



An Garda Síochána

Policy Document

Managed Containment and Stopping of Subject Vehicles

Effective Date	19 / September /2019
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Approved by	Garda Executive
Introduced by	HQ Directive 044 / 2019
Policy Owner	Assistant Commissioner Roads Policing and Major Event Management

Purpose

An Garda Síochána's Managed Containment and Stopping of Subject Vehicles Policy is based upon the Garda organisation's Competency Based Driving (CBD) programme, prior Garda driver training programme and the tactical deployment of vehicle stopping devices. The strategic objective of any Garda action in the managed containment and stopping of suspect vehicles which fail/refuse to stop on the direction of a member of An Garda Síochána, is to achieve a safe resolution which will lead to the arrest of offenders and the prevention/detection of crime.

Scope

This Policy and all associated documentation apply to members of An Garda Síochána and Garda staff. It also applies to Police Officers from the Police Service of Northern Ireland (PSNI) seconded to An Garda Síochána in accordance with Section 53, Garda Síochána Act 2005.

Policy Statement

It is the aim of An Garda Síochána to uphold and protect the human and constitutional rights of everyone by providing a high quality, effective policing service in partnership with the community and in co-operation with other agencies. In carrying out their duties, members of An Garda Síochána shall, as far as practicable and in so far as the circumstances dictate, consider non-physical means before resorting to the use of containment tactics to manage the containment and stopping of subject vehicles which fail/refuse to stop on the direction of a member of An Garda Síochána.

Members of An Garda Síochána will only resort to the use of such containment tactics if there is no realistic prospect of achieving the lawful objective without exposing members of An Garda Síochána, or anyone whom it is their duty to protect, to a real risk of harm or injury.

The fundamental principle underpinning this policy is that any action taken in the course of the managed containment and stopping of a vehicle by a member of An Garda Síochána must comply with the fundamental principles of legality, necessity (absolute necessity in terms of lethal force), proportionality and accountability and is applied in a non-discriminatory manner in accordance with the principles of the European Convention on Human Rights (ECHR).

In carrying out their functions in accordance with this policy, members of An Garda Síochána shall act with due respect for the personal rights of persons and their dignity as a human being and shall not subject any person to ill-treatment of any kind.

Compliance

Compliance with this Policy and accompanying associated document(s) is mandatory for all members of An Garda Síochána and Garda staff.

Cancelations and Replacement of Existing Policy and associated document(s)

A listing of existing policy and associated documents that are cancelled and replaced by this policy are set out in the Managed Containment and Stopping of Subject Vehicles Procedure Document.



Legal & Human Rights Screening

This Policy has been legal and Human Rights screened in terms of the respective obligations placed on An Garda Síochána for the subject area concerned.

Ethical Standards & Commitments

Every person working in An Garda Síochána must observe and adhere to the standards and commitments set out in the [Code of Ethics](#) for An Garda Síochána and uphold and promote this Code throughout the organisation.

Policy & Procedure Review

This Policy and associated documents will be reviewed 12 months from its date of effect and every three years thereafter.

Disclaimer

This document is not intended to, nor does it represent legal advice to be relied upon in respect of the subject matter contained herein. This document should not be used as a substitute for professional legal advice.