



# An Garda Síochána

## Policy Document

### An Garda Síochána

### Spontaneous Pursuits

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<b>Effective Date</b>	06/12/2024
<b>Version No.</b>	0.1
<b>Approved by</b>	Garda Executive
<b>Introduced by</b>	HQ Directive 087/2024
<b>Policy Owner</b>	Assistant Commissioner, Community Engagement and Roads Policing

## Purpose

The purpose of this Policy document and its accompanying Procedure document is to provide direction to Garda personnel who in the course of their duties engage in the use of pursuit tactics and pursuit management in order to reduce the risk associated with pursuits and stopping of subject vehicles. It aims to promote accurate recording of information / intelligence / decisions and rationale by Garda personnel involved in overt managed pursuits and the stopping of subject vehicles and to ensure Garda members consider the human rights of all when engaging in managed pursuits.

## Scope

This Policy and all associated documentation apply to all Garda personnel, including 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 preserve the safety of members of the public and Garda personnel when a spontaneous pursuit is initiated.

Where feasible, the first priority should be to prevent a pursuit from taking place. Any decision to engage in a pursuit must be done in the interests of public safety, to protect life, to prevent crime and to apprehend offender(s) in line with the statutory obligations set out in the Garda Síochána Act 2005.

A key consideration is to ask if the pursuit is necessary and balanced against threat, risk and harm for which the subject driver is being/about to be pursued.

Any action taken in the course of the Spontaneous Pursuit by a member of An Garda Síochána must comply with the fundamental principles, of legality, necessity, proportionality and accountability and applied in a non-discriminatory manner in accordance with the principles of the European Convention on Human Rights (ECHR).

## Compliance

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

## Related Documents

1. An Garda Síochána's Overarching Use of Force Policy (HQ Directive 51/2020)
2. Garda Decision Making Model (HQ Directive 37/2019)
3. Human Rights Framework (HQ Directive 19/2019)
4. Vehicle Stopping Devices Policy
5. Stay Safe Principles (6 C's) (HQ Directive 31/2017)
6. GardaSafe Policy (Policy being developed)
7. An Garda Síochána's Initial Response to Critical and Firearms Incidents (HQ Directive 031/2017)
8. Garda Air Support Unit. (HQ Directive 155/1997)
9. Out of Vehicle Safety Training (Policy being developed)
10. An Garda Síochána Occupational Health and Safety Policy Statement. (HQ Directive 072/2017)
11. Classification of Incidents and Recording Detections of Crime within PULSE (HQ Directive 045/2020)
12. Driving Official Vehicles Strategy 2022-2025
13. Driving Official Vehicles in An Garda Síochána Policy



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

A list of the existing policy and associated documents that are cancelled and replaced by this policy are set out in the Spontaneous Pursuit 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.

