## 29-02 Use of Force Continuum

Use of Force Continuum is a series of closely linked and escalating or de-escalating options of force to be considered by an officer.

2. Appropriate level of force is dependent upon the level of resistance of the subject, the officer's perception of the threat and the officer's own abilities. Bearing in mind the principle that only the minimum force necessary to achieve the purpose may be used, an officer may enter the continuum at any level. In order to exercise control, an officer will be justified to use a level of force greater than that being offered by the subject.

3. The different levels of resistance, the corresponding levels of control, and examples of reasonable measures that can be considered by an officer are as follows:

<table>
<thead>
<tr>
<th>Levels of Resistance</th>
<th>Definitions</th>
<th>Levels of control</th>
<th>Methods Suggested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psychological intimidation</td>
<td>Non-verbal manner indicating attitude, readiness or threat</td>
<td>Verbal advice/ Control.</td>
<td>Officer presence/ Erection of barriers/ Verbal direction.</td>
</tr>
<tr>
<td>Verbal non-compliance</td>
<td>Verbal response showing unwillingness, abuse or threats</td>
<td>Verbal advice/ Control.</td>
<td>Officer presence/ Erection of barriers/ Verbal direction/ Reinforcement.</td>
</tr>
<tr>
<td>Passive Resistance</td>
<td>Physical inaction designed to obstruct but not threaten</td>
<td>Soft Restraint Control.</td>
<td>Remove by 2 or 4 officers/ Soft Empty Hand Techniques (Pressure points control/Escort position/Transport wrist lock)/ Quick cuffing.</td>
</tr>
<tr>
<td>Defensive Resistance</td>
<td>Physical action intended to prevent control, might cause injury to oneself or others</td>
<td>Hard Restraint Control.</td>
<td>OC Foam/ Hard Empty Hand Techniques (Palm heel strike/ Stunning/Knee strike/Front kick/Angle kick)/ Straight arm bar takedown/ Transport wrist lock takedown/Iron wristlock takedown.</td>
</tr>
</tbody>
</table>
### Force Procedures Manual - Chapter 29

**Use of Force and Firearms**

<table>
<thead>
<tr>
<th>Active Aggression</th>
<th>Physical Assault Not Intended to Cause Serious Bodily Injury</th>
<th>(i) Hard Restraint Control or (ii) Intermediate Weapons</th>
<th>OC Foam/Hard Empty Hand Techniques (Palm Heel Strike/Stunning/Knee Strike/Front Kick/Angle Kick)/Straight Arm Bar Takedown/Transport Wrist Lock Takedown/Iron Wristlock Takedown</th>
<th>Use of Baton</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Deadly Force Assault</th>
<th>Assaults Intended to Cause Death or Serious Bodily Injury</th>
<th>Deadly Force</th>
<th>Use of Firearm</th>
</tr>
</thead>
</table>

4. The above considerations are provided for reference only. Officers on the ground should exercise their own discretion to determine what level of force is justified in a given situation and officers will be accountable for their own actions.

5. ISM 1-13 is relevant regarding the Continuum of Force in an I.S. situation.

6. Use of force continuum in a maritime context shall be in accordance with orders issued by the RC Marine.

7. Use of force continuum for police patrol dogs shall be in accordance with CIP PDU’s Standing Instruction No.4/2015 ‘Police Patrol Dog in “Use of Force Continuum”.

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#### 29-05 Police Open Fire (POF) - Reporting and Investigation

**Related Orders and Procedures**

<table>
<thead>
<tr>
<th>Subject</th>
<th>Chapter</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of Force</td>
<td>PGO 29</td>
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<tr>
<td>Use of Force Continuum</td>
<td>FPM 29</td>
<td>02</td>
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<td>Use of Police Firearms</td>
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<tr>
<td>Mandatory Interview and Post Critical</td>
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</tr>
<tr>
<td>Incident Psychological Debriefing</td>
<td>FPM 11</td>
<td>21</td>
</tr>
</tbody>
</table>
Submission of Initial Report and MIR

The Initial Report to be submitted to D OPS within 48 hours of an incident will be in the following format:-

Reference:  
Station:  
On ........ (day, date, time, place) .........., (the police officer who opened fire) of (police station/Formation) discharged a police firearm, namely (type and serial number) resulting in (summarize injuries, damage caused, and arrests made).

(2) The facts of the incident as known at present are:-

(3) Were other police officers in the vicinity?

(4) Details of independent witnesses:

(5) (To be completed by the Superintendent directing the investigation personally within 48 hours)

(a) From your enquiries so far, do you consider the use of the firearm was in accordance with Force Orders; and

(b) State your reasons for the above decision and any other relevant points you wish to make based on enquiries so far.

(6) Name, rank, post and office contact telephone number of the officer detailed to complete the investigation.

Signed : 

Rank : 

Formation : 

Date : 

c.c.  
RC  
DC  
Formation Commander of the officer who opened fire  
ACP SUP (Attn: SP FLD)
2. The MIR will be submitted according to the schedule detailed at PGO 29-05 paragraphs 7-10. Following examination by D OPS, the MIR will be returned to the RC with directions on additional action to be taken, if any. On completion of action taken, the MIR is to be sent to CRB through SP WTDIV for filing. The officer involved in the POF will be informed of the result of the investigation as soon as possible.

3. If, at any time prior to the expiry of the deadlines detailed in PGO 29-05, it appears that a delay may be incurred an officer may apply to the next senior officer (copying his/her request to D OPS) for an extension. An Interim Report may be called for in these circumstances.

Investigation Procedures

4. As far as possible one statement is to be taken from the officer or officers who opened fire to cover both the crime and POF aspects. Statements are to be recorded in an environment conducive to the officers being interviewed bearing in mind that such incidents often have a traumatic affect on the officers involved and that statements may be disclosed to the defence in any related court case. Therefore such statements should only be recorded when they can be fully and accurately taken.

5. To assist in this and to enable SP WTDIV to analyse each POF case the "Checklist" detailed at Annex A of 'An Aide Memoire for Investigating Officers' issued by D OPS (Support Wing) will be included as an enclosure in the MIR. One checklist is to be completed for each officer who opened fire.

6. The MIR shall deal solely with the discharge of police firearms. Any criminal matter or judicial process arising from the same incident shall be investigated as an entirely separate issue. Officers responsible for compiling or commenting on the POF MIR shall ensure that:-

   (a) the circumstances leading up to the use of the firearm are fully investigated and documented, and all discrepancies and ambiguities clarified;

   (b) where appropriate, details of intelligence known or briefing(s) given to the officers involved are included;

   (c) any apparent gaps in training, equipment, preparation, tactics employed or flaws in existing orders or procedures are highlighted; and

   (d) any recommendations which would assist in ensuring mistakes are not repeated and, more importantly, that other officers are not exposed to risk are included.

