

# **Memorandum of Understanding**

between the:

## **Department for Transport**

**(acting through the Maritime and Coastguard Agency)**

**AND**

## **West Yorkshire Police**

**(acting through the National Police Air Service)**

**AND**

## **National Police Chiefs Council (Armed Policing Portfolio)**

### **Use of Search and Rescue Helicopters to transport Armed Police Officers**

#### **1. Purpose**

1.1 This Memorandum of Understanding (MoU) sets out the arrangements for the provision of transport of armed police officers by Search and Rescue (SAR) Helicopters and shall only be undertaken if the police requirement meets the criteria set out in the appropriate regulatory agreements.

1.2 The only purpose is to protect life.

#### **2. Scope**

2.1 The MoU is relevant to the police forces of England and Wales and seeks to formalise the arrangements for requesting SAR Helicopters to transport armed police officers. It does not include arrangements with Police Scotland (A separate MoU exists between Police Scotland and the Maritime & Coastguard Agency).

2.2 This MoU relates to those incidents where there is a threat to life, attendance of armed police officers is necessary for the protection of life and there are no other viable means of transporting armed police officers and their associated equipment to the scene of the incident to meet the threat within the relevant timescales.

#### **3. Background**

3.1 The need for this MoU arises from the potential requirement to transport armed police officers in SAR Helicopters operated under contract to the Department for Transport (DfT).

3.2 The National Police Air Service (NPAS) has been established under a National Police Collaboration Agreement. NPAS is not a legal entity in its own right; the legal entity for the governance and ownership of the assets is the West Yorkshire Combined Authority. The operational delivery is being undertaken on a lead force basis through the West Yorkshire Police Chief Constable.

#### **4. Statement of Intent**

4.1 This MoU is a statement of intent and should not be interpreted as legally binding.

4.2 The Maritime and Coastguard Agency (MCA) will support, on a best endeavours basis, the transport of armed police officers by SAR Helicopters to enable the police to provide an armed response to an incident where there is a threat to life and NPAS are unable to do so.

#### **5. Responsibilities**

5.1 The MCA is responsible for the delivery of a SAR Helicopter service that fulfils DfT's civil and aeronautical SAR responsibilities. In providing this service, the MCA can where able, support the deployment of armed police officers to incidents where there is a threat to life, providing that its core responsibilities in maintaining a civil SAR service are not impacted.

5.2 The SAR Helicopter Contractor(s) is responsible for the safe and legally compliant delivery of a SAR Helicopter service on behalf of the MCA.

5.3 NPAS provides air support to 44 police forces in England and Wales, including the British Transport Police. Police Scotland is responsible for air support to police operations in Scotland. Air support is required for a variety of tasks and will, from time to time, be used to transport armed police officers to the scene of an incident. In most cases, the number of police officers requiring deployment by air will exceed the capacity of the aircraft provided by NPAS.

5.4 The UK Joint Rescue Coordination Centre (JRCC UK)), based at Fareham, Hampshire is the only tasking authority for UK SAR Helicopters. It is responsible for establishing the legitimacy of requests for SAR helicopter support, prioritising and coordinating tasking across the national network. A SAR Helicopter shall only be tasked once JRCC personnel are satisfied that the task is compliant with CAP 999 or other applicable regulatory conditions with there being people or persons in distress or potential distress.

5.5 Requests should be made to the JRCC UK using the JRCC UK – Request - Carriage of Armed Officers by SAR-Helicopter at [Annex A](#)

5.6 Armed police officers when being transported in a SAR helicopter will be permitted to carry personal protective equipment and specialist equipment, as required, to respond to the incident. It is the responsibility of NPAS to provide details of what PPE, ammunition and firearms are to be carried. [Annex B](#) provides additional information on PPE and firearms to be carried.

5.7 The police force requesting the transportation of armed police officers using SAR Helicopters shall ensure that their personnel do not record, capture or take any imagery onboard, or in the vicinity of the SAR aircraft. Officers wearing Body Worn Video devices will be subject to the requisite forces data handling protocols for any captured imagery, thereby controlling its release. Any use of this imagery which relates, or features SAR helicopters must have approval from the MCA press office<sup>1</sup> prior to its release. On no account is any information or imagery pertaining to the use of SAR helicopters to be used for publicity purposes or on social media, corporate or personal, without express permission of the MCA's press office.

## 6. Tasking Protocols

6.1 Requests for air transportation of armed police officers in England and Wales shall always be made through NPAS. It is for NPAS to determine whether the request can be fulfilled through the services provided by NPAS or whether a request should be made to the JRCC.

