



# **POLICE SCOTLAND**

Keeping people safe

## **USE OF FORCE**

### **Standard Operating Procedure**

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## 1. PURPOSE

- 1.1 This standard operating procedure establishes the criteria and guidelines relative to police use of force, personal protective equipment (PPE) and the training provided for the purpose of conducting general policing duties.

## 2. PROCESS / PROCEDURE

- 2.1 The Police Service of Scotland (PsoS) recognises that an individual's right to life and the maintenance of public order are paramount considerations when contemplating the use of force.
- 2.2 Any force used by a Police Officer or member of Police Staff must be legal, proportionate, and reasonable in the circumstances and the minimum amount necessary to accomplish the lawful objective concerned.
- 2.3 Action must be proportionate in relation to the competing rights of individuals and any force used should be no more than is absolutely necessary. In this regard, individual officers and staff must be prepared to account for their decisions and to show that they were justified. It is recognised as good practice for Police Officers and Police Staff to record details in their notebooks of all instances involving the use of force and the reasons why force was necessary.
- 2.4 An arrest should be made as unobtrusively as possible. In no circumstances must a prisoner be harshly treated or have greater force used towards that person than is absolutely necessary to restrain them.
- 2.5 The decision to use any defensive technique or equipment in a confrontational situation is for each individual to assess based on the circumstances involved.
- 2.6 Indiscriminate or unnecessary use of force is unacceptable and individuals will be personally accountable for such improper use. There are only two criteria for any use of physical force, those being;
- Justification: Where the force used is reasonable and proportionate to the perceived threat; and
  - Preclusion: Where other reasonable response options have, either, been attempted and failed or are considered to be inappropriate.
- 2.7 The overriding principle is that any force used by Police Officers and Police Staff must never be excessive. Any force used must be reasonable based on the individual person's perception of the threat that they are immediately facing.

### 3. HUMAN RIGHTS IMPLICATIONS

3.1 The key elements in considering the effect of any Police action on the human rights of an individual are legality, proportionality, necessity and transparency.

3.2 The [Human Rights Act, 1998](#), confers a number of rights. The main concerns for Police Officers/Police Staff, who may require to use some degree of force in the execution of their duty, are Articles 2, 3 and 5.

3.3 **Article 2** – Confers a right to life:

If Article 2 is breached then the Police action must be absolutely necessary in a civilised society in defence of any person from unlawful violence.

3.4 **Article 3** – Confers an absolute right not to be tortured or subjected to inhumane or degrading treatment:

Article 3 is an absolute right and cannot be breached by the Police.

3.5 **Article 5** – confers a right to liberty and security of person:

Where Article 5 is breached the Police must have acted reasonably and with no more force than is absolutely necessary.

### 4. CONFRONTATIONAL CONTINUUM

4.1 When engaged in confrontational situations, Police Officers must at all times consider the force continuum with regards to the escalation and de-escalation of force.

4.2 The confrontational continuum assists officers to determine what may be considered to be the appropriate level of force to be used in any eventuality and should be used to assist officers to subsequently justify the extent of any force used. Police Officers should refer to the force continuum in any reports which are required to be completed in relation to the use of force.

4.3 Before using any force an officer must consider:

- The impact factors affecting the situation,
- The physical, mental and sensory condition of the assailant,
- The seriousness of the attack,
- The presence of any weapons, and
- That the response must not be excessive.

4.4 This is often represented in a graph form (The confrontational continuum), as below.

Deadly / Lethal Force						
Defensive Tactics						
Control Skills						
Tactical Comms.						
Officer Presence						
AMOUNT OF FORCE USED	Compliance	Verbal Resistance & Gestures	Passive Resistance (Un co-operative)	Active Resistance (Un co-operative)	Assaultive Resistance	Serious or Aggravated Assaultive Resistance

The three elements are sub-categorised into varying levels, described below:

**4.5 IMPACT FACTORS**

4.5.1 Human and environmental differences which make each incident unique and every person's perception different. These factors have a crucial bearing on decision-making and tactics and may provide justification in the use of force. Impact Factors are relative to both the Police Officer or Police Staff and the person being dealt with, they include, but are not limited to:

- Size, age, strength, gender,
- Drugs/alcohol,
- Ability,
- Numbers involved,
- Opportunity and intent to do harm,
- Weapons,

- Skill levels,
- Injury/fitness,
- Exhaustion,
- Willingness to listen,
- Special knowledge,
- Nature of crime,
- Clothing,
- Proximity of others,
- Danger to others,
- Police powers, skill and perception,
- Space available,
- Proximity of obstructions/hazards,
- Location (e.g. kitchen – access to knives),
- Escape routes,
- Weather conditions, and
- Conditions underfoot.

#### **4.6 PROFILED OFFENDER BEHAVIOUR**

4.6.1 This term encompasses the actions and behaviour of the subject and comprise of the Warning and Danger signs they exhibit coupled with Impact Factors. Profiling a persons behaviour may assist in determining an officer's reasonable response. Profiled Offender Behaviour can be sub-categorised:

##### **4.6.2 Level 1 – Compliance**

Most people dealt with are reasonable and will comply with any lawful instruction. This compliance may be verbal or it may be active compliance such as stopping an action when told.

##### **4.6.3 Level 2 – Verbal Resistance and/or Gestures**

This includes shouting, swearing and verbal challenges to requests and/or instructions given. It normally includes non-verbal gestures and posturing (body language) and can consist of Warning and Danger signs of potential attack.

##### **4.6.4 Level 3 – Passive Resistance**

This is a typical tactic used, but not exclusively, by demonstrators. It is best described as non-active conduct with no compliance to lawful instruction.

#### 4.6.5 **Level 4 – Active Resistance**

This is more of a physical form of resistance, in that the subject is actively doing something to prevent or obstruct an officer from carrying out their duty. This type of resistance, although physical by nature, falls short of an assault upon another. It can include holding on to an object/person either physically or mechanically; struggling to break free from an officer's grasp; trying to dispose of evidence.

#### 4.6.6 **Level 5 – Assaultive Resistance**

This is when there is a deliberate intention by another to cause a physical effect upon a person, either directly or by indirect means (assault by menaces). It can be caused by an individual or by a group of people acting together.

#### 4.6.7 **Level 6 – Serious/Aggravated Assaultive Resistance**

The highest level of resistance encountered which generally involves the intended use of weapons as part of the attack where the perceived threat is that of serious injury or is life threatening. It can also include situations without the presence of weapons where the perceived threat is that of serious injury or is life threatening.

The above provides a rising scale of resistance. An offender may display a combination of these types of behaviour, and may start at any level. They may escalate through the levels; similarly, they may de-escalate their levels of resistance and any force used by an officer/staff must be proportionate and appropriate to the perceived resistance in combination with the Impact Factors present at that time.

### 4.7 **OFFICERS REASONABLE RESPONSE (FORCE OPTIONS)**

4.7.1 By combining the elements of Profiled Offender Behaviour and Impact Factors it affords the officer/staff the ability to quickly assess the threat and to make an informed decision to adopt appropriate tactics from a range of force Options in order to deal with the situation in a controlled justifiable and accountable manner. These responses (force options) can be sub-categorised:

#### 4.7.2 **Level 1 – Officer Presence**

This is a broad term encompassing the physical and psychological aspects of an officer, especially in uniform or other specialist equipment, having a visual impact and effect on the mind or will of another merely by attending to or arriving at the situation. Adopting a professional approach and conduct can enhance this.

#### 4.7.3 **Level 2 – Tactical Communications**

By definition, tactical communication means the ability to give out and take in information in a way which gives the officer a tactical advantage. It incorporates verbal and non-verbal communication skills and is the ability of an individual to effectively use all forms of communication, within reason, to resolve an identified area of conflict. This level could include giving specific direction, commands and/or instructions to an offender, even in a forceful vocal manner.

#### 4.7.4 **Level 3 – Control Skills**

This is the lowest level of physical use of force where there is some form of restraint applied to an offender. This may be as little as placing a hand on an offender, applying hold and restraint techniques, up to and including various handcuffing techniques and the use of leg restraints.

#### 4.7.5 **Level 4 – Defensive Tactics**

These tactics are generally perceived to be strikes, whether delivered by means of empty hand techniques or baton strikes, but also include the more robust defensive handcuffing techniques and the use of CS Incapacitant Spray.

In circumstances where use of Specialised Operations are authorised use of Public Order Tactics, Police Dogs and specialist weapons available to Authorised Firearms Officers, such as the L104A1 Launcher and Taser may be considered as Defensive Tactics.

#### 4.7.6 **Level 5 – Deadly or Lethal Force**

This is a level of force that has the potential to cause serious injury or even death when it is applied. It may in certain circumstances, where there is a serious risk of severe injury or life threatening risk, be a deliberate choice of option, but in all circumstances must be proportionate to the perceived threat and degree of imminent danger. If this is the chosen option there must be high degree of jeopardy involved; i.e. the subject has the Means, Ability/Opportunity and is displaying Intent to cause serious injury or kill. All elements of Jeopardy must be present immediately at the time that lethal force is applied. Officers using empty hand strikes, baton strikes as well as Authorised Firearms Officers use of conventional firearms could potentially deliver lethal force.

## **5. TACTICAL REPORT WRITING AND USE OF FORCE FRAMEWORK**

### **5.1 USE OF FORCE REPORTING**

- 5.1.1 After an arrest an SPR will be prepared, in chronological order, which provides evidence to justify the arrest and the charges libelled. Details of any force used are usually contained within the narrative next to the details of the subject's behaviour.
- 5.1.2 The full recording of observations and actions cannot be overstated. Recollection of the incident will be central to the disposal of the incident and officers/staff may have to justify reasoning, action taken and amount of force used. Police Officers/Police Staff are encouraged to make appropriate notes in their notebooks.

### **5.2 STANDARD OF PROOF**

- 5.2.1 Ideally, the section of any report dealing with the use of force should be capable of standing alone out with its original context. This is because, the use of force alone could be the subject of enquiry (or even legal action) long after the merits of the original offence have been dealt with. If anything, more time and effort are needed to document the use of force than to prove an offence. When a person is charged with a criminal offence the evidence must prove guilt beyond all reasonable doubt. Should litigation ensue over the way he/she was treated they need only prove their allegation on the lesser civil burden of proof "the balance of probabilities". Thus, to rebut a subject's allegation, the Police evidence must reach a higher standard.
- 5.2.2 When Police Officers apply physical force to a person, they must be aware that their actions may ultimately be examined in court. The quality of the Police account of events is of crucial importance. The court must be shown that a Police Officer's decision on what level of force to use was a tactical decision, rather than a response based on anger or fear. To do this the court needs a logical framework for judgement that the judges and jurors alike can understand. This framework is called the force accountability graph.

### **5.3 CASE NOTES**

The material needed for a report can be described under four headings:

1. Facts About the Officer and the Subject;
2. The Level of Resistance Offered by the Subject;
3. Special Circumstances; all of which lead to; and
4. The Level of Force Used.

### 5.3.1 Facts About the Officer and the Suspect

Any examination or investigation of the circumstances will not be able to take into account the impact factors, such as the physical differences between officer and the subject, unless told. This means including in evidence a comparison of the officer's age, sex, height and weight with those of the subject (or what is estimated to be the subject's age, sex, height and weight at the time).

### 5.3.2 Levels of Resistance

The resistance that a person offers can be expressed on a sliding scale from low to high. The levels of resistance below show how a relatively passive subject can still exert some force on a Police Officer and try to take over control. If this is successful then instead of controlling the subject, the officer is merely responding to them:

1. Psychological intimidation (presence) – a look, a type of dress or gesture that conveys a hostile message to the officer;
2. Verbal resistance – ranges from a polite refusal to shouting;
3. Passive resistance – stands still and will not do as they are told;
4. Active resistance – walks off, pulls away, runs;
5. Assaultive resistance – pushing, fighting, kicking, etc; and
6. Serious/Aggravated resistance – assaults using means likely to cause severe injury or the endangerment of life or producing or picking up any kind of weapon.

**Note:** picking up or holding a weapon is ranked as more forceful than fighting with empty hands. If someone has a weapon of any sort the only safe option is to assume that they are willing to use it. In such circumstances officers and staff should conduct a Dynamic Risk Assessment to reduce the potential of being vulnerable to serious injury.

### 5.3.3 Special Circumstances

The individual sitting in the dock at court rarely resembles the aggressor they presented themselves to be at the time of the initial incident. Details needed here include the subject's exceptional aggression, their proximity to a weapon or to bystander who may help them, and anything else the officer can think of. If the officers were put in fear or doubted their ability to defend themselves adequately then this should be clearly stated.

### 5.3.4 Level of Force – Demonstration/Description for Court Purposes

The three paragraphs above should bring an officer logically to the question of where on the conflict continuum the subject's actions lay (profiled offender behaviour) and where their actions lay in response (reasonable officer response options). In court the use of conflict continuum can be quoted and an officer can point out where the procedure used ranks in intensity to others.

This system should enable officers to stand up in any court and explain why, based on their training and experience, they considered the option they chose to be the minimum force that could be used. Officers can explain why they chose that level of force and why other less forceful options would not have worked, or did not work in that situation. This is especially useful when an officer has had to use force on someone smaller because it explains the reason why in a logical way.

## 5.4 TACTICAL EVIDENCE RECORDING

5.4.1 The areas to consider and include in evidence are:

- (i) Arrival at the scene:
  - (a) Were officers in uniform or plain clothes? – Pronouncement of office.
  - (b) Marked or unmarked Police vehicle or on foot?
  - (c) Were other officers involved?
- (ii) Approach:
  - (a) The officer's observations, perceptions and any tactical communications.
  - (b) Initial observations, initial perceptions, initial verbal commands/tactical commands.
- (iii) Subject Action:
  - (a) All impact factors – include all details as per use of force accountability graph.
  - (b) Response to commands – document officer commands and subject's response.
  - (c) Resistance offered – detail subject's resistance (profiled offender behaviour).
- (iv) Officer's Actions:
  - (a) Detail all control methods, including those that were unsuccessful – force option responses.
  - (b) Document injuries to subject and officers and how they were sustained.
  - (c) Detail de-escalation techniques/dialogues and what effect they had.
  - (d) Document handcuffing procedure.

## 5.5 TACTICAL EVIDENCE RECORDING – USE OF NOTEBOOK

5.5.1 Use of the Police issue notebook for making notes, whether at the time or as soon as reasonably practicable thereafter, is an important factor to consider; **provided it does not impact with the safe handling of a violent or potentially violent person.**

5.5.2 The above areas of consideration are all relevant for the purpose of making notes. In any case notes made should be sufficient and comprehensive enough not only for the preparation of an SPR, but also for completing statements.

### USE OF FORCE FRAMEWORK

PROPORTIONALITY		LEGALITY	HUMAN RIGHTS	NECESSITY
Profiled Offender Behaviour	Force Options	Criteria for Use of Force	Human Rights Interfered With	Human Rights Justification
Serious Aggravated Resistance Use of firearms or lethal weapons, siege situation, angry man conduct, crowd with weapons and/or violent common purpose and/or violent confrontation by opposing factions.	6 <b>Lethal/ Deadly force</b> Direct firearms deployment, ARV/ TFU deployment. Baton strikes to RED secondary target areas (note: there are NO Police horse, dog or public order tactics at this level).	<b>Self Defence (Protection of Life).</b>	<b>Article 2</b> Right to life.	The Force option was absolutely necessary in a civilised society.
Assaultive Resistance Punching, kicking, pulling, head butting. Crowd acting together, punching, kicking, pulling, pushing.	5 <b>Defensive Tactics</b> Firearms containment tactics, empty hand fend offs blocks and strikes, CS incapacitant spray, baton strikes and blocks to GREEN primary target areas. Handcuff takedown, direct deployment of Police Dog – where bite intended or likely, Public Order deployment with shields and crowd dispersal tactics. Police horse crowd dispersal tactics.	<b>Prevention of Crime.</b>	<b>Article 3</b> Right not to be tortured or subjected to inhumane or degrading treatment.	In defence of any person from unlawful violence.
Active Resistance Pulling away, running away, concealment, demonstrators locking onto objects.	3 <b>Control Skill</b> Empty hand holds and restraints, baton arm locks, handcuffing, restraint belts. Use of demonstrator removal cutting equipment. Direct deployment of Police Dog to detain fleeing suspect (serious crime) Public order, Police Horse and Dog crowd containment tactics. Crowd management tactics and arrest tactics.	<b>To Effect an Arrest / Detention.</b>	<b>Article 5</b> Right to liberty.	In order to bring a person before a competent authority on a reasonable suspicion of having committed an offence or where it is necessary to prevent him/her committing an offence or fleeing after having done so.
Passive Resistance Non-active conduct with no compliance. Demonstrators at sit-downs.	3 <b>Tactical Communications (Constant)</b> Negotiation tactics, words, intonation and body language. Visual impact of Police Horses, Dogs and Public Order personnel. Visual impact and effect of personal protective equipment. Equipment drawn but not used.	<b>To Prevent Escape.</b>	<b>Article 10</b> Right to freedom of expression.	In the interest of: - National Security. - Public Safety. - The Prevention of Disorder or Crime. - The Protection of Rights of Others.
Verbal Resistance/ Gestures Words and/or body language of non-compliance. Crowd common disorder – shouting and gesturing.	2 Officer Presence (Constant) Appearance, bearing, tactical positioning, Presence of Police Horses, Dogs or Public Order personnel.	<b>To Preserve, Maintain or Restore Public Order.</b>	<b>Article 11</b> Right to assembly and association.	
<b>Compliance</b> Verbal/and Active Compliance or signals of submission.	1			

## 6. REPORTING ACCIDENTS/INJURIES & USE OF FORCE

- 6.1 All accidents, which involve personal injury to members of staff whilst they are at work, must be reported. The Police Service of Scotland is required to investigate the circumstances and submit the appropriate accident report. Local guidance with regards to reporting of personal injury is outlined in the geographical appendices.
- 6.2 Use of Force is defined as use of the baton to strike an individual or individuals or the operational discharge of CS Incapacitant spray.
- 6.3 If reporting a use of Force then this should be done on the 'Use of Force Form' which should be submitted as per the legacy force arrangements (i.e. SCOPE, or hard copy/ electronic copy form).
- 6.4 Additionally on **every** occasion where CS Incapacitant spray is discharged operationally, there is a legal requirement to record the incident and report it to the Police Investigations and Review Commissioner (PIRC) within 24 hours.
- 6.5 [Form 064-001](#) has been created to record these instances and will be available on the Forms section of the intranet under Guidance. Forms **must** be submitted as soon as reasonably practical after the incident but no later than the end of the discharging officer's tour of duty. If the officer is unavailable then a supervisor must arrange its completion.
- 6.6 Completed forms should be sent to email box [REDACTED] [REDACTED] marked for the attention of **Officer Safety Training, Local Policing West**, from here it will be transmitted to PIRC. Completion of this form is separate to the existing use of force forms which must still be submitted as per the legacy force arrangements (i.e. SCOPE, or hard copy/ electronic copy form).

