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14.1 Introduction

This chapter consolidates matters relating to operational skills and practices employed by police. Officers should be aware of their powers and responsibilities in terms of legislation and best practices in connection with the contents of this chapter.

14.2 Definitions and references to legislation

Definitions

See 'Definitions'.

For the purpose of this chapter:

**Firearms training officers**

are officers who have successfully completed a course of instruction, or as otherwise determined by the Service.

**POST Instructors**

are police operational skills and tactics instructors, who have successfully completed a course of instruction or as otherwise determined by the Service.

**Service handgun**

means the general Service issue handgun, the Glock semi-automatic pistol, Model 22, 23 or 27.

**Service rifle**

means the general Service issue rifle, the Remington Patrolman R4 carbine.

**Service weapon**

means a weapon issued by the Service to members of the Service for use in the performance of duties and includes an approved weapon.

**Approved weapon**

means a weapon approved for use in the performance of duties in accordance with Service policy or otherwise by a Deputy Commissioner or the Commissioner.

**Taser training officers**

are police operational skills and tactics instructors, who have successfully completed a course of instruction or as otherwise determined by the Service.

References to legislation

Frequent reference to legislation is made which impacts on the contents of this chapter. This chapter should be read in conjunction with those statutes, which can be accessed from the legislation page on the Service Intranet.

14.3 Use of force

An officer responding to an incident involving non-compliant offender/s should aim to gain and maintain control without the use of unnecessary force.

**ORDER**

Police officers and watchhouse officers are to only use the minimum amount of force necessary to safely resolve an incident.

**POLICY**

The preservation of human life should remain a primary focus of officers attending any incident.

It is lawful to use such force as may be reasonably necessary to overcome any force used in resisting the execution of any lawful process or arrest. However, it is unlawful to use more force than is justified by law to effect a lawful purpose.

It is the responsibility of all officers involved in any interaction with the public, in particular those matters involving a use of force, to assist your colleagues in doing their job. This may include fixing something that is going wrong, intervening where a use of force is excessive and reporting instances of excessive use of force (see s. 14.3.9: 'Use of force reporting' of this Manual).
For all use of force reporting requirements, in addition to the information contained in this section, see Appendix 14.8: 'Use of Force Reporting Requirements' of this chapter.

Continual threat assessment
During any interaction, officers are to conduct a continual threat assessment. This means considering any person, object or place which could put the officer (or others) at risk, and understanding that in all situations every person, object or place falls into one of two categories. These categories are:

(i) high risk, which refers to an obvious risk such as attending an armed robbery call or responding to a person armed with a weapon; and
(ii) assessed risk, which refers to a situation where an officer has assessed a person, object or place and considers a response based on the circumstances, the information known at the time and the officer’s previous experience and training.

14.3.1 Decision-making and planning the approach

POLICY
Prior to attending an incident, officers should plan an approach that allows for the minimum use of force necessary to be applied, in order to resolve the incident.

Whilst attending an incident, officers should conduct continual threat assessments, and continually re-assess plans, to make sound decisions about management of an incident and application of appropriate situational use of force. The safety of the general public, police and any individual/s subject to a use of force situation should be considered during the decision-making process.

Officers may develop an Incident Action Plan (IAP) by applying relevant elements of the ICENRIRE incident management model (see s. 1.12.7: ‘Incident Action Plans’ of this Manual).

At all times, the mission priority should be at the centre of planning and the decision-making process.

Planning includes, but is not limited to:

(i) gathering information and intelligence;
(ii) assessing threats and developing a working strategy;
(iii) considering powers and policy;
(iv) identifying options and contingencies; and
(v) engaging appropriate resources.

Physical force should only be used as an operational necessity when other options have failed or have been assessed as being inappropriate for the circumstances.

14.3.2 Situational Use of Force Model (2016)

POLICY
The Service has adopted a ‘Situational Use of Force Model’ as a guide to assist police officers and watchhouse officers when dealing with incidents requiring the use of force.

The ‘Situational Use of Force Model’ visually represents the use of force options available to police officers, with communication central to all available options. Officers are to be aware that communication skills includes consideration and application of both verbal and non-verbal communication.

The ‘Situational Use of Force Model’ is not restrictive. Officers may select other use of force options to escalate or de-escalate the use of force, as necessary. When applying any use of force option officers should communicate effectively with all involved people, with the aim of de-escalation of the incident and/or resolution of the incident with minimum amount of force used. De-escalation means decreasing the magnitude, identified risks and/or intensity of a situation, with an aim to avoid or minimise the use of physical force.
Use of force considerations

The functions of the Service are contained in s. 2.3 of the Police Service Administration Act. Briefly, these are as follows:

(i) the preservation of peace and good order;
(ii) the protection of all communities in the State;
(iii) the prevention of crime;
(iv) the detection of offences and bringing of offenders to justice;
(v) the upholding of the law generally;
(vi) the administration, in a responsible, fair and efficient manner and subject to due process of law and directions of the Commissioner; and
(vii) the provision of services, and the rendering of help reasonably sought, in situations of emergency or otherwise.

POLICY

The Service has adopted the philosophy of ‘Consider all Options and Practise Safety’ (COPS). Police officers and watchhouse officers should embrace this philosophy when dealing with incidents which may require the use of force.

Police officers and watchhouse officers should consider all the ‘use of force’ options available to them and all the circumstances of an incident when determining the most appropriate ‘use of force’ option(s) to be used.

Police officers and watchhouse officers should bear in mind that all ‘use of force’ applications must be:

(i) authorised;
(ii) justified;
(iii) reasonable / proportionate / appropriate;
(iv) legally defensible; and
(v) tactically sound and effective.

In this regard:
(i) police officers should consider the provisions of ss. 615: ‘Power to use force against individuals’ and 616: ‘Power to use force against individuals in critical situations’ of the Police Powers and Responsibilities Act (PPRA) and s. 283: ‘Excessive force’ of the Criminal Code; and

(ii) watchhouse officers should consider the provisions of ss. 652: ‘Power to use force against individual at watchhouse’; 653: ‘Power to use force–transfer etc. of person in custody to or from court cell or other place’ and 612: ‘Assistance in exercising powers’ of the PPRA and s. 283: ‘Excessive force’ of the Criminal Code.

Police officers and watchhouse officers should also consider the following factors when selecting a ‘use of force’ option:

(i) the physical attributes of the person concerned as opposed to the police officer or watchhouse officer;

(ii) the circumstances and location of the incident;

(iii) the possibility that the police officer or watchhouse officer may be required to increase or decrease the initial ‘use of force’ option as the situation changes;

(iv) the possibility of injury to the police officer or watchhouse officer;

(v) the possibility of injury to the person concerned;

(vi) the possibility of injury to other persons;

(vii) in the case of police officers, the requirement to act quickly and professionally (having made the decision to make an arrest) to prevent an escalation of an incident; and

(viii) the requirement for decisions made by police officers and watchhouse officers to satisfy the ‘SELF Test’ (see the ‘SELF Test’ decision making model on the Service Intranet).

There is a risk of causing injury or death to a person by the application of some ‘use of force’ options. Therefore, police officers and watchhouse officers should exercise due care at all times when using any of these options.

Communication
Communication includes the application of both verbal and non-verbal communication skills. Officers should, in aiming to de-escalate any conflict situation, use calm and even communication with a view towards negotiation rather than use of force. Effective communication involves engagement and trying to establish a connection with another person. Examples of effective communication skills in this context can include:

(i) calling the person by their name;

(ii) asking open-ended and clarifying questions;

(iii) taking steps to put the person at ease;

(iv) trying different approaches to making a connection; and

(v) explaining what you’re doing.

Situational containment
Situational containment is the process of assessing a situation and identifying the hazards, potential risks, threat levels and the likelihood of situation escalation. Situational containment maintains control through containment of a threat within a cordoned area whilst minimising the threat of escape and any potential triggers of escalation or expansion.

Tactical repositioning
Tactical repositioning is a decision to move to an alternate position when faced with a real and present danger in order to allow officers to tactically plan and assess a response to an incident. Tactical repositioning may enhance control and safety without providing a significant advantage to the threat and can include withdrawing, creating distance, advancing or moving to cover.

Other resources
Other resources is the use of improvised equipment, items, weapons or personnel necessary to effectively resolve an incident, in accordance with the provisions of this section, where application of standard options is not appropriate or available. This may include the activation of specialist units or personnel (e.g. SERT, EORT, negotiators), the use of their methodologies, tactics and equipment. Other resources may also include obtaining assistance from agencies or authorities external to the QPS to assist in resolving the incident (e.g. QFES, health professionals etc.).

14.3.3 Open hand tactics
Open hand tactics are skills that may be used by officers when control of a policing situation cannot be achieved otherwise. Open hand tactics equip officers with a range of operational skills and tactics which assist officers in performing their functions safely, efficiently and effectively. Application of these tactics may allow officers to achieve and maintain control of a subject or policing situation.

Open hand tactics may include but are not limited to:
(i) come along and escort holds;
(ii) wrist and arm locks;
(iii) arm restraint holds and upper body holds;
(iv) neck restraint hold;
(v) pressure point control tactics;
(vi) transition techniques; or
(vii) ground restraint.

Neck restraint hold

There are two basic types of neck restraint holds. These are the:

(i) the respiratory neck restraint hold (choke hold) which applies pressure directly to the trachea (wind pipe) and establishes subject control through the principles of pain and strangulation. A properly applied respiratory neck restraint is likely to cause serious bodily harm or death and therefore is considered a ‘lethal force’ option (see Service Manuals Definitions); and

(ii) lateral vascular neck restraint hold (carotid neck restraint) which applies pressure to the sides of the neck (i.e. compression of the carotid arteries, jugular veins and carotid bulb) resulting in a decrease of blood supply to the brain and leading to altered levels of consciousness. The objective of this technique is to establish subject compliance either voluntarily or involuntarily. When properly applied, a lateral vascular neck restraint hold is unlikely to cause death or serious injury, and therefore is considered a ‘less than lethal force’ option (see Service Manuals Definitions).

ORDER

The Chief OST Instructor is to ensure the lateral vascular neck restraint hold is taught to police officers as part of OST training on a regular basis.

POLICY

Police officers should not use a lateral vascular neck restraint hold unless:

(i) an incident is assessed as high risk and there is an immediate operational necessity to apply the restraint; or
(ii) acting or aiding in self-defence.

Officers should not use lateral vascular neck restraints on:

(i) the elderly;
(ii) children;
(iii) persons with Down’s syndrome;
(iv) pregnant women; or
(v) persons with an obvious or suspected head or neck injury.

PROCEDURE

Officers applying a lateral vascular restraint hold are to:

(i) apply the hold from behind the subject person only;
(ii) identify themselves as police officers and give verbal directions for the subject not to resist police;
(iii) monitor the correct positioning of the hold and immediately adjust if necessary;
(iv) immediately cease maximum compression but maintain control of the subject when:
   (a) the subject demonstrates compliance (e.g. stops resisting or complies with verbal directions) voluntarily;
   (b) the officer is able to transition into another use of force technique (e.g. after handcuffs are applied); or
   (c) the subject loses consciousness;
(v) if the subject person loses consciousness, place the subject in a stable side position (lateral position), monitor vital signs, and provide verbal reassurance;
(vi) seek medical assistance for the subject person:
   (a) if the subject does not regain consciousness after approximately 30 seconds; or
   (b) following application, a subject complains of significant pain or discomfort to the neck area.

Officers should discontinue the hold and adopt other use of force options if;

(i) correcting positioning cannot be obtained after a reasonable time; or
(ii) the subject has not demonstrated compliance within approximately 30 seconds of correct application.

ORDER

Officers are not to use lateral vascular neck restraints:

(i) for extricating persons from vehicles or under furniture; or

(ii) that are variations or adaptations of holds taught as part of OST training.

Officers are not to use respiratory neck restraint holds in the performance of duties unless there exists an apparently unavoidable necessity which would be justified at law.

**Pressure point control tactics**

Pressure point control tactics are taught to police officers and watchhouse officers as part of operational skills and tactics training.

**POLICY**

Police officers and watchhouse officers should not use pressure point control tactics to areas above the shoulders of individuals, unless:

(i) an incident is assessed as high risk and there is an immediate operational necessity to apply the restraint; or

(ii) acting or aiding in self-defence.

In particular, this applies to crowd control situations and demonstrations generally.

**14.3.4 Closed hand tactics**

Closed hand tactics refers to officers using their body to strike a person in order to defend themselves, or to achieve a tactical advantage. Such tactics include but are not limited to punches, elbows, knee strikes or kicks. Application of these tactics may allow officers to achieve and maintain control of a subject or policing situation.

Closed hand tactics are an available option to defend against the threat of serious injury, and in particular circumstances may be the only effective tactical option available to an officer. Officers are to only use the minimum amount of force necessary to resolve an incident.

**14.3.5 Use of lethal force**

The terms ‘lethal force’ and ‘less lethal force’ adopted by the Service are from the ‘Australia New Zealand Guidelines for Deployment of Police to High Risk Situations 2016 (See Service Manuals Definitions).

**Criminal Code**

Sections 271: ‘Self-defence against unprovoked assault’ and 272: ‘Self-defence against provoked assault’ of the Criminal Code provides circumstances where a person is excused from criminal responsibility for the use of force in self-defence in preservation from death or grievous bodily harm although such force may cause death or grievous bodily harm.

Section 273: ‘Aiding in self-defence’ makes it lawful for a person aiding another person to use a like degree of force to defend the other person where the use of force would have been lawful for the person to have used in the circumstances.

**Police Powers and Responsibilities Act**

Section 616: ‘Power to use force against individuals in critical situations’ of the Police Powers and Responsibilities Act (PPRA) provides police officers with the power to cause death or grievous bodily harm in certain circumstances. The force used may include force likely to cause grievous bodily harm to a person or a person’s death but before using such force the police officer must, if practicable, first call on the person to stop doing the act (ss. 616(4) and 616(5) of the PPRA).

However, under the provisions of s. 652: ‘Power to use force against individual at watchhouse’ and s. 653: ‘Power to use force—transfer etc. of person in custody to or from court cell or other place’ of the PPRA, the force a watchhouse officer can use does not include force likely to cause grievous bodily harm to a person or the person’s death.

**POLICY**

Police officers and watchhouse officers should consider all of the ‘use of force’ options available to them and all of the circumstances of an incident when determining the most relevant level of force to be used (see also Appendix 14.1: ‘Australia New Zealand Guidelines for the use of lethal force by police’ of this Manual).

**14.3.6 Acute psychostimulant-induced episode and excited delirium**

Psychostimulants are a group of drugs that stimulate the activity of the central nervous system, causing individuals to feel falsely or overly confident, euphoric, alert and energetic. However, at toxic (poisonous) levels, an individual may become extremely agitated, irrational, impulsive and paranoid, which may lead the person to behave in an aggressive and/or violent manner.
Psychostimulant drugs include:

(i) MDMA (methyleneoxymethamphetamine) ‘ecstasy’;
(ii) cocaine;
(iii) amphetamine sulphate or hydrochloride ‘speed’;
(iv) methamphetamine also known as:
   (a) crystalline ‘ice’, ‘crystal meth’;
   (b) tablets ‘pills’;
   (c) a moist, oily substance ‘base’; and
   (d) powder ‘speed’;
(v) paramethoxyamphetamine (PMA); and
(vi) paramethoxymethamphetamine (PMMA).

Acute psychotic episodes are common in persons suffering from schizophrenia, schizo-affective disorders, bipolar disorder, severe mood disorders, and delusional disorders. Whilst modern medications and treatment plans reduce the number and severity of episodes suffered, when the medication or treatment plan is changed, an acute psychotic episode can occur.

It is usually impossible to discriminate between drug-induced and naturally occurring (mental health) psychosis, but both conditions are potentially lethal and should be considered a medical emergency. The response to and management of either condition by police is the same.

These conditions are commonly known as ‘excited delirium’ and will be referred to mean acute psychostimulant-induced and acute psychotic episodes for the purpose of this policy.

Where a person progresses to an excited delirium episode whilst suffering from a hyperthermic (feverish/high body temperature) condition, the person can suddenly succumb to respiratory or cardiac arrest. Without immediate medical intervention death may follow within a matter of minutes.

Levels of other drugs such as alcohol, cannabis or opioids (e.g. heroin) may also be present or at concentrated levels in a person suffering an excited delirium episode.

Behaviours that can indicate excited delirium include:

(i) extreme agitation;
(ii) acting on paranoid ideas;
(iii) impulsive behaviour;
(iv) startling easily, and reacting strongly to any stimuli (e.g. noises, unexpected movement);
(v) acting according easily, and reacting strongly to any stimuli (e.g. noises, unexpected movement);
(vi) appearing to talk to people who are not present or to respond to verbal commands that no one else can hear (auditory hallucinations);
(vii) increased physical strength;
(viii) aggressive behaviour;
(ix) violent behaviour;
(x) lack of response to usual ‘talk-down’ communication techniques and may escalate despite appropriate and calming verbal interaction; and
(xi) reduced or no response to:
   (a) OC spray; or
   (b) pain compliance techniques.

These behaviours may also be attributable to mental illness or temporary emotional disturbance but no attempt should be made to make such an assessment based on these behaviours alone.

Physical signs and symptoms of excited delirium include:

(i) increased pupil size that does not (or only sluggishly) decrease in bright light;
(ii) hot, flushed and sweaty skin which may indicate a fever (i.e. above 38°C);
(iii) rapid breathing;
(iv) jerky movements of limbs;
(v) shaking in lower limbs, progressing to the upper body;
(vi) racing pulse;
(vii) chest pain;
(viii) jaw clenching;
(ix) body stiffness and rigid limbs; and
(x) intense headache.

Effective communication strategies with a person suspected of suffering from excited delirium include:

(i) one officer conducting negotiations with the subject;
(ii) using the individual’s name (if known) to personalise the interaction;
(iii) calm, open-ended questioning to ascertain the cause of the behaviour;
(iv) a consistently even tone of voice, even if the person’s communication style becomes hostile or aggressive;
(v) avoidance of the use of ‘no’ language, which may prompt an aggressive outburst. Terms like ‘I’ll see what I can do’ encourage further communication and are often calming;
(vi) allow the individual as much personal space as possible while maintaining control and containment;
(vii) reduce external stimulation of the subject by:
   (a) avoiding rapid movements;
   (b) reducing the noise level if possible (e.g. loud music, machinery); and
   (c) moving bystanders and persons who may be causing agitation;
(viii) offer positive feedback as the subject responds in a positive manner;
(ix) suggest the subject sit down or drink water, as these actions may assist in calming down;
(x) make eye contact only occasionally, as sustained eye contact can increase fear or promote aggressive outbursts in some hostile or paranoid individuals; and
(xi) if relevant, tell the person an ambulance has been called and medical assistance will soon arrive, or that police will take them to hospital.

Medical studies indicate the peak risk times for cocaine toxicity is 20 to 40 minutes after administration, and for amphetamine toxicity, approximately 2 to 3 hours after administration.

POLICY

When attempting to resolve an incident involving a person who is exhibiting behaviours and physical signs and symptoms which indicate the person is suffering from excited delirium, officers should:

(i) ensure medical assistance is sought for the person as soon as practicable;
(ii) attempt to establish what drugs the person may have taken and when the person may have taken them, by:
   (a) direct questioning of the person and witnesses; and
   (b) the presence of drugs or drug paraphernalia (needles, spoons, clipseal bags etc.) on or near the person or at the place where the person is located;
(iii) when communicating with the person, use the communication strategies as outlined in points (i) to (xi) above;
(iv) where it is necessary to physically restrain the person:
   (a) have sufficient officers present to achieve safe restraint in the shortest time;
   (b) restrain the person for the least possible time and until it is safe to do otherwise; and
   (c) restrain the person by the arms and legs, where possible avoiding LVNR or chest compression;
(v) talk calmly to the person until medical assistance is obtained;
(vi) constantly monitor the person’s physical signs and symptoms while in police custody;
(vii) if possible, commence cooling of the person whilst waiting for medical assistance by:
   (a) loosening of restrictive clothing;
   (b) provision of cool oral fluids (water);
   (c) cold or wet packs placed under armpits, on head and back of neck; and
   (d) a cooling fan; and
(viii) whilst waiting for medical assistance to arrive seek telephone advice from:
   (a) the ambulance service;
   (b) 13Health; or
   (c) a doctor.

ORDER

Officers are to seek medical assistance for the person as soon as practicable and where required, transport of the person by ambulance service. Officers are not to transport a person with suspected excited delirium to a hospital or other medical facility by QPS vehicle, unless exceptional circumstances exist. Exceptional circumstances may include where medical assistance is not available within a reasonable time period and medical advice indicates the person needs medical treatment immediately, or if requested to transport the persons (e.g. for safety reasons) by ambulance or paramedic staff.

See also s. 14.3.7: ‘Post arrest collapse (medical risk factors)’ of this chapter.

14.3.7 Post arrest collapse (medical risk factors)

Officers in arrest situations may encounter persons who, due to their physical resistance to the arrest or other unknown pre-existing conditions, may be at risk of collapsing or suffering from a fatal incident whilst being taken into custody. It is highly likely that there will be little or no warning of the onset of a person collapsing.

POLICY

Officers are to monitor and medically assess persons taken into custody in compliance with s. 16.13: ‘Health of prisoners and persons in custody’ of this Manual.

Officers are to be aware that the risk of a person collapsing or suffering from a fatal incident may be increased by:

(i) a pre-existing medical condition; and/or
(ii) the use of alcohol or other drugs; and/or
(iii) the effects of a psychostimulant-induced episode and excited delirium (see s. 14.3.6: ‘Acute psychostimulant-induced episode and excited delirium’ of this chapter); and/or
(iv) positional asphyxia (see s. 14.3.8: ‘Monitoring restrained prisoners (positional asphyxia)’ of this chapter); and/or
(v) the use of:
   (a) mechanical restraints (handcuffs);
   (b) physical restraint holds; and
   (c) multiple officers restraining the individual.

Officers are to closely supervise (constant face-to-face monitoring) persons taken into custody where there is a high risk of excited delirium and positional asphyxia occurring.

Officers are to ensure that transporting and watchhouse officers are aware of the circumstances of the arrest so that ongoing health assessments are conducted of the person.

To assist officers a ‘Custody and Arrest Risk Evaluation’ (CARE) guide has been provided to assist officers in their decision making regarding potential health issues of persons who are in their custody, particularly after an intense struggle or some other severe physical activity.

Officers should continually assess every arrest and/or custody situation, and rely on their reasoned discretion to determine an appropriate course of action which is based on the presenting indicia.