6.2 On receipt of a request for air transportation of armed police officers from NPAS, the JRCC personnel will establish if the relevant criteria are met and assets are available. If compliant the JRCC will task appropriate units.

6.3 The JRCC will retain operational control for all tasking and should an aircraft be required to be re-tasked to a higher priority task the armed police officers will be landed and deplaned at the earliest safe opportunity. The aircraft are fitted with TeTRa<sup>2</sup> for tactical communications.

6.4 Armed police officers will be carried as passengers, in accordance with the SOP (Carriage of Armed Police Officers) and will be provided with the requisite emergency briefings at the time. Counter Terrorism Specialist Firearms Officers (CTSFOs) will, as a consequence of being the primary intended users of this MoU, watch the relevant MCA briefing video as part of their annual refresher training programme. There is no requirement for other armed police officers to watch this video as they are highly unlikely to be transported under these arrangements. However, in the event armed police officers who have not watched the briefing video are required to be transported in extremis under these arrangements, this will not be a bar to their carriage.

6.5 SAR helicopters shall not be used to deploy armed police officers into a tactical situation. For incidents on land the arrival landing site must be geographically separated from the incident and whenever possible, should be an aviation facility. At non-aviation sites a suitable cordon must be established for the safety of the public.

6.6 In the event that SAR helicopters are tasked to support the deployment of armed police officers to vessels requiring assistance, the default will be to deploy via support vessels (e.g. HM Fisheries Protection, Border Force) that are confirmed as safe and

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<sup>1</sup> Press office E-Mail: [Public.Relations@mcoa.gov.uk](mailto:Public.Relations@mcoa.gov.uk) Tel: 0203 817 2222

<sup>2</sup> Airwave communications network

secure. Only in extremis (where life is believed to be at risk and no other viable option exists), and the transfer is to a 'cold zone' (as defined at annex C), will deployment direct onto the subject vessel be considered. Such decisions will be made subject to multi-agency considerations. All armed police officer passengers will be required to receive a comprehensive winching and survival brief before flying and will be expected to wear passenger approved PPE, that will be provided by Bristow Helicopters.

6.7 In the event that SAR helicopters are tasked to support the deployment of Counter Terrorism Specialist Firearms Officers (CTSFOs) to vessels requiring assistance, those CTSFOs will be equipped with issued Flame Retardant Immersion Suits (FRIS) in addition to their operational police firearms equipment for maritime operations. The CTSFOs will however be provided with buoyancy aids by Bristow Helicopters, to ensure that they are fully compliant with the required standards for air transportation (non auto-inflate). In the event that armed police officers other than CTSFOs are required to be transported to vessels requiring assistance, they are unlikely to have any passenger approved PPE. In such circumstances, the required PPE will be provided by Bristow Helicopters.

## **7. Deployment Reviews**

7.1 Where appropriate, either party may request a post-deployment review.

## **8. Costs**

8.1 Costs for the use of the SAR Helicopter shall be recovered in line with the HMCG's interdepartmental charging rate. A copy of the rate shall be provided annually to NPAS and the NPCC Armed Policing Portfolio.

## **9. Legal**

9.1 The Police acknowledge their duty of care to take reasonable steps to ensure the safety of their personnel is not diminished by their presence on SAR aircraft. In the event of a civil claim against the MCA by any armed police officer, for an incident arising on an SAR aircraft, the police will indemnify the MCA for all costs associated with that claim, including any legal fees. In the event of a civil claim against either the police or the MCA (or both), each party will co-operate fully with the other to resolve the claim.

## **10. Review**

10.1 This MoU will be reviewed every three years and can be terminated by any of the parties at any time. In the event that the MCA should need to terminate this agreement, it will seek to give the other parties 3 months' notice. Amendments to this agreement can be requested at any time.


Signed on behalf of the **Maritime and Coastguard Agency**

Name: Claire Hughes	Post: Director HM Coastguard
Signature: 	Date: 18 <sup>th</sup> October 2021

Signed on behalf of the **National Police Air Service by West Yorkshire Police**

Name: Vicki White	Post: T/Chief Operating Officer NPAS
Signature: 	Date: 20 <sup>th</sup> October 2021

Signed on behalf of the **National Police Chiefs Council (Armed Policing Portfolio)**

Name: Simon Chesterman QPM	Post: Chief Constable
Signature: 	Date: 18 <sup>th</sup> October 2021

Annex A



UK Aeronautical Rescue Coordination Centre (JRCC)
National Maritime Operations Centre (NMOC)
Unit 12 Kites Croft Business Park Fareham
Hampshire
PO14 4LW
Tel: +44 (0) 1343 836 025
Fax:+44 (0) 1329 244 547
E-mail:UKARCC@hmcg.gov.uk