## 7. DYNAMIC RISK ASSESSMENT

- 7.1 In addition to any role specific risk assessment Police Officers and Police Staff should conduct an assessment of any actions they are undertaking or being tasked to undertake. This is sometimes referred to as dynamic risk assessment.
- 7.2 The eight guidelines for conducting dynamic risk assessments are:
1. Remember your duty to protect/preserve human life; that includes your own;
  2. Be aware of your physical limits – never take unnecessary risks;
  3. Tell someone what you are doing (or going to do) and try to get support before you do it;
  4. Heed information and advice – it will help you make a judgement;

5. Apply correct procedures in every situation;
6. Record your decision making process either at the scene or soon afterwards in official notebook or other recognised journal;
7. Your supervisors and managers are there to help you; and
8. Making a proper judgement in good faith will not be criticised.

## **8. MENTAL HEALTH ISSUES, DISORDERS AND SYNDROMES**

- 8.1 Officers and Staff are not expected to assess or diagnose a mental illness but this guidance may afford officers and staff an insight to identify behaviour, which may suggest that a person is suffering from a mental health issue or condition.
- 8.2 Police Officers and Police Staff should also consider a request for assistance from outside agencies when dealing with persons believed to be suffering from a mental health issue or condition.
- 8.3 Lack of awareness by Police Officers and Police Staff can lead to increased distress to the person and an unnecessary risk of aggression to an officer/staff.
- 8.4 Mental health issues can be placed into five main categories. The two groups mainly of interest to the Police are psychosis and neuroses. The others are less likely to come to the attention of the Police but are described below.

### **8.1 PSYCHOSIS**

- 8.1.1 **Schizophrenia** - It is not a split personality but having a mind that loses touch with reality.
- 8.1.2 Schizophrenia may be a single experience lasting only a few weeks, for others it can last a lifetime. First symptoms usually appear between the ages of 15-30. There is no cure for schizophrenia although it can be controlled with medication.
- 8.1.3 The medication does not make the subject feel good and can have distressing side effects and as such those living in the community may not take their medication, which can often promote the illness again.
  - **Depression** - (With or without cause) Suicidal thoughts, loss of contact with reality, delusions.
  - **Mania** - Hyperactive, mood changes, wild look with wide eyes, rapid speech and thought which is impulsive and erratic.
  - **Manic Depression** - Mood swings between mania and depression.
  - **Paranoia** - Delusions, suspicions and feeling persecuted.

## 8.2 NEUROSES

- **Depression** - Similarly to previous description with less severity.
- **Anxiety** - Sleep disorder, panic attacks, irritable.
- **Phobias** - Irrational fear of a specific object or situation.
- **Obsessions** - Obsessional thoughts and or compulsive behaviour.

## 8.3 ORGANIC MENTAL HEALTH ISSUES

- **Dementia** - An irreversible disease through degeneration of the brain cells.
- **Delirium** ~ Disorientated, confused condition that may be accompanied with hallucinations, illusions. It may follow a head injury or withdrawal from drugs/alcohol.

## 8.4 PERSONALITY DISORDERS

8.4.1 Symptoms may include, aggression, difficulty in relating to others, abnormal feelings. This type of disorder is difficult to define.

## 8.5 LEARNING DISABILITIES

8.5.1 This can be a lifelong impairment but can also occur through alcohol/drugs abuse.

## 8.6 ASPERGERS SYNDROME/HIGH FUNCTIONING AUTISM (AUTISM SPECTRUM DISORDERS)

8.6.1 People who have Aspergers syndrome or high functioning autism often present as being intelligent and articulate although many have difficulty communicating, relating to others and understanding situations, which they are not familiar with. New situations can cause fear and panic, resulting in the person behaving in an erratic manner. When recalling information they may do so without showing any emotion, which may lead to doubts over the credibility of their evidence.

8.6.2 Where it is believed that a person has Aspergers syndrome or autism, careful assessment should be made of the situation. Attempt to avoid appearing threatening, calm the individual and consider where possible the assistance of the individual's carer and/or medical assistance whilst at the same time ensuring that the police responsibility for maintaining public and personal safety is observed. If it is believed that someone may have Aspergers or autism then it is recommended that the officers ensure that questions are clear and unambiguous. An explanation of procedures before they occur will greatly assist.

## **8.7 DEALING WITH PERSONS SUFFERING FROM MENTAL HEALTH ISSUES, DISORDERS AND SYNDROMES**

8.7.1 When dealing with a person who has mental health issues it is important that officers/staff don't try to diagnose the specific illness. It is important that there is a realisation that a person has some form of mental health issue or condition.

8.7.2 The following suggestions may assist in dealing with such persons:

1. Do not approach from the rear as it may be deemed to be an attack;
2. Always stay calm and give a person the space they require so as not to put them under pressure;
3. Only one officer/staff member should speak to a subject to prevent confusion and establish a rapport. It is often the case that the subjects will show preference to a particular officer/staff member. This should assist in achieving a positive rapport;
4. Always explain fully who you are and what you are doing - remember keep it simple;
5. Show an interest in the subject and express empathy;
6. Try to limit anything that causes distraction to the person, and address them by name without hurrying them along. Do not use Police jargon;
7. Do not stare. This may seem threatening;
8. Try to find out what has caused the upset; and
9. Don't assume a person suffering from a mental disorder is unintelligent or out of touch.

8.7.3 Certain types of questions may help when trying to ascertain the facts:

1. Ask open questions. (Although it is often recommended that open questions be used, there may be occasions where a more direct approach is required. Persons with Aspergers may not necessarily think to tell you something unless you specifically ask);
2. Ask about difficulties he or she may have;
3. Ask about their social situation;
4. Ask about friends and relatives;
5. Ask about hospitals or carers they may want contacted; and
6. There are other agencies that can assist in dealing with persons believed to be suffering from some form of mental health issue. Consideration should be given to contact someone asked for, or someone who has knowledge of the circumstances/problems.

## **8.8 DEAFNESS**

8.8.1 Although deafness is a physical condition and not a mental health issue it is recognised that dealing with deaf individuals can present unique challenges to police officers.

8.8.2 Deaf people can be difficult to communicate with from a police perspective. Especially in a group they can appear to be uncooperative and even hostile on account of the communication difficulty. This can lead to misunderstanding. When faced with apparently uncooperative and hostile individuals' officers should consider whether this is a potential impact factor or a result of a medical condition and adjust their response accordingly, whilst ensuring to maintain public and personal safety. It is encouraged that consideration should be given to engaging the assistance of a BSL (British Sign Language) Interpreter where appropriate.

## **9. PERSONAL PROTECTIVE EQUIPMENT (PPE)**

### **9.1 AUTHORISATION TO CARRY/USE PPE**

- 9.1.1 Satisfactory completion of initial Officer Safety Training (OST) course, whether locally or at the Scottish Police College, will give authorisation to carry and use:
- handcuffs,
  - straight baton,
  - leg restraints, and
  - CS incapacitant spray.
- 9.1.2 CS Incapacitant spray will be issued only to those officers who have been trained and authorised in its use by a certified force training instructor. Every qualified officer will receive a personal authorisation card which must be carried at all times whilst on duty and SCOPE records will also be updated.
- 9.1.3 During OST training, officers will be made aware of risks that can be controlled by the PPE and of those that can not. This will include the limitations of the equipment, the circumstances when it can be used and the consequences to their own and their colleagues' health and safety when not used.
- 9.1.4 The policy of the Police Service of Scotland is to refresh and recertify officers by attendance and successful completion of the OST refresher course. Every officer, irrespective of rank, who is or may be required to undertake operational duties, must maintain authorisation to undertake operational activity whilst carrying recognised PPE.
- 9.1.5 It is the responsibility of the individual officer to ensure that his/her certification is current. Training Officers should be contacted to arrange a suitable course.

### **9.2 REMOVAL OF AUTHORISATION TO CARRY / USE PPE**

- 9.2.1 No officer should allow their authorisation to expire, however in certain cases, such as injury, illness, maternity, career break or due to operational matters, this may be unavoidable.

- 9.2.2 Where an officer's recertification lapses, authorisation to carry PPE, including incapacitant sprays, will be removed. These instances will be reported by the relevant Local Policing Command or Head of Department in which the officer is based, who **will** sanction the withdrawal of authorisation, consider the reasons for non attendance of cancelled courses, and will assume responsibility for any subsequent action that may be deemed appropriate.
- 9.2.3 On revoking an officer's authorisation the relevant Local Policing Commander or Head of Department shall ensure the officer is fully aware of the revocation and the consequence of that course of action being that the officer must not undertake operational duties.
- 9.2.4 Only on successful completion of an OST course will the officer be recertified in the use of their PPE and subsequently supported to resume operational duties.

## **10. FAILURE TO ACHIEVE COMPETENCY AT OFFICER SAFETY TRAINING**

- 10.1 Officer safety training is competency based and a national standard assessment framework is in place to allow instructors to examine all officers' abilities and skill in the techniques instructed. Should an officer fail to achieve the required competency to successfully pass an OST course, the instructor will immediately inform the officer of this fact and the reason why the officer has been unsuccessful. The instructor shall also inform the officer that they are no longer authorised to carry/use their PPE and as such must not undertake operational duty until successful re-certification.
- 10.2 The instructor must then immediately inform the officer's Local Policing Area Command or Head of Department that the officer has failed to achieve the required competency and the officer's authorisation to carry/use their PPE has been withdrawn.
- 10.3 On being made aware that an officer has failed an OST course, the Local Policing Area Command or Head of Department shall ensure that the officer does not undertake operational duties until re-certified as competent by undertaking further OST.
- 10.4 The OST Coordinator will, in conjunction with the instructors who deemed the officer as not having achieved the required standard, determine what remedial training is considered appropriate and ensure this is provided at the earliest opportunity to facilitate the officer's return to operational duties.

## **11. CARRIAGE OF PPE**

- 11.1 The primary methods of carrying all PPE will be on a utility belt, harness, or on the Police Officer's body armour. Police officers must ensure at all times that they have ready access to their PPE even when wearing outer clothing.

- 11.2 Only an Airwave terminal and/or a torch should be worn on the upper body docking stations of body armour. Under no circumstances should an incapacitant spray be worn on these docking stations as this poses a significant risk to the officer should there be a discharge whilst being carried in this position.
- 11.3 Officers performing a covert or plain clothes role will carry PPE appropriate to their role and attire whilst ensuring accessibility at all times.

## **12. CHECKING OF PPE**

- 12.1 Individual Police Officers are responsible for checking and maintenance of their own baton, handcuffs and issued incapacitant spray.
- 12.2 Incapacitant spray should be examined upon commencing duty for visible defects, and to confirm it has not exceeded its expiry date.
- 12.3 Rigid handcuffs and batons should be checked after each deployment, and in any case at least once per calendar month.
- 12.4 Checks will also be conducted by Officer Safety Instructors at each recertification training date.
- 12.5 Any faulty or damaged equipment should be withdrawn from service immediately and a replacement baton or set of handcuffs obtained via the stores, or replacement incapacitant spray obtained through the relevant Trainer.
- 12.6 Police Officers are reminded to check the expiry date of their incapacitant spray and immediately remove from service any expired canisters and seek replacement.

## **13. BODY ARMOUR**

- 13.1 The Police Service of Scotland provides body armour on a personal issue basis to all officers including Special Constables. All armour meets the nationally agreed level of protection.
- 13.2 An assessment of operational risks has indicated that officers should be individually equipped with body armour. As a result, all operational officers are issued with body armour in accordance with the wearing directive outlined below.

### **13.3 WEARING DIRECTIVE**

- 13.3.1 Body armour will be worn by all police officers engaged in duties out-with police offices where there is any likelihood they will come into contact with members of the public.

13.3.2 Uniformed officers will wear their armour contained within the issued overt cover. Officers performing plain clothes duties for short periods will wear their issued armour either covertly (under an outer garment) or overtly (using the uniform cover) dependent on the operational circumstances. Officers in permanent plain clothes duties will wear covert armour contained in one of three covers (covert, semi-covert or overt).

13.3.3 Removal of body armour may be permitted where, due to the nature of duties being undertaken, and after suitable risk assessment, Local Policing Area Commanders/Heads of Department, or their nominated representatives, deem it unnecessary or inappropriate to wear body armour. Examples may include:

- Officers undertaking specialist, wholly covert duties, whose duties may include specialist activity such as covert human intelligence sources (CHIS) handling, test purchase officers, certain surveillance duties and close protection officers. Any permission to remove body armour must be subject to a daily risk assessment to be authorised in writing by a supervisor,
- In the case of a spontaneous incident and **only after a dynamic risk assessment has been carried out by the Police Incident Officer (PIO) in charge of the incident**, the PIO may take the decision to allow officers to remove their body armour should the situation deem it necessary,
- When giving evidence in court,
- When attending meetings or giving school presentations,
- Ground or evidential searches in a controlled environment, or
- Ceremonial occasions

13.3.4 When wearing body armour constitutes a risk to the health of the wearer, an officer may self-authorise removal. In the event of such a self-authorized removal, the wearer must report the circumstances to their supervisor as soon as reasonably practical. It must be emphasised that self-authorisation for the removal of body armour is only intended for unforeseen circumstances and should not be used to circumvent the mandatory wearing policy.

13.3.5 Body armour does not make an officer invulnerable to attack. It is designed to provide protection against unexpected threats and compliments other protective equipment and Officer Safety Training (OST) techniques.

## 14. STORAGE AND MAINTENANCE

14.1 When not in use body armour must be stored carefully and in accordance with body armour maintenance guidance to avoid damage, preferably on a hanger in a cool, dry environment.

- 14.2 All body armour issued is accompanied by a maintenance manual which provides instruction on the wearing, care and inspection of the armour panels and cover, this manual also provides a page where Police Officers record the annual inspection they undertake. To ensure the safety of all users, it is essential that the instructions within the manual are followed.

## **15. HANDCUFFS**

- 15.1 The Police Service of Scotland provides handcuffs on a personal issue basis to all officers including Special Constables.
- 15.2 The Police Service of Scotland does not give a blanket directive that every prisoner will be handcuffed as the application of handcuffs is the use of physical force and as such it must be justified. However, officers are encouraged to consider the use of handcuffs whenever it may be necessary to ensure their own safety, the safety of others or the safety of the prisoner.
- 15.3 Rules of Handcuffing:
- Do not handcuff a person whilst standing directly in front of them,
  - Do not handcuff yourself or another officer to a prisoner,
  - Do not handcuff a prisoner to a fixed object or to a fixed point inside a vehicle,
  - Handcuff first – search afterwards,
  - Following handcuffing, prisoners must be re-positioned from a prone position. Sitting, kneeling or standing the prisoner up are acceptable. If a handcuffed suspect is being searched while on the ground, consideration should be given to positioning the suspect onto their side, rather than face-down, to reduce the risk of positional asphyxia,
  - Keep your handcuff key on a ring by itself.

