timeline of Key Events in the HMICS review of armed policing in Scotland](#) (see below), the Chief Constable of Police Scotland considered proposals for armed policing as part of the structural design of the new service.

¹ [Review of Standing Firearms Authority for Armed Response Vehicle Crews within Police Scotland](#): Her Majesty’s Inspectorate of Constabulary in Scotland, October 2014.

On 30 November 2012, the Chief Constable of Police Scotland, Sir Stephen House, made a policy decision that at the commencement of Police Scotland there would be a single Standing Authority to overtly arm all ARV officers with a sidearm (self-loading pistol) and Conducted Energy Device (Taser). This policy recognised that whilst the primary role of the ARV was to provide armed response, the secondary role would be the provision of directed support to local policing.

A Standing Authority for the issue and carriage of firearms is outlined as follows:

“A standing authority for the issue of firearms may be provided by a chief officer to officers engaged on specific duties where a threat and risk assessment deems this appropriate.

Examples of duties which might fall under this heading include:

- *officers crewing armed response vehicles (ARVs)*
- *officers undertaking protection duties*
- *those involved in specific escort duties*
- *officers involved in prolonged operations for which the issue and carriage of firearms is an integral part of those duties*

The continuing need for the standing authority should be reviewed on a regular basis, at least annually in line with the force’s Strategic Firearms Threat and Risk Assessment².

The above examples would cover issues such as the Standing Authority for those officers providing an immediate armed response capability, such as ARV crews or Tactical Firearms Unit staff, in addition to the specific operations such as protection of VIPs (for example, ex-Prime Minister, Rt Hon Dr Gordon Brown) or provision of armed support at Glasgow and Edinburgh International Airports. In order to give a standing authority, the Chief Constable must be satisfied that there is an operational requirement for it.

The standing authority on armed policing in Scotland is reviewed quarterly. The Chief Constable considers intelligence and evidence from Scotland as a whole and makes a decision on the need for armed officers based on this information. That decision is informed by a range of factors which includes the need to deliver equal access to specialist resource across the country and a range of intelligence and threat assessments which includes Police Scotland’s Strategic Assessment and the Firearms Strategic Threat and Risk Assessment.

Following a number of occasions where ARV officers responded to what could be considered to be routine incidents (i.e. incidents not involving firearms or threat to life), concerns were raised that a fundamental shift in operational

² [College of Police Authorised Professional Practice – Armed Policing Document](#)

policing had occurred which would see officers routinely patrolling the streets across Scotland while carrying firearms overtly. Those concerns led to two reviews on armed policing in Scotland being undertaken: one by Her Majesty's Inspectorate of Constabulary in Scotland (HMICS); and the other by the Scottish Police Authority (SPA). The report of the HMICS review was published in October 2014 and the SPA is due to report in December 2014.

The [HMICS report](#) contains a number of key findings which include:

- in determining the need for the standing authority for ARV crews, Police Scotland has fully complied with all relevant United Kingdom armed policing guidance. The operational need for the standing authority as approved by the Chief Constable is justified by the composite assessment of national threat, risk and intelligence;
- although the decision to grant a standing authority is an operational decision for the Chief Constable, he remains accountable for that decision to the Scottish Police Authority;
- the overt carriage of the side arm and Taser by ARV officers operating under a standing authority is the best and safest method of carriage and we endorse the decision of the Chief Constable on the grounds of operational effectiveness. More broadly, we consider that overt carriage for ARV duties promotes openness and transparency with the public;
- the procedures for ARV officer deployment to firearms-related incidents are fully compliant with the College of Policing and ACPO guidelines. Whilst there have been no written criteria for ARV officers to perform non-firearm duties, there have been sufficient operational safeguards in place;
- ARV officers consider there have been improvements in public and officer safety as a result of the new national ARV model with standing authority and overt carriage;
- Police Scotland has underestimated the community impact of its policy to allow ARV officers to attend non-firearms-related incidents and could have done more in terms of local engagement and addressing localised concerns;
- Police Scotland has not effectively communicated the impact of its policy decision to implement a national standing authority for ARV crews, nor ensured the SPA fully understood the implications. However, we accept that much of this can be attributed to the significant pace of change around reform and the unprecedented challenge on both the Chief Constable and the SPA to transition legacy police forces into a single operational service and establish a functional authority on Day 1;
- in terms of the three objectives of police reform, we consider that the new ARV model has protected and improved local services and has resulted in more equal access to specialist support and national capacity. However, there is still a gap in public understanding around the nature and extent of armed policing in Scotland and this issue has

not strengthened the connection between police services and communities;

- there are fewer authorised firearms officers in Scotland (AFOs) following police reform, although the geographical coverage of armed response vehicles (ARVs) has been enhanced to provide more equitable access throughout Scotland to specialist resources;
- the Chief Constable has recently responded to community concerns around armed policing and we support his decision that ARV officers will only be deployed to firearms incidents or where there is a threat to life. However, we believe that ARV officers can make a positive contribution to local policing and should support local officers through attending appropriate non-firearms-related incidents. This will require deployment criteria that is understood and accepted by local communities.

Scottish Government Action

The Scottish Government has always maintained that the decision to issue a standing firearms authority is an operational matter for the Chief Constable. This position was emphasised by the Cabinet Secretary for Justice in a debate on [5 August 2014](#).

Scottish Parliament Action

The Parliament's Justice Sub-Committee on Policing took evidence on the issue from both HMICS and the SPA at its meeting on [21 August 2014](#).

Graham Ross

Senior Research Specialist

29 October 2014

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However if you have any comments on any petition briefing you can email us at spice@scottish.parliament.uk

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), The Scottish Parliament, Edinburgh, EH99 1SP www.scottish.parliament.uk