UKJRCCARMEDPOL170115

Date:

UK JRCC – Request | Carriage of Armed Police Officers by SAR-Helicopter

Particulars in accordance with the extant Memorandum of Understanding between:

Department for Transport (acting through the Maritime & Coastguard Agency)

AND

National Police Chiefs Council (Armed Policing Portfolio)

AND

The National Police Air Service (West Yorkshire Police)

- 1 .The request must be made to the UK JRCC via NPAS, and that NPAS asset options are unable to achieve the task or have been exhausted.
2. Only munitions previously authorised by the CAA and referenced within the extant MOU will be permitted for carriage.
3. The JRCC UK cannot guarantee to return any personnel or equipment due to ongoing missions and SAR-Helicopter UK response integrity.
4a.Higher priority tasks or factors prohibiting NPAS assets may also effect SAR-Helicopters. Where possible, a contingency transport move should be considered.
4b. Carriage of Armed Officer missions may be cancelled resulting in officers landing at unplanned locations to enable SAR-H operations.
5. The SAR-Helicopter will not deploy Armed Officers into a tactical situation.
6. There will be costs raised associated with this mission external of the JRCC UK, to which the JRCC is not empowered to discuss or infer, which is deemed to be out with DfT policy.
7. This form requires completing and returning as soon as possible (Not required to initiate task).

Request Details:

Pick up Point:..... Tel:.....

Drop off Point:..... Tel:.....

How many officers with weight (including equipment):.....

:.....

.....

Police Incident No: .....

Coordinating Police Force: .....

**Declaration**

I hereby certify that:

I have read and understood the particulars of using an UK SAR-Helicopter for carriage of armed officers, and that;

I authorise / have obtained authority for the reimbursement of costs incurred by the Maritime and Coastguard Agency in the performance of this task.

Billing Address:.....

.....

.....

Title/Position: .....

Name:..... Signature:..... Date:.....

Stamp:

Annex B

**Transportation of Armed Officers by Maritime & Coastguard Agency**

The Duty Officer at....., when contacting the JRCC UK to request rapid transport from Maritime & Coastguard Agency (MCA), should inform the captain who and what is to be carried including weapons and ammunition.

It should be noted that the average weight of a fully equipped armed police officer (including weaponry and ammunition) is 120KG.

**Officers Attending**

Rank	Officer	Station

**Weapons**

Quantity	Type of Weapon
	9 mm Self-Loading Pistols
	9 mm Carbines
	5.56 Carbines
	7.62 mm Carbines
	7.62 mm Rifles
	12 Bore Shotguns
	AEP Launchers
	Captor Live PAVA Spray Canisters
	CS Spray Canisters
	Tasers

**Ammunition & Other Dangerous Goods**

Quantity	Type of Ammunition/ Special Munitions
	Rounds for 9 mm Self-loading Pistols
	Rounds for 9 mm Carbines
	Rounds for 5.56 mm Carbines
	Rounds for 7.62 mm Carbines
	Rounds for 7.62 mm rifles
	Shotgun Rounds
	AEP Rounds
	Taser Cartridges
	CS Gas Dispersal Canisters
	CS Gas Rounds
	Distraction Devices (3, 6 or 9 Bang)
	Smoke Canisters
	LIFESMOKE mk8 Smoke Signals
	Red Hand flares MK8
	Para Red Rocket MK8a
	Distress Signals Miniflare MK8 pack

	<p>EMOE Go Box 1.1 (detonator assemblies, non-electric)  DFT Approval No. 5585  HSE Classification SVC4382518P  UN Number: UN00500  <i>(no more than one (1) to be carried)</i></p>
	<p>EMOE Go Box 2 (articles, explosive, n.o.s)  DFT Approval No. P101/74  HSE Classification SVC4398124P  UN Number: UN0463  <i>(no more than one (1) to be carried)</i></p>
	<p>EMOE Go Box 3.1 (articles, explosive, n.o.s)  DFT Approval No. P101/74  HSE Classification SVC4382592P  UN Number: UN0463  <i>(no more than one (1) to be carried)</i></p>

## Annex C

### Definition of zones

**The Hot Zone:** an area assessed to contain a credible and continuing threat to life, including the presence of attackers with weapons.

**The Warm Zone:** an area where the attackers are not believed to be present at this time, but an identified threat remains.

**The Cold Zone:** an area where no known threat exists or where appropriate control measures have been implemented. Some cold zones will not require any control measures.