## **16. EMPTY HAND TECHNIQUES**

- 16.1 These techniques include holds and restraints as well as defensive strikes.
- 16.2 The Police Service of Scotland is committed to train all staff requiring OST to these Common Minimum Standards and to include other forms of self-defence techniques, relative to threat and risk assessment.
- 16.3 Nothing contained in this document or within any legislative enactment can restrict the right of an individual to use any other form of self-defence technique, provided that their actions are reasonable, proportionate, legitimate and necessary.

## 17. RIGID HANDCUFFS

- 17.1 The Police Service of Scotland is committed to train all staff requiring OST to these Common Minimum Standards and to include other techniques based on the Quick-Cuff and Speed Cuff training programs, relative to threat and risk assessment, for example; OST Instructors completing the full rigid handcuff training program.
- 17.2 There are two types of rigid handcuffs used by Police Officers/Police Staff within the Police Service of Scotland, namely “Quick Cuff” or “Speed Cuffs”. They are made by different manufacturers and have slightly different designs, but the operating principles and training implications are the same. The training for rigid handcuffs takes the form of theoretical and practical application exercises.
- 17.3 The use of rigid handcuffs falls into the categories of Control Skills and Defensive Tactics within the Use of Force Options. These types of handcuffs are only a temporary control and restraining device.
- 17.4 The primary reason for applying handcuffs is safety:
1. Safety of the public;
  2. Safety of the Police Officer/Police Staff member or colleagues; and
  3. Safety of the subject.
- 17.5 The use of handcuffs will be at the discretion of the individual Police Officer/Police Staff member, based on his/her judgement, in often volatile and rapidly evolving circumstances. Officers should always be able to justify their actions. The following are examples of instances where applying handcuffs may be justified:
1. Where a Police Officer/PCSO judges it is necessary to prevent a subject from assaulting, injuring or offering violence to a member of the public;
  2. Where a Police Officer/PCSO judges it is necessary to prevent a subject from assaulting, injuring or offering violence to him/herself or other Police Officers;
  3. Where a Police Officer/PCSO judges it is necessary to prevent a subject from escaping detention or arrest;
  4. When a Police Officer/PCSO judges it is necessary to prevent a subject from self-harming; and
  5. When transporting a subject in a Police vehicle from place of detention/arrest to a Police Station.
- 17.7 Use of rigid handcuffs for the transportation of subjects who are violent or subjects who are likely to attempt escape should be considered.

## **18. STRAIGHT BATON**

- 18.1 The Police Service of Scotland is committed to train all officers requiring OST to these Common Minimum Standards and to include other techniques based on the Monadnock Expandable Baton, CASCO and ASP International training programs, relative to threat and risk assessment, examples include OST Instructors completing the full straight baton training program.
- 18.2 The Monadnock AutoLock 21" expandable baton and the ASP Friction Lock baton are the general issue for officers across Scotland.
- 18.3 Public Order trained officers have also been issued with Monadnock AutoLock 26" expandable batons and CamLock 26" expandable batons. The 26" baton must only be carried and used by Officers trained in and carrying out public order tactics, including public order method of entry requests. These batons will not be carried or used for general policing duties.
- 18.4 The use of a Police issue baton to strike another person falls into the category of defensive tactics within the use of force options
- 18.5 The primary reason use of a baton is safety:
1. Safety of the public;
  2. Safety of the Police Officer/PCSO or colleagues; and
  3. Safety of the subject.
- 18.7 The use of batons will be at the discretion of an individual officer, based on his/her judgement, in often volatile and rapidly evolving circumstances. Officers and PCSO's should always be able to justify their actions.
- 18.8 If the baton is used to strike an individual or individuals then this should be recorded on a use of force form as per legacy force arrangements.

## **19. CS INCAPACITANT SPRAY**

- 19.1 The use of CS Spray upon another person falls into the category of Defensive Tactics within the Use of Force Options.
- 19.2 The primary reason use of CS Spray is safety:
1. Safety of the public;
  2. Safety of the Police Officer or colleagues; and
  3. Safety of the subject.
- 19.3 The use of CS Spray will be at the discretion of an individual officer, based on his/her judgement, in often volatile and rapidly evolving circumstances. Officers should always be able to justify their actions.

- 19.4 If CS spray is discharged operationally then this **must** be recorded. Instructions on recording discharge of CS Spray can be found under section 6; **Reporting Accident / Injuries and Use of Force** paragraphs 6.2 – 6.6
- 19.5 CS Spray is a Section 5 Firearm as defined by the [Firearms Act 1968 \(as amended\)](#) and as such requires particular procedures for its care and use. Comprehensive instruction on its handling is included in Appendix M. Under **no** circumstances will officers possess CS Incapacitant spray whilst off duty.

## 20. LEG RESTRAINTS

- 20.1 The use of leg restraints in the Police Service of Scotland area has been approved and introduced to compliment the use of rigid handcuffs
- 20.2 The design of the leg restraints used is two independent Velcro straps that secure the legs together above the knees and ankles
- 20.3 The concept behind the leg restraints is to restrict the ability of the custody to kick. This should reduce injuries to the officers and subject and also reduce the damage to surrounding property.
- 20.4 Leg restraints should only be used in circumstances where the actions of a subject are such that they represent a risk to the safety of the officers or others and they refuse to co-operate with being transported or detained.
- 20.5 Ideally the leg restraints need at least two Police Officers/Staff working together to correctly apply them. The subject should be handcuffed to the rear and placed in the prone (lying face down) position **before** the leg restraints are applied.
- 20.6 They should **never** be used as a 'handle' to lift a subject. The subject should be helped to their feet by being supported, initially rolled and assisted from the prone position round onto their knees, before being lifted to their feet by being supported by the upper arms or under armpits, taking care not to apply undue pressure on the handcuffs. If the subject calms down sufficiently the ankle strap can then be removed to allow the subject to shuffle forward whilst being supported at both sides by the officers.
- 20.7 Once at the vehicle the subject should be turned around and seated on an appropriate part of the vehicle then assisted on to a seating position and accompanied back to the respective station.
- 20.8 It should be noted that application of leg restraints and the physical position of the subject is likely to place stress on the body. For that reason it is imperative that officers conduct a dynamic risk assessment prior to using leg restraints. For example, an obviously pregnant woman should not be placed in the prone position in order to exert control.

- 20.9 **Under no circumstances should a fully restrained subject be left unattended. Officers/Staff should keep a close and careful watch on anyone who is so restrained for signs of Positional Asphyxia. If there is any cause for concern then the subject should be repositioned off their stomach into sitting, kneeling or standing positions.**

## **21. MEDICAL CONDITIONS AND IMPLICATIONS**

- 21.1 All Police Officers/Police Staff when performing their duties have a common law duty of care. Broadly this means that any officer/staff involved in a use of force incident has a duty to minimise the injury potential to the subject, provide for the needs of the subject, provide or obtain prompt medical attention and prevent further injury, including self-harm.

### **21.2 POSITIONAL ASPHYXIA**

- 21.2.1 Positional asphyxia can occur when a subject is placed in a position that interferes with their ability to breathe. Death can occur rapidly as a consequence, and there have been cases where Police Officers have been found liable.

- 21.2.2 The risk factors, which contribute to the condition are:

- Age;
- Obesity;
- Alcohol and or Drugs;
- Exhaustion/Fatigue;
- Respiratory illness/Fatigue;
- Physical position; and
- Restraint.

- 21.2.3 When a subject has been involved in a physical and violent struggle, the exertion involved causes the muscles to use oxygen at an increased rate. The process can cause oxygen debt in the muscles and the physiological response to that is accelerated breathing.

- 21.2.4 During restraint, where the subject is placed in a prone position, ventilation can become more difficult, due to the internal organs exerting pressure on the diaphragm. Where the subject's hands are restrained to the rear, this has the effect of isolating the pectoral muscles, which further restricts breathing ability.

- 21.2.5 The process of restraining often requires the upper body to be held down, sometimes by a Police Officer's/PCSO's own bodyweight. The subject, who already has restrictions in breathing, may struggle against the restraint, which in turn may be interpreted by the Police Officer/PCSO as violence directed towards them, causing further downward pressure or restraint to be applied. This is the cycle of events that could trigger positional asphyxia.

21.2.6 Police Officers/PCSO's are encouraged to remove a subject from the prone position as soon as reasonably practicable following restraint. An advantage is that the subject can breathe without further restriction than is absolutely necessary.

### **21.3 EXCITED DELIRIUM**

21.3.1 Excited delirium is a medical condition caused by a combination of intoxication through alcohol, drugs and/or mental health issues.

21.3.2 Cocaine is the most common cause of drug-induced excited delirium, although there are other drugs that can cause the condition and is sometimes referred to as cocaine induced psychosis.

21.3.3 Little is yet understood about the precise combination of factors relevant to this condition. It is a rare condition, but over recent years, with increased drug abuse, it has been on the increase.

21.3.4 The condition is characterised by extreme violence often accompanied by bizarre, manic and purposeless behaviour.

21.3.5 Persons suffering from this condition will be extremely difficult to restrain and the use of handcuffs, batons and CS Spray are all likely to be ineffective.

21.3.6 The condition also renders the subject more likely to be affected by other life threatening medical conditions, including hyperthermia (overheating), acute exhaustive mania, positional asphyxia and cardiac arrest.

21.3.7 The subject can collapse during or after exertion and may not respond to treatment or resuscitation.

**21.3.8 A person suspected of suffering from this condition is to be taken directly to hospital once control has been established.**

### **21.4 MEDICAL IMPLICATIONS - EMPTY HAND TECHNIQUES**

21.4.1 Whenever a Police Officer/PCSO uses physical force, whether applying holds and restraints or physical strikes, in self-defence or to gain and maintain control over a non-compliant subject, consideration must be given to minimising the potential injury to that person. In any case any force used must be appropriate, proportionate and legitimate.

21.4.2 Holds and restraints are control skills, but still have the potential to cause strains/sprains, hyper-extension type injuries, damage to or tearing of muscle fibres and even damage to tendons, ligaments and bone.

21.4.3 Physical strikes are defensive tactics, which have more of a potential to cause soft tissue injury as well as the previously mentioned type of injuries, due to the direct application of blunt trauma.

21.4.4 When applying empty hand techniques the officer/staff must make a tactical decision to use such force giving due consideration for the need to gain control balanced against the potential for injury that may be caused to a subject.

## **21.5 MEDICAL IMPLICATIONS - BATON STRIKES – ESCALATION OF TRAUMA CHART**

21.5.1 Whenever a police officer/police staff member uses an issue baton in self-defence or to gain and maintain control over a non-compliant subject, consideration must be given to minimising the potential injury to that person.

21.5.2 To this effect the escalation of trauma chart (see Appendix N) is used as an aid to emphasise the medical implications of striking different parts of the body.

21.5.3 The escalation of trauma chart, designed by the baton manufacturer, is a target selection process based on the amount of force a Police Officer/Police Staff member perceives as reasonable and necessary in the circumstances to either defend themselves or to bring a non-compliant subject under control.

21.5.4 In relation to baton strikes, medical evaluation conducted by the baton manufacturer on various parts of the human body, has classified the body by target areas or colours, denoting the level of risk incurred by the application of physical force.

21.5.5 The classification of target areas colour coded green and red, were developed to assist officers/staff members to respond appropriately to varying levels of resistance. The officer's target selection will then depend on a comparison of the degree of imminent danger to the Police Officer/Police Staff member versus the potential injury to the subject.

21.5.6 Primary target areas, colour coded green, generally refer to the limbs which are effectively the human body's weapon delivery systems', that are capable of being used to cause injury. Such targets are for non-lethal confrontations where the force used is neither intended nor likely to cause serious injury and/or death.

21.5.7 Final target areas, colour coded red, are designed for situations where Green targets have either failed or are considered inappropriate to the threat level. Physical force directed at red target areas is classified as lethal/deadly force, due to the potential to cause serious injury or death.

## **21.6 MEDICAL IMPLICATIONS - HANDCUFF NEUROPATHY**

21.6.1 This is a term used to describe injury caused by the application of handcuffs, whether of the rigid or chain link types.

21.6.2 There are a number of reasons why these types of injuries may arise including inappropriate application, inappropriate application of control measures, failure to ensure appropriate tightness, failure to double lock, inappropriate positioning, subject struggling or falling. These injuries can even occur when handcuffs are used in an appropriate and proportionate manner where a Police Officer/Police Staff member applies a top cuff wrist drag to prone.

21.6.3 The types of injury that could be occasioned include:

- Damage to the main nerves in the wrist area, namely the radial, ulna and median nerves, caused by compression of the handcuffs;
- Bruising and/or cuts to the hands, wrist or lower arm;
- Sprains and/or strains to the muscles, ligaments and/or tendons; and
- Breakage of bone.

21.6.4 Nerve damage can be short term, long term or permanent and can manifest itself as loss of strength and weakness in grip, numbness, loss of movement, diminished light touch sensation, a tingling sensation in the fingers and pain in the wrist, hand or fingers.

21.6.5 Bone breakage is very rare from handcuffs, except for a minor area of the wrist known as the styloid process. This is a small bone extension at the end of the radial and ulna bones, either side of the wrist.

## **21.7 MEDICAL IMPLICATIONS – CS INCAPACITANT SPRAY**

21.7.1 Reference must be made to the guidance contained within Appendix M - CS Incapacitant Spray – Issue, use and storage.

## **22. FIRST AID**

22.1 The Police Service of Scotland, as a minimum standard, provides all operational officers, trained in officer safety techniques, with training in first aid to the standard contained in the Scottish Police Emergency Life Support Curriculum.

## **23 OFFICER SAFETY TRAINING**

23.1 The Police Service of Scotland is committed to train Police Officers/Police Staff to common minimum standards and to include other techniques based on the various equipment manufactures training programs, relative to threat and risk assessment.

23.2 The Police Service of Scotland will train and maintain sufficient officer safety training instructors to conduct in-force training.

- 23.3 All Police Officers, whether in uniform duties or otherwise, engaged in operational duties must be trained to the aforesaid common minimum standards.
- 23.4 All newly recruited Police Officers received a full Officer Safety Training package delivered at the Scottish Police College. This gives all Officers a Common minimum standard for Officer Safety issues.
- 23.5 The Police Service of Scotland conducts Officer Safety Training for Special Constables to the same common minimum standards, and training of Police Staff to a level as determined by threat and risk assessment of their respective roles.
- 23.6 Following initial training, refresher training shall be undertaken on an annual basis (see appendix M).
- 23.7 Research is carried out with Professional Standards relative to potentially addressing areas of complaints relative to use of force, and with the Health and Safety Advisor relative to types of assaults, injuries and location of incidents. This research then informs the areas of Officer Safety that needs to be concentrated upon during refresher training. In future, the information held by the Health and Safety Department will also assist in informing needs for Officer Safety Training.
- 23.8 Any Officer who has not been trained in Officer Safety techniques or has not received appropriate refresher training; will be removed from operational policing duties until training is provided.

**'C' DIVISION****BODY ARMOUR**

Within the former Central Scotland Police area body armour is issued via the purchasing manager, and is procured from the former Strathclyde Police. Armour is returned direct to the purchasing manager.

Custody staff are not required to wear body armour because the custody area is a controlled environment where prisoners have been risk assessed, searched and kept under control.

**HANDCUFFS**

The former Central Scotland Police issue TCH and Hiatt rigid handcuffs.

The initial issue and return of handcuffs is conducted by the purchasing manager

When using rigid handcuffs there is no need for a use of force report to be submitted unless they have been used as a defensive tactic e.g. top cuff wrist drag to prone. Nevertheless, a common sense approach should be adopted and where injuries are sustained or significant force used to effect control then consideration should be given to submitting a use of force report.

**BATON**

The former Central Scotland Police issue the Monadnock Autolock baton.

The Purchasing Manager is responsible for the issue, audit and return of baton.

A use of force report should be submitted every time that the baton is used to administer a strike. There is no requirement to submit a use of force report when the baton is drawn but not used.

**CS INCAPACITANT SPRAY****Issue and Return**

CS Spray must only be issued to officers whose authorisation to possess and use it has been recorded and can be verified on the SCOPE system. The issue or return of a CS Spray must only be carried out by a supervisory officer. There is a dispensation to this requirement from officers working at outlying stations this will be controlled by local Area Commanders.

Supervisory officers are responsible for ensuring that an accurate record of the issue and return of all CS Canisters is maintained. An officer must, on no account, issue a CS Spray to themselves. Once the CS has been issued it is the responsibility of the officer who receives it.

Each officer will be provided with an individual purpose built in which to store their CS Spray. One key for this locker will be issued with the other being securely retained at the station of issue. The spare key will only be issued temporarily to allow access to a CS Spray should an officer lose or misplace their own key. The loss of any CS locker key must be reported to a supervisory officer as soon as possible. Master keys for all CS lockers are held at stations where CS is stored. These can be accessed via a supervisory officer should they be required.

This issuing process sets out the procedures for the permanent or temporary issue of CS Spray to regular officers and the temporary issue to CS Spray to Special Constables.