7. The decision to place an officer on duties which do not involve contact with firearms shall rest with the officer's Formation Commander after consultation with the DVC in whose area the incident took place, if appropriate.
Police Open Fire Cases

An Aide Memoire for Investigating Officers

This Aide-Memoire has been prepared as a result of concern at the inconsistent standards of MIRs on P.O.F. being forwarded by formations. It is hoped that the guidelines will be useful as a reference for investigating officers. It is not intended that the whole applies in each case, common sense should prevail when selecting material.

Introduction

2. The need for thorough, balanced and open-minded investigation of all POF incidents cannot be over emphasised. The Commissioner attaches great importance to the investigation of POF cases and the ability of the Force to show that every case is meticulously and impartially examined. MIRs are compiled at District, Regional and Force levels and are subject to the most detailed scrutiny at senior levels, receiving the personal attention of the Deputy Commissioner of Police Operations. In cases where death has occurred, all the facts will be presented to a Coroner's court. No effort must be spared in conducting the investigation and conclusions reached must be supported by facts. Investigating officers should realise that the investigation of the open fire aspect is entirely separate from any criminal investigation that may be conducted.

Procedures for Investigation

3. Procedures for investigation are outlined in PGO and FPM 29-05. Guidelines for the compilation of MIRs are contained in FPM 21-26/27 and Chapter 10-02 to 10-04 of the Police Manual.

Investigation Officer

4. The level and rank of investigation officers is determined by PGO 29-05. Whilst this order is straightforward it is important to ensure, particularly in cases where injury or death is involved, that the officer appointed to conduct the investigation is of appropriate experience.

Objectives

5. The primary objective of a POF investigation is to establish if under the circumstances the use of the firearm was in accordance with Force Orders. This decision is taken by D OPS based upon the recommendations of the investigating officer, the DC and RC. This manifests itself as a clinical examination over a period of a few weeks, of what happened, probably in seconds. In this respect, investigating officers should be aware that the decision to open fire is made in a split second as opposed to the detailed investigation procedures which usually take a great deal more time.
The Use of Force

6. The use of police firearms is generally prescribed in PGO 29-03 and subject to the principles of the use of force in PGO 29-01. These are legal requirements with the only definitive ruling being one from a Court of law. Consequently, whenever a case is pending a hearing in Court (civil or criminal), the formal police decision on whether the shooting is in accordance with Force Orders or not normally waits until legal proceedings have finished. This delay is frustrating but beyond police control.

7. In order to substantiate your findings it is essential that the following points be continually kept in mind -

   (a) it was the minimum degree of force necessary to achieve the purpose and ceased once that objective was achieved; and

   (b) the use of that degree of force was reasonable in the circumstances.

8. In the main (a) presents few difficulties. However, as 'reasonable in the circumstances' is a more subjective evaluation it has to be carefully considered. The circumstances leading up to the open fire are important including any briefings given to the officer and his/her own observations. This will give a clear indication of what is going through the officers' mind and how he/she saw the incident developing. It is as a result of what he/she sees, hears and forms an opinion about that he/she may resort to the use of his/her firearm. The term 'reasonable in the circumstances' includes an element of proportionality in that the force used should be proportional to the danger or genuinely perceived danger confronted.

Shooting to Wound

9. Officers have stated that they fired at the hands, arms or legs of their targets. This is a humanitarian consideration that is confused with "minimum force". Having passed the threshold at which recourse to firearms becomes necessary, this surely avoids inflicting no more injury than is required to subdue an adversary. A person shot in the lower limb or arm could still pose a risk, or present a greater risk or threat to others including police. It is probable that many officers believe that they may be subject to criticism if they say they fired at the body. An officer who open fire in accordance with Force Orders is justified in shooting at the centre of the largest body mass visible. Current firearms training follows this principle.

Shooting in Crowded Areas

10. A police officer who opens fire in a crowded area could put innocent bystanders at risk. This type of incident needs careful evaluation. Current training is to exercise restraint and avoid injuring bystanders. Where there is a possible risk of hitting someone else the firearm should not be used. The officer opening fire should have a clear unobstructed view of his/her target but also consider the dangers of ricochet or wrong targeting.
Shooting at Vehicles

11. A police officer fires at a specific target, a person, and not the vehicle. Firing at a vehicle is difficult with regard to achieving the legitimate objective and could result in an increased risk of injury if the vehicle continues out of control e.g. driver shot. More often than not officers fire at vehicles to protect themselves from being hit - this begs the question whether or not the officer has put himself/herself into that position in the first place and, consequently, whether or not the subsequent open fire was strictly necessary.

Suicides

12. The use of police firearms to commit or attempt suicide is clearly not in accordance with Force orders. However, the formal classification does not need to be given. An MIR examining the POF aspect is generally unnecessary. Instructions can be found at PGO 29-05, paragraph 2.

Drawing/Presenting Firearms

13. The drawing or presenting of a firearm is governed by PGO 29-04. In each case the DVC shall look into the circumstances and only if there are indications that the action is improper will an MIR be compiled. Statements are not required and the DVC may consider verbal debriefings adequate.

Statement

14. Statements in POF investigations fall into four categories, namely:-

(a) those from officers who have opened fire;

(b) those from police officers and civilians who have actually witnessed the incident;

(c) those from specialist witnesses involved after the event such as ballistics officers, chemists, pathologists and doctors; and

(d) on occasions, those from persons suspected of involvement in crime. For example relevant cautioned statements.
15. When a statement is to be taken from an officer who has opened fire, a common sense approach must be adopted. Care must be taken to ensure that statements of the officer who opened fire and principal witnesses are taken by an officer of appropriate rank and experience. It is pointless to attempt to take a detailed statement in the immediate aftermath of an incident. The officer who has opened fire is almost certain to be under great stress and probably in a state of shock. All officers who have opened fire, even those who appear outwardly calm, should be given an opportunity to calm down and consider what has occurred.

16. On occasions, the statements of officers who were justified in opening fire show a reluctance to admit to facts that are consistent with medical, ballistics and witnesses evidence. It is quite understandable that an officer will be apprehensive and in fear of criticism or more serious consequences of his/her open fire. A pre-statement interview with an officer who opened fire is most important to ensure that the officer who opened fire makes a statement that is true and consistent with the other evidence. Officers who have sustained injury, regardless of how slight or superficial, must be sent for medical treatment first.