Officers observing the following indicia should consider seeking immediate medical assistance:

(i) profuse sweating and shivering at the same time;
(ii) loss of consciousness;
(iii) semi-conscious and unresponsiveness;
(iv) seizure;
(v) respiratory rate below six breaths per minute;
(vi) severe headache;
(vii) chest pain;
(viii) obvious respiratory distress; and/or
(ix) gagging, coughing or choking lasting longer than four minutes after OC Spray.
14.3.8 Monitoring restrained prisoners (positional asphyxia)

Positional asphyxia can occur when body position interferes with respiration. This may occur in circumstances where a person is severely restrained. In situations of positional asphyxia the person will generally become inactive after several minutes, exhibit respiratory difficulties and subsequently stop breathing (see s. 14.3.7: ‘Post arrest collapse (medical risk factors)’ of this chapter).

The following factors increase the risk of a person experiencing positional asphyxia:

(i) drug or alcohol intoxication;
(ii) excited delirium in conjunction with certain restraints (see s. 14.3.6: ‘Acute psychostimulant-induced episode and excited delirium’ of this chapter);
(iii) violent muscular activity;
(iv) high stress situations; and
(v) the placing of restrained persons in a face down position.

POLICY

Police officers and watchhouse officers should ensure restrained prisoners are placed in an upright or seated position or rolled onto their side for the purpose of transportation. Police officers and watchhouse officers should not transport restrained prisoners in a face down position.

14.3.9 Use of force reporting

For the purposes of this section:

First aid

means the provision of first aid services required for the initial treatment of a person suffering an injury. An example of first aid treatment includes placing a compression bandage on a wound.

For the purposes of this policy, first aid is more than offering just reassurance to a person.

Injury

means an identifiable bodily injury to a person requiring first aid or medical treatment by a qualified ambulance officer, nurse or doctor at the time of the incident.

The term injury includes abrasions, cuts, and fractures requiring first aid or medical treatment. An injury is more than mere pain, discomfort, bruising or swelling alone that does not require first aid or medical treatment.

The term injury does not include psychological injury and psychiatric injury.

Medical treatment

means carrying out a medical procedure for the initial treatment of a person suffering an injury.

Examples of a medical procedure include suturing an open wound and resetting a broken limb.

Medical treatment does not include treatment beyond initial diagnostic tests, advice or treatment.

Reportable use of force incident

means an incident where an officer:

(i) uses:

(a) a Service issued firearm;
(b) a Taser;
(c) OC spray;
(d) a safety (spit) hood in a watchhouse; or
(e) any chemical or irritant agent by specialist police personnel e.g. PSRT.

(ii) an injury occurs to any person (including an officer), as a result of:

(a) an officer using open or closed hand tactics;
(b) an officer using restraining accoutrements;
(c) an officer using a baton;
(d) the deployment of a police dog as a use of force option; or
(e) the deployment of a police horse as a use of force option, e.g. crowd control.

(iii) presents and uses an object as a use of force option against a person, e.g. fence paling, branch, guide post, etc.

For the purpose of this definition, officer includes watchhouse officer.

An incident that occurs in a training environment is not a reportable use of force incident.

Use of Service issued firearm, Taser and OC spray

For the definition of use of:

(i) a Service issued firearm (see s. 14.7: ‘Use of firearms’);
(ii) a Taser (see s. 14.23.8: ‘Reporting the use of a Taser’); and
(iii) OC spray (see s. 14.21.4: ‘Reporting the use of Oleoresin Capsicum spray’),

of this chapter.
Responsibility of all officers

It is the responsibility of all officers when interacting with the public, in particular those matters involving a use of force to:

(i) assist your colleagues in doing their job;
(ii) fix something that is going wrong;
(iii) intervene when a use of force is excessive; and
(iv) report instances of excessive use of force (see s. 14.3: ‘Use of force’ of this chapter).

Use of force report

When a reportable use of force incident occurs:

(i) the member using the reportable use of force option, or their supervisor if the member is incapacitated, is to ensure a ‘Use of force report’ is completed; and
(ii) a person other than the subject person is injured, the reporting member is to ensure to complete an ‘Injury Report’,

in the relevant QPRIME occurrence within 24 hours of the occurrence being generated.

QPRIME Custody report ‘Use of force’ tab to be completed

ORDER

Where an officer has initially:

(i) arrested/detained a person; or
(ii) received in a watchhouse a transferred prisoner from corrective services,

the officer is to complete or cause to be completed the QPRIME Custody Report ‘Use of Force’ Tab in accordance with the QPRIME User Guide.

Additional reporting requirements

Completion of a ‘Use of force report’, Custody report ‘Use of force’ tab or ‘Injury report’ is in addition to any:

(i) reporting requirements of the Incident/Injury Notification and Reporting System on the Service Intranet; and
(ii) applicable significant event reporting requirements (see s. 1.18: ‘Significant events’ of this Manual).

Policelink client service officers are to enter the ‘Use of force report’ and where applicable the ‘Injury report’ in QPRIME when contacted by the reporting member.

See Appendix 14.8: ‘Quick reference – use of force reporting requirements’ of this chapter to assist members in determining their use of force reporting requirements.

Where a member is required to complete a ‘Use of force report’ or ‘Injury report’ the member is to ensure the data is entered into the related QPRIME occurrence.

Special Emergency Response Team exempt from use of force reporting

Members of the Special Emergency Response Team are exempted from the QPRIME use of force reporting requirements of this policy unless otherwise directed by the Deputy Commissioner (Crime, Counter-Terrorism and Specialist Operations).

14.3.10 Operational Skills and Tactics (OST) training

The Service has Operational Skills and Tactics (OST) training which is based on the ‘Situational Use of Force Model’.

POLICY

For the purposes of this section, a ‘training year’ is the twelve-month period commencing on 1 July.

Operational Skills and Tactics (OST) training comprises of the following elements:

<table>
<thead>
<tr>
<th>Operational Skills Training</th>
<th>Is holistic use of force training for the Queensland Police Service.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The combination of ‘less than lethal’ and ‘lethal’ use of force options that form the basis of this training can be drawn from the Operational Skills, Conducted Energy Weapon (Taser), Service Pistol, Tactical First Aid, and Active Armed Offender training curriculum.</td>
</tr>
<tr>
<td></td>
<td>This training may take the form of theoretical and skills based instruction.</td>
</tr>
<tr>
<td></td>
<td>This training may introduce new techniques or tactics or alternatively; revise previously instructed techniques and tactics.</td>
</tr>
</tbody>
</table>
This training may include an online learning product.

<table>
<thead>
<tr>
<th>Dynamic Interactive Scenario Training (DIST)</th>
<th>DIST is focussed on enhancing officers practical policing skills, decision making, and problem solving through scenario based training. The techniques and tactics that form the basis of this training can be drawn from the Operational Skills and Tactics, Service Pistol, Conducted Energy Weapon (Taser), Tactical First Aid, and Active Armed Offender training curriculum.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pistol and Taser Requalification</td>
<td>Pistol requalification is the practical requalification with the Service Pistol. Officers are required to demonstrate competence with the Minimum Firearms Training Requirement, and tests of elementary training. Pistol training is based on the Service Pistol curriculum. Taser requalification is the practical requalification with the Conducted Energy Weapon (Taser). Officers are required to demonstrate competence with target deployment and tests of elementary training. Taser training is based on the Conducted Energy Weapon (Taser) curriculum.</td>
</tr>
<tr>
<td>Rifle Requalification</td>
<td>Rifle requalification is the practical requalification with the Service Rifle. Officers are required to demonstrate competence by achieving the designated rifle qualification standard, and tests of elementary training.</td>
</tr>
</tbody>
</table>

**Delivery of OST training**

**POLICY**

Operational Skills Training should be completed before Dynamic Interactive Scenario Training.

**ORDER**

Unless otherwise exempted (see s. 14.3.11: ‘Operational Skills and Tactics training exemptions’ of this Manual) by a Regional assistant commissioner, district officer or public service equivalent, all:

1. (i) police officers and watchhouse officers are to undertake and complete any online training component associated with OST training as a prerequisite to undertaking training;
2. (ii) police officers are to undertake Operational Skills Training, Dynamic Interactive Scenario Training, and Pistol and where qualified Taser Requalification;
3. (iii) police officers who have successfully completed the Service rifle training course, should undertake Rifle Requalification; and
4. (iv) watchhouse officers are to successfully complete the specific OST training course which reflects their available use of force options;

each training year.

**Operational Skills and Tactics Competence**

**ORDER**

Police officers and watchhouse officers who undertake OST training are required to maintain and demonstrate the required standard of competence with their operational skills and will be assessed as competent or not competent by an OST instructor.

If an officer fails to demonstrate the required standard of competence during:

1. (i) Operational Skills Training, Dynamic Interactive Scenario Training or Pistol and Taser Requalification training, for which they have previously qualified, they are immediately deemed not competent and the officer:
   
   (a) is to relinquish the specific accoutrements in question to the OST instructor or to their respective officer in charge; and
   
   (b) cannot perform operational duties,

   until the officer successfully completes the training and is deemed competent; or

   (ii) Rifle Requalification, for which they have previously qualified, the officer is not to use the Service rifle until the officer successfully completes the training and is deemed competent.

First Year Constables who successfully complete the relevant initial Service firearms, CEW (Taser) and policing skills qualifying courses as police recruits, are considered ‘OST qualified’ for twelve months from the date the officer is sworn in.

The Chief OST Instructor is responsible for ensuring the necessary systems are in place to enable OST training for watchhouse officers and police officers to take place.
Recognised prior learning

POLICY
The Chief OST Instructor can apply the principles of recognised prior learning to any part of the OST curriculum for any officer who can demonstrate through prior learning the required OST skills. Recognised prior learning can only be examined on written application through the chain of command to the Chief OST Instructor by the officer concerned, who will need to demonstrate to the satisfaction of the Chief OST Instructor the recognition of prior learning is appropriate under the circumstances.

14.3.11 Operational Skills and Tactics training exemptions

POLICY
Officers who are unable to meet Operational Skills and Tactics (OST) training requirements, in accordance with s. 14.3.10: ‘Operational Skills and Tactics (OST) training’ of this chapter, are to make application for an exemption.

Grounds for OST exemptions
The following grounds and approval periods for OST exemptions apply:

(i) Provisional Restriction (PR) for medical restrictions of 12 months or more (reviewed at 24 months);
(ii) Temporary Medical Restriction (TMR) for medical restrictions of less than 12 months;
(iii) Pregnancy or Breast Feeding (P/BF) (reviewed at 12 months) (see ‘officers who are pregnant or breastfeeding attending firearms training’ of this section); and
(iv) Special Circumstances Restriction (SCR) (reviewed at 12 months).

For SCR exemptions, examples can include those officers:

(i) subject to criminal or disciplinary investigations;
(ii) subject to a legal process e.g. domestic violence; or
(iii) on extended leave or secondments to external agencies.

PROCEDURE
An application for an OST exemption is to be made on a QP 0913: ‘Application for Exemption from Operational Skills and Tactics (OST) Training’ and submitted to the OIC for the approval by the district officer.

For SCR exemptions the Regional assistant commissioner or equivalent is the approving authority.

Before an application for PR and TMR exemptions can be submitted, the officer must first contact the Injury Management Section, Safety and Wellbeing who will allocate a case number for inclusion on the QP 0913 and will manage the officer’s injuries in coordination with the officer’s Region.

If an OST exemption has been granted and an extension is sought, a new application is to be submitted 4 weeks prior to the expiry of the current exemption.

Regions are to:

(i) maintain a record of all officers who have been exempted from undertaking OST training on IGNITE;
(ii) ensure officers who are exempted from undertaking the practical component of OST training complete any computer based or non-practical skills curriculum training;
(iii) ensure a new QP 0913, if applicable, is submitted 4 weeks prior to the expiration of an approved exemption; and
(iv) record the exemption in the Regional register and forward a copy of the completed QP 0913 to Ethical Standards Command who will enter the details in the central OST exemption register.

ORDER
Officers exempted from OST training are not to perform operational duties, including special services. An assistant commissioner or equivalent may provide an exemption to an officer who is only exempt in the firearms component of OST training to work in an operational role where a firearm is not required e.g. watchhouse duties.

Where an officer is not qualified in Operational Skills and Tactics training, they are to travel to and from work in plain clothes. This does not apply if the officer is only exempt in the firearms component of OST training.

Exemptions only apply to practical skills training. Exempted officers are required to undertake all computer based or non-practical skills training within the exempted period.

Officers who are pregnant or breastfeeding attending firearms training
Officers who are pregnant are not to participate in firearms training or attend a firearms range and are to apply for an OST exemption as soon as they become aware they are pregnant.
Officers who are breastfeeding:

(i) are not to be directed to attend firearms training; and

(ii) if they decide not to participate in firearms training are to submit a QP 0913.

Officer who are breastfeeding and who choose to attend firearms training are to:

(i) review the information contained on the Safety and Wellbeing website;

(ii) advise their district firearms training officer (who will apply for and obtain personal protection equipment (PPE) from Safety and Wellbeing and record the officer’s decision on IGNITE);

(iii) ensure they advise the officer in charge of a firearms practice that they are breastfeeding; and

(iv) wear all issued PPE and comply with the health guidelines.

Returning from OST training exemptions

POLICY

When an officer returns from an OST training exemption, the officer is to undertake and complete:

(i) the current OST training curriculum prior to performing operational duties; and

(ii) all specified components of the OST training curriculum identified in the training matrix for the exemption period within twelve months of returning to operational duties.

Where an officer is able to complete OST training but has been exempt from the requirement to complete OST training for three or more years, the officer in charge of the officer’s Education and Training Office is to:

(i) conduct a training needs analysis of the officer; and

(ii) deliver any additional training in order to meet the required standard of competence in OST.

ORDER

The Chief OST Instructor is to maintain a training matrix recording all elements covered in OST training over a five-year period in order to:

(i) provide assistance and advice in the performance of the training needs analysis; and

(ii) identify the general needs of officers returning from OST training exemptions.

14.4 Service issued weapons

Possession of a Service issued weapon

Police officers, special constables, trainee members or other authorised members (see s. 2(1)(e): ‘Application of Act’ of the Weapons Act (WA)) of the Service may possess and use Service issued weapons:

(i) only as part of the performance of their duty;

(ii) in compliance with the relevant provisions of Service policy and Service-approved training;

(iii) while the person is not on duty as a member of the Service if acting in accordance with the direction of the Commissioner in relation to the off-duty possession and use of weapons (see s. 2(1)(e)(ii) of the WA);

are to observe the security precautions consistent with Part 21: ‘Safety precautions generally’ of the Weapons Regulation.

(see ss. 792: ‘Performance of duty’ of the PPRA and 2.3: ‘Functions of service’ of the PSAA).

ORDER

Officers are not to possess Service owned and issued weapons whilst not on duty, except in accordance with:

(i) s. 14.4.1: ‘Authorisation to possess weapons off duty as part of an officer's performance of duty’ of this chapter;

(ii) s. 14.4.2: ‘Authorisation to possess weapons off duty where a possible threat exists’ of this chapter;

(iii) s. 14.18.4: ‘Carriage of extendable batons’ of this chapter; and

(iv) s. 14.19.3: ‘Carriage of handcuffs’ of this chapter.

Officers may possess protective body armour where approval from the Commissioner has been granted in accordance with Delegation D 8.1.

Wearing firearms and accoutrements whilst on rostered duty

For the purpose of this section the term ‘on rostered duty’ includes:
(i) rostered duty; or
(ii) special duties.

Operational Skills and Tactics (OST) training is provided to all officers and is based on the ‘Situational Use of Force Model’ (see s. 14.3.2: ‘Situational use of force model (2016)’ of this chapter) linked to service issued accoutrements.

**ORDER**

All officers are to undertake OST training each calendar year in accordance with s. 14.3.10: ‘Operational Skills and Tactics (OST) Training’ of this chapter.

All officers OST qualified are to wear their Service issued firearm, oleoresin capsicum (OC) spray, extendable baton and handcuffs at all times whilst on rostered duty.

**Exceptions to wearing Service issued weapons and prohibited items on duty**

Officers are to be aware exceptions to this order are contained in:

(i) s. 1.7.8: ‘Police in schools’;
(ii) s. 14.11: ‘Carriage of firearms, ammunition, handcuffs, batons, conducted energy weapons (TASER) and OC spray etc. on aircraft at airports’;
(iii) s. 14.12: ‘Carriage of firearms in court, the Family Court and in Crime and Corruption Commission premises’;
(iv) s. 14.13: ‘Carriage of firearms in mental health units or hospitals’;
(v) s. 14.14: ‘Carriage of firearms and ammunition in correctional centres, detention centres and watchhouses’; and
(vi) s. 14.16: ‘Carriage of firearms – domestic violence’,

of this Manual. Officers are exempt from this order where it is not practicable to carry their Service issued firearm and accoutrements whilst travelling to or from the locations outlined in the above exceptions (e.g. police prosecutors and officers required to attend court, whilst travelling to and from court).

The following may approve further exemptions to this order in writing:

(i) officers in charge of regions or commands;
(ii) the Executive Director, Chief Superintendent, Operations Support, Crime and Corruption Commission; or
(iii) district officer or officers at rank of superintendent or above;

may approve further exceptions to this order in writing.

Where a further exception to this order is granted, other than on a one-off basis (e.g. to attend a funeral or an externally provided course), a copy of the written exception is to be forwarded to the Assistant Commissioner, Ethical Standards Command.

**ORDER**

The Assistant Commissioner, Ethical Standards Command is to maintain a central register of all written exceptions granted to officers.

**Wearing firearms and accoutrements whilst off rostered duty (to and from work)**

Where it is necessary for an officer to possess a Service issued firearm, Taser and/or OC spray off duty see ss. 14.4.1: ‘Authorisation to possess weapons off duty as part of an officer’s performance of duty’ and 14.4.2: ‘Authorisation to possess weapons off duty where a possible threat exists’ of this chapter.

Officers qualified in OST should carry their Service issued:

(i) handcuffs; and
(ii) extendable baton,

whilst in transit to and from duty.

**14.4.1 Authorisation to possess weapons off duty as part of an officer’s performance of duty**

For the purposes of this section, the term ‘officer’s performance of duty’ refers to instances such as:

(i) police motorcyclists who take a Service motorcycle home; or
(ii) officers who are on-call on a regular basis and would be required to respond immediately to an incident from their home,

and would reasonably be expected to travel and be in possession of their accoutrements, including Service firearm and, if issued, a conducted energy weapon (Taser) and/or oleoresin capsicum (OC) spray.
Where it is necessary for an officer to possess a weapon off duty due to a possible threat to the officer or their immediate family, see s. 14.4.2: ‘Authorisation to possess weapons off duty where a possible threat exists’ of this chapter.

In accordance with s. 2(1)(e)(ii): ‘Application of Act’ of the Weapons Act (WA), district officers or branch managers (where an officer is not attached to a police district) may give a specific authorisation to an officer under their control to have possession of a Service weapon at their residence or other place as part of that officer’s performance of duty as such, provided the authorisation only applies where:

(i) in the case of firearms:
   (a) a suitable weapons storage facility is supplied and is properly fitted by the Service at the officer’s residence or other place or a personal safe is properly fitted and is approved by the Service;
   (b) the officer stores the firearm in the relevant weapons storage facility and the locking mechanism of the facility is engaged. If the weapons storage facility provides more than one locking mechanism (e.g. a keyed lock and a combination lock) all locking mechanisms provided are to be used; and
   (c) any ammunition is stored elsewhere to the firearm in a manner consistent with s. 99: ‘Requirements for storing small arms ammunition and power device cartridges’ of the Explosives Regulation (ER); and

(ii) in all cases, the officer observes security precautions consistent with the WA and Weapons Regulation (WR) for the category of the weapon.

In situations where officers are required to have possession of a Service weapon at their residence or other place as part of those officers performance of duty for a short or limited period of time, a district officer may authorise possession of the weapon without the imposition of the requirements provided for in subparagraphs (i) and (ii) above. An officer who has been authorised to have possession of the Service weapon is to:

(i) comply with the storage requirements of s. 60: ‘Secure storage of weapons’ of the WA and s. 94: ‘Storage of particular weapons not in person’s physical possession – secure storage facilities’ of the WR; or

(ii) where that is not practical to comply with subsection (i), the officer is to comply with the storage requirements of ss. 95: ‘Storage of weapon not in person’s physical possession if away from secure storage facilities or visitor to Queensland–secure storage’ and 96: ‘Safety precautions for weapons in or on vehicles’ of the WR; and

(iii) additionally in the case of a firearm, that any ammunition is stored elsewhere to the firearm (see s. 90: ‘Requirements for storing small arms ammunition and power device cartridges’ of the ER).

In deciding whether to give a specific authorisation under s. 2(1)(e)(ii) of the WA, district officers or branch managers should consider:

(i) the duties being performed by the officer;

(ii) the personal circumstances of the officer (including the presence of children or other adults in the home or other place); and

(iii) whether the possession of a Service weapon at the officer’s residence or other place is necessitated by more than slight inconvenience.

Authorisations given to officers for the possession of a Service weapon at an officer’s residence or other place are to be recorded by the district officer or branch manager giving the authorisation. All ongoing or long-term authorisations are to be reviewed on a yearly basis to establish the necessity or otherwise of the authorisation to continue.

Where an officer is authorised to have possession of a Service weapon at their residence or other place as part of that officer’s performance of duty on an ongoing basis, the district officer or branch manager is to:

(i) ensure QPRIME flags, against the officer and the residence, records the authorisation and the details of the weapons(s); and

(ii) the weapon storage facility; and

(iii) any ammunition storage and weapons clearing facilities,

installed at the officer’s residence are inspected annually by an appropriately nominated officer.

14.4.2 Authorisation to possess weapons off duty where a possible threat exists

For the purpose of this section, a weapon only includes:

(i) Service owned ‘category H’ weapons (handguns) issued to an officer;

(ii) Service owned ‘category E’ weapons (protective body armour etc.) issued to an officer;

(iii) privately owned ‘category E’ weapons (protective body armour etc.);

(iv) Service owned ‘category R’ weapons (oleoresin capsicum (OC) spray etc.) issued to an officer; and

(v) Service owned ‘restricted items’ (handcuffs, baton etc.) issued to an officer.
ORDER

For the purpose of this section, an officer is not to possess a conducted energy device (Taser) off duty.

Where it is necessary for an officer to possess a weapon off duty as part of an officer’s performance of duty, see s. 14.4.1: ‘Authorisation to possess weapons off duty as part of an officer’s performance of duty’ of this chapter.

The authority for officers to possess a weapon whilst not on duty is provided by the Commissioner’s direction in accordance with s. 2(1)(e)(ii): ‘Application of Act’ of the Weapons Act (WA).

All members of the Service who are authorised to possess one of the aforementioned weapons can, where a threat exists, request to possess such a weapon when off duty.