### **Regular Police Officer – Permanent Issue**

On being issued with a new or replacement CS Spray an entry must be made in the receiving officer's police notebook. This entry should record the date, time and place of issue, the serial number of the canister, the weight at the time of issue and the name of the issuing officer. This transaction must then be recorded on the CS Management system which can be found on the Operations page of C-Space (CSP Intranet).

### **Regular Police Officer – Temporary Issue**

On being issued with a temporary CS Spray an entry must be made in the receiving officer's Police notebook. This entry should record the date, time and place of issue, the serial number of the canister, the weight at the time of issue and the name of the issuing officer. The time and date the CS canister is returned to a supervisory officer should also be recorded. This transaction must then be recorded on the CS Management system which can be found on the Operations page of C-Space.

### **Special Constables**

On being issued with a CS Spray on a temporary basis an entry must be made in the Special Constable's Police notebook. This entry should record the date, time and place of issue, the serial number of the canister, the weight at the time of issue and the name of the issuing officer. The time and date the CS canister is returned to a supervisory officer should also be recorded. This transaction must then be recorded on the CS Management system which can be found on the Operations page of C-Space.

A CS spray issued on a temporary basis must be returned at the conclusion of the officer's period of duty.

When CS Sprays are replaced and the receiving officer is not present the supervisory officer issuing the spray should leave notification in the officer's locker with the new CS Spray indicating that it is a new or a replacement canister. The notification should also detail the serial number and weight of the canister at the time of issue and the name of the officer issuing.

The note should also instruct the receiving officer to record the information, as set out above, in their police notebook.

All transactions in relation to the issue on a permanent or temporary basis or the return of CS canisters which includes those discharged or damaged must be recorded on the CS Management system. This can be found on the Operations Page on C-Space.

### **Audit**

The overall responsibility for the issue, management and security of CS Sprays lies with the relevant Area Commanders and Heads of Department.

The day to day responsibility for control and monitoring of CS Spray rests with the supervisory officers who have line management responsibility for staff issued with CS Sprays.

Supervisors are required to undertake regular audits of the Cs Management system and officers notebooks to ensure that all CS transactions are accurately recorded. The frequency of this dip sample process will be determined by Local Area Commanders and Heads of Department.

### **Procedures Following Use**

Once a CS Incapacitant Spray has been used, even partially, it will be withdrawn from use and replaced, even if it has not been emptied. Any used or damaged canister will be weighed and sealed using double plastic bags and placed within the storage cabinet at one of the following police offices:

- Stirling
- Falkirk
- Alloa
- Grangemouth.

A Returned Canister Label will be printed from the CS Management system and placed within these bags.

Canisters discharged during the apprehension/detention of any person will be retained for a suitable period (minimum one year). After this period has elapsed the canister will be sent for destruction in the appropriate manner. Arrangements should be made to have damaged canisters returned to the supplier as soon as possible.

### **Supervision and Administration**

The following forms have been designed to cover all aspects surrounding the storage and issue of CS.

[Canister Transaction Log](#)

[Temporary Issue Log](#)

[Information sheet for persons sprayed with CS](#)

[Information for owners/occupiers of premises where CS has been used](#)

[Information sheet for custody staff](#)

## **PLASTICUFFS**

The former Central Scotland Police area does not routinely issue plasticuffs to all officers. They are available to firearms teams and the public order unit.

## **SPIT HOODS**

The former Central Scotland Police do not issue spit hoods.

## **FASTRAPS**

The former Central Scotland Police issue the Fastrap Leg Restraint System. These are personal issue to each officer. Officers are entitled to self authorise the use of Fastraps. A Use of Force report should be completed on SCOPE whenever Fastraps are used.

## **USE OF FORCE REPORTS**

The former Central Scotland Police uses the Use of Force Reporting/Monitoring Form held on SCOPE. A use of force report must be completed on SCOPE and submitted prior to the termination of duty

The completed forms should be completed electronically by the officer concerned. Once this is saved and passed on it will automatically be sent to the user's first line manager for their attention. Once the form has been assessed by the first line manager it is passed to the second line manager (divisional Officer Safety Co-ordinator). The second line manager may then make comment on the form before passing it to the Officer Safety Co-ordinator (Learning and Development unit).

Once the report has been processed by the divisional Officer Safety Co-ordinator it will be accessible to the 'Protection Team' (Officer Safety Co-ordinator, Learning and Development unit). Once they are satisfied that the reports are sufficient and accurate the mandatory 'Protection Team Comments' free text section must be completed.

## **'V' DIVISION**

### **BODY ARMOUR**

Body armour is personal issue to all members of staff that require it. Fleet and Procurement are responsible for its issue, audit and return.

### **HANDCUFFS**

The former Dumfries and Galloway Police issue Quick Cuffs.

Fleet and Procurement are responsible for the issue, audit and return of handcuffs.

### **BATON**

The former Dumfries and Galloway Police issue the Monadnock Autolock baton.

Fleet and Procurement are responsible for the issue, audit and return of baton.

A use of force report should be submitted every time that the baton is drawn or when a strike is administered.

### **CS INCAPACITANT SPRAY**

#### **Issue and Return**

The issue and return of CS canisters will be strictly managed and recorded. Supervisors and/or senior Constables, authorised in use, nominated by the supervisor will be responsible for ensuring that there is strict control on the upkeep of records.

#### **Supervision and Administration**

The following forms have been designed to cover all aspects surrounding the storage and issue of CS.

**Station CS Canister Log:** this is the master copy to account for all CS incapacitant sprays held at stations. This should only be completed by a supervisor.

The serial numbers of the canisters must be noted and recorded against the name, rank and number of the officer to whom it was issued. Spare canisters will also be recorded on this form. It should be used to record any future movement of any canisters. This may include used/damaged canisters sent for disposal or the transfer of an officer to another station.

**Daily Control Log:** this form is to be used for the recording of daily issue and return of canisters used by personnel at that station and cross referencing any canisters lodged temporarily at another station due to an officer terminating duty at that station.

**Temporary Storage Log:** this log will be used for recording canisters temporarily lodged at that station and may include officers terminating duty at a station other than their normal place of duty. In such instances a cross-reference must be made on the Daily Control Log at that officer's normal station as soon as practicable.

### **Use of Force Form on SCOPE**

Information sheets are available for persons sprayed with CS incapacitant spray, owners/occupiers of premises where CS incapacitant spray has been used, and an information sheet for custody officers.

Where officers have been cross-contaminated as a result of CS deployment and this has resulted in direct exposure or severe cross-contamination an accident form should be completed in SCOPE by a supervisory officer.

### **PLASTICUFFS**

The former Dumfries and Galloway Police does not issue plasticuffs.

### **SPIT HOODS**

Spit hoods are issued by Fleet and Procurement and all police officers are authorised to carry them. A [guidance document](#) on their use is available on the PsoS intranet guidance site.

Officers are entitled to self authorise the use of spit hoods. Although there is no formal policy demanding that a use of force reporting/monitoring form should be submitted when spit hoods are used, a common sense approach is encouraged and if injury is caused or if considerable force was required then submission of a report would be expected.

### **FASTRAPS**

The former Dumfries and Galloway Police area issues the Fastrap Leg Restraint System. These are held within all police vehicles in force. Officers are entitled to self authorise the use of Fastraps. Although there is no formal policy demanding that a use of force reporting/monitoring form should be submitted when Fastraps are used, a common sense approach is encouraged and if injury is caused or if considerable force was required then submission of a form would be expected.

### **USE OF FORCE REPORTS**

The former Dumfries and Galloway Police use the Use of Force Reporting/Monitoring Form held on SCOPE. In the event of a reportable use of force, the officer concerned should submit the report **before the termination of duty or as soon as practicable thereafter**.

Once the report has been submitted it will be assessed by that officers direct line manager and thereafter passed to the Professional Standards Unit and the OST Co-ordinator for inspection.

NOT PROTECTIVELY MARKED

It is the responsibility of the Professional Standards Department and the OST Co-ordinator to collate and review the reports.

Produced for Operation Tarn on 02/04/2021

## 'P' DIVISION

### BODY ARMOUR

Body armour is personal issue to all members of staff that require it. Fleet and Procurement are responsible for its issue, audit and return.

### HANDCUFFS

The former Fife Constabulary issues the quickcuffs and speedcuffs. They are made by various manufacturers, e.g. Hiatts. Handcuffs are issued are returned via Corporate Support Dept. (stores).

### BATON

The former Fife Constabulary issue the Monadnock Autolock 22" super grip/power safety tip baton. Batons are issued are returned via Corporate Support Dept. (stores).

### CS INCAPACITANT SPRAY

The former Fife Constabulary utilise the following forms to audit CS incapacitant sprays:

[Station CS Canister Log](#)

[Daily Control Log](#)

[Temporary Storage Log](#)

[Information Sheet for Persons Sprayed with CS Incapacitant](#)

[Information to Owners/Occupiers of Premises where CS Aerosol Incapacitant Spray has been used](#)

[Information Sheet for Custody Officers](#)

### PLASTICUFFS

The former Fife Constabulary do not use Plasticuffs.

### **CONTAMINATION PREVENTION HOODS (SPIT HOODS)**

Contamination Prevention Hoods, also known as 'Spit Hoods' are now available to **trained** officers of P Division (Fife).

Only those officers who have undertaken the designated training programme are authorised to apply contamination prevention hoods and the guidelines and protocols in the training will be strictly adhered to. The designated period will be one year and will form part of the OST qualification programme.

All trained personnel will be issued a contamination prevention hood as personal issue by the certified Officer Safety Instructors once the appropriate training has been delivered and personnel demonstrate competence in using them.

Trained officers may apply the contamination prevention hood for defensive purposes when faced by a threat that would indicate its use as being proportionate to that threat. Only those contamination prevention hoods supplied by Police Service of Scotland shall be used.

There is no evidential value in retaining the mask for DNA and all used masks will be disposed of in accordance with disposal procedures for clinical waste items. If used replacements can be obtained from the Fife Training Department.

Specific P Division Guidance on Contamination Prevention Hoods can be obtained from a **guidance document** which is available on the PSoS Intranet Guidance site.

### **FASTRAPS**

Fastraps will be available in all marked Police vehicles. They are also available in the 3 custody centres. They are not personal issue. Officers can self authorise the use of the straps. Use of Force Reports are not required after use.

### **USE OF FORCE REPORTS**

Pro-forma Use of Force Reports that are available to download from Word templates, they are called Baton and CS reports. The Fife area do not currently use the SCOPE system for this.

The form will be completed by the officer and submitted, via their line manager, who will add suitable comments before forwarding to the Health and Safety Manager.

**'A' AND 'B' DIVISIONS****BODY ARMOUR****Damage to Body Armour as a Result of Providing Protection to Wearer**

In operational circumstances where armour is damaged as a result of providing protection against assault or injury, or where it has had some other form of impact or trauma, the wearer is to complete an [OPS 9/1 Subject Report](#) outlining the circumstances and submit it through their relevant on duty Supervisors to HR – Training Unit. This will facilitate the replacement of damaged armour panels and ensure any issues arising may be quickly addressed. The damaged armour should also be returned to the Recruitment, Learning and Development Unit, who will authorise the issue of replacement armour.

An interim supply will be arranged from supplies held, with new personal issue in due course.

**Medical Exemption**

When an officer reports through their Line Manager that they are unable to wear body armour they should be referred to the Occupational Health Unit through normal referral channels.

Where the Force Medical Advisor (FMA) confirms that the officer is unable to wear body armour they will be immediately removed from duties which involve dealing with actual or potentially violent confrontations. Thereafter, the FMA in consultation with the officer's Divisional Commander, the Officer Safety Co-ordinator and the Force Safety Advisor will identify a possible solution with the intention of enabling the officer to return to full operational duties.

**HANDCUFFS**

The former Grampian Police issues TCH UK Ltd Rigid handcuffs and TCH UK Ltd folding handcuffs. Only handcuffs supplied by the force may be carried.

The Rigid/Folding handcuffs will only be carried by officers who have been properly trained and certified in their use, in accordance with the initial and recertification training process.

The Rigid/Folding handcuffs will be carried at all time by officers carrying out operational duties.

## BATON

The former Grampian Police issues the ASP 21 “ friction lock baton (26” for PSU officers) and the 26” Monadnock autolock baton (PSU officers only) with baton holders. Only batons/baton holders issued by the force may be carried. All issue and return of batons is administered by Stores Department.

The batons may only be carried by officers who have been properly trained and certified in their use, in accordance with the initial and recertification training process.

Any use of the baton (as per the definition in this SOP – to strike an individual or individuals) will be recorded by means of a SCoPE Use of Force report which will be submitted by the officer before going off duty.

## CS INCAPACITANT SPRAY

Within the former Grampian police force area bulk storage and issuing facilities for CS Incapacitant Spray are available at Central Stores, former force headquarters and all issue and/or return will be recorded on an electronic database.

All police officers up to the rank of Chief Superintendent and including special constables will be issued with personal issue CS Incapacitant Spray.

Upon being issued with a CS Incapacitant Spray officers will make appropriate notebook entries detailing the serial number and expiry date of the canister(s). They must also make appropriate notebook entries when that CS is returned.

The only exemptions to the above will be officers who fall into one of the following descriptions and are performing a designated ‘non-operational’ role:

- Those individuals who are on Central Service secondment/attachment at the Scottish Police College, Scottish Crime and Drug Enforcement Agency, ACPOS or other force/organisation for an extended period of time and in any case for a period in excess of **one year**.
- Those officers who are currently serving in permanent posts within certain departments who are not used in an ‘operational role’.
- Those individuals who are unable to be deployed in an ‘operational role’ for a period greater than **one year**.

No other officer will be permitted to surrender their CS Incapacitant Spray.

For Officers who have not possessed CS Incapacitant Spray previously (e.g. new recruits) the following process will be adopted.

Officers who are on duty and within a reasonable travelling distance of the former force headquarters should present themselves at Central Stores, in possession of their CS Incapacitant Spray Authorisation Card and request their ‘first issue’ canister.

Officers who are not stationed within a reasonable travelling distance of the former force headquarters, should request that their Supervisor email Central Stores and

request the first issue of CS Incapacitant Spray to be delivered to them. In such instances, Supervisors must check that the Officer is in possession of their CS Authorisation Card before sending any request.

In the situation described in above, Central Stores staff will thereafter arrange for the canister to be transported to the Officer's place of work. Transportation can only be carried out by on duty Police Officers who have been trained and are authorised to carry CS Incapacitant Spray, or by Civilian Drivers who have received an appropriate level of guidance or training. Transportation Managers will ensure that anyone transporting CS Incapacitant Spray has read and understood the [Guidance Note for Civilian Drivers - Transporting CS Incapacitant Spray](#). The receipt accompanying the canister should be signed by the recipient and returned to Central Stores by the relevant Driver.

In cases where an Officer is awaiting the delivery of their CS Incapacitant Spray canister, they should, in the interim, utilise the 'Pool Issue' canisters on a temporary basis only. Their Supervisor will issue these.

### **Re-Issue**

Re-issue of CS Incapacitant Spray canisters can only take place when the Officer's current canister is damaged, lost, expired or has been discharged.

### **Damaged/Faulty**

Where a canister has been damaged or is deemed faulty, no further use should be made of it. Contact should be made with Central Stores and a request made to issue a replacement. An appropriate 'faulty' label ([ADM 12/24](#)) should be attached to the canister and the canister should be double bagged.

The Officer should attend at Central Stores with the faulty/damaged canister, if within reasonable travelling distance and on duty and thereafter collect a replacement.

Central Stores staff will cross check the canister serial number with the database.

If the Officer is not within reasonable travelling distance of Central Stores, the Officer should contact Central Stores via email and request a replacement canister. Their request must include the canister serial number and Central Stores must be made aware of the location of the canister in this notification to facilitate uplift.

Canisters awaiting collection on behalf of Central Stores will only be stored at the following main stations and will be CLEARLY MARKED FOR COLLECTION.

Elgin	Ellon
Stonehaven	Fraserburgh
Inverurie	Peterhead
Banchory	Queen Street

Central Stores will thereafter arrange for the replacement canister to be transported to the Officer's Station and the accompanying Central Stores receipt signed. The

faulty/damaged canister will thereafter be uplifted and returned to Central Stores with the signed receipt.

Canisters being returned must be stored in a suitably approved location and must be clearly marked to ensure the correct canister is uplifted. Where there is ambiguity, this may delay the deposit of the replacement canister.

In all instances, Central Stores staff will maintain the central CS Incapacitant Spray database with the relevant issue or disposal.

### **Lost**

As with any firearm, whenever a CS Incapacitant Spray canister is lost every effort must be undertaken to trace and retrieve it.

Once all appropriate measures have been taken to locate the canister and it has not been found, the Officer will require to be issued with a replacement.

The Officer concerned must complete a [Subject Report \(OPS 9/1\)](#) outlining the circumstances through which the canister has become lost. The report must include the serial number of the lost canister and the efforts undertaken to locate and retrieve it.

The Subject Report should be forwarded to the Officer's Supervisor via Outlook, for their comment, which must be appended

Upon relevant comment being added, the report should be emailed by the Supervisor to Central Stores and a new CS Incapacitant Spray canister requested.