17. It is appreciated that investigating officers are working under the pressure of deadlines to produce reports. However, in the majority of cases it is possible to garner a reasonable account of what has happened from statements of witnesses and an interview with officer(s) who opened fire. Details of the interview should be recorded.

Statement Content

18. Statements must be comprehensive and contain any material which may be useful in providing an overall picture and better understanding of what has occurred.

Checklist

19. Investigating officers will find that the items covered in the 'Checklist' attached to this Aide Memoire, which is to be included in each MIR, contains many pertinent points to be covered for both criminal investigation and POF purposes. One 'Checklist' is to be completed for each officer who opened fire.

Statements from Officers who have Opened Fire

20. Statements from these officers should contain details of the following:

(a) what the officer saw and heard;

(b) the sequence of events leading up to the incident;

(c) why and at what stage the revolver was drawn;

(d) verbal warnings given prior to the open fire;
(e) how many rounds were fired;
(f) reason for opening fire for each shot;
(g) distances involved and positions of participants;
(h) available cover (if relevant);
(i) obstructions e.g. passersby, vehicles, lamp posts etc.;
(j) lighting, visibility and weather conditions;
(k) point of aim (all officers should be aware that it is part of their training to open fire at centre body mass and not at extremities); and
(l) any action taken immediately after the incident which is directly relevant to the open fire.

21. The statement should clearly reflect the state of mind of the officer before, at the time and after he/she opened fire. Additionally, if the incident resulted from a pre-planned operation, what briefing and instructions were given. These last points are important and frequently overlooked.

**Statements from Police and Other Eye Witnesses to the Incident**

22. Statements from these witnesses should contain:-

(a) the sequence of events leading up to the incident, the incident itself and, if relevant to the open fire;
(b) verbal warnings heard;
(c) anything seen or heard relevant to the incident;
(d) lighting, visibility and weather conditions;
(e) pedestrian and/or vehicular traffic;
(f) distances; and
(g) vantage points, positions.

23. Eye witness accounts are often fragmentary with the witness having seen only part of the incident. Investigating officers should check the full sequence of events before concluding what the witness has, in fact, seen.
Statements from Specialist Witnesses after the Incident

24. Statements of Ballistics Officers, Chemists, Pathologists and other experts are normally self-written. However, if conclusions or opinions can be drawn based on the witnesses' expertise or experience, then these should be contained in the statement.

Questions

25. When the witness has finished his/her statement the recording officer should read through it and decide:

(a) Is it complete to his/her satisfaction?

(b) If there are any errors, ambiguities, inconsistencies or omissions that should be clarified or corrected.

26. Where possible, statements should refer to maps, sketches or photographs of the scene to describe the exact nature of the incident.

Photographs

27. In open fire cases photographs are used to relate, illustrate, present, prove and corroborate facts. They are virtually an indispensable aid in the investigation and subsequent presentation of open fire cases. General guidelines for such photographs are that they should:

(a) be specific to the open fire;

(b) be taken where possible, in the company of the officer who opened fire or an eyewitness to what has occurred;

(c) be taken, where possible, in conditions similar to those prevailing at the time of the incident;

(d) be clearly described on the file; and

(e) be cross referenced to a sketch plan of the scene.

Video Reconstruction

28. In certain circumstances a video reconstruction can be invaluable in giving a clear impression of a sequence of events, particularly to witnesses. However, extreme caution should be exercised in carrying out a video reconstruction if there are related criminal proceedings.
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USE OF FORCE AND FIREARMS

Sketch Plans

29. Sketches should indicate:-

(a) scale;
(b) distances, as accurately as possible;
(c) positions of witnesses and parties to the open fire;
(d) position of exhibits;
(e) position of vehicles, furniture, etc; and
(f) direction of flight/pursuit if applicable.

Post-mortem, Ballistics, Chemists Reports etc

30. Although not always available at the time of MIR compilation, it is often possible to get a verbal indication from the Chemists, Ballistics officers and officers present at the Post mortem as to whether or not the finished reports will contain anything of value to the open fire investigation. Mention of verbal indications in the covering report or associated minutes can often obviate delays in file submission, conclusions being drawn and recommendations/classifications being made. The full reports should be used to draw conclusions where possible by matching exhibits, angles of fire, markings on clothes, gun shot residue tests etc.

Radio Messages

31. In many cases the exact wording of any radio message advising duties of the movements of armed criminals or suspects and specifically what crimes they are believed to have committed is relevant in order to appreciate the state of mind of the officer who confronts the criminals. The need for Radio Discipline has often been remarked on in POF cases and guidelines can be found in D OPS (67) in CP 34/41 Pt.5 dated 19.10.1995.

32. In such cases, transcripts of the relevant messages should be included in the file. Investigating officers should remember that recordings of radio/telephone conversations are only kept for two months by RCCCs before they are erased. If there is a court case where this evidence is required, the original tape should not be erased until after completion of all court action, including any appeal period.
Related Police Action

33. The investigating officer should consider any other relevant aspects, such as whether or not adequate briefings were given to the police officers involved. Additionally consideration should be given to the adherence to correct tactics, training needs and effectiveness of equipment.

Role of Post Shooting Stress Manager (PSM)

34. Investigating officers should be fully aware of the role and responsibilities of the PSM at the very outset of any POF investigation. This role is defined at PGO 29-07 and FPM 11-21.

Compilation of Files

35. Investigation files in open fire cases are to be prepared in accordance with FPM 21-26/27.

Covering Reports

36. The objectives to remember in preparing a covering report are simplicity and clarity. The report should be complete in itself and readily comprehensible without the need to refer to any enclosure in the file.

37. The following headings will cover most of the circumstances arising in open fire investigations:-

   (a) Introductory Matters

   This is general introduction as to how the incident first occurred. It is very important that the officer compiling the report remembers that the objective is to detail the open fire aspects of an incident and not the circumstances of a crime. Details of briefings given and intelligence known at that time are, therefore, important. This information will affect the appreciation of a situation by the officer that opened fire.

   (b) Eyewitness Accounts

   At this point the evidence of officers involved and any other eyewitnesses is included. There is no need to summarise each witness statement and only relevant matters should be raised. Any contradictory statements whether between witnesses or within statements should be noted and mentioned in the report.
(c) Evidence of a Formal Nature

Under this heading include the following subjects:-

(i) Photographs;
(ii) Plans;
(iii) Medical Reports - mention the seriousness of injuries and the condition of victims at the time of writing the report;
(iv) Exhibits List;
(v) Pathologist's Report;
(vi) Chemist's Report; and
(vii) Ballistics Report.