When an officer receives or is made aware of a possible threat to themselves or their family they should familiarise themselves with:

(i) s. 2.33: ‘Security and Counter-Terrorism Command’ of this Manual;
(ii) s. 5.3: ‘Personal and non-work related use’ (of social media) of the Information Management Manual (available on the Service Intranet);
(iii) the:
   (a) ‘Threat Response Guidelines’; and
   (b) ‘Personal Security Guidelines for Employees of the Queensland Police Service’,
which are available in Officer Safety information on the officer safety portal on the Service Intranet.

The supervising commissioned officer is to review:

(i) the officer’s original request to possess a weapon off duty within three months of the request;
(ii) any continuation of the original approval within twelve months of the decision; and
(iii) annually where the officer continues to maintain off duty possession of a weapon.

Where circumstances change, an officer can decide to no longer possess a weapon off duty.

ORDER

Where an officer receives or is made aware of a possible threat to themselves or their immediate family, they are to comply with the provisions of s. 2.33 of this Manual.

In deciding if it is necessary to possess a weapon when off duty, an officer must be satisfied on reasonable grounds that a threat:

(i) exists;
(ii) has been directed at themselves or a member of their immediate family;
(iii) represents a significant risk of grievously bodily harm or death; and
(iv) all other reasonable steps have been taken to mitigate the risk posed by the threat.

An officer is not to make a final decision to possess a weapon when off duty until they have:

(i) sought and received advice and guidance from their officer in charge (OIC);
(ii) considered any alternative options to mitigate the risk posed by the threat; and
(iii) submitted written notification to their OIC.

When a decision is made that it is necessary for an officer to possess a weapon off duty, the officer is to:

(i) submit a written report outlining:
   (a) what weapon(s) the officer intends to possess off duty;
   (b) how the officer proposes to secure the weapon(s) when not in their physical possession; and
   (c) how the officer proposes to carry the weapon(s) when in their physical possession;
(ii) ensure their decision to possess a weapon off duty is recorded by the Prevention and Protection Group (PPG), Security and Counter-Terrorism Command; and
(iii) ensure the officer, their family member(s) under threat and their residence are appropriately flagged on QPRIME.

When notified of an officer’s request to possess or use a weapon off duty, the OIC is to:

(i) ensure that the provisions of s. 2.33 of this Manual have been complied with;
(ii) arrange for the officer, any relevant family members and their residence to be flagged on QPRIME as either ‘Protected Security Person’ (PSP) or Protected Security Location’ (PSL);
(iii) ensure each flag is recorded to expire within three months of the officer’s decision, with a notification date set two weeks prior to expiry;

(iv) ensure the QPRIME flags against the officer and the residence records the details of the weapon(s) (including serial number if applicable) in the possession of the officer; and

(v) ensure the station/establishment’s accoutrements register is noted to record the officer’s decision.

When notified of an officer’s request to possess a weapon off duty, the supervising commissioned officer is to ensure:

(i) the provisions of s. 2.33 of this Manual have been complied with;

(ii) the officer’s request is recorded by PPG in relation to the threat;

(iii) the officer, any relevant family members and their residence are flagged on QPRIME;

(iv) the officer’s request is reviewed:

(a) before the end of the initial three-month period; and

(b) within twelve months and annually thereafter,

of the original approval and decide:

(a) to direct the officer to no longer possess a weapon off duty (except as it relates to privately owned personal body armour);

(b) to confirm the officer’s decision to possess a weapon off duty for a:

- further three months (with or without any conditions); or
- longer period, less than twelve months and, where appropriate, commence a process to provide the officer with a secure storage facility in accordance with s. 60: ‘Secure storage of weapons’ of the WA (with or without any conditions);

(v) any decision is communicated in writing to both officer and the OIC of the relevant station/establishment; and

(vi) the:

(a) approved weapons storage facility; and

(b) any ammunition storage and weapons clearing facilities,

installed at the officer’s residence are inspected after approval is granted for an officer to possess weapons off duty and annually by an appropriately nominated officer.

Where an officer decides it is no longer necessary to possess a weapon off duty, the officer is to:

(i) no longer possess a weapon off duty (except in the case of privately owned protective body armour); and

(ii) notify their OIC of their decision in writing.

Storage of the weapon

Where a member of the Service decides it is necessary to possess a weapon when off duty but it is not necessary to maintain physical possession (i.e. carriage) of the weapon, the officer is to:

(i) comply with the storage requirements of s. 60: ‘Secure storage of weapons’ of the WA and s. 94: ‘Storage of particular weapons not in person’s physical possession–secure storage facilities’ of the Weapons Regulation (WR); or

(ii) where that is not practical to comply with subsection (i), the officer is to comply with the storage requirements of ss. 95: ‘Storage of weapon not in person’s physical possession if away from secure storage facilities or visitor to Queensland – secure storage’ and 96: ‘Safety precautions for weapons in or on vehicles’ of the WR.

In the case of a category H weapon (handgun), ammunition for the weapon is to be stored separately to the weapon (see s. 99: ‘Requirements for storing small arms ammunition and power device cartridges’ of the ER).

Physical possession of the weapon

Where a member of the Service decides it is necessary to possess a weapon off duty and they need to maintain physical possession of the weapon, they should do so:

(i) in their place of residence, in such a manner as to take all reasonable safety precautions to ensure that no other person will gain possession of the weapon;

(ii) elsewhere:

(a) in the same manner as they are authorised to do so whilst performing their functions as a member of the Service (see s. 14.9: ‘Carriage of firearms – generally’ of this chapter); and

(b) in accordance with Chapter 14: ‘Operational Skills and Practices’ of this Manual.
ORDER
Officers are not to use:

(i) non-Service issued accoutrements, holsters or equipment; or
(ii) Service issued accoutrements, holsters or equipment, for which they do not hold current Operational Skills and Tactics qualifications,
to carry a weapon whilst off duty.

Use of force reporting
ORDER
Where an off-duty officer is required to:

(i) present their Service firearm;
(ii) discharge their Service firearm; or
(iii) use their baton, oleoresin capsicum (OC) spray or handcuffs,
to protect themselves or a family member, the officer is to contact the regional duty officer or patrol group inspector responsible for the incident location as soon as reasonably practicable.

The officer is to comply with s. 14.3.9: ‘Use of force reporting’ of this chapter in relation to the use of force.

The regional duty officer or patrol group inspector is to:

(i) investigate the use of force;
(ii) review the level of safety of the officer and family members as a result of the incident; and
(iii) brief the relevant officer’s district officer in relation to the incident.

14.4.3 Staff members (authorisation to possess or use weapons as part of the performance of their duty)
Assistant commissioners, chief superintendents and superintendents have been delegated the power to authorise staff members to possess or use a weapon as part of the performance of their duty, pursuant to s. 2(1)(e): ‘Application of Act’ of the Weapons Act (WA) (see Delegation D 8.7).

ORDER
When staff members are detailed to perform duties in areas where they are required to possess or use weapons, including the possession or use of a weapon as part of a Service approved weapon training program, the relevant assistant commissioner, chief superintendent or superintendent may provide a specific authorisation, in conjunction with s. 2(1)(e) of the WA, for that particular staff member to possess or use a weapon as part of the performance of their duty. An example authorisation is provided in Appendix 14.2: ‘Authority to possess weapons’ of this chapter.

However, this authorisation should only be provided if:

(i) the assistant commissioner, chief superintendent or superintendent is satisfied the staff member has the necessary expertise or experience; or
(ii) the staff member has satisfactorily completed approved training, in the safe handling of weapons.

This authority is not to be issued to a staff member who is or has been named as a respondent in a domestic violence order (DVO) or in an interstate order within the meaning of the Domestic and Family Violence Protection Act (DFVP) or who for any other reason is ineligible to obtain a licence under s. 10B: ‘Fit and proper person–licensees’ of the WA to possess weapons.

Staff members authorised pursuant to this policy, or who have previously been authorised to possess or use a weapon as part of the performance of their duty, and who have been named as a respondent in a DVO or in an interstate order within the meaning of the DFVP or who for any other reason become ineligible to obtain a licence under the WA to possess weapons are to immediately notify their relevant assistant commissioner, chief superintendent or superintendent.

The relevant assistant commissioner, chief superintendent or superintendent notified in accordance with the previous paragraph or who becomes aware of those circumstances prevailing are to take appropriate action in revoking authorisations issued where required.

Authorisations given to staff members for the possession or use of weapons as part of the performance of duty are to be forwarded to the Inspector, Manager, Weapons Licensing, who is responsible for maintaining a register of the details of staff members provided with this authority.
14.4.4 Exemptions (s. 2(1)(m) Weapons Act)

Assistant commissioners or other delegated persons who have been delegated the power to issue additional exemptions to officers pursuant to s. 2(1)(m): ‘Application of Act’ of the Weapons Act (WA) (see Delegation D 8.1) may allow officers to have possession and use of weapons outside the performance of their duties as part of officially sanctioned competitions (i.e. police games).

The authority provided by this delegation is to be used only in respect to applications for exemptions made by officers on a Form 15F: ‘Application for an exemption’ (available on Weapons Licensing webpage on the QPS Service Internet).

When making an application for an exemption, officers are:

   (i) to fully complete a Form 15F: ‘Application for an exemption’; and
   (ii) submit it through their chain of command to the assistant commissioner or in the case of officers seconded to other government agencies, to the Assistant Commissioner, Operations Support Command.

Assistant commissioners or other delegated persons should upon receipt of an application, liaise with the Inspector, Manager, Weapons Licensing, so an exemption number may be obtained and Weapons Licensing computer records are accurate.

Whenever an assistant commissioner or other delegated person exercises the delegated power to issue exemptions pursuant to s. 2(1)(m) of the WA, the minimum requirement in any exemption should include the following conditions:

   (i) the exemption specifically authorises the possession and/or the use of the specified weapon, which may include the location and storage of the weapon;
   (ii) the time frame the exemption remains in force;
   (iii) whenever any weapon subject to the exemption is not in the officer’s actual physical possession, it is to be secured in a storage facility for the category of weapon as provided for in ss. 93-96 of the Weapons Regulation; and
   (iv) any ammunition is stored elsewhere to the firearm in a manner consistent with s. 99: ‘Requirements for storing small arms ammunition and power device cartridges’ of the Explosives Regulation.

ORDER

Exemptions are not to be issued for the use of Service firearms in non-police sports or target shooting competitions or practice.

14.4.5 Participation in Service firearms training by non-Service members

For the purpose of this section, a ‘non-Service member’ refers to a person who is not a police officer, recruit or staff member as defined in ss. 2.2: ‘Membership of service’ and 2.5: ‘Administration of staff members’ of the Police Service Administration Act. Examples of non-Service members include visiting interstate or international police.

Where non-Service members seek to participate in Service approved firearms training, a report seeking approval is to be submitted to the assistant commissioner of the region or command.

Assistant commissioners of regions or commands deciding whether to approve such applications should consider the applicability or otherwise of s. 53: ‘An unlicensed person may use a weapon at an approved range’ of the Weapons Act (WA).

Where s. 53 of the WA applies, the assistant commissioner of a region or command may give approval for a non-member of the Service to participate in Service approved firearms training.

The officer making application for a non-Service member to participate in Service approved firearms training is to ensure a Form 33: ‘Declaration by an unauthorised person for use of a weapon at an approved range’ (available on the QPS Internet website) is completed and submitted with the application report.

ORDER

Where approval has been given by the assistant commissioner of the region or command, the participation of a non-Service member in Service approved firearms training, is to be conducted in compliance with s. 53, and any other relevant provisions of the WA.

14.5 Issue of firearms

POLICY

Firearms related material contained in this Manual should be read in conjunction with the applicable Operational Skills and Tactics (OST) training manuals and good practice guides.
The provisions of the Operational Procedures Manual are to take precedence over the contents of these manuals where any inconsistency between these manuals and Service policies, procedures or orders arises.

A Service firearm should not be issued to an officer unless the officer has been trained and qualified in the use of the particular type of firearm, as determined by a qualified firearms training officer.

Service firearms may be issued on a personal or station/establishment basis, depending on the needs of each station/establishment.

**PROCEDURE**

Procedures for the requisition of Service handguns are contained on the Armoury webpage, QPS Corporate Intranet.

Should a firearm require replacement, a form QP413: ‘Requisition for weapons/restricted item’ is to be completed and the reason for replacement is to be inserted in the comments box.

**ORDER**

All police officers are to undertake firearms training, unless otherwise exempted by their District officer. The Chief OST Instructor is to ensure that the necessary systems are in place to enable firearms training to take place.

Firearms training will be conducted as part of Blocks 1 and 2 OST training. Officers are required to qualify on each occasion training is undertaken to a standard as determined by the Chief OST Instructor.

Officers who fail to qualify are to undertake further instruction at the earliest opportunity. Officers who fail to qualify after further instruction are to deliver as soon as practicable, any Service firearm in their possession to:

(i) the firearms training officer who conducted such training; or

(ii) another officer nominated by the firearms training officer;

and are not to use or carry that type of Service firearm until such time as the officer qualifies.

District officers are to maintain a record of officers in their area of responsibility, who are, or have been, exempted from undertaking the firearms component of Blocks 1 and 2 OST training (see s. 14.3.1: ‘Operational Skills and Tactics (OST) training’ of this chapter).

Officers are not to use or carry a Service issued firearm unless they have successfully completed firearms training to a standard as determined by the Chief OST Instructor.

**POLICY**

In circumstances where a Service firearm is taken possession of as an exhibit following an incident involving an officer, a replacement firearm should normally be issued to that officer subject to consideration of the circumstances of the incident and the psychological state of the officer.

Officers should not possess or use a Service firearm which has not been issued to them.

Officers are not to use or carry privately owned firearms while on duty, unless special circumstances exist and the officer in charge of their region or command has approved of the use of such firearm. In determining whether to grant approval in such instances, officers in charge of regions or commands should comply with s. 14.6.9: ‘Non-standard equipment approvals’ of this chapter.

**14.5.1 Service rifles**

In addition to the specifics of this section, members are to comply with the provisions of chapter 14 dealing with firearms and responsibilities for Service equipment.

For the purposes of this section:

**Performance of duty**

excludes Service approved rifle training, other activity authorised pursuant s. 2(1)(m) of the *Weapons Act*, and activities involving the handling, maintenance or inspection of a Service rifle.

**Use of Service rifles**

Service rifles provide officers the option of having access to a longarm to increase their capability to effectively engage threats at a greater range and with more accuracy that can be usually achieved with the issued Service pistol. Service rifles enhance officer and public safety by ensuring that officers are not defeated by weapon overmatch when an offender is, or could be, armed with a longarm such as a rifle or shotgun.

Service rifles are issued to stations or establishments for use by qualified officers (rifle users);

(i) when a threat assessment indicates a Service rifle is an appropriate use of force option (see s. 14.3.2: ‘Situational Use of Force Model – 2016) of this chapter;

(ii) in tactically dangerous situations (see s. 17.3.7: ‘Tactically dangerous situations’) of this Manual;
In the containment of high risk situations until the arrival of the Special Emergency Response Team (see s. 2.19.13: ‘Special Emergency Response Team’ of this Manual);

(iv) in the performance of high risk operational functions of specialist units; or

(v) in the destruction of animals and stock (see s. 13.16.4: ‘Destruction of animals’ of this Manual).

ORDER

Unless exceptional circumstances exist, officers are not to use a Service rifle in the performance of their duty unless currently qualified. First response rifle users are to ensure, where available, a Service rifle is carried in their Service vehicle when on duty.

Carriage, storage and maintenance

Rifle users are to comply with:

(i) s. 14.6.4: ‘Safety of firearms’ of this chapter; and

(ii) s. 14.22.1: ‘Operational equipment’ of this chapter.

OIC are responsible for the storage of Service rifles issued to their station or establishment in accordance with ‘Weapons Storage Requirements of Police Facilities’ on the Built Assets Resource Centre web page of the Service Intranet. See also s. 14.22.1: ‘Operational equipment’ of this chapter.

Service rifles are to be carried, stored, and maintained in accordance with manufacturer’s instructions and where applicable in an approved rifle container/case. Rifle magazines and ammunition are to be readily available and stored with the rifle container/case.

Use of force reporting

ORDER

Officers who remove a Service rifle from its container or carry case, in the performance of their duty (exceptions apply to specialist units) are to ensure a Use of Force report is completed in the relevant QPRIME occurrence. See s. 14.7: ‘Use of firearms’ of this chapter.

Training

The Chief OST Instructor is responsible for ensuring the necessary systems and resources are in place to qualify sufficient numbers of officers state-wide annually.

Assistant commissioners are to ensure sufficient numbers of officers undertake Service approved training for their area of responsibility to the required level (Rifle Coordinator, Rifle Instructor, Rifle User). Officers are to re-qualify annually.

Logbook and inspections

OIC of stations or establishments issued with a Service rifle are to ensure:

(i) the issued QPB72: ‘Service Rifle Log Book’ is maintained for every rifle recording the serial number, progressive total of rounds fired, dates of Armoury inspections and when the rifle was sighted;

(ii) rifles are inspected by a rifle instructor for cleanliness and serviceability at every training session and as part of the monthly accoutrement inspection (see s. 14.6.5: ‘Responsibilities of officers in charge of stations and establishments’ of this chapter); and

(iii) the rifle and its individual QPB72 is delivered to the Armoury for inspection:

(a) upon the expiration of 2000 rounds or twenty-four (24) months duration, whichever is the sooner, or

(b) where inspection by a rifle instructor identifies the rifle is defective or damaged.

### 14.6 Possession, maintenance, care and safety of weapons and officers’ responsibilities

#### 14.6.1 Possession of weapons and ammunition when travelling

Officers travelling as part of the performance of their duty, including on transfer, should, wherever practicable, store any Service:

(i) weapon in their possession:

(a) in the case of a firearm, in a gun safe at a police station or establishment at a place where they may be required to stay overnight or otherwise; or

(b) in the case of other weapons or where it is not practicable to store a firearm in a gun safe in compliance with subparagraph (a), by:
• locking the weapon in the boot compartment of their vehicle; or
• where their vehicle has no boot compartment, elsewhere in the vehicle so the weapon, including any firearm(s) and any holster/case, is placed out of view ensuring the vehicle is locked;
• in a lockable receptacle which only the officer has access to and which is in a reasonably secure location; or
• taking other precautions that, so far as practicable, ensure the security of the weapon(s); and

(ii) magazines and ammunition for a firearm, elsewhere to the firearm, in a secure manner consistent with the Explosives Regulation, Service policies and preferably in a cool dry place.

14.6.2 Security of weapons and ammunition

POLICY

Officers are to take all reasonable precautions to protect and safeguard Service weapons, magazines and ammunition on issue to them and will be held responsible for their strict security, proper use and maintenance.

Officers should immediately report to their officer in charge:

(i) the loss of;
(ii) any damage or defect to; or
(iii) any unsatisfactory condition relating to;

any Service weapon, magazine or ammunition.

14.6.3 Maintenance of firearms

ORDER

Officers issued with a Service firearm are to:

(i) be responsible for the proper maintenance and care of the firearm in accordance with the provisions contained in the applicable Operational Skills and Tactics (OST) training manual;

(ii) ensure that unless operational requirements dictate otherwise, in the case of a Service semi-automatic pistol, the firearm is only to be stripped to a level to allow cleaning in compliance with the OST, Glock Semi-Automatic Pistol Manual’. Further stripping, repairs or alterations are only to be performed by the Service Armourer or another person authorized in writing by the supervisor of the Armoury, Richlands Supply Services;

(iii) carry the firearm in the holster issued to them, or authorised for their use in accordance with s. 14.9: ‘Carriage of firearms generally’ of this chapter, to prevent damage to the mechanism and/or finish of the firearm;

(iv) in the event of the firearm and/or holster becoming wet, remove the firearm from the holster and ensure that both are thoroughly dried. The firearm is then to be cleaned and oiled;

(v) in the event of the firearm being submerged in water, officers are to comply with the procedures outlined in the applicable OST training manual; and

(vi) produce their Service firearm to a firearms training officer for inspection at least every twelve months.

14.6.4 Safety of firearms

ORDER

Members are to:

(i) treat every firearm as if it is loaded until personally proven otherwise;

(ii) prove a firearm before handing same to someone else;

(iii) prove a firearm upon receiving same from someone else;

(iv) never throw a firearm to someone else or attempt to catch a firearm;

(v) never fire while running;

(vi) never point a firearm at any person, or in any direction where any person is likely to be, whether it is believed that the firearm is unloaded or not, unless it is actually intended to fire at a person where lawfully entitled to;

(vii) observe security precautions consistent with the Weapons Act and Service policies;

(viii) not handle a firearm unnecessarily;

(ix) be familiar with the mechanism, loading system and safety features of a firearm under their control; and

(x) use only Service approved ammunition (ammunition is to be replaced every twelve months).
When removing a Service firearm from a gun safe or other approved safe provided by the Service at their respective station or establishment, members are to prove and load the weapon in compliance with the procedures outlined in the relevant Operational Skills and Tactics (OST) training manual.

Officers are to not leave their Service firearm unattended in a vehicle or other place without good and sufficient reason. This may include:

(i) officers having to attend a situation where the carriage of a firearm poses a risk to security or safety, e.g. riot, serious street disturbance or authorised assembly;

(ii) where the firearm restricts operational activity, e.g. officers being involved in a rescue operation; or

(iii) where it is necessary for special operational situations or circumstances, e.g. hostage or suicide negotiations.

Prior to ceasing duty or where a Service firearm is not required for duty, members are to:

(i) unload any Service firearm in their possession in compliance with the procedures outlined in the relevant OST training manual;

(ii) place it in a gun safe or other approved safe provided by the Service at their respective station or establishment;

(iii) where practicable, secure the firearm in the gun safe with a padlock supplied by the Service at their respective station or establishment for that purpose;

(iv) observe security precautions consistent with the Weapons Act and Service policies; and

(v) where practicable, store any magazines and ammunition for the firearm, at their respective station or establishment, in a location elsewhere to the firearm, in a secure manner consistent with the Explosives Regulation, Service policies and preferably in a cool dry place.

Each member accessing a gun safe or other approved safe provided by the Service is to ensure that the safe is securely locked immediately after use.

Where possible, Service firearms should only be loaded or unloaded in a ‘designated safe weapon clearing area’ (see s. 14.2: ‘Definitions and references to legislation’ of this chapter).