Central Stores staff will cross check the serial number within the report to the details currently recorded on the central database. A replacement canister will be issued and the database updated accordingly.

No replacement will be issued without an appropriately endorsed Subject Report.

The Supervisor will ensure that the Subject Report is forwarded via email before going off duty, through the normal chain of command to the following:

- Divisional Commander;
- Professional Standards Department mailbox;
- OST Co-ordinator mailbox.

### **Pool Issue**

Divisions will be responsible for maintaining a small supply of 'Pool Issue' CS Incapacitant Spray canisters for use during events or as temporary issue.

'Pool Issue' will be issued by Central Stores to each Division and recorded centrally on the database in the format '<DIVISION> POOL <NUMBER>', e.g. SHIRE POOL 1, MORAY POOL 4, ABDN POOL 6 etc.

It thereafter becomes the responsibility of the Division to maintain an accurate record of the whereabouts of each canister within the Division.

An appropriate recording facility must be established to track the reception of 'Pool Issue' CS Incapacitant Spray canisters from Central Stores and their eventual whereabouts within Divisions.

'Pool Issue' canisters must be kept securely within the approved storage facilities.

The revised form [ADM 12/23](#), Temporary Issue Log, must be used to record the issue and return of all 'Pool Issue' canisters.

Supervisors must conduct a regular audit of 'Pool Issue' CS Incapacitant Spray and record that the audit has been completed. Any canisters not accounted for must be investigated and the appropriate report submitted as per 'LOST' canisters.

Central Stores will conduct regular checks on the location of 'Pool Issue' canisters via Divisional Administration Offices or directly with Police Supervisors.

### **Special Constabulary**

All members of the Special Constabulary will have a personal issue CS Incapacitant Spray canister.

Where a Special Constable commences duty at different stations within different Divisions, nothing will prevent Central Stores from issuing a second canister to that Officer and appropriately updating the database with the respective locations.

### **Transportation**

CS Incapacitant Spray will only be transported by individuals who have received training appropriate to their role. Civilian Drivers must have read the guidance document, [Guidance Note for Civilian Drivers - Transporting CS Incapacitant Spray](#) before they can transport CS Incapacitant Spray.

CS Incapacitant Spray will be transported within approved, lockable storage boxes **only**, unless carried operationally by authorised, on duty Police Officers.

Discharged canisters should be double bagged and returned to Central Stores either in a lockable storage box transported by a Civilian Driver or carried by an authorised, on duty Police Officer.

**Under NO circumstances will CS incapacitant spray be sent to any location via internal mail.** Failure to comply with this will result in disciplinary action being taken.

### **Authority Suspended**

Where an individual has had their authority to carry CS Incapacitant Spray suspended, they will immediately surrender their Authorisation Card to their Supervisor. The Officer's CS Incapacitant Spray will be surrendered to their Supervisor who will return it to Central Stores, or if out with reasonable travelling distance, contact Central Stores directly and arrange uplift.

Where an individual has had their authority to carry CS Incapacitant Spray suspended as a result of failure to recertify in OST within 15 months, HR Training will take possession of their Authorisation Card and arrange for the canister to be uplifted and returned to Central Stores. A new canister will be issued to the individual on successful completion of OST.

The Professional Standards Department may suspend an Officer's authority to carry CS Incapacitant Spray by virtue of the Officer's suspension from duty. In such cases, notification will be sent to the OST Co-ordinator and the Central Store's mailbox.

The OST Co-ordinator, or other person designated by a Superintendent, may order the suspension of an Officer's authority following a failure by that individual to satisfactorily complete the relevant section of Officer Safety Training. In all instances, the OST Co-ordinator will advise Central Stores that an Officer's authority to carry CS Incapacitant Spray has been suspended.

Central Stores will, in all instances, update the database accordingly.

### **Resignation**

Where an Officer is resigning from PSoS, they will return their CS Incapacitant Spray canister and other items of Officer Safety Equipment to their Supervisor upon completion of their last tour of duty. The Officer will also surrender their CS Authorisation Card to their Supervisor, along with keys for any individual storage unit.

### **Transfers**

When an Officer is transferred between stations within the same Division, their canister should transfer with them. It is the duty of individual Officers to update Central Stores with their new canister location. Supervisors must check that this process is being adhered to in order that the integrity of the database is preserved.

If an Officer is transferring between Divisions and their new station is out with a reasonable travelling distance from their old station, to enable the Officer to transfer their own CS Incapacitant Spray canister whilst on shift, contact should be made with Central Stores to arrange transportation of their canister to their new station.

Officers should make contact with Central Stores in the first instance to make appropriate arrangements for uplift and deposit of a replacement canister.

### **Supervision and Audit**

It is incumbent on Supervisors to regularly monitor and check that proper procedures in relation to the administration of CS Incapacitant Spray are being adhered to.

Supervisors will be able to access the functionality of the database to electronically verify that the canister being carried by the Officer is correct.

Such checks should be made at least once per calendar month by Supervisors and should include a check that the unique serial number of the canister carried by the Officer is the same as that which they have been allocated and is currently recorded on the CS Incapacitant Spray database.

Central Stores staff will conduct random audits of CS Incapacitant Spray, via Supervisors, to ensure the integrity of the central database is maintained.

Central Stores staff will conduct random audits of Officers who attend Central Stores for any additional piece of equipment or clothing in order to determine whether the correct canister is being carried.

### **Administration**

Central Stores staff will conduct all transactions in relation to the issue and return of CS Incapacitant Spray canisters via the database.

The following forms have been designed to cover all aspects surrounding the storage and issue of CS Incapacitant Spray.

Temporary Issue Log - [\(ADM 12/23\)](#) - This form has been created to provide for the temporary issue of canisters for special operations/events such as Firearms and Public Order operations. On completion, they should be forwarded for the attention of the Officer-in-Charge of the event. It should also be utilised where there is a requirement for an Officer to be issued with a canister on a temporary basis out with the above described events.

Returned Canister Label - [\(ADM 12/24\)](#) - this form will accompany any canister which is being returned to Central Stores.

### **Storage - Bulk**

The area used for storage of CS Incapacitant Spray must be clearly marked. Storage units should be located in dry, well ventilated areas and should not be exposed to direct sunlight or near any open flame. Store the aerosol cans at between 5°C and 50°C. Storage areas must be kept away from public view. Control of Substances Hazardous to Health (COSHH) risk assessments, COSHH Risk Assessment must be displayed in a prominent position close to, preferably next to, all CS Incapacitant Spray cabinets, irrespective of size. Should there be an incident which causes the discharge of CS Incapacitant Spray from storage containers within a building, all staff should be aware of the effects and decontamination processes required.

Leaking, damaged, suspect, used (empty) or contaminated aerosols must be kept away from issue stocks. Divisional Commanders must ensure that sufficient storage units are in place to allow separate storage from issue stock.

### **Storage - Personal Issue**

CS Incapacitant Spray is classed as a prohibited weapon under Section 5(1)(b) of the Firearms Act 1968, and as such any loss or abuse of the spray will be scrutinised.

Under no circumstances will Officers possess CS Incapacitant Spray whilst off duty. Canisters must be returned to an appropriate storage unit prior to any Officer terminating duty and canisters must be stored in a vertical position to prevent nozzle blockage.

Each Officer will have responsibility for the security of their issued CS Incapacitant Spray canister and when not being carried, they should be secured in the purpose built storage units provided. The storage units will remain locked at all times.

Divisional Commanders are responsible for the safe management of storage facilities and Line Managers for ensuring proper recording of the daily issue of CS Incapacitant Spray canisters.

### **Disposal of Expired Canisters**

Central Stores have the functionality to determine the volume of stock currently in circulation with a designated expiry date.

Regular recalls will take place in advance of CS Incapacitant Spray canisters expiring and replacements will be issued.

Instructions on the collection/deposit process will be contained within the Recall Notice received from Central Stores staff. In such instances, there will be no requirement for Officers' Supervisors to contact Central Stores and request replacements.

Central Stores will liaise with Divisional Administration Offices to ensure the smooth recall of any 'Pool Issue' CS Incapacitant Spray canisters.

### **Drawn/Discharged Canisters**

Where a canister has been drawn only or discharged, the following procedure should be undertaken.

Where the canister has been discharged, it must be double bagged in appropriately sized production bags (either self-seal or sealed with tape).

The Officer must complete a SCoPE Use of Force form in all instances outlining the reasons for the canisters being drawn/discharged. This will include the full circumstances and the appropriate factors in the 'use of force continuum' that preceded drawing or discharge. The report must include the serial number of any drawn or discharged canister.

The form should be forwarded to the Officer's on duty Supervisor who will append comment in relation to the appropriateness of the drawing or discharge.

Additionally, if there is the likelihood that the canister will be required as a production in any criminal case or potential Complaint about the Police, or an instruction to retain it by a member of the Professional Standards Department has been received, the supervisor must double bag the canister, seal it and ensure that it is appropriately labelled / signed and lodged as a production.

Any CrimeFile must be updated accordingly with the canister's location if so lodged.

If there is no requirement for the canister to be lodged as a production, any discharged canister should be taken by the Officer, to Central Stores for a replacement to be issued.

If the Officer lives outwith reasonable travelling distance a request for Central Stores to re-issue a replacement canister should be made and it must be clear where the canister is located awaiting collection within the after named stations.

While awaiting delivery of the Officer's new CS Incapacitant Spray canister, the Officer will utilise 'Pool Issue' CS Incapacitant Spray.

Canisters awaiting collection on behalf of Central Stores will only be stored at the following main stations and will be clearly marked for collection:

Elgin	Ellon
Stonehaven	Fraserburgh
Inverurie	Peterhead
Banchory	Queen Street

Central Stores will cross check the serial number of the discharged canister with that contained in the SCoPE Use of Force form and that contained on the database.

A new canister will be issued and Central Stores will update the database accordingly.

Upon receiving any emailed request to re-issue a replacement canister, Central Stores staff will arrange for a replacement to be transported, accompanied by a receipt, to the Officer's location and uplift the discharged canister. The receipt will be signed for the uplift and deposit.

It is essential that Central Stores staff are made aware of the exact location of the canister being uplifted. Where there is ambiguity, this may delay the deposit of the replacement canister.

In all instances, the appropriate form (064-001) must be completed along with the SCoPE Use of Force Report Form. These forms **must** be completed and submitted prior to the termination of duty.

## **PLASTICUFFS**

Within the Grampian area plasticuffs are not in general use. They are held within the custody cell blocks and will only be utilised in the event of an evacuation of the cell block. These may be used with the authorisation of the Custody Sergeant.

No use of force report is required simply for use of plasticuffs unless there are other circumstances surrounding their deployment that might merit recording.

## **SPIT HOODS**

Spit hoods are kept in custody areas and vehicles. Their use is demonstrated within OST recertification in the Grampian area and all trained officers are entitled to self authorise their deployment.

No use of force report is required simply for use of spit hoods unless there are other circumstances surrounding their deployment that might merit recording.

## **FASTRAPS**

Use of leg restraints will only be available to officers who have received training in their use. This is now included in the national OST programme and is covered in initial training and refreshers.

Leg restraints are widely available in police vehicles and custody suites throughout the area. They are also issued to officers personally.

Leg restraints should be included in Vehicle Equipment Checks. Staff are responsible for ensuring that the leg restraints are returned to the vehicle once they have been used. Replacement leg restraints should be sourced through Divisional Business Managers.

No use of force report is required simply for use of fastraps unless there are other circumstances surrounding their deployment that might merit recording.

## **USE OF FORCE REPORTS**

The Use of Force Report Form can be found on SCoPE under the tab 'Accident and Use of Force' then 'Add/Amend Use of Force Form'.

## **'E' AND 'J' DIVISIONS**

### **BODY ARMOUR**

Body armour is personal issue and the issue of armour will be undertaken by Stores.

### **HANDCUFFS**

The former Lothian and Borders Police issue TCH and Hiatt rigid handcuffs.

The initial issue and return of handcuffs is conducted by the Stores.

When using rigid handcuffs there is no need for a Use of Force report to be submitted unless the subject resisted arrest or the circumstances surrounding the use of handcuffs merits reporting. Nevertheless, a common sense approach should be adopted and where injuries are sustained or significant force used to effect control then consideration should be given to submitting a Use of Force report.

### **BATON**

The former Lothian and Borders Police issue the Monadnock Autolock baton although some officers are still authorised to carry the ASP. The ASP is however no longer issued. Stores are responsible for the issue, audit and return of batons.

A Use of Force Report should be submitted every time that the baton is used to administer a strike. There is no requirement to submit a Use of Force report when the baton is drawn but not used.

### **CS INCAPACITANT SPRAY**

Within the former Lothian and Borders Police area CS Incapacitant Spray is no longer distributed on a personal issue basis. Instead, canisters will be distributed to a Division/Department, for allocation to officers attached to it.

Each division will nominate a member of staff who will take overall responsibility for the management of CS Incapacitant Spray. In most cases, this will be the Divisional Staff Sergeant, where this post exists. This officer will be responsible for the distribution, storage, and security of CS Spray within his/her area of responsibility. He/she will also be responsible for maintaining records in relation to the spray.

When an officer commences attachment to a Division/Department, that officer will be issued with a CS Spray canister. He/she will thereafter be responsible for the canister and will be personally accountable for ensuring that it remains functional and secure at all times.

When an officer permanently leaves a Division/Department, the spray must be returned to local stocks. The Divisional Staff Sergeant (or other nominated person) must be advised of the location of the spray, in order that the appropriate register may be updated.

Where an officer is absent from his/her home Division/Department for a period exceeding 6 months, the allocated canister must be lodged locally and again, the Divisional Staff Sergeant (or other nominated person) must be advised of the circumstances.

In a small number of cases, Divisions/Departments may choose to issue CS Incapacitant Spray only when required for specific operational duties. In such cases, an individual should be nominated to take responsibility for the security/storage of the spray and to maintain a register of issue.

With a view to ensuring that all local registers are properly maintained and that all storage and security requirements are being fulfilled, a full physical audit of CS Incapacitant Spray will be conducted by each Division/Department on an annual basis. A report will be submitted to the 'O' Division Commander by 01 April annually, detailing the location of each canister and any discrepancies that may have arisen.

When CS Incapacitant Spray is not being carried, it will be stored as follows:

- Stored under lock and key in a police building, either within the officer's personal locker, or other secure cupboard, drawer or similar;
- Stored within the secure metal cabinets that have been installed at police stations and buildings throughout the area for the storage of CS Incapacitant Spray;
- Lodged temporarily at any police station other than the officer's 'home station'; (All sprays temporarily lodged at stations must be returned to the station of issue prior to the officer's next tour of duty. Where the officer is unable to do this prior to retiring from duty, he/she must make arrangements to have the spray canister double bagged, labeled with the officer's details and transported to the originating station by a support driver or other officer)
- Other secure arrangements (see below).

CS Incapacitant Spray is a prohibited weapon and its possession is controlled by law. It is not, however, unlawful for persons to have such a spray when "acting in their capacity as police officers". This is generally taken to be when an officer is on duty.

At no time may a person other than a member of a police force be permitted to possess the CS Incapacitant Spray. To allow such possession may constitute a criminal offence.

### **CS Incapacitant Spray – Carrying Policy**

Officers and support staff who are not currently authorised and trained to use the spray operationally may still possess the equipment in the course of their duty (e.g. transporting between stations etc).

CS Incapacitant Spray will only be carried by uniformed officers in the supplied and approved holster/carrier. Detective/plain clothes officers may exercise discretion and carry the spray on the person, however, officers should take care in carrying a canister in such a manner in order to avoid accidental discharge. Motorcyclists may either carry the spray on their person or in a secure pannier attached to the vehicle.

Officers who are instructed to perform duties at a sporting/major event will parade at their normal places of work, i.e. the police establishment at which they are stationed. It is the responsibility of each officer to ensure that individually-issued items of equipment, including CS Incapacitant Spray, are collected at this point. The voluntary option of taking protective equipment home, including a CS canister, at the end of the person's tour of duty may be exercised, but only with the necessary authority, as described in the section entitled, "CS Incapacitant Spray – Issue and Security".

### **CS Incapacitant Spray – Sporting and Other Significant Events / Major Incidents**

On occasion, it may be necessary to obtain additional supplies of CS Incapacitant Spray for use at specific incidents. A transit box containing fifty spray canisters is now stored within the Armoury, Fettes and is available for use in circumstances where an urgent requirement for additional supplies of CS spray arises. All requests for use of these sprays should be directed to the Duty Inspector, Area Control Room.

### **CS Incapacitant Spray - Procedures Following Use**

Where a person has been exposed to CS Incapacitant Spray, priority must be given to his/her **aftercare**, especially where the person has been restrained. This is of the utmost importance, not only for those to whom the use of the spray was intended, but also for all of those persons who have been affected, including police officers. Those exposed to the spray must be closely monitored for any adverse or excessive reaction. Where an officer or other member of staff has been affected by CS Incapacitant Spray, an [Accident/Incident at Work Report' \(Form ph7\)](#) should be completed.