(d) Court Proceedings

It should be remembered that courts often comment on the open fire aspect and this may have an impact on the final classification of the shot(s). As such, the MIR should include reference to any criminal proceedings or Death Inquiry with dates and venues.

(e) Conclusions

Must relate specifically to the open fire aspects of the investigation. The fact that, for example, the person arrested or shot and killed was a habitually violent criminal is of no consequence to the open fire investigation if the facts do not support the decision to open fire. All facts of the case must be considered prior to a conclusion being reached.

(f) Recommendations

These should be firm, thorough and succinct with reasons clearly stated.
Legal Advice - Death Inquests/Civil Litigation

38. Department of Justice have pointed out the need to consult the Police Legal Advisor upon the necessity of the Police officer concerned and the Commissioner of Police being represented at Court. Attention has also been drawn to the need to prevent statements and covering reports from being passed to third parties, however, in all court cases the contents of the POF file should be made available to the prosecutor.

39. When a shooting case is referred to the Coroner or his/her officer it should also be referred to the Police Legal Advisor (PLA) at the Department of Justice. This will allow the PLA to fully consider the circumstances of the case and advise whether or not the Commissioner of Police should be represented by a Government Counsel at the inquest.

40. At the same time, advice may also be given as to whether the officer who opened fire should be legally represented in his/her own interests. Legal representation of the officer who opened fire will normally be by a Counsel outside the Department of Justice appointed by the Director of Legal Aid. This requires approval from the Secretary for the Civil Service, and, as this procedure takes time, an early referral to the PLA will avoid any need to have to apply to the Coroner for an adjournment.

41. Present practice is to provide the Coroner or his/her officer with a copy of all statements taken in connection with a death caused as a result of a Police shooting, as well as a copy of the covering report. This is quite proper and the purpose is to assist the Coroner in deciding which witnesses to call at the death inquest. These statements remain the property of the Commissioner of Police, or at least of the individuals who made them, and should not be released to third parties. In particular, they should not be given to any legal representative of the relatives of the deceased who may subsequently use such statements in civil action against the officer concerned or against the Commissioner of Police. There is legal authority that such statements are police property and to release them to third parties is a breach of confidence and trust.

42. In order to protect both the Commissioner’s and officer’s position, when statements and covering reports are sent to the Coroner, or his/her officer, they should be accompanied by a short note stating that they are provided in confidence for use in conducting the inquest and are not for the use of any other person. The conclusion on a report (i.e. opinion as to whether the police shooting was in accordance with Force Orders or not) has no relevance to the inquiry itself and should be deleted before the report is released.

43. In all cases where a report is sent to the Coroner in connection with an inquest, the investigation file shall contain a statement from the Superintendent, Weapons Training stating: the Force policy on weapons training; the policy on use of firearms; and, the principles of the ‘Use of Force Continuum’.  

5/03
Advice/Guidance

44. Finally, if advice or guidance on the compilation of the MIR is needed, the following officers should be contacted:-

(a) the respective formation commander;
(b) SP Field Support (2860 2541); and
(c) SIP Field 2 Support (2860 2163).

29-08 Use of Baton

A baton is not to be issued to or used by an officer unless he/she has been trained in its use. An officer is considered to be trained if he/she has been trained in the use of the baton by any of the following means with PICS II record entered:-

(a) trained at PTU;
(b) trained by EU weapons and tactics training teams; and
(c) trained by qualified baton training instructors.

2. All officers trained in the use of the baton as defined in paragraph 1, up to and including the rank of Chief Inspector, will carry a baton on duty. The following officers are not required to carry a baton on duty unless directed to do so by their Formation Commanders:-

(a) officers on indoor duties, except cell guard,
(b) UB officers in plainclothes, and
(c) traffic, marine and crime officers.

3. Batons will be retained in police armouries and may be issued for training purposes. The extendible batons should not be carried in such a manner that restricts the carriage and drawing of a firearm.
4. Use of Baton Report Format

Following any incident in which a baton is used to strike a person either intentionally or accidentally, the Formation Commander or officer-in-charge of the Unit shall submit an Initial Report to his/her Major Formation Commander and copy to ACP SUP (Attn: SP Field Support) in the following format:-

**Initial Report for Use of Extendible Baton**

<table>
<thead>
<tr>
<th>Formation:</th>
<th>Reference No.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Incident:</td>
<td>Time of Incident:</td>
</tr>
<tr>
<td>Place of Incident:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer using Baton</th>
<th>Injuries / Fatalities</th>
<th>Number of Hit</th>
<th>Area of Hit</th>
<th>Brief Facts of the case</th>
<th>Classification</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e.g. PC 12345 CHAN Tain-man)</td>
<td>(e.g. bruise on left forearm)</td>
<td>(e.g. one)</td>
<td>(e.g. left forearm)</td>
<td>(e.g. justified)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature: ________________________________
Rank / Name: ________________________________
Post: ________________________________

C.c. ACP SUP (Attn: SP Field Support) (Fax No: 2200 4329)

**29-09 Use of OC Foam**

OC Foam is not to be issued to or used by an officer unless he/she has been trained in its use. An officer is considered to be trained if he/she has been trained in the use of OC Foam by any of the following means with PICS II record entered:

(a) trained at PTU;

(b) trained by EU weapons and tactics training teams; and

(c) trained by qualified firearms instructors.
2. All officers trained in the use of OC Foam as defined in paragraph 1, up to and including the rank of Chief Inspector, will carry an OC Foam on duty. The following officers are not required to carry OC Foam on duty unless directed to do so by their Formation Commanders:

(a) officers on indoor duties, except cell guard,
(b) UB officers in plainclothes, and
(c) traffic, marine and crime officers.

3. OC Foams will be retained in police armouries and may be issued for training purposes. OC Foams should not be carried in such a manner that restricts the carriage and drawing of a firearm.