14.6.5 Responsibilities of officers in charge of stations and establishments

Officers in charge of stations and establishments are to:

(i) ensure a personal inspection of all Service weapons and handcuffs issued to officers under their control or to their station/establishment is made monthly. They are to ensure these weapons and handcuffs are well maintained. Particulars of these inspections are to be recorded in a register kept for this purpose (see s. 2.3.4: ‘Registers’ of the MSM). Inspections are to include all related equipment. District officers may authorise inspections of weapons and handcuffs to be undertaken at other specified time intervals;

(ii) immediately report to the district officer or supervising commissioned officer the loss of, any damage or defect to or any unsatisfactory condition relating to Service weapons, handcuffs or equipment, and comply with the provisions of the Financial Management Practice Manual in relation to any losses and, where appropriate, the recovery of debts resulting from the loss or destruction or damage to property while in the care of members;

(iii) ensure any:

(a) firearm or magazine that is damaged, defective or otherwise requires servicing is forwarded to the Service Armourer, Brisbane; and

(b) ammunition that is damaged, defective or otherwise requires replacement is forwarded to a firearms training officer;

(iv) where a Service rifle has been issued to that station or establishment:

(a) maintain a log book for every rifle, recording the serial number, a progressive total of the number of rounds fired and dates of inspections by the Service Armourer; and

(b) upon the expiration of 2000 rounds or 24 months duration, whichever is the sooner, forward or deliver the rifle to the Service Armourer, Brisbane, for inspection and any necessary repair;

(v) ensure officers under their control carry firearms in accordance with the provisions of this chapter;

(vi) in liaison with the firearms training officer concerned, ensure all officers under their control who have been issued with Service firearms, undertake firearms training in accordance with s. 14.3.10: ‘Operational skills and tactics (OST) training’ of this Manual;

(vii) where officers are not OST qualified or subject to an OST exemption, deploy officers to appropriate non-operational duties; and
(viii) designate a safe weapon clearing area in their station-establishment for the loading and unloading of all firearms. OICs are to consider the following:

(a) that it be positioned adjacent to or in close proximity to the station or establishment firearms safe;
(b) that a weapon clearing station should be installed at this location;
(c) weapon loading and unloading instructions are to be clearly displayed; and
(d) the area is to be clear of other office equipment or obstructions. Officers should be able to stand unhindered directly in front of any weapon clearing station (see Weapon clearing station guidelines contained within the Operational Equipment webpage on the Service intranet).

Weapons clearing station, ballistic blanket and panel guidelines
The OIC of a station-establishment is to comply with the Weapon clearing station guidelines contained within the Operational Equipment webpage on the Service intranet.

14.6.6 Firearms training officers (responsibilities)

ORDER

Firearms training officers are to:

(i) inspect all Service firearms within their area of responsibility, including station-establishment issue at least every six months and record the results of that inspection in a register kept for that purpose. Details of any defective firearm are to be given to the OIC of the station or establishment;
(ii) instruct officers in the use of, cleaning and maintenance of firearms and other related equipment;
(iii) in liaison with the respective officers in charge of stations and establishments, arrange for officers at their district or establishment to receive firearms training as part of Blocks 1 and 2 Operational Skills and Tactics training, or more frequently if required;
(iv) maintain a record of training conducted in relation to officers within their area of responsibility; and
(v) recommend to the relevant OIC the relinquishment of firearms from those officers who fail to qualify after receiving further instruction.

14.6.7 Firearms and firearm holsters modifications
The OIC of a region or command may authorise the fitting of a locking device or other item to a personal issue Service firearm if it will assist an officer in the use, control, or safety of the firearm. In determining whether to grant approval in such instances, OICs of regions or commands should comply with s. 14.6.9: ‘Non-standard equipment approvals’ of this chapter.

Unless authorised by the OIC of the region or command, officers are not to modify:

(i) a personal issue Service firearm in any way other than by installing a rubber sleeve or applying grip tape (that is black or dark grey in colour) on a Service semi-automatic pistol; or
(ii) a Service issued or authorised holster.

14.6.8 Return of accoutrements while on extended absence

POLICY

Officers who will be absent from their station or establishment on leave or for another reason that does not require them to retain possession of their firearm, handcuffs or extendible baton (accoutrements) for any continuous period in excess of four weeks should ensure the accoutrements on issue to them are delivered into the possession of the officer in charge of their station or establishment immediately prior to, or in the case of an unplanned absence, as soon as practicable after commencing the period of absence.

For Oleoresin Capsicum (OC) spray canisters, officers should comply with the policy contained in s. 14.21.4: ‘Issue and return of OC spray canisters’ of this chapter.

See also s. 14.17: ‘Officers affected by a relevant medical condition’ of this chapter.

Responsibility of officer in charge

POLICY

Officers in charge who are aware that an officer under their control is to be, or is absent from their station or establishment on leave or for another reason that does not require them to retain possession of their firearm, handcuffs or extendible baton (accoutrements) for any continuous period in excess of four weeks should, wherever practicable, ensure the provisions of this section are complied with.
Officers in charge should ensure that accoutrements delivered into their possession pursuant to this section are dealt with in accordance with ss. 14.6.2: ‘Security of weapons’, 14.19.4: ‘Storage of handcuffs’ and 14.18.5: ‘Storage – extendable batons’ of this chapter as if the accoutrements were on issue to them.

14.6.9 Operational equipment approval

For the definition of ‘Operational equipment’ see Service Manuals Definitions.

POLICY

The Assistant Commissioner, Organisational Capability Command is the approval authority for all operational equipment used by the Service. The approval process commences at district officer level through the submission of an initiative proposal (See ‘Initiative Lifecycle’ form available on the Service Improvement, Organisational Capability Command website).

All submissions are evaluated by the Operational Assets and Equipment Subcommittee, Service Improvement. The process ensures operational equipment is standardised, appropriate and fit for use whilst taking into account regional variations and specific specialist unit requirements. Most operational equipment will involve a trial before final approval.

PROCEDURE

For all operational equipment proposals, officers are to complete steps 1 and 2 of the ‘Initiative Lifecycle’ form and submit to their district officer/manager for evaluation and approval. Once approved at the district officer level the Initiative Lifecycle form along with an attached QP 1059: ‘Operational Equipment Approval Request’ is to be forwarded to the Operational Assets and Equipment Subcommittee for further consideration for evaluation and final approval where appropriate.

Unless otherwise expressly provided for by this chapter, applications for operational equipment which are weapons or restricted items under the Weapons Act are to be approved by a deputy commissioner or the Commissioner. A copy of the approval is to be forwarded to the Officer in Charge, Weapons Licensing. Where applicable, a completed Form 28: ‘Application for Permit to Acquire’ is to be attached.

ORDER

Officers are not to use operational equipment that has not been approved by the Assistant Commissioner, Organisational Capability Command or in the case of weapons or restricted items the deputy commissioner or Commissioner.

14.6.10 Load Bearing Vests

A Load Bearing Vest (LBV) is issued to officers to better distribute the weight of operational equipment and reduce the risk of injury.

A LBV is not ballistic or stab resistant (see s. 14.20: ‘Protective body armour’ of this chapter).

A LBV is not to be used by an officer in the performance of their duties unless the officer has successfully completed Operational Skills and Tactics (OST) approved LBV training conducted by a qualified OST Instructor.

Officers who have a pre-existing injury or condition must consult with their regional Health and Safety Coordinator (HSCO) or Injury Management Consultant (IMC) and where necessary, undergo assessment by a qualified occupational therapist or other health care professional.

Officers who require a LBV for use in the performance of their duty should:

(i) forward the completed QP0313: ‘Requisition for Supply of Uniform’ form or a ‘Supply of Police Uniforms’ request (see Service Intranet) to Richlands Supply Services for processing; and

(ii) complete the OST approved LBV training.

The Executive Manager, Operational Equipment and Warehousing is to ensure the LBV is forwarded to the applicant officer’s DETO or equivalent. The DETO or equivalent will only release the vest to the eligible officer when the officer’s OST LBV training is scheduled.

14.6.11 Load Bearing Vest training and use

A load bearing vest (LBV) should only be used in a manner prescribed in Operational Skills and Tactics (OST) approved LBV training and the LBV Good Practice Guide located on the Operational Skills and Tactics webpage on the Service Intranet.

The Chief OST Instructor is responsible for ensuring the necessary OST training is developed and made available for the effective use of a LBV by officers in the performance of their duties. LBV training may be conducted in conjunction with OST training, or separately (see s. 14.3.10: ‘Operational Skills and Tactics (OST) training’ of this chapter).

Officers issued with a LBV should undertake all OST training wearing the LBV, unless otherwise directed by the OST Instructor conducting the training.
OICs of ETOs, or equivalent, are to ensure appropriate training records with respect to the use of a LBV are retained at their respective establishments.

ORDER

Officers are not to carry a Service firearm, extra magazines or Taser mounted on a LBV, unless they are:

(i) qualified in the use of that specialist equipment; or
(ii) a member of a specialist unit and have formal approval from their respective Superintendent e.g. members of the Special Emergency Response Team or Public Safety Response Team.

Officers issued with a LBV are to thoroughly familiarise themselves with:

(i) the positioning and use of accoutrements with respect to the wearing of the LBV; and
(ii) any subsequent change in positioning of their accoutrements due to operational, medical or other reasons.

Officers should not alter the location of any accoutrement on the LBV unless exceptional circumstances exist e.g. if the officer is of such small physical stature they are unable to safely and effectively carry all their accoutrements in the issue pouches on the LBV. Under these circumstances an officer may move an accoutrement from the LBV and onto their utility belt.

Officers experiencing exceptional circumstances can make application to obtain written approval from their OIC, after an assessment and approval from a suitably qualified (OST) Instructor.

Privately owned LBV are not to be worn by officers.

Repairs and replacement of load bearing vests

If a LBV is damaged or in need of repair, members are to forward the vest to the Uniform Quality Development Officer (Tailor), Richlands Supply Services for inspection, necessary repairs or replacement.

14.6.12 Carriage and use of knives, multifunction and rescue tools

For the purposes of this section:

‘Fixed blade knife’ means a knife with the blade permanently affixed to the handle and hilt. The blade is not moveable;

‘Folding knife’ means a knife or an implement whose primary function is that of a cutting tool with one or more blades which can be folded inside the handle. A knife in the pattern of a ‘folding hunting knife’, ‘jack-knife’, or ‘tactical folder’ is regarded as a folding knife;

‘Ligature knife’ (or Rescue 911 knife) means a folding knife with a ‘c’ shaped blade specifically designed for cutting rope, car seat belts or clothing etc. without injuring the restrained person. The ligature knife is regularly used in watchhouses and correctional facilities;

‘Multifunction tool’ (or multi-tool) means any one of a range of portable hand tools which combine several individual functions in a single unit. Multi-tools generally have a knife blade and include various tools, such as screwdrivers, pliers, saw blades, and other attachments. These attachments are stowed inside the handle of the knife through a pivot point mechanism. A pocketknife in the pattern of a ‘Swiss Army Knife’ is regarded as a multi-tool; and

‘Rescue tool’ means a portable hand tool specifically designed for emergency services personnel and is intended for use in rescue or emergency type operations. Rescue tools may include various tools such as window breakers and seatbelt cutters. They are similar in operation and appearance to a multi-tool.

Officers are permitted to carry and use a privately obtained multifunction tool, rescue tool or ligature knife to assist in the performance of their duties.

ORDER

Multifunction tools, rescue tools and ligature knives are only to be used in accordance with their intended design, manufacturer’s instructions and in a utility type role.

Multifunction tools, rescue tools and ligature knives are not to be used as a use of force option or as a weapon.

Unless otherwise exempted by the district officer, officers are not to carry:

(i) a fixed blade knife on their person whilst performing duties;
(ii) any type of folding knife (excluding ligature knives) on their person whilst performing duties; or
(iii) any knife defined in s. 7A(a)-(i): ‘Category M weapons’ of the Weapons Categories Regulation.

This order does not apply to:
(i) officers who are members of specialist units (e.g. the Special Emergency Response Team, Water Police, Diving Squad, Major and Organised Crime Squad (Rural)) or who may be required to carry a fixed blade knife or a folding blade knife on their person to assist in the performance of their duties;

(ii) members who perform duties that may require the carriage of a ceremonial knife as part of their uniform or ceremonial dress (e.g. Queensland Police Pipes and Drums members may carry a ceremonial knife known as a skean-dhu or sgian-dubh as part of their ceremonial dress uniform); or

(iii) members who are required to carry a knife as a religious symbol (e.g. a follower of the Sikh religion may carry a ceremonial knife known as a kirpan for religious reasons, see also s. 6.4: ‘Cross-cultural issues’ of this Manual).

Carriage of multi-tools and rescue tools

Officers who elect to carry a multi-tool or rescue tool are to carry the item in an enclosed pouch that:

(i) is capable of being firmly affixed to a utility belt;

(ii) is black in colour and either of leather or synthetic material construction (nylon/cordura); and

(iii) has a closing flap that is able to be secured.

Officers who elect to carry a multi-tool or rescue tool should mark or engrave their registered number on the item.

Where there is any doubt whether a knife, multi-tool or rescue tool is appropriate to be carried by an officer, the knife, multi-tool or rescue tool is to be assessed and approved by the officer’s OIC or a qualified Operational Skills and Tactics Instructor. Further information on appropriate knives, multi-tools and rescue tools may be viewed at the Operational Skills and Tactics Program webpage on the Service Intranet.

The district officer may authorise carriage and use of a folding knife or fixed blade knife under certain circumstances to assist officers in the performance of their duties (see s. 14.6.9: ‘Operational equipment approval’ of this chapter).

ORDER

Multi-tool and rescue tools are limited to a knife blade length of ten centimetres.

Carriage of ligature knives

Officers who elect to carry a ligature knife are to carry the item in an enclosed pouch that:

(i) is capable of being firmly affixed to a utility belt;

(ii) is black in colour and either of leather or synthetic material construction (nylon/cordura); and

(iii) has a closing flap that is able to be secured.

Staff members performing duty in a watchhouse may carry a ligature knife in an enclosed pouch that is capable of being firmly affixed to a belt.

14.7 Use of firearms

For the purposes of this section:

Supervisor means officer in charge of the station or establishment, shift supervisor, patrol group inspector, regional or district duty officer as applicable.

Use of a Service firearm means:

(i) drawing the firearm out of the holster; or

(ii) pointing the firearm in the direction of a person without discharging; or

(iii) discharging the firearm,

in the performance of the officer’s duties.

Use of a Service firearm does not include firearms training, station loading and unloading procedures, or other activity authorised pursuant to s. 2(1)(m) of the Weapons Act.

Where the firearm is a Service rifle, drawing the firearm includes removing the rifle from its container, however, a use of force report is not required when the Service rifle is utilised in routine high risk activities authorised by an assistant commissioner, if the Service rifle was not used in anyway other than being carried by the authorised officer, for example:
Special Emergency Response Team, Operations Support Command, when conducting designated duties.

State Drug Investigations Unit, State Crime Command, whilst conducting patrols for illegal drug crops.

**POLICY**

Officers should refrain from using firearms in the performance of their duties unless there exists an apparently unavoidable necessity to use the firearm, which would be justified at law. Section 14.3.5: ‘Use of lethal force’ of this chapter provides the legislated authority for officers to use lethal force in certain situations.

Officers should read and follow the principles contained in the ‘Australia New Zealand Guidelines for deployment of police to high risk situations’ with respect to the use of lethal force (see Appendix 14.1: ‘Australia New Zealand guidelines for the use of lethal force by police’ of this chapter).

When an officer is dealing with any ‘use of force’ incident they are to comply with s. 14.3.2: ‘Situational Use of Force Model (2009)’ of this chapter.

Where an officer is involved in the use of a Service firearm they are to be able to clearly articulate the reasons for using the firearm. Relevant factors may include:

(i) whether the officer’s life, or another person’s life was in immediate peril; and
(ii) there was no reasonable, or apparent, means of escape.

**ORDER**

Officers are not to use a firearm:

(i) as a threat unless there are reasonable grounds to believe that use of the firearm is necessary to protect life or prevent serious injury to any person;

(ii) in crowded thoroughfares or where lives of innocent people might be endangered, in order to prevent the escape of an offender; or

(iii) to fire warning shots.

Officers are to be able to fully justify any decision to discharge a Service firearm in the execution of their duty (see s. 14.3.5 of this chapter).

**Discharging firearms at moving vehicles**

Due to the potential for loss of control resulting from any discharge of a firearm at a moving vehicle, a foreseeable risk exists and a subsequent duty of care to offenders, officers and members of the public exists. Even if the driver or vehicle’s engine is immediately incapacitated, the vehicle will continue to travel until stopped by external means, usually a collision.

**ORDER**

Officers are not to use a firearm to fire at a moving vehicle unless:

(i) someone in the vehicle is using or threatening deadly force other than by the vehicle itself (e.g. shooting at people from the vehicle); or

(ii) the driver is using the vehicle itself as a weapon (e.g. running people over with the vehicle),

and there are no other options available to prevent death or grievous bodily harm to an officer or any other person (see s. 14.3.5 of this chapter).

Officers are not to fire at a moving vehicle to avoid being struck by the vehicle, but rather should move from its path and take cover.

**Use of force reporting**

**ORDER**

Officers who use a Service firearm in the performance of their duties, other than during firearms training, station loading and unloading procedures or other activity authorised pursuant to s. 2(1)(m) of the Weapons Act are to:

(i) immediately advise their supervisor of the use of the firearm, including:

(a) the location and details of the incident;

(b) whether the firearm was discharged;

(c) whether any person has been killed or injured, including the identity of the person and whether they are a member of the Service, offender or member of the community; and

(d) the condition of any injured person; and
(ii) ensure a ‘Use of Force Report’ is completed in the relevant QPRIME occurrence. If the officer is incapacitated, the officer’s supervisor is to ensure the report is completed (see s. 14.3.9: ‘Use of force reporting’ of this chapter).

Where a firearm is used for the lawful destruction of an injured or sick animal, a QPRIME ‘Use of force report’ is to be submitted.

In cases of ammunition misfire or other incidents involving a firearm or ammunition resulting in significant safety issues:

(i) the senior officer present at the incident; or

(ii) if during firearms training, the responsible firearms training officer,

is to immediately advise their supervisor.

**Significant event message**

**POLICY**

Subject to the provisions of ss. 1.16: ‘Fatalities or serious injuries resulting from incidents involving members (Police related incidents) and 16.23: ‘Deaths in police custody’ of this Manual, supervisors who are advised of the use of a firearm by an officer or other incident as above are to:

(i) ensure that a significant event message is completed, including:

(a) a summary of the incident;

(b) action taken or pending; and

(c) details of any complaints, suspects or offenders,

(see s. 1.18.1: ‘Significant Event Messaging System’ of this Manual). A significant event message is not required for the lawful destruction of an injured or sick animal;

(ii) ensure that particulars are entered on their QP 0161: ‘Activity log’, station or occurrence log;

(iii) ensure that the circumstances under which the firearm was used or discharged (other than for the lawful destruction of an injured or sick animal) are fully investigated to determine whether the use of the firearm was justified and consider the ‘Procedural guidelines for professional conduct’ policy, available on the Ethical Standards Command Policy and Guidelines webpage on the Service Intranet. Where grounds for disciplinary action are identified in relation to the incident, the supervisor is to complete a QP 0466: ‘Complaint against Member of the Police Service’;

(iv) where an equipment or procedure deficiency is identified, take immediate action to:

(a) prevent a similar incident from recurring; and

(b) preserve evidence including seizing the subject firearm for forensic examination or preventing further use of a weapons clearing station; and

(v) subject to any disciplinary process being undertaken, prepare a report on the incident and make recommendations as to what corrective or remedial action should be taken e.g. officer not permitted to use a firearm until further training undertaken, workplace design improvements, etc.

See s. 2.4: ‘Incident management’ of this Manual for requirements of a first response officer or officer in control of an incident scene.


**Review of firearm incidents**

**POLICY**

All incidents involving the discharge of a Service firearm will be reviewed by the officer in charge of the relevant district or branch within 72 hours of the event. SERPs will also review the use of a firearm.

14.8 Post shooting trauma

**POLICY**

The senior officer at the scene of a serious incident involving an officer is responsible for initiating the Service’s psychological services response by contacting or arranging for contact of the relevant Human Services Officer (see ‘Psychological First Aid for Managing Critical Incidents’ within Employee Assistance of the Human Resources Policies.
14.9 Carriage of firearms – generally

POLICY

All officers qualified in Blocks 1 and 2 OST training are to wear their Service issued firearm in accordance with s. 14.4: ‘Service issued weapons’ of this chapter.

Officers carrying concealable firearms should carry sufficient ammunition to allow at least one, but no more than two reloads of the firearm. Such ammunition should be carried in Service issued ammunition pouches where possible.

14.9.1 Plain clothes officers

POLICY

Officers performing plain clothes duty should carry their concealable firearm in such a position that it cannot be seen by members of the public. Shoulder holsters are only to be worn when they are able to be concealed by a coat or other similar clothing.

ORDER

If a concealable firearm is worn so it is exposed to view, the officer is to:

(i) carry a Service identification badge in such a position that it is clearly visible to members of the public;

(ii) wear a Service issued holster (minimum level III security rating) which is securely attached to their belt, which is;

(a) the Service issued plain clothes utility belt; or

(b) of an appropriate design and construction with a suitable buckle which is able to carry the accoutrements in a safe and effective manner; and

(iii) carry at least one spare magazine in a separate pouch on the belt at the same time.

14.9.2 Officers in uniform

POLICY

Unless authorised by the District officer, officers in uniform are to carry and secure a Service concealable firearm in a Service issued holster which is to be worn on a Service issued utility belt. In determining whether to grant approval in such instances, district officers should comply with s. 14.6.9: ‘Non-standard equipment approvals’ of this chapter.

14.9.3 Use of appropriate holsters

POLICY

Officers should only use a Service issued holster that is appropriate for their particular firearm and type of duties (e.g. uniform or plain clothes).

14.9.4 Deleted

14.10 Surrendering firearms, handcuffs, batons and ammunition

Officer separating from the Service

Officers separating from the Service are to surrender all Service issued firearms, handcuffs, batons, ammunition and ancillary items to the OIC of their station or establishment prior to ceasing duty (see ‘Separation from the Service’ of the Human Resources Policies). This includes any privately acquired protective body armour the officer may possess (see s. 14.20.2: ‘Protective body armour (privately owned)’ of this chapter).

Within seven days of a firearm, handcuffs, baton and any personally issued protective body armour being surrendered, the OIC is to forward:

(i) the firearm, handcuffs, batons and any personally issued protective body armour to the Armoury, Richlands Supply Services; and

(ii) the ammunition to a firearms training officer for redistribution.

See ‘Separation from the Service’ of the Human Resources Policies and ‘Weapons movement guidelines, including use of registered Mail’ section of the Armoury webpage on the Service Intranet.

Suspension of officer

Where an officer is suspended or stood down under s. 6.1: ‘Power to stand down and suspend’ of the PSAA, or is on an extended sick leave program, the OIC is to take possession of the officer’s firearm, handcuffs, baton, ammunition
and any personally issued protective body armour and store them appropriately until such time as the officer is fit to resume their duties.

Death of officer
Following the death of a serving officer, the OIC where the deceased officer was stationed is to take possession of any firearm, handcuffs, batons, ammunition and ancillary items that were on issue to the deceased officer. The firearm, handcuffs and batons are to be forwarded to the Armoury, Richlands Supply Services.