Officers must ensure that all used or damaged canisters are sealed using double plastic bags. A production label will be attached and must contain details of any person sprayed, date, locus and officer involved. Officers will thereafter submit the canister to the nominated person within the relevant Division/Department. Arrangements will then be made by the nominated person for the canister to be hand-delivered to the Specialist Operations Branch, Fettes Avenue, Edinburgh, where it will be retained for a period of no less than six months. **Under no circumstances must CS canisters be transferred by means of internal mail.**

Any requests for additional stocks of CS Incapacitant Spray should be made to the Community Support Unit, Specialist Operations Branch by the individual nominated to control the issue of CS Incapacitant Spray by each Division / Department.

### **PLASTICUFFS**

The former Lothian and Borders Police area issues plasticuffs and these are held in Custody centres, Specialist Operations Branch and the ARVs. Their use is taught during annual OST recertification and they can be issued to all officers in where specific events dictate that they may be required. This can only be done on the authorisation of an officer of the rank of Inspector or above.

Use of Force reports are not required unless the subject resisted arrest or injury resulted from the use of plasticuffs.

## **SPIT HOODS**

The former Lothian and Borders Police area only uses spit hoods in custody areas and these are not readily available to patrol officers. Their use must be authorised by the custody sergeant/inspector.

## **FASTRAPS**

The former Lothian and Borders Police area issues the fastrap leg restraint system. These are kept within the glove box of all marked police vehicles. Officers are entitled to self authorise their use.

A use of force report would only be required if the subject resisted arrest or injury resulted from the use of fastraps.

## **USE OF FORCE REPORTS**

The use of force reports within the former Lothian and Borders Police force area are held on the force forms section of word. They can be accessed by searching for [PT27](#) or the search term 'Officer Safety Evaluation Form'

Where an Officer Safety Evaluation Form must be submitted it must be completed before the termination of duty. Once the PT27 form has been completed by the officer it should be forwarded to their line manager to review before being forwarded to Divisional Command Support to review. This should then be sent to Training Branch for collation.

**'N' DIVISION****BODY ARMOUR**

The wearing of body armour is compulsory within the former Northern Constabulary area. Officers engaged in duties which might make the wearing of armour unsafe or impractical e.g. surveillance officers, will have to perform a daily risk assessment and have this approved by their supervisor.

**HANDCUFFS**

The former Northern Constabulary issue Hiatt handcuffs. These are issued to individual officers by stores and they are then the responsibility of that officer.

A use of force report must be submitted whenever handcuffs are used in anything other than a compliant technique.

**BATON**

Former Northern Constabulary issues the ASP friction lock baton. These are issued by stores and thereafter become the responsibility of the individual officer.

A use of force report must be submitted whenever the baton used to administer a strike.

**CS INCAPACITANT SPRAY**

The former Northern Constabulary provides personal issue CS spray to its operational officers. When an officer transfers into a division they will be issued with a CS spray. When a CS spray is issued [Form OP/56/72](#) must be completed and the CS spray signed for by the receiving officer. This form should then be electronically scanned and emailed the relevant Business Management Unit mbx-mailbox in order that the Divisional CS spray database can be updated. The hard copy should remain at the relevant station thus providing a paper audit trail.

When a CS canister is issued on a temporary basis, [Form OP/56/73](#) must be completed. This form does not need to be forwarded to the relevant Business Management Unit unless the spray has been administered/lost etc. The hard copy should remain at the relevant station thus providing a paper audit trail.

Only the CS spray issued by the Service will be carried and used by officers.

Area Commanders will ensure through local processes that details on the CS database are correct on an ongoing basis. Each area commander will twice yearly audit the database and the paper forms generated by the issue, use, loss or destruction of CS spray. Area Commanders will thereafter report the finding to the Head of Operations.

The former Northern Constabulary operate a system of self-issue. Police Stations will be provided with heavy-duty cabinets with individual secure compartments together with an appropriate number of live CS sprays for operational purposes. When not in use, the compartments will be locked and the key kept in a secure place. Station officers will hold duplicate keys. Separate secure cabinets will hold replacements.

Authorised officers will draw their personal issue CS spray from the cabinet at the commencement of shift. The spray will be carried in the closed position within its holder. Officers will return the CS spray to the cabinet at the conclusion of the shift. Officers will not retain CS spray off-duty unless specifically authorised to do so by the Chief Constable.

CS contaminated police vehicles will be decontaminated before further use.

On each occasion CS spray is discharged, a completed Use of Force Report will be submitted within 24 hours. When CS spray is administered, the CS spray canister is seized and lodged as a production. [Form OP/56/72](#) is then completed and a new CS spray canister issued and signed for by the receiving officer. This form is then electronically scanned and emailed to the relevant Business Management Unit mailbox in order that the Divisional CS spray database can be updated. The hard copy should remain at the relevant station thus providing a paper audit trail.

CS Spray canisters should only be transferred to central stores for replacement or disposal. Central stores will not accept CS spray canisters if they are still lodged as a production in a case and have not been formally released by the Procurator Fiscal. When CS spray canisters are transferred to central stores, [Form OP/56/74](#) must be completed. Central stores will keep a copy of this form acknowledging receipt this providing a paper audit trail. Central Stores will then electronically scan the form and then email it to the relevant Business Management Unit mailbox in order that the Divisional CS spray database can be updated.

## **PLASTICUFFS**

The former Northern Constabulary does not use plasticuffs.

## **SPIT HOODS**

The former Northern Constabulary does not use spit hoods.

## **FASTRAPS**

The former Northern Constabulary issues fastraps to every officer. These are personal issue and responsibility for monitoring their condition falls to that officer. They are issued by stores and where necessary replacement fastraps can be requested from stores.

Officers can self authorise the deployment of fastraps.

A use of force report is expected whenever fastraps have been deployed operationally.

## **USE OF FORCE REPORTS**

The former Northern Constabulary use the SCOPE - Use of Force Report System. These are held electronically on the SCOPE system. There are however, hard copies retained at the Training Department for use by Special Constables who do not have access to the SCOPE system.

Officers are required to submit a use of force report every time that any force is used. They are expected to submit the report as soon as possible and in any case within 24 hours of the incident it pertains to.

Once the officer has completed the use of force report to their satisfaction this should be submitted to their line manager to review and comment on before forwarding it to the Divisional Officer Safety Training Instructor. This is then forwarded to the OST Co-ordinator for final review before being filed.

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**'G', 'U', 'Q', 'L' AND 'K' DIVISION****BODY ARMOUR**

Removal of body armour may be permitted where, due to the nature of duties being undertaken, and after suitable risk assessment, divisional commanders/heads of department, or their nominated representatives, deem it unnecessary or inappropriate to wear body armour.

Any permission to remove body armour must be subject to a daily risk assessment to be authorised in writing by a supervisor.

When wearing body armour constitutes a risk to the health of the wearer, an officer may self-authorise removal. In the event of such a self-authorised removal, the wearer must report the circumstances to their supervisor as soon as reasonably practical. It must be emphasised that self-authorisation for the removal of body armour is only intended for unforeseen circumstances and should not be used to circumvent the mandatory wearing policy.

Where body armour is damaged as a result of impact or trauma the wearer will contact the PPE co-ordinator to inform him/her of the circumstances. The PPE co-ordinator will liaise with Logistics to provide the officer with replacement body armour panels and cover. The damaged body armour will be forwarded to Organisational Development Department (ODD) to enable further investigation to be conducted. If damage is due to personal attack the body armour should be lodged as a production and then forwarded to the ODD.

**HANDCUFFS**

The former Strathclyde Police uses speedcuff rigid handcuffs. These are issued through Stores.

**BATON**

The former Strathclyde Police uses the Monadnock autolock baton.

All information relating to the use of the baton is to be recorded on the STORM System using the STORM result codes indicated in the Use of Force section.

This should be done in addition to submitting a use of force form on SCOPE.

**CS INCAPACITANT SPRAY****Authorisation**

A CS canister can be issued by the Duty Officer or other supervisory officer, on presentation of authorisation.

Prior to issue, details of the serial number and weight of the canister will be recorded on a master schedule. Master schedule forms will be held at sub-divisional headquarters or main departmental offices.

It will be the responsibility of the individual officer to withdraw and return their CS canister to their personal locker and this must be recorded in their police issue notebook. Inspection by supervisory officers should be carried out regularly.

CS spray will be carried at all times by trained and authorised operational officers whilst on duty, unless directed not to do so by a senior officer. Under no circumstances is CS Incapacitant Spray to be carried whilst off duty and it should never be removed to an officer's home.

### **Issue and Administration**

CS Incapacitant Spray will be issued to and managed by Divisional/Departmental Co-ordinators on the authority of Divisional Commanders/Heads of Department by the PPE co-ordinator, Corporate Procurement. The PPE co-ordinator should be contacted in the first instance to obtain supplies of CS Spray.

In some circumstances it may be impractical for an officer to attend at their local office to uplift their personal spray prior to attending an alternative place of duty. In these circumstances, on presentation of the officer's CS authorisation, the Duty Officer, or other supervisory officer, will issue a canister, on a loan basis from surplus stock, entering the canister's serial number and weight in the officer's police issue notebook accordingly. The officer will retain the spray until completion of their tour of duty, whereupon it will be returned to the issuing centre and the appropriate notations made.

Transportation of CS Spray in large quantities, from the central store at Baird Street, between police offices, or between police offices and venues, will be by means of specific transit boxes (which have a maximum capacity of 50 canisters).

### **Carriage on Police Helicopter**

Officers will not be permitted to carry CS Spray on the Police helicopter, unless it is carried within an aircraft container specifically installed on the aircraft for the purposes of holding CS canisters.

### **Carriage at Public Order Deployment**

CS Spray will not be carried by officers deployed in full public order dress (level 1) at incidents of serious public disorder where there is, or is likely to be, a petrol bomb threat. In all other instances the carriage of CS Spray will be dependent on the circumstances and as directed by the respective Police Support Unit Operational or Tactical Commanders.

Personnel attending public order incidents locally or from other areas in response to Mutual Aid requests will attend with their personal CS Spray carried on their belt. PSU vans are equipped with transit boxes for temporary storage of CS Spray and PSU supervisors are to ensure these boxes are readily available should officers be required to remove their canisters.

In these circumstances PSU van drivers are to be responsible for the security of the CS Spray canisters, unless alternative arrangements have been made (e.g. secure storage at a Rendezvous Point).

## **Productions**

All discharged CS Spray canisters are to be seized by an on-duty supervisor and retained as productions. Prior to being lodged, the canister must be placed within a plastic bag. The bag containing the canister should thereafter be placed within a knife container, which will have the production label attached and again sealed. The serial number of the canister must be entered in the production book and on the label. The canister should be lodged at Productions Department, Meiklewood Road Complex at the earliest opportunity.

Productions, which are contaminated with CS Spray, are to be aired and dried before packaging in the normal manner and be clearly marked as having been contaminated by CS Spray to alert any other person who may later handle them.

If for any reason a canister is accidentally discharged, mechanically malfunctions or where the use of the canister may be subject to a complaint against the police, the canister should be sealed in a knife container (as above) and conveyed to the Productions Department, Meiklewood Road by appointment.

## **Damaged CS Spray Canisters**

Where a CS Spray canister leaks as a result of being damaged or becomes defective, it should be placed in a safe location in the open air until the canister contents are exhausted or there is unlikely to be any further leakage. Thereafter, the canister should be sealed inside a knotted nylon (fire exhibit) production bag and placed inside a plastic knife container, which should then be sealed with tape. If there is a significant amount of leakage then it is permissible to seal the canister inside 2 sealed nylon bags prior to sealing the canister into the knife container. The container must be clearly labelled to the effect that the canister contained within may be leaking.

Canisters should be transported to Productions Department, Meiklewood Road as mentioned above. The PPE Co-ordinator, Corporate Procurement, must then be advised as soon as possible in order that arrangements be made to dispose of the canister at the earliest opportunity. Where canisters are required as productions in a criminal case the reporting officer must contact the Procurator Fiscal as soon as possible requesting that approval is given for disposal of the canister.

## **Use of Force Reporting**

Every occasion on which CS Spray is discharged will be recorded. A Use of Force report must be completed on the SCOPE system.

## **PLASTICUFFS**

The former Strathclyde police area does not generally use plasticuffs. They are issued to firearms teams and to public order teams where large numbers of custodies may be expected.

There is no specific guidance regarding use of force reporting for use of plasticuffs within the former Strathclyde police area however, a common sense approach is encouraged and if injury results from their usage or high levels of force were required to deploy the plasticuffs then a use of force report should be considered.

### **SPIT HOODS**

Only those officers who have undertaken the designated training programme are authorised to apply spitting masks and the guidelines and protocols in the training will be strictly adhered to. The designated period will be one year and will form part of the OST qualification programme.

All trained officers will be issued a spitting mask to form part of their personal protection equipment and Divisions/Departments will be responsible for ensuring sufficient stocks are available. Officers may apply the spitting mask for defensive purposes when faced by a threat that would indicate its use as being proportionate to that threat. Only those spitting masks provided by PSoS shall be used.

There is no evidential value in retaining the mask for DNA and all used masks will be disposed of in accordance with disposal procedures for clinical waste items.

### **FASTRAPS**

The former Strathclyde Police issue the fastrap leg restraint system individually to operational officers.

The officer is entitled to self authorise the use of fastraps where they deem its use appropriate in accordance with their OST training.

### **USE OF FORCE REPORTS**

After use (as defined within this SOP), the officer will require to submit the Use of Force report on SCOPE,

Every occasion where CS spray is discharged will be recorded Use of Force report must be completed on the SCOPE system outlining the circumstances.

**'D' DIVISION****OFFICER SAFETY TRAINING****Removal of authorisation**

A report outlining the circumstances of why the officer has failed the course will be forwarded that day to the Staff Development Unit. The Staff Development Unit will then update the officers training record to that effect.

The OST Co-ordinator will in conjunction with the instructors who deemed the officer as not having achieved the required standard, determine what remedial training is considered appropriate and ensure this is provided at the earliest opportunity to facilitate their return to operational duties.

The removal of authorisation will be reported by Staff Development Unit to Human Resources, who will be responsible for ensuring that a new warrant card, not containing written CS authorisation, is issued to the officer. On receipt of a new warrant card the officer will surrender the existing warrant card containing the CS authorisation to the OST Coordinator at Staff Development Unit, who will retain the card until the officer has successfully undertaken an OST recertification. The CS authorisation will thereafter be returned to the officer.

Police Officers trained in Captor spray who have PPE authorisation removed will also return their Captor spray authorisation card to the OST Coordinator at Staff Development Unit. This will be returned on successful completion of an OST recertification course.

**BODY ARMOUR**

Uniform and Stores are responsible for the issue and return of body armour.

**HANDCUFFS**

Hiatt cuffs are used by majority of former Tayside officers; however TCH cuffs are now being issued to probationers. Uniform and stores are responsible for the issue and return of handcuffs. They have to log serial numbers issued to officers, and this is also noted during OST recertification. Officers would be expected to attend in person, or have a civilian driver organise the return/collection of handcuffs.

Plasticuffs or hinged handcuffs may be used, where appropriate, however officers must remember that they do not provide the same level of control and restraint as rigid handcuffs.

## **BATON**

The former Tayside police force area issues the 21" ASP friction lock baton. Public order units are issued with the 26" autolock baton.

Police officers should only attach official certified products of the baton maker to their baton (touches/grip reinforcement). Any injury or damage caused by an attachment not officially endorsed by the baton maker may result in misconduct/disciplinary proceedings.

## **CS INCAPACITANT SPRAY**

The former Tayside police routinely deploy two types of incapacitant spray, dependent upon the role and exposure to potential ignition sources. These are CS Spray and Captor Spray.

CS Spray is highly flammable and where avoidable should not be used in conjunction with the deployment of Taser.

Captor spray is less flammable than CS spray and reduces cross contamination. Officers undertaking PSU and Firearms Duty will default to carrying Captor Spray, rather than CS Spray due to their use handling of weaponry which may cause ignition.

A second version of Captor Spray (Captor 2) has also been used by Firearms Officers since 2009. This version uses a water based propellant which is not flammable. Reference to incapacitant or Captor Spray throughout this appendix will include Captor 2.

Training and authorisation to carry Captor spray will be provided only to those Police Officers who may be required to undertake PSU or Firearms Duty.

### **Carry of Incapacitant Spray**

The incapacitant spray will only be carried in the supplied approved holster, equipment carrier, body armour or covert harness, ensuring security and accessibility at all times.

Incapacitant sprays should not be worn on upper docking stations of body armour due to the risk of injury should there be an accidental discharge.

In the case of motor cyclists discretion may be exercised and the incapacitant spray may either be carried on the person or in a secure pannier attached to their motor cycle.

### **Procedures for Issue, Carrying and Use of Spray**

A nominated Firearms Instructor undertakes acquisition of CS spray and a central registered is maintained. The issue of batches of canisters to each division is logged along with expiration dates. It is the responsibility of each division to maintain its own records of individual issue of canisters to staff and this must be strictly managed within each division.