On each occasion that OC Foam is discharged, the Formation Commander or officer-in-charge of the unit shall submit an Initial Report to his/her Major Formation Commander and copy to ACP SUP (Attn: SP Field Support) in the following format:-

**Initial Report for Use of OC Foam**

<table>
<thead>
<tr>
<th>Formation :</th>
<th>Reference No. :</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Incident :</td>
<td>Time of Incident :</td>
</tr>
<tr>
<td>Place of Incident :</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer using OC Foam</th>
<th>Number of Burst</th>
<th>Effectiveness</th>
<th>Brief Facts of the case</th>
<th>Classification</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e.g. PC 12345 CHAN Tai-man)</td>
<td>(e.g. one round)</td>
<td></td>
<td>(e.g. justified)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature :
Rank / Name :
Post :
c.c. ACP SUP (Attn: SP Field Support) (Fax No: 2200 4329)
29-10  Use of C.S. Chemical Agent

Ammunition containing C.S. chemical agent will only be issued from a police armoury in the following circumstances:-

(a) for training purposes;
(b) to PTU Companies;
(c) to other I.S. Units upon mobilization;
(d) to EU patrol cars;
(e) to police officers trained in their use on the authority of Formation Commanders for:-
   (i) special operations, and
   (ii) station defence.
(f) to Marine Police craft in accordance with orders issued by the RC Marine.

2. Use of C.S. Chemical Agent Report Format

On each occasion that C.S. chemical agent is discharged, the Formation Commander or officer-in-charge of the unit shall submit an Initial Report to his/her Major Formation Commander and copy to ACP SUP (Attn: SP Field Support) in the following format:

**Initial Report for Use of C.S. Chemical Agent**

<table>
<thead>
<tr>
<th>Formation :</th>
<th>Reference No. :</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Incident :</td>
<td>Time of Incident :</td>
</tr>
<tr>
<td>Place of Incident :</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer using C.S. Chemical Agent</th>
<th>Type of C.S. Chemical Agent</th>
<th>Number of Unit</th>
<th>Effectiveness</th>
<th>Brief Facts of the case</th>
<th>Classification</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e.g. PC 12345 CHAN Tai-man)</td>
<td>(e.g. C.S. grenade)</td>
<td>(e.g. one unit)</td>
<td></td>
<td></td>
<td></td>
<td>(e.g. justified)</td>
</tr>
</tbody>
</table>

Signature : ____________________________________________

Rank / Name : ____________________________________________

Post : ____________________________________________

c.c. ACP SUP (Attn: SP Field Support) (Fax No: 2200 4329)
29-14 Examination by Forensic Firearms Examination Division (FFED)

As soon as practicable after an officer has discharged a firearm, the reserve FFED officer must be consulted through RCCC as to whether he/she considers a scene examination necessary. If the FFED officer considers unnecessary to conduct a scene examination, he/she will give instructions to OC Case to make safe the firearm and unload it. Under no other circumstances is the firearm to be cleaned or tampered with before it is delivered at the earliest opportunity to FFED for examination. FFED may consult the Senior Force Armourer if necessary. A copy of FFED's (Senior Force Armourer) report shall be filed in the MIR with a copy forwarded to D OPS (ACP SUP).

29-15 Force Committee on Firearms Policy

The Force Committee on Firearms Policy (FCFP) should meet as and when necessary.

2. The terms of reference and composition of the committee are set out as follows:-

(a) review the effectiveness, reliability and quality of existing arms and ammunition and related equipment issued to the Force;

(b) consider all suggestions from Formations or Committee members for changes, or improvement in arms and related equipment;

(c) review tactics and the tactical use of firearms in an anti-crime role; to identify faults or improvements in tactics, training, or police procedures and make recommendations to the appropriate policy branch commander;

(d) decide questions concerning minor changes to arms and ammunition, tactics and the tactical use of firearms, which do not alter the degrees of force available to Police or, are within existing policy;

(e) consider and make recommendations to the Commissioner of Police on suggestions involving major changes in arms and ammunition, tactics, the tactical use of firearms, and relevant police procedures or firearms policy;

(f) co-opt specialist officers to advise on technical matters where necessary and invite representatives of formations to be present to assist the committee when necessary; and

(g) establish ad hoc working groups as it sees fit to examine individual suggestions, problems and procedures arising from these terms of reference.
3. The committee shall not consider matters as they apply to SDU, WPU, CIB ‘D’ Division, Security Wing, ASU, CTRU or the Internal Security Manual.

4. The committee will comprise:-

Chairman : Director of Operations

Members : DRC's HKI, KW, KE, NTN, NTS and MAR

Commandants PTU or their deputies

Crime Wing representative

Ops Wing representative

SP WT

Secretary : SP Field, Support Wing

5. Formations wishing to make requests or suggestions for consideration by the committee must refer the matter to the Secretary of the committee through their Major Formation Commander. The D Ops will decide if the matter warrants consideration by the committee.

29-16 Working Group on Firearms Tactics to the Force Committee on Firearms Policy

The Working Group on Firearms Tactics to the Force Committee on Firearms Policy shall meet as and when necessary.

2. The working group will provide a forum for the examination of all aspects of firearm tactics. Following examination, recommendations shall be forwarded by the Working Group to the FCFP.

3. The working group shall meet regularly and shall:-

(a) report to and advise the FCFP on firearm related tactics;

(b) review current tactics to identify current faults, omissions and suggest improvements in training and procedures;

(c) suggest any changes and improvements in arms and equipment identified as a result of paragraph 3(b) or as identified by the working group;

(d) co-opt and specialist officers or those with relevant experience to the working group as required; and

(e) suggest areas of policy guidance required to the FCFP.
4. The working group shall not consider matters as they apply to SDU, WPU, CIB 'D' Division, Security Wing, ASU, CTRU or the Internal Security Manual.

5. The working group will comprise:-

Chairman : DC PTU
Members : SSP FTC (one representative) 02/06
         SP WT 02/06
         SP SUP FTC 02/06
         SP EU (one representative)
         Crime Wing representative
         Marine Region representative
         AUX HQ representative
         CIP Support PTU

Secretary : EO PTU

6. Formations wishing to make requests or suggestions for consideration by the working group must refer the matter to DC PTU through their Major Formation Commander. The Chairman in consultation with the Force Committee on Firearms Policy, when appropriate, will decide if the matter warrants consideration by the working group.

29-17 Deployment of Tyre Traps

A tyre trap is not to be deployed by an officer unless he/she has been trained. An officer is considered to be trained if he/she has been trained in the deployment of tyre traps by any of the following means with PICS II record entered:-

(a) trained at PTU;
(b) trained at the Hong Kong Police College;
(c) trained by qualified tyre trap training instructors.

2. Training on the deployment of tyre traps shall be ‘type specific’; officers should receive specific training for different models of the equipment.

3. Tyre traps will be retained in police armouries and may be issued for training purposes. Formation Commanders shall ensure all tyre traps are in good working conditions before deployment.