Ammunition is to be delivered to a firearms training officer for redistribution (see ‘Separation from the Service’ of the Human Resources Policies).

### 14.11 Carriage of firearms, ammunition, handcuffs, batons, conducted energy weapons and Oleoresin Capsicum (OC) spray etc. on aircraft at airports

Members of the Service may be required to carry or possess weapons and accoutrements when travelling on aircraft during transfer, deployment to police a specific incident or event, or otherwise in the course of duty. The carriage of these items is impacted by various Commonwealth legislation relating to aviation safety and security. This section sets out the applicable provisions for members to comply with in these instances.

#### Aviation security measures

For information on aviation security see s. 11.23: ‘Aviation and Maritime Transport Security’ of this Manual.

#### 14.11.1 Definitions

In this section the following definitions apply.

**Aircraft operator**
- includes owner and/or the pilot in command of an aircraft.

**Airside areas**

**Dangerous goods**
- includes firearms; and
- items specified within:
  - (a) s. 3: ‘Definitions’ of the [Crimes (Aviation) Act (Cwlth)](https://www.legislation.gov.au/Details/C1995C00045);
  - (b) s. 23: ‘Dangerous goods’ of the [Civil Aviation Act (Cwlth)](https://www.legislation.gov.au/Details/C1995C00358); and
  - (c) the Dangerous Goods List contained in the Technical Instructions and explosives (see r. 92.015: ‘What are dangerous goods?’ of the [Civil Aviation Safety Regulations (Cwlth)](https://www.legislation.gov.au/Details/C2009C00905)).

**Landside areas**
- see s. 9: ‘Definitions’ of the ATSA.

**Law enforcement officer**
- see s. 82: ‘Law enforcement officers’ of the ATSA.

**Prescribed aircraft**
- for the ATSA, includes an aircraft that is being used for a regular public transport operation (see s. 9: ‘Definitions’ of the ATSA and r. 1.06: ‘Prescribed air services’ of the Aviation Transport Security Regulations (ATSR)).

**Prohibited item**
- includes handcuffs, but does not include handcuffs carried by a person who is escorting a person in custody or if carried in an aircraft with the authority of its operator for the purpose of restraining a violent person (see r. 1.07: ‘Prohibited items’ of the ATSR).

**Security Controlled Airport**
- see s. 28: ‘Airports and security controlled airports’ of the ATSA.

For a list of security controlled airports in Australia provided by the Department of Infrastructure and Regional Development, see Appendix 14.3: ‘Airport security ‘areas’ and ‘zones’ and Appendix 14.7: ‘Security controlled airports’.
Weapon for the ATSA, includes firearms, firearm parts, ammunition, batons, conducted energy weapons, air cartridges and OC spray (see r. 1.09: ‘Weapons’ of the ATSR).

14.11.2 Carriage of weapons and prohibited items on prescribed aircraft and at security controlled airports (Aviation Transport Security Act)

The Aviation Transport Security Act (Cwlth) (ATSA) establishes minimum security requirements for civil aviation in Australia with the objective of preventing unlawful interference with aviation. The ATSA is administered by the federal Office of Transport Security, the Department of Infrastructure and Regional Development.

The ATSA provides an exemption to law enforcement officers to the offence provisions provided they are on duty or performing duty at a security controlled airport.

ORDER
Officers are not to possess or carry weapons or prohibited items on prescribed aircraft, in airside or landside areas or through screening points unless performing duty or attending to policing incidents at security controlled airports.

When travelling on a prescribed aircraft, members are to transport weapons and prohibited items in checked passenger baggage stowed in the hold of the aircraft and are to comply with any restrictions imposed by the particular aircraft operator, see s. 14.11.3: ‘Additional storage and packaging requirements for transport of dangerous goods’ of this chapter.

14.11.3 Additional storage and packaging requirements for transport of dangerous goods

Legislation governing the carriage of dangerous goods on aircraft includes the Crimes (Aviation) Act (Cwlth), Civil Aviation Act (Cwlth), Part 92: ‘Consignment and carriage of dangerous goods by air’ of the Civil Aviation Safety Regulations (Cwlth) and the International Civil Aviation Organisation (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Civil Aviation Safety Authority (CASA) is the responsible entity for regulatory oversight and compliance.

PROCEDURE
Officers intending to transport dangerous goods on an aircraft are to make all necessary arrangements for their conveyance in a safe and secure manner in accordance with the requirements of the aircraft operator. Members should contact the aircraft operator prior to the flight to advise of the intended carriage of the goods on their aircraft and to seek advice regarding same.

ORDER
Officers are to:

(i) ensure any firearm is:
   (a) unloaded; and
   (b) stored in:
      • a securely closed container with the bolt removed or with a trigger lock fitted; or
      • a locked container of rigid construction;

(ii) ensure any ammunition:
   (a) is not over 5kg in gross weight for each officer travelling on the aircraft;
   (b) has inert projectiles;
   (c) is separated from the firearm; and
   (d) carried in boxes or magazines with the primer protected. The ammunition is to be securely packaged. Most manufacturers packaging is satisfactory although part-used boxes containing loosely held ammunition will not be adequate;

(iii) ensure any OC spray:
   (a) is secured in a locked airtight container of rigid construction; and
   (b) is limited to one OC spray canister of 100 grams net weight for each officer travelling on the aircraft;

(iv) ensure any conducted energy weapon is:
   (a) unloaded;
   (b) in safe mode with the safety switch engaged; and
   (c) secured in a locked container of rigid construction;

(v) ensure any air cartridges are:
(a) stored in original manufacturer’s packaging or equivalent packaging that would prevent probe deployment in the unlikely event of static electricity generated discharge; and
(b) carried separately to the conducted energy weapon; or
(c) carried separately and securely within the same container as the conducted energy weapon;
(vi) comply with the individual requirements contained in ‘Airline specific requirements’, below;
(vii) declare the carriage of the dangerous goods to check-in staff of the relevant aircraft operator at the time of checking in, and allow inspection of the items if requested; and
(viii) comply with any decision/instructions from staff of the relevant aircraft operator regarding the carriage and packaging of the dangerous goods.

For the carriage of handcuffs when escorting a person in custody, see s. 10.4.18: ‘Escort of persons in custody by commercial transport’ of this Manual.

Airline specific requirements
ORDER
Each airline has specific approval documentation issued by CASA, authorising the carriage of dangerous goods on their aircraft. Documentation relating to aircraft operated by:

(i) Alliance Airlines and subsidiary providers;
(ii) Regional Express Airlines (REX) and subsidiary providers;
(iii) Qantas and Jetstar;
(iv) Virgin Airlines,

are available from the QPS Travel Information and Resources webpage on the Service Intranet. Officers travelling with an airline listed above are to print off the relevant approval document and present it to the check-in staff.

Officers travelling on other private or charter aircraft are to:

(i) obtain the consent of the pilot in command and, where applicable, the operator of the aircraft; and
(ii) comply with the decision of the pilot in command and/or operator of the aircraft regarding the carriage, transport and storage requirements.

Officers travelling on QGAir aircraft are to:

(i) read the content of the QGAir approval document (available from the QPS Travel Information and Resources webpage on the Service Intranet) and ensure the instructions are complied with;
(ii) declare the carriage of the dangerous goods to the QGAir staff at the time of check in and allow inspection of the items if requested; and
(iii) comply with any decision of the QGAir staff regarding the carriage, transport or storage requirements.

14.11.4 Deleted

14.11.5 Carriage of weapons and prohibited items at airports and through screening points

POLICY
Generally officers are free to move about in the public areas of airports in possession of weapons and prohibited items whilst on duty.

ORDER
Officers carrying a weapon or prohibited item who wish to enter the sterile or secure areas of an airport in the performance of duty are to seek approval from the relevant airport manager unless emergent or exceptional circumstances exist. Officers should approach the screening team and

(i) identify themselves. If in plain clothes, officers are to produce their Service identification card as confirmation that they are a police officer;
(ii) notify them of the reasons for entering the sterile or secure areas of the airport and the details of approval, if applicable; and
(iii) advise them that they are in possession of a weapon or prohibited item and will not be travelling on an aircraft.

Under no circumstances are officers to drive a vehicle onto a taxi way or runway during normal airport operations without an escort provided by airport security.
14.12 Carriage of firearms in court, the Family Court and in Crime and Corruption Commission premises

14.12.1 Carriage of firearms and controlled items in Queensland courts

POLICY

Officers are not to possess, a firearm or controlled item within a court, unless:

(i) authorised under Supreme Court practice direction 9/2014: ‘Management of controlled items in court precincts’;
(ii) authorised under Magistrates Courts practice direction 3/2014: ‘Management of controlled items in court precincts’; or
(iii) in emergent circumstances.

14.12.2 Carriage of firearms in Family Court premises

POLICY

Officers should not wear or carry a Service firearm in any Family Court premises unless they are responding to an incident within those premises. Officers entering any Family Court premises carrying or wearing a firearm should comply with any reasonable request made of them with respect to their firearm by any security officer or member of the Australian Federal Police on duty within those premises.

14.12.3 Carriage of firearms by officers attending Crime and Corruption Commission premises

POLICY

Officers attending:

(i) Crime and Corruption Commission premises when called upon to present themselves for an interview or hearing;
(ii) premises where:
   (a) Misconduct Tribunal hearings; or
   (b) Police Service Review hearings;
are conducted; or
(iii) interviews or hearings conducted anywhere by Crime and Corruption Commission officers;

should not wear or carry a Service firearm.

In circumstances where officers do not have the opportunity to secure firearms prior to attendance at the premises of the Crime and Corruption Commission, officers should surrender firearms for storage in the Crime and Corruption Commission armoury.

14.13 Carriage of firearms in mental health units or hospitals

POLICY

Officers should not carry firearms within the confines of an authorised mental health high security unit, or medium security unit. Before entering the confines of an authorised mental health high or medium security unit, officers should store their firearms in the Service-approved safe provided by the mental health facility for that purpose.

Within Queensland there are mental health high security and/or medium security units (authorised by the Director of Mental Health) at:

(i) the Park, Centre for Mental Health, Wacol;
(ii) Baillie Henderson Hospital, Toowoomba;
(iii) Prince Charles Hospital, Chermside; and
(iv) Townsville General Hospital.

The officer in charge of the division in which an authorised mental health high security unit, or medium security unit is located is responsible for liaising with the hospital to establish suitable storage arrangements for Service firearms.
PROCEDURE

In determining suitable storage arrangements, the officer in charge may:

(i) contact the Service Armourer; or
(ii) liaise with a firearms training officer.

ORDER

Officers in charge are to ensure that, before approving the use of a firearm safe at an authorised mental health high security unit, or medium security unit, the safe meets the following specifications and conditions:

(i) be a rigid structure made of solid steel and be bolted to the frame or floor of a permanent building;
(ii) comprises a minimum of two compartments which are secured by compartment locks. (Compartment locks are locks where the key may only be removed when the mechanism is in the locked position);
(iii) have a foam lined base to prevent damage to the firearm;
(iv) the minimum internal dimensions of each compartment should be 20cm high x 20cm wide x 40cm deep; and
(v) each compartment in the gun safe is to have one key for use in the locking mechanism. Any spare keys are to be held by the officer in charge of the division in which the hospital is located. When a key is lost the lock on that particular compartment is to be replaced before officers may again use that compartment.

POLICY

Officers who visit areas of hospitals which are not authorised mental health high security units, or medium security units, should exercise their discretion in regard to the carriage of firearms. Officers should also consider the policy outlined in s. 14.6.2: ‘Security of weapons and ammunition’ of this chapter.

Generally, the Service will not contribute to the cost for the installation of firearm safes at hospitals. District officers in charge of a region or command may, however, exercise discretion and authorise a contribution to the cost of installation of a storage receptacle for firearms at a hospital if the individual circumstances warrant such a contribution.

14.14 Carriage of firearms and ammunition in correctional centres, detention centres and watchhouses

14.14.1 Carriage of firearms and ammunition in correctional centres and detention centres

ORDER

Unless authorised or approved by the Chief Executive, Queensland Corrective Services, to take weapons or ammunition into a correctional centre or detention centre, officers are to hand all firearms and ammunition to the correctional officer on duty at the entrance to a correctional centre or detention centre for safe keeping (s. 128: ‘Taking prohibited thing into corrective services facility or giving prohibited thing to prisoner’ of the Corrective Services Act).

Officers are to inspect all firearms returned prior to leaving a correctional centre or detention centre to ensure they are undamaged.

14.14.2 Carriage of firearms and ammunition in watchhouses

POLICY

Officers should not carry firearms or ammunition in a watchhouse and they should comply with station/establishment instructions.

14.15 Weapon mounted light source

The Service has approved the use of a weapon mounted light source (WMLS) for the Service issued concealable firearm for use by suitably trained officers.

Use of weapon mounted light source

ORDER

Officers are not to use or attach a WMLS on their Service issued weapon unless they have successfully completed the relevant training.

POLICY

Upon commencement of shift and prior to loading their Service issued firearm, officers are to:
(i) inspect the WMLS for visible signs of damage;
(ii) check the function of the WMLS;
(iii) attach the WMLS to their Service issued firearm; and
(iv) check the function of the WMLS again after attaching the WMLS to their Service issued firearm.

Officers are to immediately report to their officer in charge any loss, damage, defect or unsatisfactory condition relating to a WMLS.

A WMLS should not be exposed to significant moisture or water.

The WMLS forms part of the firearm and must only be used in situations where it would be appropriate to use the firearm (see s. 14.7: ‘Use of firearms,’ of this chapter).

**Carriage of weapon mounted light source**

**ORDER**

Officers are not to carry a WMLS on their Service issued weapon unless they have ready access to an operational handheld duty torch.

**POLICY**

Where available the WMLS should be attached to the officers’ firearm at the commencement of each shift, ready for use, and carried on a utility belt in the firearm holster (see s. 14.9: ‘Carriage of firearms – generally’ of this chapter).

Upon commencement or completion of shift, officers are to check the function of the WMLS and ensure it is switched off prior to attaching or removing it from the firearm. Officers are to ensure the firearm is unloaded prior to attaching or removing the WMLS from the firearm.

**Storage**

**POLICY**

Officers are to complete the appropriate station register for the weapon mounted light source (WMLS) upon commencement and completion of duty. See s. 14.22: ‘Responsibility for Service Equipment’ of this chapter for requirements for storage operation equipment generally.

**PROCEDURE**

Prior to ceasing duty, or where a WMLS is not being used for operational purposes, members are to:

(i) ensure the WMLS is switched off;
(ii) unload the firearm;
(iii) remove the WMLS from the firearm;
(iv) check the function of the WMLS; and
(v) place the WMLS in the storage facility as per station procedures.

**Inspection and maintenance**

**POLICY**

The officer in charge of the station or establishment is responsible for the distribution and maintenance of each WMLS under their control.

Officers in charge of stations and establishments are to:

(i) ensure inspections of each WMLS under their control is carried out on a regular basis;
(ii) maintain a register to record the use of each WMLS; and
(iii) immediately report to the district officer or other supervising commissioned officer the loss of, any damage or defect to, or any unsatisfactory condition relating to a WMLS.

### 14.16 Carriage of firearms – domestic violence

See Chapter 9: ‘Domestic Violence’ of this Manual in relation to members who have proceedings initiated against them under the *Domestic and Family Violence Protection Act*. See also Part 2 of the *Weapons Act*. 
14.17 Officers affected by a relevant medical condition

Definition

For the purposes of this section, an officer is affected by a ‘relevant medical condition’ if:

(i) the officer is diagnosed with a psychological or other medical condition by a medical practitioner and does not have a medical clearance to possess a Service firearm; or

(ii) a reasonable suspicion exists that an officer is suffering from a psychological or other medical condition which may render the officer unfit to have possession of a Service firearm.

Service firearms

POLICY

Officers affected by a relevant medical condition should not be in possession of, or have access to, a Service firearm.

ORDER

Officers who are affected by a relevant medical condition are to surrender, or arrange to have delivered to their officer in charge, any Service firearm in their possession.

Officers in charge of a station or establishment are to take possession of any Service firearm on issue to an officer under their control who is affected by a relevant medical condition.

See also s. 14.10: ‘Surrendering firearms, handcuffs, batons and ammunition’ of this Manual in relation to officers on an extended sick leave program.

Privately owned firearms

POLICY

In certain circumstances, officers affected by a relevant medical condition should not be in possession of privately owned firearms.

Officers in charge of a station or establishment should notify an authorised officer with a view to having a suspension or revocation notice issued under s. 30: ‘Suspension or revocation notice’ of the Weapons Act when reasonable grounds exist for taking possession of privately owned firearms in possession of an officer who is affected by a relevant medical condition.

Return of Service or privately owned firearms

Officers in charge of a station or establishment who receive advice from a medical practitioner that an officer from whom a firearm has been taken, is fit to possess a firearm, should return possession of the firearm, unless there are compelling grounds for retaining possession of the firearm.

Where grounds exist for retaining the firearm, officers in charge should refer the matter to their district officer for determination of any further action to be taken.

Officers who have been served a suspension or revocation notice under s. 30 of the Weapons Act are to make application through Weapons Licensing to facilitate the return of privately owned firearms.

Authority issued under the Explosives Act

POLICY

Members of the Service who hold an authority to access, use and/or possess explosives in accordance with the Explosives Act and Explosives Regulation and are affected by a relevant medical condition should not have access to explosives and/or dangerous substances.

PROCEDURE

Where an officer surrenders their authority to access, use and/or possess explosives, that officer should also surrender any explosives in their possession. Service issued explosives should be returned to the officer in charge, Explosive Ordnance Response Team. Personally obtained explosives should be surrendered to Chief Inspector of Explosives, Explosive Inspectorate, Department of Natural Resources and Mines (see Service Manuals Contact Directory).

PROCEDURE

Members of the Service who are affected by a relevant medical condition are to surrender, or arrange to have delivered, their authority to access, use and/or possess explosives, as soon as practicable, to the Chief Inspector, Explosives Inspectorate.

Upon receipt of the officer’s authority, the Chief Inspector, Explosives Inspectorate, will determine the status of the officers authority by endorsement, cancellation or suspension.

Section 25: ‘Procedure for urgent suspension or cancellation of authority of the Explosives Act provides the procedure for the Chief Inspector of Explosives determination on endorsing, cancelling or suspending the authority to access, use and/or possess explosives.
14.18 Batons

Batons are made available to officers for self-defence and to prevent unlawful acts such as the escape of a person in custody, or an unlawful assault on another person.

Extendable batons are made available to officers. These batons have two telescoping shafts which lock into place when extended. The extendable batons are designed to be inconspicuous but give officers quick access to the baton.

14.18.1 Use of batons

POLICY

The degree of force in the use of batons will be determined by the circumstances existing at the time bearing in mind the ‘Situational Use of Force Model’ (see s. 14.3.2: ‘Situational Use of Force Model (2009)’ of this chapter).

Officers should not carry a privately owned baton or similar weapon while on duty.

Unless the use of a baton is justified, officers on duty at a demonstration or other assembly should not draw batons except:

(i) on the command of the senior officer present; or
(ii) in the case of a squad or group specifically tasked with containing the demonstration or assembly, on the command of the officer in charge of that squad or group.

Officers should not use a damaged or unserviceable baton in the performance of their duty.

Use of force reporting

Where the use of a baton by a member is a reportable use of force incident, the member using the baton, or if the member is incapacitated, their supervisor is to ensure a ‘Use of Force Report’ is completed in the relevant QPRIME occurrence. The report is to be completed within 24 hours of the creation of the relevant occurrence.

See s. 14.3.9: ‘Use of force reporting’ of this chapter.

14.18.2 Issue and surrender (extendable batons)

POLICY

A Service extendable baton should not be issued to an officer unless the officer has been trained and qualified in the use of the weapon by a qualified Police Operational Skills and Tactics (POST) instructor.

Extendable batons are issued to suitably qualified officers on a personal issue basis.

Procedures for the requisition of extendable baton are contained on the Armoury webpage, QPS Corporate Intranet.

An officer in possession of a personal issue extendable baton, is to surrender the extendable baton to the officer in charge of their station or establishment, when required as a result of failing to qualify in training in accordance with s. 14.18.3: ‘Extendable baton training’ of this Manual.

14.18.3 Extendable baton training

POLICY

The Chief OST Instructor is responsible for ensuring that the necessary systems are in place to enable OST training to take place with respect to extendable batons.

Officers who do not comply with the relevant requirements of s. 14.3.1: ‘Operational Skills and Tactics (OST) training’ of this chapter should not carry or use an extendable baton until deemed competent.

14.18.4 Carriage of extendable batons

ORDER

All officers qualified in Blocks 1 and 2 Operational Skills and Tactics (OST) training are to carry their Service issued baton in accordance with s. 14.4: ‘Service issued weapons’ of this chapter.

POLICY

Whilst on rostered duty, extendable batons should be carried in the closed position when not in use in:

(i) the baton pouch provided on a utility belt;
(ii) the baton pouch provided on a Load Bearing Vest; or
(iii) another Service approved mode of carriage (e.g. bumbag).

14.18.5 Storage (extendable batons)

14.18.6 Maintenance and replacement (extendable batons)

ORDER

Officers issued with extendable batons on a personal issue basis and officers in charge of stations and establishments where extendable batons are kept are:

(i) responsible for the proper maintenance and care of the particular batons; and

(ii) to ensure that the batons are properly cleaned and oiled in accordance with instruction received during POST training.

When an extendable baton requires replacement, a form QP413: ‘Requisition for weapons/restricted item’ is to be completed and the reason for replacement is to be inserted in the comments box.

14.18.7 Long batons

POLICY

Long batons should only be carried and/or used in cases of extreme necessity and where sudden or extreme circumstances exist, and then only by officers who have been suitably trained in their use. Training in the use of long batons is the same as for extendable batons except for drawing of the baton. Officers who are qualified in the use of extendable batons are therefore also qualified in the use of long batons.

The carriage of long batons should be confined to the boot or storage compartment of motor vehicles, preferably held by appropriate baton clips installed by Fleet Asset Services, Business Services Division, PSBA.

Individual officers may carry long batons in the following circumstances:

(i) officers of the Public Safety Response Team (PSRT), whilst performing PSRT duties; and

(ii) officers performing a particular duty where the carriage of a long baton is considered necessary and is authorised by an officer in charge of a region or command.

Long batons should be carried in a baton ring designed for that purpose, where possible.

Officers in charge are to ensure that when long batons are not confined to the boot or storage compartment of motor vehicles, that they are securely stored within stations/establishments, and are accessible only to officers authorised to carry and use the long baton.

14.19 Handcuffs

Handcuffs are issued to police officers for use in the execution of their duty and as a safe and effective means of temporarily restraining and controlling a person in custody.

Handcuffs are not personally issued to watchhouse officers. However, at times watchhouse officers may be required to use handcuffs as part of the performance of their duties (e.g. during prisoner escort duties). See s. 14.4.2: ‘Staff members (authorisation to possess or use weapons as part of the performance of their duty)’ of this chapter.