Every canister of CS spray has a unique number and will be issued to the individual Police Officers who have current Officer Safety Training certification and CS authorisation endorsed on their warrant card. Following issue, that canister of CS spray will be the responsibility of the individual Police Officer who will ensure that it remains functional and secure at all times.

On commencement of each tour of duty authorised Police Officers will self-issue their personal canister of CS spray from the approved storage cabinet and ensure the appropriate entries are made in the Daily Control Log. On termination of a tour of duty the canister of CS spray must be returned to an approved storage cabinet and the appropriate entries made in the Daily Control Log.

Occasions may arise where a Police Officer terminates duty at a police station other than where they commenced duty and were issued with CS spray. In these circumstances Police Officers must temporarily lodge their CS spray at the station where duty is terminated. Any Police Officer utilising this facility will ensure that this fact is recorded in the Temporary Storage Log of the station where duty was terminated and a retrospective entry made in the Daily Control Log of the police station where the CS spray was initially issued.

A nominated Firearms Instructor undertakes acquisition of Captor spray on behalf of Firearms.

The PSU Co-ordinator undertakes acquisition of Captor spray on behalf of PSU.

The PSU Co-ordinator will be responsible for the safe storage of these sprays, which may be kept in an approved portable storage device in order that canisters may be deployed to an incident.

Police officers undertaking PSU duties will self issue with Captor spray and endorse the appropriate control log accordingly. Responsibility for the security of that canister will then become the responsibility of the Police Officer for the period of time during which they possess that canister.

On terminating PSU duties the Police Officer will return the canister of endorse the control log appropriately.

### **Supervision/Administration**

The following forms have been designed to cover all aspects surrounding the storage and use of CS spray:

**Master Control Log** – This will be used to record the delivery of CS spray canisters issued to a police station for the use of Police Officers working from that station. It should also be used to record any future movement of any canister. This may include used/damaged CS spray canisters sent for disposal or the transfer of a Police Officer to another location.

**Daily Control Log** – This will be used to record the daily issue of return of CS spray canisters used by personnel in that station.

Temporary Storage Log – This will be used to record CS spray canisters temporarily lodged at the station. This may include officers lodging their CS spray prior to attending as a witness at Court or a Police officer terminating duty at a station other than where he/she commenced duty.

### **Procedure Following Deployment**

The deployed incapacitant spray canister should be placed within two plastic bags and a production label outlining the police officer(s) involved, locus of incident, name of suspect and date of incident placed between the two bags. The PTP number should also be included on the production label. Both bags should then be securely sealed with a 'Grip-Rip Numbered Seal' used for the outer bag.

The bagged incapacitant spray canister should be delivered to the Divisional Lost Property Officer by a Police Officer authorised to carry that specific type of spray, accompanied by a completed PRO2 form.

The secure storage of the bagged incapacitant spray will be the responsibility of the relevant Lost Property Office and will be relevantly stored pending destruction on notification from the Procurator Fiscal, Inspector, or above.

An Exposure to Violence Form should be submitted electronically on the SCOPE system by the Police Officer who deployed the incapacitant spray.

### **Accidental Discharge**

The incapacitant spray canister should be placed within two plastic bags securely sealed with a 'Grip-Rip Numbered Seal' used for the outer bag. A production label is not required in these circumstances unless the canister is required as evidence for any criminal proceedings. An internal memo should be completed containing details of the incident, officers involved, the circumstances of the fault or discharge, and the serial number of the canister.

The bagged incapacitant spray canister should be delivered along with the internal memo to the appointed Firearms Instructor at the Tactical Firearms Unit (Training) at Dundee. It need not be lodged at a Divisional Lost Property Office in these circumstances. The incapacitant spray canister must be transported by a Police Officer authorised to carry that specific type of incapacitant spray.

Police Staff drivers will not be used for this purpose and incapacitant spray canisters must not under any circumstances be sent through internal mail.

The secure storage of the incapacitant spray canister will then be the responsibility of the Tactical Firearms Unit (Training).

A full report detailing the circumstances of the discharge will also be forwarded to Chief Inspector, Operational Support Department (Training).

The appointed Tactical Firearms Unit Instructor will make the necessary arrangements for the disposal of used or faulty incapacitant spray canisters on instruction of the Chief Inspector Operational Support Department, who will also have the responsibility for investigating any accidental discharge or failure to discharge.

### **Expired Canisters**

Expired canisters of incapacitant spray should be returned to Divisional Training Officers who will issue a replacement and arrange disposal of the expired canister with the appointed Tactical Firearms Unit Instructor.

### **PLASTICUFFS**

The former Tayside Police issued the ASP Tri-Fold restraints to all operational vehicles within the area. Tri-Fold restraints can be used in the following circumstances:

- In the event of a mechanical failure of standard rigid handcuffs;
- When the number of suspects exceeds the pairs of rigid handcuffs available;
- When the use of rigid handcuffs would be inappropriate i.e. when a suspect's wrists are so slim that they could easily escape from rigid handcuffs.

Tri-Fold restraints are only to be used in these types of emergency situation and do not supersede the use of standard rigid handcuffs.

The ASP 'Scarab' cutting tool can be used to remove the plasticuffs. This should be used where possible, however a seat belt cutter, located within each operational police vehicle, can be used in an emergency.

Replacement stocks of Tri-Folds are held by Divisional Administration offices and the stores at Baluniefield

### **SPIT HOODS**

The former Tayside Police area has spit hoods available at custody centres. It is up to the judgement of the individual officer to determine if use of the hood is appropriate.

### **FASTRAPS**

Every operational vehicle and charge bar area has been issued with a set of leg restraints. These leg restraints should only be applied when two or more officers are present. It is important when they are being applied and removed that this is done with a high level of officer awareness.

Whilst it is impossible to envisage every occasion when leg restraints should be applied, the following three occasions should cover the majority of incidents when they should be used:

- When restraining a violent prisoner who is not showing signs of compliance despite warnings.
- When a prisoner is struggling and refusing to enter a police vehicle.
- To prevent a prisoner from self harming.

When leg restraints have been applied an Exposure to Violence report should be submitted onto the SCOPE system. Specific reference to the use of leg restraints should be made in this report.

The primary mode of transport for prisoners to whom leg restraints have been applied will be **seated on the floor** within the prisoner area in the rear of a large police van. It is recognised that this may be difficult when dealing with particularly tall or large individuals and alternative transport arrangements will have to be arranged due to the confined prisoner compartments.

### **USE OF FORCE REPORTS**

The former Tayside Police uses the Use of Force Report on the SCOPE system.

The reports are completed electronically and after completion by the submitting officer they are checked over by the line manager. They are then sent to the Safety Officer who compiles statistics from the reports and highlights any issues with the content of the forms.

**LIST OF ASSOCIATED LEGISLATION**

- [The Police and Fire Reform \(Scotland\) Act 2012](#);
- [The Personal Protective Equipment at Work Regulations 1992](#);
- [The Health and Safety at Work etc. Act 1974](#);
- [The Police \(Health and Safety\) Act 1997](#);
- [The Human Rights Act 1998](#);
- [The Firearms Act 1968](#);
- [The Police \(Conduct\)\(Scotland\) Regulations 1996](#)

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**ASSOCIATED DOCUMENTATION**

- [Officer Safety Training Risk Assessment.](#)

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**GLOSSARY OF TERMS**

ARV	Armed Response Vehicle
CHIS	Covert Human Intelligence Source
OST	Officer Safety Training
PCSO	Police Custody Support Officer
PIO	Police Incident Officer
PPE	Personal Protective Equipment
SPR	Standard Police Report
TFU	Tactical Firearms Unit

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## CS INCAPACITANT SPRAY – ISSUE, USE AND STORAGE

### INTRODUCTION

Section 2 of the Health and Safety at Work etc Act, 1974 imposes a duty on the Chief Constable to ensure, so far as is reasonably practicable, the health, safety and welfare of all his/her employees at work.

This includes the provision of Personal Protective Equipment (PPE) and suitable training regarding its use.

Under Section 7 of the 1974 Act, there are duties imposed on employees (including all serving Police Officers and Special Constables) while at work to take reasonable care for their own health and safety and that of other persons who may be affected by their acts or omissions at work and to co-operate with the employer to enable the employer to comply with the statutory duties for health and safety. The Act also imposes a duty not to misuse anything provided for safety reasons.

Further, the Personal Protective Equipment at Work Regulations 1992 require employers to ensure PPE is provided to employees and those employees to take all reasonable steps to ensure that any PPE provided is properly used in accordance to the training given and the instruction respecting its use.

This Act and the Regulations made there under are pertinent to all equipment issued to Police Officers and Special Constables.

All officers are required to undertake OST and shall be trained and issued with CS

This decision was reached following extensive research and evaluation with an overriding view to enhancing officer safety and reducing the potential of serious injury being caused when dealing with violent person(s).

It is recognised that the nature of policing is so diverse that it will never be possible to document guidance to cover every encounter or eventuality; what matters is that any action taken by Police Officers is lawful. Action must be proportionate to the competing rights of individuals and any force used should be no more than is absolutely necessary in the circumstances. In this regard, individual officers must be prepared to account for their decisions and to show that they were justified in doing what they did and that they acted reasonably within the scope of the law on the use of force and in compliance of Human Rights legislation.

### PROCEDURES

#### Use of CS Incapacitant Spray

CS Incapacitant Spray (CS Spray) may be used as a response option in circumstances where an officer perceives there is a significant threat of harm or violence and the use of the spray is proportionate to that threat.

Its use may be appropriate when lower levels of force have been ineffective, or the officer considers lower levels of force would be inadequate i.e.

- Those offering a level of violence which cannot be appropriately dealt with by lower levels of force; and
- Violent offenders, other than those armed with firearms or similar remote injury weapons, where failure to induce 'immediate' incapacitation would increase the risks to all present.

As with the use of any item of PPE the user is responsible for their own actions and may have to justify their decision to use CS Spray and explain the necessity of its use.

Incapacitant sprays are not a replacement for other force options. They are an addition. Only the user can decide when to utilise the spray. CS Spray will only be used in accordance with training delivered by qualified Officer Safety Trainers.

CS Spray is classed as a prohibited weapon under Section 5 (1) (b) of the Firearms Act, 1968, as such any discharge, loss or abuse of a spray will be scrutinised very closely. **Under no circumstances** will officers possess CS whilst off duty.

Canisters must be returned to an approved cabinet prior to any officer terminating duty.

All authorised officers whilst on duty must at all times carry their proof of CS Incapacitant Spray authorisation.

Only CS Incapacitant spray equipment approved and purchased by the Force will be used. The CS Spray will only be carried in the supplied approved holster/carrier.

### **Information about CS Incapacitant Spray**

CS is a white crystalline solid. Its chemical name is 2-chlorobenzylidene malononitrile but it is commonly called CS from the initials of Corson and Stoughton who were the first people to synthesise it in 1928.

CS itself is not flammable but some of the solvents, which are used in CS aerosols, are flammable. CS aerosols should not be used where there is a naked flame.

CS sprays should generally be used at distances of between 1 and 2 metres (3 ft - 6ft) from the suspect. At distances closer than 1 metre (3 ft) there is a possibility that the stream of CS solution could exert sufficient 'hydraulic pressure' to damage the eye. At distances greater than 2 metres (6 ft) accuracy is lost and the spray is less effective, particularly in windy weather conditions.

CS sprays do not affect animals in the same way as people. It is ineffective on dogs.

### **Requirement to Carry CS Incapacitant Spray**

Only those officers trained and certified in the use of CS Spray will be authorised to carry or use the spray.

All such officers are **required** to carry the spray at all times when outwith a police station on operational duty. Exceptions from carrying CS Spray are, however, only appropriate if authorised by a supervisory officer or as specified in an operational briefing.

Officers working operationally in plain clothes will be subject to the requirement to carry CS spray except where the officer and supervisor considers it would be inappropriate due to operational constraints, e.g. conducting surveillance.

There can be no personal discretion on the carriage of CS spray in normal circumstances since its issue is intended to protect not only the officer who is carrying it but also their colleagues and the general public.

### **Training and Authorisation**

Initial training in the use of CS Spray will, upon successful completion of the course, give authorisation to use CS Spray. Authorisation cards will be issued by training instructors and SCoPE records will be updated

All operational officers up to and including the rank of Inspector will be required to undertake both an annual 8 hour officer safety requalification programme and complete a SPELS training package (online or otherwise). Officers of Chief Inspector rank or above can elect to undertake an abbreviated senior officers assessment course however they should also complete the SPELS package online (or otherwise). All officers should re-qualify in these skills within a 12 month period. Officers will attend for training in possession of their body armour and Personal Protective Equipment (PPE) (except CS Incapacitant Spray).

Appointments will be withdrawn from an officer who has not re-qualified within the stipulated period. Steps must be taken to have an officer re-qualified at the earliest opportunity thereafter. Where an officer fails to re-qualify within the 12 month period, their authorisation to carry and use all PPE has expired.

No officer, regardless of rank, should be deployed on operational duties either outwith their authorisation period, or whilst carrying their other PPE minus their CS Spray. CS Spray Refresher Training will be incorporated into Officer Safety Training refresher programmes.

Where an officer does not train within the recommended period their authorisation will lapse. The officer will thereafter be unable to carry, use or issue CS Spray, until such time as they have been successfully assessed by an approved Officer Safety Instructor and they will be removed from operational duties until this has been completed as per 9.2.2

### **Initial Issue of CS Incapacitant Spray**

Once trained and issued with an authorisation card, a CS. canister can be issued by the designated person in each business area, on presentation of authorisation card or having confirmed the authority to carry by scrutinising the Officers SCOPE record.

CS canisters will be personal issue and they will remain with the individual officer until it is replaced by reason of use, damage, expiry, and transfer out of the Service or retirement. Officers who transfer to another post will have responsibility for arranging the transfer or surrender of their personal issue spray.

Following issue, that canister of CS Spray will be the responsibility of the individual officer who will ensure that it remains functional and secure at all times. Their canister remains their responsibility. This is also the case for Special Constables.

The initial issue of a CS Spray canister to any new or transferred officer is governed by local procedure and guidance can be found within the geographical appendices.

Under **no** circumstances is CS. Incapacitant spray to be carried whilst off duty and it should never be removed to an officer's home.

### **Delivery System**

The irritant is dispersed from a hand held aerosol canister in a liquid stream, which contains a 5% solution of CS in the solvent Methyl Isobutyl Ketone (MIBK). The propellant is Nitrogen.

The delivery system is based on the design of the canister and degree of pressure. These will affect the amount of agent discharged and the range and degree of coverage.

Incapacitant sprays are generally dispersed by:

- A streamer spray, which is a narrow type of spray similar to a water pistol;
- A cone spray, which is designed to engulf the subject's face, affecting the eyes, nose, lips, mouth and respiratory system; and
- Burst foggers, which are designed to deliver a large quantity of agent under high pressure.

The streamer has been selected at the present time for use by officers because:

- It can be directed accurately;
- It has a longer range; and
- There is less risk of cross contamination.

The spray is dispensed from a hand-held aerosol canister in a liquid stream, which has a maximum effective range of 2 metres (6ft). This stream can be directed very accurately.

At distances of less than 1 metre (3ft) the officer must be aware that there is a risk that the pressure exerted on the eye by the spray can cause hydraulic pressure injuries to the subject. Although there will clearly be conditions under which this may be justified, the officer should consider this risk in their dynamic risk assessment prior to deploying the spray.

Where possible officers should attempt to spray downwind (i.e. with the wind). Spraying upwind (i.e. against the wind) may cause a blowback that could affect officers or members of the public (cross contamination). It is advisable to shake the dispenser at the commencement of each tour of duty and if possible prior to each use. Officers should note that if they use the spray operationally they are likely to detect a strong smell similar to paint thinners. This is the solvent MIBK dispersing into the atmosphere.

The spray should be aimed directly at the subject's face.

### **Use in Still Air**

Officers should use two short bursts with a recommended spraying distance being 1 to 2 metres (3-6ft). They should repeat this technique if the first application is unsuccessful. If the desired effect is not then achieved, officers should consider other use of force options.

### **Use in Moving Air**

Two longer bursts may be necessary with a recommended spraying distance being 1 to 2 metres (3-6ft). They should repeat this technique if the first application is unsuccessful. If the desired effect is not then achieved, officers should consider other use of force options.

### **Multiple Aggressors**

**NB:** The spray is primarily intended for use against one individual and the canister is designed to deliver 6 seconds worth of spray. However, if the circumstances dictate otherwise it can be used against multiple aggressors.

When faced with more than one aggressor, officers should spray from side to side with a continuous burst aimed at the aggressors' faces.

Once the officer has sprayed a subject they should move out of the attack line (preferably sideways). If practicable they should allow a brief pause for the aerosolised CS spray to dissipate before closing in an attempting to establish control of the subject.