5. Following any incident in which a tyre trap is operationally deployed, the Formation Commander or officer-in-charge of the Unit shall submit an Initial Report to ACP OPS through his/her Major Formation Commander and copy to ACP SUP (Attn: SP Field Support), in the following format:-

<table>
<thead>
<tr>
<th>Initial Report for Deployment of Tyre Trap</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formation :</td>
</tr>
<tr>
<td>Date of Incident :</td>
</tr>
<tr>
<td>Place of Incident :</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer who deployed Tyre Trap</th>
<th>Date and time prior approval was obtained from ACP OPS</th>
<th>Brief Facts of the case</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature :

Rank / Name :

Post :

c.c. ACP SUP (Attn: SP Field Support) (Fax No: 2200 432)

6. The Major Formation Commander shall append his/her recommendation whether a full report is required in respect of the incident leading to the deployment of tyre trap.
CHECKLIST

Hong Kong Police College Weapons Training Division
Information for Training Analysis
in Armed Confrontations and Police Open Fire Case

I. Ref. No.: __________ Date/Time: __________ Proforma: _____ of _____
Location: ___________________________ □ Outdoor □ Indoor
Nature of Incident: ___________________________

The confrontation or POF case was a result of: (Please tick appropriate box)

□ an incident seen by Police □ a report to a patrolling officer
□ tasked by RCCC □ reinforcing other officer
□ pre-planned operation □ without any fore warning

No. of officers at scene: ____, No. of officers opened fire: ____ (Use separate pro-forma if more than one officer opened fire.)

II. Rank of officer: (opened fire): _____ Service: _____ yrs, Unit: _____ Dress: _______
Duty at time of incident: ___________________________
Type of holster: ___________________________ Force issued □ Yes / □ No
Weapon used by Police: ___________________________ Force issued □ Yes / □ No
Brand/Type of ammunition: ___________________________ No. of shot(s) fired: ______
No. of shot(s) hitting the subject: ____________________ Total no. of subject(s) hit: ______
Distance from subject at time of first shot: ______ Other shots: ______________________
Type of cover taken by Police: ___________________________
Body armour worn? □ Yes / □ No, Force issued □ Yes / □ No
Police casualty: □ None, / □ Yes - number, description and cause of wound: ______

Reason for the officer to shoot: ___________________________
(To be completed at conclusion of investigation)

The officer was aiming at: □ Centre of mass, □ Not specified □ Others - ______
Light condition: □ Good □ Low but visible □ Barely visible □ Dark and not visible
Flash light used? □ Yes / □ No Carried? □ Yes / □ No
III. Subject's sex: ________, age: ________, height: ________, build/weight: ________
Race: ________________________ Dress: ________________________
Subject was ☐ alone / with ________ other persons, Were they masked? ☐ Yes / ☐ No
Means of escape: ___________________________________________________________
Weapon(s) used by subject(s): _______________________________________________
Did the subject(s) open fire? ☐ Yes - no. of shot(s) ________ fired, ________ hit, ☐ No
Distance from victim (of crime - if applicable) at first shot: _______________________
No. of persons (victim/bystanders/police) hit: _________________________________
Apparent reason for the subject(s) to open fire: ________________________________
Hostage(s) taken: ☐ Yes / ☐ No (if yes, how many? ___________________________)
Who was taken hostage?
(e.g. bystander, family member etc - not their name)
When was the hostage(s) released? ___________________________________________

IV. Subject's activity before being shot: ☐ inactive, ☐ midly active, ☐ extremely active
Mental state of subject(s) before being shot: ☐ calm, ☐ excited, ☐ extremely excited
Subject was under the influence of ☐ Drug ☐ Alcohol, ☐ None
Subject was shot ☐ directly / ☐ through an object, namely __________________________
Subject was ☐ on foot, ☐ inside vehicle, ☐ others, when being shot
Subject was ☐ running, ☐ walking, ☐ standing, ☐ other, when being shot (please specify: ____________________________)
Subject' body area hit by 1st shot: ☐ Head, ☐ Torso, ☐ Other (specify) ____________
Subject's body area hit by subsequent shots: ☐ Head, ☐ Torso, ☐ others (specify) ____________
Distance of 1st shot: _________________, subsequent shots: _________________________
Subject was stopped by the ☐ shot(s), ☐ not stopped (Subject's reaction to 1st shot: ________)
Final result: ☐ survived, ☐ DOA, ☐ died later, ☐ died later of other cause

V. Other relevant informations:- (when available)
☐ covering report
☐ sketch of the scene
☐ medical/post-mortem report
☐ ballistics examination report
☐ copies of photograph (if applicable)
☐ bystander(s) casualty: ☐ None, ☐ Yes-description and cause of injury ____________

THIS PROFORMA SHALL BE AN ANNEX TO THE INITIAL REPORT WHICH WILL BE COPIED
TO SP WEAPONS TRAINING.
POLICE GENERAL ORDERS

CHAPTER 29

USE OF FORCE AND FIREARMS

29-01 Use of Force

Police officers shall display self-discipline and exercise a high degree of restraint when dealing with the public and shall not resort to the use of force unless such action is strictly necessary and he is otherwise unable to effect the lawful purpose.

2. Police officers shall identify themselves as such and, when circumstances permit, a warning shall be given of the intention to use force and of the nature and degree of force which it is intended to use. Persons shall be given every opportunity, wherever practicable, to obey police orders before force is used.

3. The principle governing the use of force is that only the minimum force necessary to achieve the purpose may be used and once that purpose has been achieved, the use of such force shall cease. The force used must be reasonable in the circumstances.

29-03 Use of Police Firearms

For the purposes of this Order, a ‘firearm’, in its reference to police weapons, means all Force firearms but excludes OC Foam, C.S. grenades, the Pepper Fog Machine, Verey pistols, Parachute flares, Force firearms when used to discharge illumination flares and Line Throwers.

2. Police officers may discharge a firearm:-

(a) to protect any person, including themselves, from death or serious bodily injury; or

(b) to effect the arrest of any person whom the officers have reason to believe has just committed a serious and violent crime, and who attempts to evade such arrest; or

(c) to quell a riot or insurrection;

provided that no lesser degree of force can achieve the purpose.