Police officers and watchhouse officers:

(i) should not use damaged or unserviceable handcuffs; and

(ii) who are qualified in Operational Skills and Tactics (OST) training in the use of hinged handcuffs are deemed to be qualified in the use of chain link handcuffs.

Police officers and watchhouse officers are not to carry privately owned handcuffs on duty.

Handcuffs should be cleaned and lubricated frequently to prevent malfunction.

Where handcuffs are found to be damaged, defective or in an unsatisfactory condition, officers should complete a QP 0413: ‘Requisition for weapons/restricted item’ and arrange for the handcuffs to be returned to the QPS Armoury, Richlands Supply Services, for replacement.

14.19.1 Use of handcuffs

Use of handcuffs is a ‘use of force’ option. Consequently this policy is to be read in conjunction with s. 14.3.2 of this chapter.

The general statutory authorities for the use of handcuffs are found in:

(i) s. 615: ‘Power to use force against individuals’ of the Police Powers and Responsibilities Act. This gives officers the power to use reasonably necessary force to exercise a power under any Act or to prevent a person escaping from lawful custody, however such force does not include force likely to cause grievous bodily harm or death against an individual; and
(ii) s. 254: ‘Force used in executing process or in arrest’ of the Criminal Code. This provides the power for a person engaged in the lawful execution of any sentence, process or warrant, or in making any arrest, and for any persons lawfully assisting that person, to use force reasonably necessary to overcome any force used in resisting such execution or arrest.

POLICY

Police officers and watchhouse officers are only to use handcuffs on a person when it is lawful to do so. This is dependent upon the circumstances at the time. A person exhibiting or threatening violence, or demonstrating intent to escape lawful custody, is to be handcuffed (high risk). In all other situations, officers are presented with an (unknown risk). A person in custody can quickly change from being compliant, and then escalate to a high risk, once they have had time to assess their situation.

In making a decision to use handcuffs on a person in custody, police officers and watchhouse officers are to undertake a continuous risk assessment based on ‘person, object, place’ and consider:

(i) the nature of the offence or breach of law;
(ii) the conduct/demeanour of the person either by words or actions;
(iii) whether the person has previously attempted to escape or is likely to attempt escape;
(iv) whether the person has history of violent behaviour or the demeanour of the person is violent or aggressive;
(v) the number of other persons in custody at the time;
(vi) the parity/disparity in physical attributes of the officer and person in custody;
(vii) the likelihood of injury to the officer, other persons or the person in custody;
(viii) the person’s mental health history including incidents of self-harm;
(ix) the requirement to prevent escalation of an incident; and
(x) the circumstances and location of the incident.

The above considerations are not exhaustive, however in all situations, officers must be able to justify why they considered the use of handcuffs as being reasonably necessary in the circumstances.

Police officers and watchhouse officers applying handcuffs should:

(i) handcuff the person with their hands behind their back unless:
   (a) injury or deformity prevents the person in custody from placing their hands behind the back; or
   (b) the person is being escorted on a journey of considerable time or length where handcuffing the person behind their back may give rise to health and safety issues;
(ii) not handcuff themselves to a person in custody;
(iii) not handcuff a person in custody to a fixed object, e.g. sign post, except in extreme circumstances;
(iv) not force handcuffs closed when the wrists of the person in custody are larger than the handcuffs;
(v) ensure the handcuffs are double locked and checked after they have been applied;
(vi) ensure any handcuffs placed on a person can be unlocked, in the event of a medical or other emergency; and
(vii) remove handcuffs when they are satisfied the necessity is no longer required.

Use of force reporting

Where the use of handcuffs by a member is a reportable use of force incident, the member using the handcuffs, or if the member is incapacitated, their supervisor is to ensure a ‘Use of Force Report’ is completed in the relevant QPRIME occurrence. The report is to be completed within 24 hours of the creation of the relevant occurrence.

See s. 14.3.9: ‘Use of force reporting’ of this chapter.

14.19.2 Handcuffing of children


14.19.3 Carriage of handcuffs

ORDER

All officers qualified in Blocks 1 and 2 Operational Skills and Tactics (OST) training are to carry their Service issued handcuffs in accordance with s. 14.4: ‘Service issued weapons’ of this chapter.

POLICY

Whilst on rostered duty, handcuffs should be carried in:
(i) an approved handcuff pouch on a utility belt;
(ii) an approved handcuff pouch on a Load Bearing Vest, or
(iii) another Service approved mode of carriage (e.g. bumbag).

14.19.4 Storage of handcuffs

14.19.5 Flexible handcuffs
Unless otherwise authorised, police officers and watchhouse officers are not to possess, carry or use flexible handcuffs or similar restraint devices.

For the purpose of this policy, police officers who are full-time members of the Special Emergency Response Team or the Public Safety Response Team are authorised to possess, carry and use flexible handcuffs or similar devices in accordance with the Station/Establishment Instructions of those units.

PROCEDURE
Officers, other than full-time members of the Special Emergency Response Team or the Public Safety Response Team, who consider that a need exists to possess, carry or use flexible handcuffs or similar restraint devices should apply in accordance with s. 14.6.9: ‘Non-standard equipment approvals’ of this chapter.

14.20 Protective body armour

14.20.1 Protective body armour (Service issued)
Protective body armour is a ‘Category E’ weapon (see s. 6: ‘Category E weapons’ of the Weapons Categories Regulation (WCR)) issued to police stations and establishments for use by officers in the performance of their duty. Protective body armour is not bullet proof but does have bullet resistant qualities.

Distribution of protective body armour within each region or command is at the discretion of the OIC of that region or command.

OIC’s of stations and establishments are to ensure the sizes of protective body armour on issue to their area of responsibility are appropriate and fit officers who may be required to wear them. The number of hard armour plates available at each station or establishment should match the number of vests available.

Covert protective body armour
Upon application, Service issued covert protective body armour is provided to some specialist units whose usual, but unique, operational duties make access to, or wearing of, the standard issue (overt) protective body armour impractical. The carriage and storage of covert protective body armour is the same as overt body armour.

Where an officer wishes to purchase covert protective body armour, see s. 14.20.2: ‘Protective body armour (privately owned)’ of this chapter.

Where an officer or OIC of a police station or establishment believes the nature of the officer(s) operational duties necessitates the supply and use of Service approved covert protective body armour, submission is to be made, via the chain of command, to the Operational Assets and Equipment Subcommittee, Organisational Capability Command, see s. 14.6.9: ‘Operational equipment approval’ of this chapter.

The application should contain all relevant information to support the issue of covert protective body armour, including:

(i) the usual range of duties performed by the officer(s);
(ii) current threats or risks impacting on the officer(s), see:
   (a) s. 2.33: ‘Security and Counter-Terrorism Command’ of this Manual; and
   (b) the:
      • ‘QPS Threat Response Guidelines’; and
      • ‘QPS Personal Security Guidelines for Employees of the Queensland Police Service’, which are available on the Prevention and Protection Group, Security and Counter-Terrorism Command webpage on the Service Intranet; and
   (iii) situational factors preventing officer(s) from accessing standard issue (overt) protective body armour when deemed necessary.

Where approval for the supply and use of Service issued covert protective body armour has been granted, officers are to wear the covert protective body armour whilst on duty unless prior approval has been granted.
When responding to incidents that would require the wearing of protective body armour (e.g. responding to incidents which may involve the use of firearms or dangerous weapons), covert protective body armour may be used in conjunction with, but not as a replacement for standard issue (overt) protective body armour.

Carriage of protective body armour

At the commencement of duty, officers performing operational duties should, where appropriate, obtain correctly fitting protective body armour. Protective body armour vests and hard armour plates are to be carried in the storage facilities provided in Service vehicles. Officers should wear protective body armour when they are responding to incidents which may involve the use of firearms or dangerous weapons or at their discretion.

Information concerning the fitting and wearing of protective body armour is available from District Firearms Training Officers or the Operational Skills Section, People Capability Command.

Storage of protective body armour

Prior to ceasing duty, officers should ensure any protective body armour in their possession is appropriately stored.

Protective body armour:

(i) vests:
(a) are not to be left in vehicles, when not in use, if suitable storage facilities are provided in the station or establishment;
(b) should be stored in a cool, dry area, not exposed to direct sunlight;
(c) are to be stored lying flat with the hard armour plates removed; and
(d) may be stacked one on top of another, but no more than five vests high. Where this is impractical, vests may be suspended vertically from hangers, providing the hangers have a diameter of at least 25 mm and sufficient padding to avoid damage or abrasion to the exterior nylon fabric of the vest; and

(ii) hard armour plates:
(a) may be stacked flat with the strike face downwards, but no more than twelve plates high; and
(b) should be stored in a cool, dry area, not exposed to direct sunlight.

The hard armour plates are manufactured from Dyneema (a high-density plastic). When not in use, it is not recommended hard armour plates are stored in Service vehicles, which are not parked undercover.

OIC’s of police stations or establishments are to ensure protective body armour is stored in compliance with s. 60 ‘Secure storage of weapons’ WA (see s. 14.22: ‘Responsibility for Service equipment’ of this chapter).

Inspection and maintenance of protective body armour

Prior to use, officers should visually inspect protective body armour to ensure:

(i) there are no holes or tears in the exterior fabric of the vest;
(ii) all visible threads on the exterior have no breaks, unravelling or ‘furring’ and that there are no loose threads in the joins;
(iii) each webbing strap is secure and does not sag or drape when pulled;
(iv) all velcro panels close completely and securely; and
(v) there are no visible signs of damage to the hard armour plate.

Officers becoming aware of any loss, damage or defect of protective body armour under their control are to comply with s. 14.22.4: ‘Reporting loss or damage or defect’ of this chapter.

In other cases, officers are to immediately report to their OIC:

(i) any damage, defect or unsatisfactory condition relating to a protective body armour vest or hard armour plate;
(ii) incidents where hard armour plate has been shot, sustained a significant impact or displays visible damage; and
(iii) the loss of any protective body armour.

OIC’s of stations and establishments are:

(i) responsible for the proper maintenance and care of protective body armour on issue to their station or establishment;
(ii) to ensure a monthly inspection of all protective body armour under their control is made to identify any signs of damage or unusual wear. Inspections are to be recorded in a register kept for this purpose; and
(iii) to comply with the relevant provisions of s. 14.22.4: ‘Reporting loss, damage or defect’ of this chapter.
The cleaning of protective body armour if required, is to be carried out in accordance with the care labels on each component. If soiled, the outer carrier or surface of the vest should be hand washed using mild detergent only. Protective body armour should:

(i) not be completely immersed in water during cleaning;
(ii) never be stored wet or damp as this promotes mould growth that can harm the ballistic fibres; and
(iii) if wet or damp, be allowed to drip dry in a shaded area or inside away from the sun. UV light can destroy the ballistic properties of the fibres.

Repairs and replacement of protective body armour

If a protective body armour vest requires repair, the vest is to be forwarded to the QPS Armoury, Supply Services and Warehouse, Asset and Procurement Services (SSWAPS) who will arrange for any necessary repairs.

If a hard armour plate sustains a significant impact, although it may appear to be undamaged, it should be forwarded to the QPS Armoury, SSWAPS for inspection.

When a protective body armour vest or hard armour plate is forwarded to the QPS Armoury, SSWAPS any costs involved in the inspection, testing and/or repair of the item are the responsibility of the requesting region or command.

Procedures for the requisition of Service protective body armour are contained on the QPS Armoury webpage on the Service Intranet.

Disposal of protective body armour

Where a protective body armour vest or hard armour plate is damaged and cannot be repaired, it should be forwarded to the QPS Armoury, SSWAPS for disposal.

After disposal, the QPS Armoury, SSWAPS is to send a report outlining the description and serial number of the item and advising of its destruction to the OIC, Weapons Licensing, Specialist Services Group, Operations Support Command, Crime, Counter-Terrorism and Specialist Operations, who is responsible for maintaining the Commissioner’s Weapons Register.

Periodic testing of protective body armour

Over time the integrity of the hard armour panels in protective body armour vests may deteriorate.

To ensure protective body armour vests maintain their ongoing integrity, the Inspector, Operational Skills Section, People Capability Command, is responsible for maintaining periodic testing of vests within the Service.

Subject to proper care and handling, hard armour plates have a normal working life of eight years from the date of manufacture and there is no requirement for periodic testing.

Recording of protective body armour

The Director, Asset and Procurement Services is responsible for recording information on the Weapons Asset Control System (WACS) concerning protective body armour supplied or issued from Asset and Procurement Services, Supply Services and Warehouse, QPS Armoury. The information to be recorded on this system includes:

(i) the district, or other organisational unit within the Service, each protective body armour vest and hard armour plate is issued to;
(ii) the serial number of each protective body armour vest and hard armour plate; and
(iii) the make, model and size (vest only) of each protective body armour vest and hard armour plate.

In addition to ensuring the details on the WACS are correct, OIC’s of stations or establishments are to maintain a local register of protective body armour and hard armour plates issued to their station or establishment. Particulars to be recorded include details listed above in (i) to (iii) and the date the protective body armour vest and hard armour plate was last inspected.

All registers are to be accurately maintained and updated to reflect the acquisition, transfer or disposal, of protective body armour vests and hard armour plates within the Service.

14.20.2 Protective body armour (privately owned)

Assistant commissioners or other delegated persons have been delegated the power to issue additional exemptions to officers pursuant to s. 2(1)(m): ‘Application of Act’ of the Weapons Act (WA) (see Delegation D 8.1).

Protective body armour is a Category E weapon under the provisions of the WA and Weapons Categories Regulation.

The Service is supportive of officers who wish to purchase items of personal protection, however has a duty of care towards its members in ensuring any equipment is safe and operationally effective, and that it complies with relevant Australian and International Standards.

Section 2(1)(e) of the WA exempts police officers from the provisions of the Act in respect of their possession and use of a weapon as part of the performance of their duties and while off-duty in accordance with any relevant directions of
the Commissioner. The section does not authorise an officer to acquire privately owned protective body armour for use as part of the performance of their functions as a police officer, unless authorised in accordance with this section.

Officers who have been approved to wear privately owned protective body armour are:

(i) if storing the body armour at their station or establishment, to comply with s. 60: ‘Secure storage of weapons’ of the WA. As a minimum, protective body armour is to be stored in the officer’s station or establishment in a lockable steel cabinet which is secured to the structure by an approved method; or

(ii) when in possession of protective body armour while travelling to and from duty and storing protective body armour at their residence or elsewhere, to comply with the relevant provisions of s. 60: ‘Secure storage of weapons’ of the WA.

Officers seeking approval to acquire privately owned protective body armour are to submit a QP 1004: ‘Application for authorisation to acquire and possess protective body armour and Service indemnification’.

In the section 'Grounds to support application' of the QP 1004, officers are to make reference to:

(i) the reasons for applying for protective body armour (see s. 14.4.2: ‘Authorisation to possess weapons off duty where a possible threat exists’ of this chapter);

(ii) nature and type of duties for which the protective body armour will be worn;

(iii) whether it is intended that the protective body armour will be worn travelling to and from work; and

(iv) whether the protective body armour will be stored at the officer’s residence or station/establishment, and what security arrangements will be put in place consistent with s. 60 of the WA;

Officers are to submit the completed QP 1004 attached to:

(i) police regions, their district officer, including officers hosted in districts (e.g. road policing unit);

(ii) commands, excluding hosted officers, a superintendent within their chain of command; or

(iii) external organisations, including PSBA, the Chief Superintendent, Business Improvement, Organisational Capability Command, (see Delegation D 8.1).

In considering the application, the delegated officer is to consider any relevant information contained in the non-standard equipment database in accordance with s. 14.6.9: ‘Non-standard equipment approvals’ of this chapter.

Where satisfied the application is sound, the delegated officer is to:

(i) complete the QP 1004, granting approval for the officer to wear privately owned protective body armour as part of the performance of duty;

(ii) provide the ‘Authorisation to acquire and possess protective body armour’ to the applicant officer;

(iii) forward the first page of the completed QP 1004 to the Manager, Armoury, Richlands Supply Services; and

(iv) file a copy of the completed QP 1004 on the officer’s personnel file.

Where an officer is authorised to acquire and possess privately owned protective body armour, the officer is to take the completed ‘Authorisation to acquire and possess protective body armour’ to the nominated supplier.

After the officer takes possession of the protective body armour, the officer is to forward the completed ‘Authorisation to acquire and possess protective body armour’ to the Manager, Armoury, Richlands Supply Services.

The Manager, Armoury, Richlands Supply Services is to enter the relevant details of the protective body armour onto the Weapons Asset Control System.

Personal protective body armour is to comply with the minimum standard of NIJ Level IIIA, or as otherwise determined by the Chief Operational Skills and Tactics Instructor.

Officers, on taking possession of their protective body armour, are to scan and email a copy of the completed ‘Authorisation to acquire and possess protective body armour’ to the Manager, Armoury prior to terminating duty on their next rostered shift.

Officers granted approval to use privately owned protective body armour as part of the performance of their duties are to comply with any manufacturers’ recommendations with respect to the maintenance, storage, regular inspections and testing of the protective body armour.

When responding to incidents that would require the wearing of protective body armour (e.g. responding to incidents which may involve the use of firearms or dangerous weapons), privately owned protective body armour may be used in conjunction with, but not as a replacement for Service issued protective body armour.
Replacement of protective body armour

Officers should be aware all protective body armour has an operational life, which is determined by the manufacturer after which the ballistic qualities are not guaranteed.

Officers should be aware of the expiry date of the protective body armour, after which it should be replaced. Officers who purchase protective body armour are responsible for identifying and ensuring they comply with the expiry date of the article.

Where protective body armour has reached its expiry date or has been damaged, the officer is to:

(i) complete a QP 0368A: ‘Relinquishing order (weapon(s))’; and
(ii) deliver the completed QP 0368A and protective body armour to the Manager, Armoury, Richlands Supply Services for destruction.

Once protective body armour is date expired or damaged, a new application for replacement protective body armour is to be made on a QP 1004 in accordance with this section.

Action on separation from the Service

Unless otherwise currently authorised by the WA, officers are to relinquish privately owned protective body armour when separating from the Service (see s. 14.10: ‘Surrendering firearms, handcuffs, batons and ammunition’ of this chapter).

Where an officer, who is authorised to possess privately owned protective body armour, is separating from the Service, the officer is to:

(i) complete a QP 0368A; and
(ii) deliver the completed QP 0368A and protective body armour to their OIC, unless the officer holds approval under the WA to maintain possession of the protective body armour.

The OIC of the station or establishment receiving the protective body armour is to ensure the article and supporting documentation is delivered to the Manager, Armoury, Richlands Supply Services in accordance with s. 14.10 of this chapter.

14.21 Oleoresin Capsicum (OC) spray

Oleoresin Capsicum (OC) spray is a ‘Category R’ weapon as defined in s. 8(d) of the Weapons Categories Regulation. OC spray is a less than lethal use of force option, that may assist police officers and watchhouse officers resolve incidents involving violent person(s). In most instances the use of OC spray will assist police officers and watchhouse officers to control a person with minimal physical contact.

The contents of this section are to be read in conjunction with the ‘Police Operational Skills and Tactics Oleoresin Capsicum (OC) Spray Good Practice Guide’ (the Good Practice Guide) which is located on the QPS Corporate Intranet.

14.21.1 Use of Oleoresin Capsicum spray

POLICY

The use of OC spray will be determined by the circumstances existing at the time, bearing in mind the ‘Situational Use of Force Model’ (see s. 14.3.2: ‘Situational Use of Force Model (2000)’ of this Manual).

Before using OC spray, the police officer or watchhouse officer should verbally warn the subject person(s) where practicable. OC spray should only be used in the manner prescribed in the Good Practice Guide.

OC spray should not be used:

(i) against persons offering passive resistance (e.g. sitting down and refusing to comply with instructions);
(ii) as a crowd control measure (e.g. for crowd dispersal at a demonstration or industrial dispute);
(iii) against the occupants of a vehicle where there is a danger of the vehicle going out of control and injuring the occupants or other people; or
(iv) against youths, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of injury.

14.21.2 Decontamination and after care

POLICY

Police officers and watchhouse officers have a duty of care regarding all persons who have been contaminated by OC spray and are to assist in their recovery.
Where a person is affected by the application of OC spray, the responsible officer (as defined in the Service Manuals Definitions) is to provide aftercare to that person in accordance with the procedures contained in the Good Practice Guide as soon as practicable.

The responsible officer is to ensure that:

(i) a person affected by OC spray is not left in a position which may lead to ‘positional asphyxia’ (see s. 14.3.8: ‘Monitoring restrained prisoners (positional asphyxia)’ of this Manual); and

(ii) medical attention is provided to any person affected by OC spray in their custody, if that person:
   (a) does not begin to recover within a reasonable time (approximately 20 minutes – see the Good Practice Guide);
   (b) complains of a medical condition (e.g. asthma);
   (c) asks for medical attention;
   (d) appears to be suffering from any of the extraordinary effects listed on the QPS Medical Data Sheet (see the Good Practice Guide); or
   (e) is displaying any other persistent or unusual symptoms.

Officers in charge should ensure appropriate OC spray decontamination equipment sufficient to assist in the aftercare of affected persons is carried in operational vehicles under their control. Officers in charge should refer to the Good Practice Guide for a description of appropriate decontamination equipment.

PROCEDURE

When medical treatment is required for any person who has been contaminated by OC spray, the responsible officer should request the attendance of Queensland Ambulance Service. Where it is impracticable to obtain the attendance of the Queensland Ambulance Service, the responsible officer should take the affected person to the nearest facility providing medical aid.

14.21.3 Interviewing a person affected by Oleoresin Capsicum spray

Evidence obtained while interviewing a person who is suffering the effects of OC spray may be ruled inadmissible in a court.

POLICY

Unless emergent circumstances exist, police officers should not interview a person in relation to an offence whilst that person is suffering the effects of OC spray.

The term ‘time out’ as it appears in Schedule 6: ‘Dictionary’ of the Police Powers and Responsibilities Act, may include treating a person for the effects of OC spray.

If a police officer wants to question, or continue to question a person in custody who is apparently affected by OC spray, the officer should delay questioning until reasonably satisfied that the person is no longer affected.

14.21.4 Reporting the use of Oleoresin Capsicum spray

POLICY

Use of force reporting

The use of OC spray by a member is a reportable use of force incident. In such instances the member using the OC spray, or if the member is incapacitated, their supervisor is to ensure a ‘Use of Force Report’ is completed in the relevant QPRIME occurrence. The report is to be completed within 24 hours of the creation of the relevant occurrence.

For the purpose of recording the use of OC Spray on QPRIME, the term ‘use’ includes:

(i) spraying a person, or in the direction of a person with OC spray;
(ii) pointing the OC spray canister in the direction of a person without discharging the spray; and
(iii) spraying an animal, or in the direction of an animal with OC spray.