### **Possible Failure of CS Incapacitant Spray**

CS incapacitant spray will not work in all cases. Studies from other countries show that incapacitant sprays do not always produce the desired effects. Failures have been noted on three categories of subject:

- People with serious mental disorders;
- People under the influence of drink or drugs; and
- People with a positive mental mind set/goal.

Officers must not rely on incapacitant sprays to the exclusion of other defensive tactics. There is evidence that some subjects become more aggressive following the use of an incapacitant spray.

Under such circumstances officers may need to use defensive tactics, with or without batons, to establish control and handcuff the subject.

### Effects of Contamination

A burst of incapacitant spray into the face will affect the eyes, the respiratory system and the skin. The effect may be instantaneous or delayed, or there may be no effect at all.

Eyes	A spray into the face will cause dilation of the capillaries and instant closing of the eyes. Effect can range from severe twitching or spasmodic contraction of the eyelids to involuntary closing of the eyes. People with glasses or contact lenses will be equally affected. Following exposure, contact lenses should be removed by the subject or a doctor for faster recovery.
Respiratory System	If the spray is inhaled it produces either respiratory inflammation or irritation, which in turn, produces uncontrollable coughing and shortness of breath. The inflammation of mucous membranes makes breathing through the nose difficult. Prior to aggressive behaviour a subject's breathing becomes more rapid and deeper than usual which increases the effects of the spray.
Skin	The spray causes severe discomfort or irritation to the face and the membranes inside the nose. Depending on the individual's complexion, skin colour may range from slight discoloration to a bright red. The solvent in the spray may cause blistering of the skin. This again varies on the individual's skin type.

The following reactions may also occur:

- Moving hands to face - dropping any items held;
- Legs become weak - may drop to knees;
- Upper torso bends forward Impaired hearing - may not hear officer commands;  
and
- Muscles tense - may not respond immediately to commands.

### Immunity

It is extremely unlikely that anyone can build immunity to CS type incapacitant sprays with repeated exposure, but a subject may become less sensitive to CS, depending on the factors outlined previously.

## POST DISCHARGE PROCEDURES

### Productions

All discharged CS spray canisters are to be seized by an on-duty supervisor and retained as productions within the Division / Department they were discharged. Prior to being lodged, the canister must be safely packaged as per the established protocols. If the canister is leaking as a result of damage, defect or operational discharge, it should be placed in a safe location in a well ventilated area until the canister contents are exhausted or unlikely to leak further.

### Aftercare

There is no evidence of lasting side effects or after effects.

When CS Spray has been used and any subject(s) have been restrained, priority must be given to their Aftercare. This is of the utmost importance not only for those whom the use of spray was intended, but for all that have been affected including Police Officers.

Once an officer has established control by using the incapacitant spray and the person they used it on is correctly restrained, they should follow these procedures: -

- Give reassurance that the effect of the spray is temporary;
- Instruct the person to breathe normally. This will aid recovery and prevent hyperventilation;
- Remove the person sprayed to an uncontaminated area where they can be exposed to cool, fresh air. This will permit the particles to be blown off the body. Exposure to cool, fresh air will normally result in recovery from significant symptoms within 15 minutes;
- Advise the person not to rub their eyes or face, as this will worsen their condition;
- Discourage the person from applying water to the eyes. It may provide some relief but may worsen the long-term recovery;
- If reactions persist beyond 15 minutes the use of copious amounts of cool tap water may be used to flush remaining CS from the face. Irrigation of the eyes should only be undertaken by an FME/Police Surgeon or other specified trained medical personnel. Attempting to irrigate the eyes at an earlier stage when they are being forced closed by the effect of the spray would be futile. Under no circumstances should warm water be used. The use of so-called CS 'antidote' or 'neutralising' agents has been examined and is not recommended. In some cases the use of these can prove harmful;
- If any adverse reactions are observed, immediate medical assistance should be obtained. It is essential that the subject's breathing be monitored. If the subject is having difficulty resuming normal breathing the provision of medical assistance must be given precedence over conveying the subject to a police station. **In such cases the subject must be taken directly to a hospital;**
- Ensure that restraint methods used and the position the person is placed in does not adversely affect breathing. Prisoners must not be left in or transported in a prone (face down) position.

The subject should be carefully monitored from the time of arrest, during transportation and whilst in custody until the effect of the incapacitant has worn off. This is especially important in monitoring the recovery of subjects who are obese or are known to be under the influence of drugs and/or alcohol. It is also important to pay particular attention to persons on whom the spray appears to be ineffective and those exhibiting bizarre/violent behaviour or experiencing breathing difficulties;

- Prisoners who have been exposed to CS Spray will be regarded as Special Risk Prisoners and must be monitored continually throughout their period in police custody in accordance with instructions, i.e. 15-minute checks. These checks must be recorded on their custody record; and
- All persons who have been sprayed with CS Spray and in custody must be assessed by the on call FME/Police Surgeon. It is at the discretion of the FME/Police Surgeon whether the custody requires any further examination. It is the duty of the Custody Sergeant to inform the FME/Police Surgeon of a person who has been sprayed with CS Incapacitant Spray.

### **Notification and Transportation**

When CS Incapacitant Spray has been used, Command and Control must be notified as soon as possible in order that appropriate transport can be arranged and that Police Officers and Police Staff employed to deal with custodies are forewarned.

Unless there are exceptional circumstances, custodies/detainees will only be transported in General Purpose vans and at all times be accompanied by at least one other officer, in addition to the driver. Under no circumstances will the driver convey a sprayed person whilst unaccompanied. The use of vans will ensure easier and quicker decontamination than in the close confines, and material construction of seats, in a car.

All arrested or detained persons who have been sprayed with CS will only be taken to Police Stations where there is 24-hour cover. This is to ensure that there are sufficient resources to conduct the checks required for a Special Risk Prisoner.

### **Cross Contamination Control Measures**

Where subjects are brought to a Police Station they should be fully decontaminated before entering.

If the clothing worn by the subject is contaminated they should be provided with a paper suit and their contaminated clothing sealed in polythene bags to prevent any further risk of cross contamination.

Officers and Staff who may come into contact with CS contaminated persons, clothing or other property should wear gloves and utilise other appropriate equipment such as the Ampel Probes to reduce the risks of cross contamination.

### **Custody/Detention**

All persons arrested or detained who have been sprayed with CS will be regarded as Special Risk Prisoners and the Notification of Special Risk Form will be completed.

In the event of such a prisoner being taken to prison the Special Risk Form will accompany the prisoner notwithstanding the fact that he/she may no longer be displaying any obvious effect of exposure. This is to alert staff at the prison to the fact that a prisoner has been sprayed and there may still be some slight chance of cross contamination from him/her or any property or clothing that the prison staff may be required to handle. It also confirms any allegation made to prison staff that the prisoner has been sprayed and will ensure appropriate treatment/decontamination should cross contamination occur.

### **Police Surgeon/Forensic Medical Examiner**

On each occasion where a person has been sprayed with CS an FME/Police Surgeon will be contacted. The decision whether or not to attend and examine the affected person rests with the FME/Police Surgeon, even if the affected person has indicated that they don't want to be examined.

### **Guidance/Advice Notices**

All persons who have been sprayed with CS will be given an advice notice when they are released from custody.

Police officers and others suffering from the effects of CS should also be given the same advice notice.

Where CS Spray has been used within a building the owner/occupier will be issued with an advice notice regarding decontamination procedures.

A guidance notice is also available for custody officers that will be displayed prominently in Custody areas.

### **Decontamination of Affected Areas**

In general CS Spray should not be used in closed or confined spaces, but in the interests of officer safety such use cannot be discounted where it can be justified.

Should CS Spray be deployed in buildings, shops or other premises, the owners/occupants must be advised of the decontamination process as follows:

- A well-ventilated room will normally clear of CS Spray within 45 minutes. To enhance decontamination, windows and doors should be left open during this period;
- Contaminated surfaces should be washed with a detergent or hot soapy water and then thoroughly rinsed to remove CS residue (it is advisable that rubber gloves be worn during the procedure);
- Contaminated clothing should be aired on a washing line, allowing any remaining CS particles to be blown off. The clothing should then be thoroughly washed, separately from other items, before being worn again;
- If the effects have not dissipated within one-hour owners/occupants should be advised to seek further advice from the police. An information notice to owner/occupier of premises where CS spray has been used must be left at the locus (see Appendix 3); and

- In shop premises, if it is suspected that any product or other article has been contaminated, it is advised that the produce be removed from display and shop policy referred to, regarding cleaning/ destruction of contaminated goods. Generally foodstuffs, unless sealed in packaging, should be destroyed.

### **Used CS Incapacitant Spray Canisters**

Once a CS Spray canister has been used, even partially, it will be withdrawn from use and replaced, even if it has not been fully emptied.

The procedure for recording, packaging and returning used canisters varies nationally and as such users should refer to the relevant geographical appendix.

### **Issue and Storage - General**

**This section contains general information in relation to the issue and storage of CS Spray. The content herein is standardised across Scotland. For specific guidance relevant to the users local area reference should be made to the geographical appendices.**

CS Spray contains the solvent MIBK, which is flammable. It is essential therefore that every care be taken to ensure that the spray is not used on or near naked flames. This also requires care to be taken over the storage of sprays when not being carried.

Each officer will have responsibility for the security of their issued spray. The area used for the storage of CS Spray must be clearly marked.

Containers should be stored in dry, well-ventilated areas and should not be exposed to direct light or near any open flame. Storage areas must be kept away from public view. Sprays should be stored in the approved storage cabinets held at all Police locations. Storage facilities that contain CS spray should be secured at all times. The key for said cabinet or Airwave locker must kept in a separate lockfast facility.

Smoking is already prohibited in Police Offices and vehicles. Officers are advised not to smoke or to carry lit smoking materials when carrying CS Incapacitant Spray.

A small stock of CS Canisters will be held at offices to replace those used or withdrawn from issue.

Every canister of CS Spray has a unique serial number and will be issued to individual officers against production of their Authorisation Card and signature in the Daily Control Log.

The issue and return of CS canisters will be strictly managed and recorded. Supervisors, authorised in use, will be responsible for ensuring that there is strict control on the upkeep of records.

Occasions may arise where an officer terminates duty at a Police Station other than where they commenced duty and were issued with CS Spray. On such occasions officers may temporarily lodge their CS Spray at the station their duty terminated.

Any officer utilising this facility will ensure that this fact is recorded in the appropriate Temporary Storage Log of the Station where duty was terminated and cross-referenced in the Daily Control Log of the Police Station where the CS Spray canister was initially issued. All sprays temporarily lodged at Stations must be returned to the Station of issue prior to that officer's next tour of duty, and logs endorsed accordingly. This practice must be kept to an absolute minimum. The Temporary Storage Log/Facility could also be used where officers are temporarily lodging their CS canister at another station for another reason, e.g. attending a training course or directed not to carry by a supervisory officer.

### **Situations where carrying of CS Incapacitant Spray may not be appropriate**

The following list is not exhaustive, but is given as examples where the carrying of CS Spray may not be appropriate. There are examples, such as Aircraft, where the carriage of CS is prohibited and examples where the carriage of CS Spray would have to be assessed, when authority not to carry must be sought or given by a supervisory officer. Any such authority must be documented either in the respective officers notebooks or included in an operational order.

#### **Aircraft (Prisoner Escort)**

Under no circumstances will CS Spray be carried/used on aircraft. Due to the nature of air-conditioning systems on aircraft, any activation of the spray would be carried throughout the plane and into the cockpit with the possibility of affecting all aboard.

#### **Other Modes of Transport e.g. Vehicles, Trains etc**

Use of CS Spray within the confines of a vehicle is inadvisable, due to the potential for the driver/operator being exposed to the effects of CS and the consequences that might entail in respect of road safety

#### **Training Courses**

Officers will not carry CS Spray when attending any training course whether locally or not unless specified otherwise.

#### **School Visits**

Officers undertaking School Liaison visits or similar duties should seek guidance from their supervisor as to whether they carry CS Spray into these environments.

If officers find themselves in such an environment whilst carrying CS Spray the responsibility for security of the CS Spray remains with the individual officer. They must be vigilant and act in accordance with training.

#### **Court Attendance**

Officers attending court either as witnesses or to transport or supervise prisoners will carry CS Spray. The specific guidance given below in relation to the use of CS Spray in cells and confined spaces should be adhered to.

Escorting officers must also make themselves familiar with the protocols agreed for attendance at prison establishments.

### **Prisoner Escort**

Officers may carry CS Spray whilst escorting prisoners to or from prisons or when attending at a prison for any other reason. On arrival at any prison, police officers should immediately notify prison staff that they are in possession of CS Spray in order that appropriate arrangements can be made for the secure storage of the spray.

Agreement has been reached with the Scottish Prison Service to put into place arrangements for the reception at prisons of officers in possession of CS Spray.

Officers attending at prisons will be given access to a secure cabinet within the vehicle lock in order to store their canisters. Prison staff will not handle CS Sprays.

CS Spray will not be carried within the confines of the prison.

The CS Spray will be returned/uplifted by the Police Officers on their subsequent visit to the vehicle lock, prior to exit.

### **Cell Areas**

Careful consideration should be given by officers to the use of CS Spray within cell areas. It must be recognised that CS Spray is a defensive as opposed to offensive item of equipment and unless a significant or direct threat of harm is being posed to an officer the use of alternative means of control may be more appropriate.

If it is considered necessary to resort to the use of CS Spray within cell areas, a risk assessment must be undertaken. Officers must take into account such factors as the known medical history of the person who is to be subjected to CS, and the potential effects on other prisoners. Use in cell areas is only to be considered as a last resort.

If CS Spray is used within cell areas the Custody Sergeant will arrange the decontamination of the person sprayed, the subsequent ventilation of the cell area and instruct a check to be conducted to ascertain if any other prisoner has been affected by the discharge of CS.

The circumstances surrounding any discharge of CS Spray within a cell area will be subject to thorough investigation.

### **Crowded Areas**

The use of CS Incapacitant Spray in situations where large numbers of the public are present is inadvisable and has the potential to cause panic.

Officers should be very aware of the dangers of the use of CS in such circumstances and must only use the Spray in accordance with their training, in proportion to the threat that they are facing.

## **Confined Areas**

The use of CS Spray in such situations is inadvisable but will not be forbidden. Officers must be aware of the possibility of cross contamination to other persons and contamination of the immediate area, again the spray must only be used in proportion to the threat that is facing the officers.

## **Football Matches/Major Events**

Officers detailed to attend football matches or other major events are required to carry CS Spray.

The Police Event Commander, having conducted a risk assessment, may direct specific officers not to carry CS Spray within the confines of the event, however any such authority must be documented and form a specific part of the briefing for the event.

**The content of the preceding paragraphs relating to Confined and Crowded areas must be taken into consideration by all officers concerned.**

## **Station CS Canister Log**

There is a Master Copy form used to record all CS Spray Canisters held at a Police Station, and to account for their storage.

The individual serial numbers and expiry dates of the canisters must be noted and recorded against the name, rank and number of the officer (including Special Constables) to whom it was issued.

Spare canisters must also be recorded on this Log.

It should be used to record future movement of any canisters. This may include used or damaged canisters sent for disposal or the transfer of an officer to another station.

This log forms the Master Copy to account for all CS Spray canisters held at stations.

## **CS Daily Control Log**

This will be used to record the daily issue and return of canisters used by personnel in that station and to cross reference with any canisters lodged temporarily at another station due to an officer terminating duty at that other station.

## **CS Temporary Storage Log**

This will be used to record canisters temporarily lodged at that station. This may include officers lodging their CS Spray prior to attending as a witness at Court or an officer terminating duty at a station other than where he/she commenced duty. In such an instance a cross-reference must be made on the Daily Control Log at that officer's normal place of duty.

## TARGET AREAS

The use of the baton is closely related to the officer's ability to identify a target of choice with reference to the possible injury potential to any subject's body. A system of identifying injury potential to various parts of the body has been developed and has been divided into two sections.

- **Primary Areas:** Minimum level of injury potential.
- **Secondary Areas:** Moderate to Highest level of injury potential.

Where an officer uses force to gain control of a subject, consideration must be given to minimise the injury to that person. Using profiled offender behaviour and impact factors, an officer will use the amount of force that they perceive is necessary to establish control of the subject. To this end, the *Escalation of Trauma Chart* denotes Primary and Secondary target areas to allow officers to respond appropriately to varying levels of threat.

**Primary Targets:** These can be described as areas where the force used is not intended or likely to cause serious injury. Any resultant injury tends to be temporary rather than permanent but exceptions could occur.

Target Areas; Instep, collarbone, shoulder upper arm, forearm, buttock, thigh, knee joint, shin, calf, shoulder blades, Achilles tendon, wrist, elbow joint, hand.

**Secondary Targets:** These can be described as areas' of the body where there is a greater likelihood of lasting trauma or danger to life.

Target Areas; Temple, ears, eyes, bridge of nose, upper lip, jaw, throat, abdomen, solar plexus, groin, rear of neck, hollow behind the ear, kidney, tail bone, spine.

Escalation of Trauma Chart