3. Other than stated in paragraph 2 above, a police officer may discharge a firearm in the course of training under the directions of a Force qualified Firearms Instructor, to conduct a ceremonial event, to humanely destroy an animal, or in an authorized pig hunt.
29-04 Drawing, Presenting or Dislodging Police Firearms

A police officer may draw a revolver or a pistol from its holster, or present a firearm (by pointing or aiming, which includes the raising of a long barrelled weapon, such as MP5 or shotgun, to the officer's shoulder to form a sight picture) as a precautionary measure if the officer considers he/she may be justified in using it in accordance with the provisions of PGO 29-03 paragraph 2.

2. In each case in which a police officer draws a firearm from the holster, presents a firearm, or in the event that an officer's firearm is accidentally dislodged from the holster, the officer shall report the fact to the appropriate RCCC when it is safe to do so.

3. As soon as possible after the incident, the police officer concerned shall report the drawing/presenting/dislodgement of the firearm to the DO of the police station of the area in which the incident took place. The officer will also make a notebook entry. The DO shall cause an entry to be made in CIS.

4. The reporting procedures set out in paragraphs 2 and 3 above shall not apply in the drawing/presenting of firearms for the following purposes:

   (a) whilst reporting on and off duty;

   (b) cleaning and maintaining the firearm;

   (c) training; or

   (d) when the drawing/presenting precedes the discharge of the firearm under the circumstances as stated in PGO 29-05 paragraph 1.

5. In each case, the DVC of the Division concerned shall enquire into the circumstances of the case. In the event of accidental dislodging of the firearms, the concerned DVC should consider submitting the holster involved to SP Weapon Training for examination to ascertain whether there is any defect or unauthorized modification. Only if there are indications that the drawing/presenting/dislodgement of the firearm is improper or involves negligence on the part of the officer, or if the DVC considers it necessary, he/she will initiate the compilation of an MIR. When an MIR is compiled, it shall be forwarded to the appropriate DC within 14 days and copied to ACP SUP (SP Field Support). When the drawing/presenting/dislodgement of a firearm involves an officer of another Formation, the DVC shall inform that officer's Formation Commander.

29-05 Police Open Fire - Reporting and Investigation

Limitation

This order shall not apply to the intentional lawful discharge of a police firearm for the following circumstances unless the DOPS directs otherwise:

   (a) training under the supervision of a qualified firearms instructor;

   (b) destroying animals, including an authorized pig hunt;
(c) using a chemical agent;

(d) using a shotgun as a breaching tool to gain entry into a premises by Special Duties Unit in a planned operation;

(e) discharging illumination flares; or

(f) firing blank ammunition for the purpose of ceremonial events.

2. Additionally, whenever a police firearm is discharged by an officer other than for duty purposes or other than in the execution of lawful duties, a Police Open Fire (POF) Report is not required unless the D OPS directs otherwise. This will also be the case when a police firearm is discharged by a person who is not a police officer.

3. Accidental discharges which occur on a Police range, during training sessions with a qualified firearms instructor will be investigated by SP Weapon Training (SP WT) and reported to D HKPC.

4. Other accidental discharges will be investigated by the Superintendent commanding the formation to which the officer that discharges the firearm belongs. The Initial Report and MIR will be submitted in the normal manner as detailed at para.7-10 below.

Investigation Procedure

5. Whenever a Police firearm is discharged by an officer, other than above, the DC of the District in which the incident occurred or the RC of the Region, where the incident involves more than one District, will nominate a Superintendent to direct enquiries into the POF aspects together with any criminal case which may be connected. Statements taken from officers involved in the incident will be taken by officers of at least one rank senior to the officers interviewed.

6. In exceptional cases or inter-regional incidents, D OPS may direct which region or, in consultation with D C&S, which HQ Crime Unit will conduct the investigation.

7. Within 48 hours of the incident involving the discharge of the Police firearm, the Superintendent directing the investigation will submit an Initial Report in the format detailed at FPM 29-05, to D OPS and copy to ACP SUP, the respective RC and DC. A copy of the report will also be sent to the formation commander of the officer who opened fire.

8. The Superintendent directing the investigation will personally complete paragraph 5(a-b) of the Initial Report detailed at FPM 29-05, giving a preliminary assessment as to whether the discharge of the firearm was in accordance with Force orders or not, based on enquiries so far. The Superintendent will then ensure the completion of an MIR dealing specifically with the POF and will comply with FPM 29-05 and 29-14.
9. Once satisfied that the POF has been fully investigated, the Superintendent will forward the MIR to his/her DC within 21 working days of the incident. An opinion will be given as to whether or not the action of the Police officer(s) who opened fire was in accordance with Force orders.

10. Within 28 working days of the incident, the DC shall forward the MIR together with an assessment and recommendations to his/her RC. Within 35 working days of the incident the RC shall forward the MIR together with recommendations to D OPS and copy the covering report to ACP SUP.

29-06 Use of Police Firearms - Destruction of Animals

When a police firearm has been used to humanely destroy an animal or in connection with an authorized pig hunt a report will be made to the appropriate RCCC and to the DO of the police station of the area in which the incident took place as soon as possible thereafter. The DO will cause an entry to be made in CIS. A MIR is not required unless directed by D OPS or the relevant RC. The firearm used need not be referred to Forensic Firearms Examination Division (FFED) unless an investigation has been ordered.

29-07 Post Shooting Stress Management

In any incident in which a firearm is used, other than training under the directions of a Force qualified Firearms Instructor, or humane killing of an animal, the TSRO shall be the Post Shooting Stress Manager (PSM). The PSM shall attend the scene of the POF as soon as possible. Details of the role of the PSM are contained in PGO/FPM Chapter 11. The services provided by the Senior Police Clinical Psychologist in the form of Post Shooting Mandatory Interview and Post Critical Incident Psychological Debriefing (for officers involved in the same incident but have not opened fire or been shot at) are detailed in PGO 11.

29-08 Use of Baton

The baton is a weapon and the orders regarding the Use of Force will apply (PGO 29-01). The use of baton should be in compliance with the Use of Force Continuum contained at the Force Procedure Manual (FPM) 29-02, the Internal Security Manual (ISM) 1-13 and the Tactics Training Manual (TTM).

2. Following any incident in which a baton is used to strike a person either intentionally or accidentally, the officer using the baton should report the incident to the RCCC. The use of baton should be included in the Regional Sitrep and Territory Sitrep in accordance with FPM 71-30. The Formation Commander or officer-in-charge of the Unit shall submit an Initial Report in the format of FPM 29-08 to his/her Major Formation Commander who will decide if an MIR is required, and copy to D HKPC (SP WT) and ACP SUP (SP Field Support). Where the initial report concluded that the use of baton was not justified, the initial report must also be copied to ACP OPS (C PTU). On receipt of the Initial Report, D HKPC (SP WT) and ACP OPS (C PTU) will examine the incident with a view to improving training, tactics, orders or other procedures. There is no need to compile any report of the drawing or presenting of baton for precautionary measures.
29-09  Use of OC Foam (Oleoresin Capsicum)

OC Foam (Oleoresin Capsicum) is a weapon and the Orders regarding the use of force will apply (PGO 29-01). The use of OC Foam should be in compliance with the Use of Force Continuum contained at FPM 29-02 and the ISM 1-13.