The term ‘use’ does not include the removal alone of the OC spray canister from the protective pouch or the use of OC spray for routine training purposes.

See s. 14.3.9: ‘Use of force reporting’ of this chapter and the QPRIME User Guide.

14.21.5 Issue and return of Oleoresin Capsicum spray canisters

POLICY

OC spray should only be issued to police officers and watchhouse officers who have been trained and qualified in its use by a qualified POST Instructor.
OC spray is issued on a station/establishment basis but may be issued on a ‘personal issue basis’ where appropriate to suit operational requirements.

Police officers and watchhouse officers issued with OC spray are to return the canister to their officer in charge in the following instances:

(i) after the first activation of the canister, irrespective of whether the contents are completely or partially expended (see s. 14.21.7: ‘Disposal of used, damaged or expired Oleoresin Capsicum spray canisters’ of this chapter);
(ii) if the canister is damaged or has passed its expiry date (see s. 14.21.7: ‘Disposal of used, damaged or expired Oleoresin Capsicum spray canisters’ of this chapter);
(iii) while on leave for any period longer than fourteen days;
(iv) when required to perform duty away from their home station or establishment for any period longer than fourteen days;
(v) upon departing on transfer to another location; or
(vi) if required to surrender the canister as a result of failing to qualify in training as set out in s. 14.21.10: ‘Training of Oleoresin Capsicum Spray’ of this Manual.

14.21.6 Recording of Oleoresin Capsicum spray canisters

The Executive Manager, Richlands Supply Services is responsible for recording:

(i) all serial numbers of active OC spray canisters on the Weapons Asset Control System;
(ii) the district, or other organisational unit within the Service, OC spray canisters are issued to;
(iii) the date of issue; and
(iv) the date of expiry of each OC spray canister.

OIC’s of stations or establishments where OC spray canisters are received are to maintain a local register of OC spray canisters. Particulars to be recorded include the:

(i) serial number and expiry date of the OC spray canister;
(ii) name, rank, registered number and signature of the officer who was issued with the OC spray canister;
(iii) date and time of issue and return;
(iv) reason for return/surrender of the OC spray canister; and
(v) date, time and method of disposal (see s. 14.21.7: ‘Disposal of used, damaged or expired Oleoresin Capsicum spray canisters’ of this Manual).

14.21.7 Disposal of used, damaged or expired Oleoresin Capsicum spray canisters

Canisters that are completely or partially expended, damaged, or have passed their expiry dates, are to be:

(i) returned to the OIC where issued as soon as practicable; and
(ii) accompanied by a report outlining the OC spray canister serial number and the circumstance of its return. Where the use of OC spray has been recorded on QPRIME as a ‘Police Use of Force’ occurrence (see s. 14.21.4: ‘Reporting the use of OC spray’ of this chapter), no additional report is required.

Partially used OC spray canisters may be used for training purposes prior to disposal. OIC’s should ensure partially expended, damaged or expired OC spray canisters are disposed of in accordance with the following procedures. OC spray is biodegradable and should not harm the environment.

Members required to dispose of OC spray canisters should:

(i) use disposable gloves, safety glasses, and a suitable face mask during the disposal process;
(ii) discharge the entire contents of the canister in an area to which the public does not have access or is not likely to be affected by the contents;
(iii) discharge the entire contents by spraying it downwind into or towards the ground in an open area;
(iv) break the actuator off the canister and crush the actuator;
(v) permanently remove any references to the Service where they appear on the canister;
(vi) carefully crush the canister; and
(vii) place the crushed actuator, canister and gloves in a sealed garbage bag, and dispose of the items in general waste.
After disposal, OIC’s are to advise the Executive Manager, Richlands Supply Services so the Weapons Asset Control System can be updated with the date of expiry.

### 14.21.8 Carriage of Oleoresin Capsicum spray canisters

**ORDER**

All officers qualified in Blocks 1 and 2 Operational Skills and Tactics (OST) training are to carry an Oleoresin Capsicum (OC) spray canister in accordance with s. 14.4: ‘Service issued weapons’ of this chapter.

**POLICY**

OC spray canisters should be carried in:

(i) the pouch provided on a utility belt; or

(ii) the pouch provided on a Load Bearing Vest, or

(iii) another Service approved mode of carriage (e.g. bumbag).

### 14.21.9 Transport of Oleoresin Capsicum spray canisters

OC spray canisters are classified as a ‘Dangerous Good’ under the Australian Code for the Transport of Dangerous Goods by Road and Rail (Schedule 1, Part 1 of the Work Health and Safety Act); the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Dangerous Goods by Air and the International Air Transport Association Dangerous Goods Regulations (s. 23 of the Civil Aviation Act (Cwlth) and r. 92.015 of the Civil Aviation Safety Regulations (Cwlth)).

For carriage of OC spray canisters on aircraft and at airports see s. 14.11: ‘Carriage of firearms, ammunition, handcuffs, batons, conducted energy weapons and Oleoresin Capsicum (OC) Spray etc. on aircraft and at airports’ of this chapter.

**POLICY**

Where practicable, OC spray canisters should be transported in Service vehicles or by road freight. OC spray canisters transported by freight are to be properly packed, marked, labelled and declared as dangerous goods. The requirements of the particular freight company are to be observed.

**ORDER**

OC spray canisters are not to be transported by the Service internal or public mail systems (e.g. Australia POST).

**PROCEDURE**

Care should be exercised when opening a container following transport. The container should be opened in an open area in the unlikely event of an OC spray canister having ruptured during the flight.

### 14.21.10 Training of Oleoresin Capsicum spray

**POLICY**

The Chief OST Instructor is responsible for ensuring that the necessary systems are in place to enable OST training to take place with respect to OC spray.

Officers who do not comply with the relevant requirements of s. 14.3.10: ‘Operational Skills and Tactics (OST) training’ of this chapter are not to be issued with, carry or use OC spray until deemed competent.

### 14.22 Responsibility for Service equipment

**Definitions**

For the purposes of this policy, the following definitions apply:

**Damage**

with regard to damage to Service equipment, means destruction or damage to the extent that it is inoperable or unsafe to use.

**In use**

includes tasks undertaken to ensure the reasonable condition and serviceability of Service equipment.

**Secure area**

means:

(i) a locked drawer, cabinet, cupboard, safe or other similar receptacle; or

(ii) a room, enclosure, or building which has locks and if available, security systems engaged; with a view to prevent, to the greatest extent possible, unauthorised access to equipment stored therein.
Loss

with regard to loss of Service equipment, means loss regardless of the means by which it is lost i.e. theft, accident, or negligence.

Weapon

see Service Manuals Definitions.

POLICY

Members are responsible for the security, care and condition of Service equipment on issue to them or for the time being under their control, and are to take reasonable precautions to ensure that it is not carelessly or negligently exposed to loss or damage.

14.22.1 Operational equipment

Operational equipment (see ‘Definitions’ in s. 14.22: ‘Responsibility for Service equipment’ of this chapter) may be issued on a personal (personal issue operational equipment) or station (station issue operational equipment) basis.

POLICY

When used in the performance of duty, members are to keep operational equipment in their physical possession or under their control at all times. When not in use, operational equipment is to be stored in a locked receptacle at the member’s station or establishment, and in the case of firearms and conducted energy weapons, in an approved Service weapon storage facility (see Business Services Division ‘Frontline First’ Partner Handbook and ss. 14.6.4: ‘Safety of firearms’ and 14.23.13: ‘Storage’ of this chapter).

Officers in charge of stations or establishments are to ensure that:

(i) members under their control are provided with separate lockable receptacles at the station or establishment of sufficient size and capacity to enable the safekeeping of Service equipment issued to them and personal property;

(ii) station issue operational equipment is stored at the station or establishment in a secure area when not in use or signed out by a member;

(iii) personal issue operational equipment (not including privately owned equipment) issued to members under their control are inspected on a monthly basis or at other specified time intervals authorised by their assistant commissioner or equivalent (see also ss. 14.6.5: ‘Responsibilities of officers in charge of stations and establishments’ of this chapter and s. 2.3.6: ‘Official police notebook and note books’ of the Management Support Manual); and

(iv) firearms and conducted energy weapons kept at their station or establishment are stored in accordance with the Weapons Storage Requirements of Police Facilities available on the Business Services Division’s Built Assets Resource Centre webpage.

Storage at a member’s residential premises or elsewhere

POLICY

Except for weapons and ammunition, the shift supervisor or officer in charge of the station or establishment may, for operational or safety reasons, approve the carriage of operational equipment while in transit to and from duty, or storage elsewhere than at a station or establishment by members under their control, provided the shift supervisor or officer in charge is satisfied that the equipment can be stored safely in an appropriate secure area.

The keeping and storage of Service issue weapons at a member’s residential premises, or elsewhere than at a station or establishment, is only to be approved by a district officer or equivalent in accordance with s. 14.4.1: ‘Authorisation to possess weapons off duty as part of an officer’s performance of duty’ or the officer in charge of a region or command or equivalent in accordance with s. 14.4.2: ‘Authorisation to possess weapons off duty where a possible threat exists’ of this chapter.

Handcuffs and extendable batons issued on a personal issue basis are approved for carriage while in transit to and from duty (see ss. 14.19.3: ‘Carriage of handcuffs’ and 14.18.4: ‘Carriage of extendable batons’ of this chapter).

ORDER

Where approved to carry operational equipment while in transit to or from duty or store it elsewhere than at a station or establishment, members are to store the equipment in a secure area at their residence, or other place approved by their officer in charge.

14.22.2 General equipment

POLICY

Officers in charge should ensure local instructions are developed to minimise the risk of loss or damage of general equipment under their control.

For responsibilities regarding Service vehicles refer to Business Service Division policies on the Vehicle Asset Services - Activity Catalogue web page on the Service Intranet.
14.22.3 Uniform Items

ORDER

Members are to take reasonable precautions to safeguard items of uniform issued to them.

14.22.4 Reporting loss or damage or defect

Members are to report any loss or damage (other than fair wear and tear) of Service equipment on issue to them or under their control to the shift supervisor, OIC of the station or establishment, or their supervising commissioned officer, as soon as practicable.

Upon discovering that Service equipment issued to them or under their control is missing, members are to make immediate inquiries to locate the equipment.

Supervisors informed of the loss or damage of Service equipment, or otherwise discovering the loss or damage of Service equipment, are to:

(i) conduct inquiries into the circumstances of the loss or damage and ensure appropriate action is taken to recover any lost item, reduce any potential for further damage or loss, or ensure the safety of any person. For example, this may include initiating a police radio broadcast or state-wide email, and in the case of missing equipment, ensuring reasonable efforts are made to locate or recover; and

(ii) ensure a QPRIME occurrence report is completed in appropriate cases, and in all cases of lost equipment (Lost Property [1619]).

Except for the loss of Service identification, OICs of stations or establishments, or if applicable, commissioned officers are to ensure inquiries are conducted into the circumstances surrounding the loss or damage of Service equipment by members under their control, and ensure a report is completed and forwarded through the chain of command to the district officer/manager for information and overview. The report is to include:

(i) a description of the equipment including any serial numbers and/or asset numbers;

(ii) its value or approximate value;

(iii) whether any money has been or is able to be recovered for the loss or damage from the member concerned;

(iv) whether the item can be repaired or recovered;

(v) the reason(s) for the loss or damage; and

(vi) any recommendations that may address the causes of the loss or damage and/or prevent future loss or damage.

If the Service equipment cannot be repaired or recovered and is:

(i) recorded on SAP;

(ii) a ‘material loss’ as defined in the Financial and Performance Management Standard (i.e. equipment valued over $5000.00); or

(iii) operational equipment of any value;

the district officer/manager is to forward a copy of the report to their relevant finance and business support officer for recording of the lost or damaged property on the Regional Register of Losses.

Members should report to their respective OIC, any difficulties experienced with the quality, design or defects of operational equipment used by the Service. Reports concerning quality, design or defects of operational equipment are to be forwarded through the usual channels to the Director, Procurement Services Group, Business Services Division, PSBA.

Members may be required to pay for the cost of any Service equipment lost or damaged as a result of their negligence (refer to the Financial Management Practice Manual for the relevant debt recovery procedures).

Members requesting a replacement following the loss of their Service identification are to comply with s. 4.3.2: ‘Service-issued identification’ of the MSM.

14.22.5 Equipment management strategies

District officers/managers are to ensure appropriate equipment management strategies are in place to give effect to Service policy and provide a minimum standard for the effective and efficient management of Service equipment at regional, district and station level.

Regional level strategies should include:

(i) finance and business support officer to record losses of Service equipment recorded on SAP, equipment of a value over $5000.00 and operational equipment of any value on the Regional Register of Losses;
(ii) information resource manager to be responsible for the identifying the location of computers within the command/region; and

(iii) an officer is nominated to inspect ‘personal issue’ operational equipment of all regional office staff as required by this policy.

District level strategies should include:

(i) district officers/managers to:

(a) monitor losses and damage of equipment reported within their district on QPRIME, to ensure the quality of inquiries being made into the losses or damage;

(b) ensure the finance and business support officer is advised of any loss, damage or destruction of Service equipment that is recorded on SAP, valued over $5000.00 or operational equipment of any value;

(c) review loss of equipment reports to ensure adequate investigation has been completed, prior to submission of the report to the finance and business support officer for finalisation; and

(d) ensure all stations and establishments within the district are inspected at least once per calendar year by an appropriate delegate and Service equipment management and security is checked;

(e) supervise notification and reporting of Service equipment losses within equipment management and divisional performance appraisals; and

(f) ensure an officer is nominated to inspect ‘personal issue’ operational equipment of all district office staff as required by this policy; and

(ii) crime manager to assist in monitoring losses of equipment reported within their district on QPRIME, and to ensure the quality of inquiries and investigations being made into the losses.

Station/establishment level strategies should include the development of station instructions with provision for:

(i) station security – including the recording and/or monitoring of visitors to the station including suspects, witnesses, contractors and tradespersons. The level of monitoring will be determined by the access required of the visitor (e.g. if the visitor requires access to the property office, they are to be accompanied by a police officer or suitable staff member);

(ii) storage of personal issue operational equipment – to be stored in a secure area accessible only by the member concerned and the OIC, when not in use or physical possession of members;

(iii) the issuing and returning of (signing out and in) operational equipment. Where operational equipment is to be returned at the end of the shift, equipment registers should, where practicable, be counter-signed by the shift supervisor to verify its return and condition;

(iv) shift supervisors as a minimum reconcile the following equipment either at the commencement or completion of their shift: hand held radios, alcolmeters, speed detection equipment, tasers and vehicles;

(v) the process to be followed if Service equipment is found to be missing or damaged including a report to be sent to the finance and business support officer to be recorded in the Regional Register of Losses;

(vi) all operational and general equipment held by their station or establishment to be audited at least twice yearly, or at other times nominated by the district officer, by a nominated compliance officer or equipment officer; and

(vii) all operational and general equipment of a non-covert nature is inscribed or labelled to clearly show the equipment belongs to the Service and to which station or establishment it is issued to.

14.23 Conducted Energy Weapons (Tasers)

Taser is a brand name of one of a number of weapons in the general category of ‘Conducted Energy Weapons’ (CEW) with the Service utilising two models namely the Taser X26E and the Taser X26P. The Taser has two main capabilities, probe mode and drive stun mode.

14.23.1 Definitions

For the purpose of this policy the following definitions apply:

**Deployment of a Taser**

Means when the safety lever is in the armed position and the trigger is pressed in either probe mode or drive stun mode.

Deployment includes firing the Taser:

(i) in probe mode against a person or animal, or in the direction of a person or animal; or
(ii) in drive stun mode against a person or animal; or
(iii) unintentionally discharging the probes in any circumstance (other than during Taser training).

**Drive Stun Mode**

The drive stun mode uses direct contact of the Taser, with or without an air cartridge fitted, to the body or clothing of a person and causes significant discomfort in the area where the Taser is applied.

The drive stun mode can also be used in combination with the probe mode to complete an incapacitation circuit.

For the restrictions on the use of a Taser in drive stun mode see s. 14.23.3: 'Use of Tasers' of this chapter.

**Multiple Cycles**

Multiple cycles occur in relation to a subject person when the trigger is pressed again following the completion of a single cycle during the same incident or deployment.

**Presentation of a Taser**

Includes:
- (i) pointing a Taser in the direction of a person without deploying or firing the probes; or
- (ii) holding/pressing a Taser against a person without deploying or firing the probes.

**Probe Mode**

In probe mode a Taser, fitted with an air cartridge, uses propelled probes (darts) and wires to deliver short duration high voltage electrical pulses into the body which affect the sensory and motor functions of the nervous system.

**Prolonged Cycle**

Unless fitted with an extended automatic shutdown performance power magazine (XAPPM) as on the Taser X26P a prolonged cycle occurs when:
- (i) the trigger is pressed and held to the rear continuously until released, overriding the programmed single cycle; or
- (ii) the trigger is pressed and released, then pressed again and held to the rear during the first five seconds of the cycle, overriding the programmed single cycle.

**Single Cycle**

The electrical charge emitted by the Taser is programmed to a run for a single (continuous) five second cycle when the trigger is pressed and released. A single cycle may be shortened by the operator moving the safety lever to the down (safe) position. One full (five second) single cycle is the operational standard for Taser deployment. Tasers fitted with an XAPPM will cycle for five seconds only, even if the trigger is pressed and held to the rear.

**Taser**

Taser is a brand name of one of a number of weapons in the general category of ‘Conducted Energy Weapons’ (CEW). A Taser is a hand-held neuro-muscular disruption device capable of temporarily incapacitating a person and causing pain through the application of an electrical current.

Tasers are ‘Category R’ weapons, as defined in s. 8(f): ‘Category R weapons’ of the Weapons Categories Regulation.

**Unintentional Discharge (UD) of a Taser**

Means an unintentional deployment of a Taser air cartridge in any circumstance other than during Taser training e.g. during station loading and unloading procedures.

**Use of a Taser**

means:
- (i) drawing the Taser out of the holster; or
- (ii) presentation of the Taser; or
- (iii) deployment of the Taser,
in the performance of the officer’s duties.

Use of a Taser for reporting purposes does not include:
- (i) use during Taser training;
(ii) station loading and unloading procedures (including spark testing);  
(iii) administrative tasks (e.g. downloading and storage); and  
(iv) drawing or presentation only against an animal (i.e. not deploying).

The term use includes any and all subsequent actions carried out with the Taser.

14.23.2 Taser training

Officers are not to use or carry a Taser in the performance of their duties unless they:  

(i) have successfully completed the relevant Taser training course; and  
(ii) are currently qualified in Operational Skills and Tactics (OST) training (see s. 14.3.10: ‘Operational Skills and Tactics (OST) training’ of this chapter).

Officers who successfully complete the Taser training course will need to requalify in the use of a Taser on an annual basis. This annual re-qualification will be undertaken as part of Block 3 OST training (see s. 14.3.10 of this chapter).

The Chief OST Instructor is responsible for ensuring the necessary systems are in place to provide Taser training to nominated officers.

14.23.3 Use of Tasers

The deployment of a Taser, in either probe mode or drive stun mode, should be determined by the circumstances existing at the time, bearing in mind the ‘Situational Use of Force Model’ (see s. 14.3.2: ‘Situational Use of Force Model (2016)’ of this chapter). Officers are reminded the Service’s philosophy of ‘Consider all Options and Practise Safety’ (COPS) should be embraced when dealing with incidents which may require the use of force.

The probe mode is the preferred operational standard for Queensland Police Service Taser operation. In probe mode the electrical charge transmitted by a Taser causes the subject person to experience involuntary muscular contractions, rendering the person temporarily incapacitated or unable to perform coordinated action until the device is deactivated.

The drive stun mode does not have a significant effect on the central nervous system and does not immobilise a person. As such it may not be effective on people who are highly motivated, mentally disordered or drug/alcohol affected.

Officers should only use the minimum amount of force necessary to resolve an incident.

There must be a risk of serious injury to a person before an officer can use a Taser. The decision to apply force or use a Taser is an individual one for which every officer will be held accountable.

Every decision to use force should be the subject of a continuous assessment prior to the application of another use of force.

Officers should consider all the ‘use of force’ options available to them and all the circumstances of an incident when determining the most appropriate ‘use of force’ option(s) to be used.

Prior to deploying a Taser in either probe mode or drive stun mode, officers should:

(i) verbally warn the subject person(s) where practicable; and  
(ii) be mindful of the area in which the subject may fall, for example on a hard surface. In probe mode the Taser causes temporary incapacitation which may cause the subject to fall down. Injuries may be sustained by the subject where this occurs.

A Taser should not be used in either probe mode or drive stun mode:

(i) against persons offering passive resistance (e.g. refusing to move or offering little or no physical resistance and refusing to comply with police instructions. A person acting as a dead weight or requiring an officer to lift, pull, drag or push them to maintain control);  
(ii) against persons handcuffed unless exceptional circumstances exist;  
(iii) as a crowd control measure (e.g. for crowd dispersal at a demonstration or industrial dispute);  
(iv) against the occupants of a vehicle or the operator of machinery where there is a danger of the vehicle or machinery going out of control and injuring the occupants or other people;  
(v) against children or persons of particularly small body mass, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;  
(vi) against females suspected on reasonable grounds of being pregnant, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;  
(vii) near explosive materials, flammable liquids or gases due to the possibility of ignition;  
(viii) punitively for purposes of coercion or as a prod to make a person move;  
(ix) to rouse unconscious, impaired or intoxicated persons;
(x) on persons where there is a likelihood of significant secondary injuries (particularly concussive brain injury) from a fall (e.g. standing on a ladder or other elevated position); or

(xi) on elderly persons, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury.

A Taser should not be used in drive stun mode except:

(i) in extreme circumstances where there is no other reasonable option to avoid the risk of serious injury; or

(ii) when it is used in combination with the probe mode to complete an incapacitation circuit.

**LED lights and Laser**

The LED lights and laser are only to be used to aid in aiming and are not to be used for any other purpose. The laser sight should not intentionally be aimed at the eyes of the subject.

**Deployment of a Taser**

A deployment of a Taser is characterised by a single five second cycle in either probe mode or drive stun mode. Officers are to use the Taser on persons by application of a single five second cycle. Any deployment of a Taser on an individual beyond this single five second cycle is considered a multiple deployment or a prolonged deployment.

Additional cycles may be applied in exceptional circumstances after the officer has reassessed the situation prior to each additional cycle.

Officers using the Taser X26E are not to use the Taser in a prolonged fashion by holding the trigger down for a period greater than five seconds unless exceptional and justifiable circumstances exist.

Officers are reminded a subsequent use of the Taser or any prolonged use will be scrutinised and will require justification. While all use of force options are scrutinised, officers should be aware the greater the use (multiple or prolonged) of a Taser, the greater the level of scrutiny applied.