2. OC Foam is an inflammatory agent which is used as an incapacitant. The use of OC Foam can be considered to obtain compliance when persons are involved or likely to become involved in violent or other behaviour likely to injure themselves or others.

3. When circumstances permit, persons affected by OC Foam will be decontaminated to prevent undue injury or suffering. For this purpose, fresh air and large amounts of water are required. Persons in police custody affected by OC Foam should not be left unattended at any time and will as far as possible be transported in an upright position. The effects of OC Foam should be temporary, medical attention will be sought if symptoms persist.

4. On each occasion that OC Foam is discharged, either intentionally or accidentally, the officer discharging OC Foam should report the incident to the RCCC. The discharge of OC Foam should be included in the Regional Sitrep and Territory Sitrep in accordance with FPM 71-30. The Formation Commander or officer-in-charge of the Unit shall submit an Initial Report to his/her Major Formation Commander who will decide if an MIR is required, and copy to D HKPC (SP WT) and ACP SUP (SP Field Support). Where the initial report concluded that the use of OC Foam was not justified, the initial report must also be copied to ACP OPS (C PTU). On receipt of the Initial Report, D HKPC (SP WT) and ACP OPS (C PTU) will examine the incident with a view to improving training, tactics, orders and other procedures. The format for the Initial Report will be in accordance with FPM 29-09.

29-10  Use of C.S. Chemical Agent

C.S. Grenades, C.S. cartridges (1½" and the ferret), and the Pepper Fog Machine contain and are capable of discharging C.S. chemical agent. The Orders regarding the use of Force shall apply (PGO29-01). It is to be remembered that C.S. agent is not completely harmless. The use of C.S. Chemical Agents shall be in compliance with the Use of Force Continuum contained at FPM 29-02 and the ISM 1-13.

2. On each occasion when C.S. chemical agent is discharged, the officer discharging C.S. chemical agent should report the incident to the RCCC. The discharge of C.S. chemical agent should be included in the Regional Sitrep and Territory Sitrep. The Formation Commander or officer-in-charge of the Unit shall submit an Initial Report to his/her Major Formation Commander who will decide if an MIR is required, and copy to ACP OPS (C PTU) and ACP SUP (SP Field Support). On receipt of the Initial Report, ACP OPS (C PTU) will examine the incident with a view to improving training, tactics, orders and other procedures. The format for the Initial Report will be in accordance with FPM 29-10.
29-11 Use of Wrist Restraints

Definition of Wrist Restraints

For the purpose of this Order, 'Wrist Restraints' include handcuffs, handcuff transport belt, plasticuffs, and speedcuffs.

2. A police officer shall not carry, or use, any wrist restraint other than those issued by the Force. Police officers carrying a pair of handcuffs on duty shall ensure that the key is detached from the handcuffs and securely carried by the officer.

3. The use of wrist restraints is a use of force that must be justified as reasonable and warranted and should only be used provided that no lesser degree of force, such as physical restraint, can achieve the purpose.

4. Subject to other conditions stipulated in PGO/FPM 29, wrist restraints shall only be used on:

   (a) an arrested person;

   (b) a person taken into custody for being suspected to be mentally disordered under s. 71(b) of the Mental Health Ordinance (Cap. 136); and

   (c) a person taken into custody in pursuance of the execution of duty under s. 10 of the Police Force Ordinance (Cap. 232).

Arrested Persons

5. A police officer shall only use wrist restraints on an arrested person when reasonably necessary:-

   (a) to ensure the security and control of the arrested person if the officer has reason to believe that the arrested person is likely to escape; or

   (b) to protect himself/herself or another person, including the arrested person from any injury.

Use of Wrist Restraints other than for Arrested Persons

6. A police officer shall only use wrist restraints on a person suspected to be mentally disordered in accordance with the provisions of FPM 35-12.

7. Section 10 of the Police Force Ordinance provides that the duties of the police force include taking lawful measures for preserving the public peace; and for preventing injury to life and property. A police officer may rely on this statutory authority, and on the defence of "necessity" under the common law to justify the use of force, including wrist restraints, to prevent real threats to life, and the danger of serious injury or threats to property.
POLICE GENERAL ORDERS - CHAPTER 29
USE OF FORCE AND FIREARMS

Duty of Care

8. The use of wrist restraints confers a duty of care on the police over the person restrained. In order to prevent injury to the person in restraint, officers will ensure:

(a) wrist restraints are not over-tightened;
(b) metal handcuffs are double locked at the earliest practicable opportunity; and
(c) wrist restraints are removed at the earliest opportunity it is considered safe to do so.

9. All persons who are restrained using metal handcuffs or plasticuffs will be handcuffed behind the back, unless there are over-riding reasons, such as physical deformity or injury, which preclude from doing so.

10. Officers should carefully consider the justification for applying wrist restraints to juveniles, or persons who are sick, injured, elderly, physically handicapped, or pregnant.

Plasticuffs

11. The use of plasticuffs will follow the general principles governing the use of wrist restraints for the secure handling of a large number of persons, only when there are insufficient metal handcuffs available. Officers using plasticuffs should take care not to cause unnecessary injury to the person’s wrists, or to stop blood circulation.

12. At all times when plasticuffs are in use, at least one appointed officer will have in his/her possession an implement for cutting off the plasticuffs. Under no circumstances should plasticuffs remain on the restrained person longer than is absolutely necessary.

13. Formation Commanders are to appoint an officer of the rank of Sergeant or above who is to be responsible for the issue of plasticuffs. Used plasticuffs need not be returned to Police Stores for replenishment. However, Formation Commanders must ensure the appointed officer accounts for the replenishment of all plasticuffs issued in formations and that used plasticuffs are cut into two or more pieces before disposal. Disposal is to be centralised at the place of issue by the appointed officer.

Handcuffs and Handcuff Transport Belts

14. Handcuffs and handcuff transport belts shall be deadlocked when in use.

15. Handcuffs and handcuff transport belts are serially numbered and their issue and return shall be recorded in the Beat Equipment Register (Pol. 10A).