Officers should be aware there may be technical or physiological reasons why the device is not working as expected on a particular individual. Therefore, if the initial application of the Taser in either probe mode or drive stun mode is not effective, officers should reassess the situation and consider other available use of force options.

Officers should be aware multiple or prolonged deployments of a Taser have been linked to deaths, particularly where:

(i) use of the Taser was accompanied by the use of restraints or chemical incapacitant sprays (e.g. OC spray);

(ii) subjects had underlying health problems such as heart conditions or mental illness;

(iii) subjects were under the influence of drugs and/or alcohol;

(iv) subjects were struggling violently for a sustained period; or

(v) a combination of these factors existed.

There are cases where such persons exposed to the effects of Taser have died some time after being exposed. It is recognised there are circumstances where the only alternative may be the use of a potentially lethal use of force e.g. firearm or where the deployment of the Taser irrespective of the additional risk is absolutely necessary to protect life.

Officers should be aware Indigenous people are more likely to suffer from underlying health problems such as heart disease, lung disease and other illnesses increasing their risk of experiencing adverse health effects when a Taser is deployed against them.

**ORDER**

Where practicable, officers are not to deploy a Taser in either drive stun or probe mode on a person who has just been subject to deployment of OC spray.

**14.23.4 Use of more than one Taser**

Officers must not deploy two or more Tasers on the one person at the same time.

**14.23.5 Using the Taser on people who are suspected mentally ill**

Occasions will arise where it is necessary to use the Taser on a person who is exhibiting violent behaviour and who is also suspected of suffering from a mental disorder or illness. When responding to a mental health incident officers are to ensure the assistance of the QAS is requested and where possible, discuss options with mental health professionals.

See also the following sections of this Manual:

(i) s. 6.6.1: ‘Dealing with mental illness generally’;

(ii) s. 6.6.13: ‘Mental health intervention coordination and training’;

(iii) s. 14.3.6: ‘Acute psychostimulant-induced episode and excited delirium’;

(iv) s. 14.3.7: ‘Post arrest collapse (medical risk factors)’; and
14.23.6 Special precautions to avoid eye and head injuries

There is a specific risk of injury to the eye through penetration of a barb. Barb penetration in the neck or head may also increase the level of injury.

Tasers should not be aimed so as to strike the head or neck of a subject unless this is unavoidable.

14.23.7 Probe removal and disposal

Where probes are imbedded in sensitive tissue areas (e.g. neck/throat, face, breast or groin) medical aid should be sought to remove the probes.

If required, the officer who deployed the Taser is to ensure first aid and/or medical attention is provided to the subject person, as necessary.

OIC’s of stations or establishments should ensure suitable probe removal and disposal equipment (i.e. protective gloves, sharps container, alcohol wipes/swabs and band aids) are available in all operational vehicles under their control.

When medical attention or treatment is required, the deploying officer should notify the Duty Officer, Police Communications Centre (PCC) Brisbane, or in areas outside of those covered by PCC Brisbane, the communications coordinator of the relevant PCC, and request the attendance of the Queensland Ambulance Service (QAS). Where it is impractical to obtain the attendance of the QAS, the officer should arrange to have the subject person taken to the nearest facility providing medical attention.


14.23.8 Reporting the use of a Taser

For the definition of use of a Taser see s. 14.23: ‘Conducted Energy Weapon (Taser)’ of this chapter.

Advising Police Communications

After an incident involving the use of a Taser, the officer who used the Taser is to notify as soon as practicable:

(i) the Duty Officer, Police Communications Centre (PCC) Brisbane to ensure the incident is recorded on the CAD system; or
(ii) in areas outside those covered by PCC Brisbane, the communications coordinator of the relevant PCC to note on the CAD system or their running log as the case may be; or
(iii) in areas where no police communications centre exists, the supervising commissioned officer or OIC for the time being of the station responsible for policing the area where the incident has occurred.

The Duty Officer, communications coordinator, supervising commissioned officer or OIC notified of an incident involving a Taser is to advise the appropriate regional duty officer (RDO), patrol group inspector (PGI) or district duty officer (DDO).

QPRIME Use of Force Report

After an incident involving the use of a Taser (drawing out of the holster, presentation or deployment), the officer who used the Taser is to, within 24 hours of the creation of the relevant QPRIME occurrence, ensure a ‘Use of Force Report’ is furnished. If the officer is incapacitated, their supervisor is to ensure a ‘Use of Force Report’ is completed in the relevant QPRIME occurrence (see s. 14.3.9: ‘Use of force reporting’ of this chapter).

Significant Event Message by exception

The RDO, PGI, DDO or supervisor may, by exception, require a significant event message be submitted for incidents involving the use of a Taser against a person (see also s. 1.18: ‘Significant events’ of this Manual).

Unintentional discharge of a Taser

An officer unintentionally discharging a Taser is to:

(i) submit a QPRIME ‘Use of Force Report’ outlining the circumstances of the incident;
(ii) notify their shift supervisor and OIC of the incident (and/or DDO/RDO per local SOPs);
(iii) in the case where any person was the subject of an unintentional discharge in either probe mode or drive stun mode, or significant damage to property was caused by the deployment, a significant event message is to be generated. Data from this device will be downloaded within 72 hours in accordance with s. 14.23.12: ‘Downloading data from a Taser’ of this chapter;
(iv) the Shift Supervisor (or OIC, DDO or RDO) will then make inquiries with a view to establishing the cause of the incident (e.g. memory lapse, lack of proficiency of Taser user, mechanical failure, operational issues, deliberate disregard of established policies or protocols, deliberate misuse of Taser); and
(v) the Shift Supervisor (or OIC, DDO or RDO) will make a recommendation on how the matter will be dealt with (e.g. officer not permitted to use a Taser until further training undertaken, managerial guidance, sent for formal investigation re: misuse).

**Taser overview/review**

The OIC where the police officer using a Taser is stationed, is to:

(i) ensure a QPRIME ‘Use of Force Report’ and, where applicable, significant event message has been submitted in relation to the incident; and

(ii) overview the incident to determine whether the use of the Taser was in accordance with Service policy and procedures.

Where practicable, the overview should include a face-to-face meeting between the OIC (or supervisor) and the officer who used the Taser.

All incidents involving the deployment of a Service Taser will be reviewed by the relevant district officer who will consider any deployment of a Taser within 72 hours of the event (for the definition of district officer see [Service Manuals Definitions](#)). See also s. 14.23.14: ‘Review of Taser incidents’ of this chapter.

If the deployment of the Taser was inappropriate or not in accordance with Service policy, see s. 6A.1: ‘Duty concerning misconduct or breaches of discipline’ of the [PSAA](#) and ‘Complaint Management’ of the [Ethical Standards Command webpage](#) of the Service Internet.

### 14.23.9 Carriage of a Taser

Qualified officers performing operational duties should, where appropriate, carry a Taser, if one is available.

Members are not to leave a Service Taser unattended in a vehicle or other place without good and sufficient reason. This may include:

(i) members having to attend a situation where the carriage of a Taser poses a risk to security or safety, e.g. riot, serious street disturbance or authorised assembly;

(ii) where the Taser restricts operational activity, e.g. members being involved in a rescue operation; or

(iii) where it is necessary for special operational situations or circumstances, e.g. hostage or suicide negotiations.

**Carriage of Taser by plain clothes officers**

Qualified officers performing plain clothes duties may carry a Taser, if it is appropriate to the duties they are performing.

If carrying a Service Taser exposed to view, plain clothes officers should carry their identification badge in such a position it is visible to members of the public.

**Carriage of conducted energy weapon on aircraft and at airports**

Officers who intend to carry conducted energy weapons on commercial passenger airlines/prescribed aircraft, at airports, and on Queensland Government Air (QGAir) aircraft, are to comply with [s. 14.11: ‘Carriage of firearms, ammunition, handcuffs, batons, conducted energy weapons and Oleoresin Capsicum (OC) spray etc. on aircraft and at airports’](#) of this chapter.

**Carriage of Tasers in court**

Officers should not wear or carry a Taser, other than as an exhibit, in court unless:

(i) authorised by the presiding magistrate or judge. This includes an officer performing duty as a court orderly; or

(ii) they are responding to an incident within those premises.

**Carriage of Tasers in watchhouses**

Officers may carry Tasers in watchhouses. As with batons, oleoresin capsicum spray and handcuffs, there is no requirement for an officer to remove and store a Taser prior to entering a watchhouse.

**Carriage of Tasers in correctional centres and detention centres**

Officers are to hand all Tasers to the correctional officer on duty at the entrance to a correctional centre or detention centre for safe keeping (see s. 128: ‘Taking prohibited thing into corrective services facility or giving prohibited thing to prisoner’ of the [Corrective Services Act](#)), unless prior authorisation or approval has been obtained by the Chief Executive, Queensland Corrective Services, to take weapons into a correctional centre or detention centre.

Officers are to inspect all Tasers returned prior to leaving a correctional centre or detention centre to ensure they are undamaged.

See also [s. 14.14.1: ‘Carriage of firearms and ammunition in correctional centres and detention centres’](#) of this Manual.
Carriage of Tasers in hospitals

Officers should exercise their discretion with regard to the carriage of a Taser within the confines of an authorised mental health high security unit, or medium security unit (see s. 14.13: ‘Carriage of firearms in mental health units or hospitals’ of this Manual).

14.23.10 Storage

Refer to the Conducted Energy Weapon – Taser Good Practice Guide for storage and information relating to replacing the relevant power magazine.

Each member accessing a safe provided by the Service for the storage of Tasers is to ensure the safe is securely locked immediately after use.

Officers taking out or returning Taser equipment to its storage facilities are to complete the registers provided by the station or establishment.


14.23.11 Taser repairs and replacement

Tasers which are damaged, defective or otherwise require servicing are to be forwarded to the Armoury Section, Richlands Supply Services.

Service X26E Tasers will be replaced after a period of 7 years and service X26P Tasers will be replaced after a period of 5 years.

14.23.12 Downloading data from a Taser

For X26E Taser see Taser X26 Data Download Guidelines.


14.23.13 Officer in charge and district officer responsibilities

OIC’s of stations and establishments are to:

(i) ensure an inspection of Tasers, air cartridges and other ancillary equipment under their control, is carried out on a monthly basis. Particulars of these inspections are to be recorded in a register kept for this purpose. (see Taser Risk and Compliance Guidelines). OIC’s of regions and commands may authorise inspections of Tasers and ancillary equipment are undertaken at other specified time intervals in conjunction with local risk management practices;

(ii) implement compliance/management practices at a local level ensuring data is downloaded from all station Tasers at least every 3 months. A sample of the data is to be cross-checked against the Taser register to identify any discrepancies. Where an OIC identifies a discrepancy, they are to:

(a) advise their supervisor of the matter; and

(b) commence an investigation as soon as practicable into the discrepancy; and

(iii) immediately report to the district officer or other supervising commissioned officer the loss of, any damage or defect to, or any unsatisfactory condition relating to Service Taser equipment and comply with the provisions of the Financial Management Practice Manual in relation to any losses and, where appropriate, the recovery of debts resulting from the loss or destruction or damage to property while in the care of members; and

(iv) when aware of the necessity for the repair or replacement of a damaged or defective Taser, follow the procedure contained in s. 14.23.11: ‘Taser repairs and replacement’ of this chapter.

OIC’s of stations or establishments requiring the repair or replacement of a damaged or defective Taser are to:

(i) contact the Armoury Section, Richlands Supply Services for advice concerning the necessary arrangements; and

(ii) where a replacement Taser is required, complete a form QP 0413: ‘Requisition for weapons/restricted item’ and forward to the Armoury Section, Richlands Supply Services.

OIC’s of stations and establishments are to ensure Service X26E Tasers older than 7 years are returned to their respective district or command training office. Service X26E Tasers older than 7 years will be replaced as part of the Taser replacement project.

The OIC of the respective district or command training office is to determine whether to keep the Taser at their office for training purposes or to return the Taser to the Armoury Section, Richlands Supply Services. The Armoury Section is to be notified of any permanent or long-term change of the Taser location so the Weapons Asset Control System (WACS) can be updated.
Where possible, the information recorded on a Taser is to be downloaded prior to forwarding the device to the Armoury Section, Richlands Supply Services (see s. 14.23.12: ‘Downloading data from a Taser’ of this chapter).

When a Taser is forwarded to the Armoury Section, Richlands Supply Services, any costs involved in the inspection, testing, repair or replacement of the equipment are to be met by the requesting region or command.

Providing information from Taser downloads

Where a Taser is deployed in either mode, the relevant district officer or manager is to ensure as soon as practicable but within 72 hours, the data from the Taser used is downloaded by a person qualified to do so. The data downloaded is to be provided to the relevant Significant Event Review Panel as a priority.

Where Ethical Standards Command (ESC) or the Crime and Corruption Commission assumes responsibility for investigation of a matter involving a Taser, the data download is not to be conducted without the approval of the Superintendent, Internal Investigations Group, ESC.

Taser information required for other purposes

If required for court or other purposes, or where a Taser is being returned to the Armoury Section, Richlands Supply Services for repair or replacement, OICs of stations or establishments should contact the Inspector, Operational Skills Training Unit, Education and Training Command, and make arrangements for the information recorded on the Taser to be extracted.

Recording of Taser equipment

The Executive Manager, Operational Equipment and Warehousing, Procurement Services Group, Business Services Division, PSBA is responsible for ensuring the following information is recorded on the WACS:

(i) the district, or other organisational unit within the Service, each Taser and air cartridge is issued to;
(ii) the serial number of each Taser and air cartridge; and
(iii) the date of issue.

District officers or other organisational units are to maintain a local register of Taser equipment within their area of responsibility. Particulars to be recorded include:

(i) the date of receipt of each item;
(ii) the station or establishment each Taser and air cartridge is issued to;
(iii) the serial number of each Taser and air cartridge; and
(iv) the date, reason and method of disposal for each item.

OIC’s of stations or establishments are to maintain a local register of all Taser equipment issued to their station or establishment. Particulars to be recorded include:

(i) the date of receipt of each item;
(ii) the serial number of each Taser and air cartridge;
(iii) the expiry date of each air cartridge;
(iv) the date each Taser and air cartridge was last inspected; and
(v) the date, reason and method of disposal for each item.

Issue and return register

OIC’s of stations or establishments are to maintain a local register for the purpose of recording the issue and return of Taser equipment each shift. The QPB 70: ‘Taser Issue and Return Register’, available from the Richlands Supply Services, should record:

(i) the time and date of signing the equipment in and out;
(ii) the serial number of each Taser and air cartridge taken/returned;
(iii) officer details including signature; and
(iv) a comment section to record the condition of the Taser and air cartridges when returned and any damage, defect or unsatisfactory condition identified.

All registers are to be accurately maintained and updated to reflect the acquisition, transfer or disposal of Tasers and air cartridges within the Service.

14.23.14 Review of Taser incidents

All incidents involving the deployment of a Service Taser will be reviewed by the relevant district officer, who will consider any deployment of a Taser within 72 hours of the event (for the definition of district officer see Service Manuals Definitions).
Debriefing

Where a Taser has been used during a shift, supervisors or district duty officers are to include the use of the Taser as part of the shift debriefing (see s. 1.4.6: ‘Responsibilities of regional duty officer, district duty officer and shift supervisor’ of this Manual.

Notifying Human Services Officers

Where the use of a Taser is a critical incident as defined in s. 4.1: ‘Critical incident’ of the Psychological First Aid for Managing Critical Incidents policy contained in the Human Resources Policies, supervisors/OIC’s or their delegate are to notify their local Human Services Officer (see s. 3.1: ‘Organisational Roles and Responsibilities’ of the Psychological First Aid for Managing Critical Incidents policy contained in the Human Resources Policies).

14.24 Priority codes

POLICY

The Service recognises the inherently unpredictable nature of policing and the need to be able to identify a flexible response to calls for service. Where personal safety is threatened, the community expects a timely and effective response. To maximise the Service’s ability to effectively respond, there is a need to employ appropriate demand management strategies which may include the allocation of tasks to officers who do not usually operate in a first response capacity.

This policy acknowledges and reaffirms that the safety of people and the security of property are the priority of all officers.

This policy embodies a flexible operational resource allocation model which ensures that internal organisational and administrative structures do not impede the efficient and effective delivery of policing services.

The priority policing process establishes a method for determining whether to initiate an immediate response to a call for service or to implement an alternative expectation strategy based on the nature of the call for service and the availability of operational resources.

Receiving calls for service

POLICY

Members receiving calls for policing services are to ensure that:

(i) the relevant information is recorded in accordance with s. 1.6.1: ‘Recording initial demand’ of this Manual; and

(ii) the particulars of the call are referred to an officer for tasking (a tasking officer).

Tasking officers

POLICY

Assistant Commissioners of regions and commands are to ensure:

(i) suitable tasking officers are identified for all areas under their control. Regional Instructions are to nominate specific officers or holders of particular positions to fill the role of tasking officer. Tasking officers may be nominated to have responsibility for tasking within a geographical area or within an organisational unit depending on the requirements of the relevant region or command.

Generally, a tasking officer will be an officer with responsibility for assigning priority codes in accordance with s. 14.24: ‘Priority codes’ of this chapter. The responsibility for tasking, and the authority to issue associated directions, in any particular case should be clearly defined to avoid the potential for confusion as to an officer’s responsibility and authority as a tasking officer;

(ii) appropriate arrangements are made with the officers in charge of neighbouring regions to establish processes by which operational resources may be assigned to calls for service in neighbouring regions; and

(iii) procedures are established within their area of responsibility to resolve issues arising as a result of tasking decisions (e.g. the tasking of units previously allocated to a particular activity to other calls for service). In all circumstances, however, priority is to be given to responses to calls for service involving a threat to personal safety.

The role of a tasking officer is to:

(i) allocate priority codes to calls for service in accordance with s. 14.24: ‘Priority codes’ of this chapter; and

(ii) direct officers to attend calls for service in accordance with the priority policing process.

A tasking officer need not be a senior officer and for the purposes of directing officers to attend to calls for service has the authority to direct all officers subject to any limitations established in Service or regional policy.
Tasking decisions of a tasking officer are not to be disputed by members receiving the tasking. Members who wish to query a tasking decision are to attend the tasking as directed and may raise the issue in accordance with regional arrangements.

In cases where an officer or officers are tasked to attend a call for service in circumstances that would place the officer at unreasonable risk (e.g. officers who are not qualified in OST being directed to attend a violent incident), the officer should immediately advise the tasking officer of that fact. Tasking officers should act upon such advice to ensure, as far as practicable, that additional or alternative resources are tasked to mitigate such risk.

Priority policing process

POLICY

Tasking officers receiving details of calls for policing services are to:

(i) determine whether the call relates to a threat to personal safety or property security;

(ii) in the case of threats to personal safety or property security, establish whether the call indicates a known threat, a potential threat or a perceived threat;

(iii) direct officers to attend to the call for service or initiate an alternative expectation strategy based on the application of the priority policing process. See the priority policing process flowcharts contained in Appendices 14.4: ‘Threats to Personal Safety’, 14.5: ‘Threats to Property Security’ and 14.6: ‘Other Calls for Service’ of this chapter; and

(iv) ensure that organisational boundaries do not impede an appropriate and timely response to calls for service. Where no officers are available within a tasking officer’s area of responsibility and an immediate response is required, the tasking officer should request a tasking officer in a neighbouring area, in accordance with relevant regional arrangements, to direct officers from that area to attend the call for service. Tasking officers receiving requests for assistance from tasking officers in other areas are to ensure that officers are directed to attend the call for service in accordance with the priority policing process and regional arrangements.

14.24.1 Priority codes

POLICY

Job tasking is assigned one of four priority codes by members under the supervision of:

(i) the Duty Officer, Police Communications Centre, Brisbane;

(ii) the officer in charge of a police communications centre in areas not controlled by the Police Communications Centre, Brisbane; or

(iii) in places where no police communications centre exists, the officer in charge of the station where the information requiring the attendance of police is received; or

(iv) the Inspector, Special Emergency Response Team, where due to the type, or methodologies of the duties being performed it is not practical to obtain a priority code as outlined in paragraphs (i) to (iii) above.

To ensure that officers are aware of the degree of urgency required in attending an incident, complaint, request for assistance or other matter, the following priority codes are allocated:

(i) Code 1 – for very urgent matters when danger to human life is imminent;

(ii) Code 2 – for urgent matters involving injury or present threat of injury to person or property;

(iii) Code 3 – for routine matters; or


14.24.2 Criteria for assigning a priority code

POLICY

A member assigning a priority code to a task should use the following guidelines:

Code 1 – ‘Very Urgent’ – may be assigned in the following circumstances:

(i) when an officer or member of the public is in need of help in circumstances where life is actually and directly threatened and is in immediate danger of death. This includes the need for assistance in similar circumstances when an officer is having problems escorting prisoners, is trying to effect crowd control or is endeavouring to keep law and order at civil disturbances, etc.;

(ii) when shots are being fired or an explosion or bombing has occurred and danger to human life is imminent;

(iii) at the time of a major incident or serious fire, or in the case of a robbery or any crime in progress where there is danger to human life;
(iv) in instances of asphyxiation or electrocution where life may be saved or where a person is attempting suicide or other forms of self-harm likely to cause death or serious injury; or
(v) in any other instance where it is known that danger to human life is imminent.

Code 2 – ‘Urgent’ – may be assigned in the following circumstances:
(i) incidents similar to those above and any other urgent situations without the element of imminent danger to human life being apparent;
(ii) in any other urgent situation when it is known that danger to human life is not imminent; or
(iii) incidents involving injury to a person or present threat of injury to a person or property.

Code 3 – ‘Routine’ – may be assigned to all other matters which are considered to be routine and not requiring classification of Code 1 or 2.

(See also s. 15.3.3: ‘Use of flashing warning lights and siren’ of this Manual)

Code 4 – ‘Negotiated Response’ – is only to be assigned to calls for service in accordance with approved Regional/Command/District negotiated response policies.

ORDER
The member responsible for assigning a priority code to a task is to:
(i) assign a code to the task having regard to Service policy and the information available;
(ii) change the code as circumstances and information warrant; and
(iii) advise the member responsible for transmitting the task of the assigned code for that task and any change to that code.

The member responsible for transmitting the task and code is to notify the member assigned the task of the priority code for the task and any change to that code.

Officers are not to alter or upgrade allocated priority codes unless directed by a member responsible for assigning priority codes.

14.24.3 Negotiated response

A ‘negotiated response’ is a method by which calls for service from a client may be prioritised through negotiation.

A negotiated response agreement exists when a member of the Service and a client have agreed to respond to an incident in a specified manner.

The aim of negotiated response agreements is to promote better management of police resources.

In this section the term:
(i) ‘relevant member’ means a member of the Service authorised under the provisions of a Regional/Command/District negotiated response policy to enter into negotiated response agreements; and
(ii) ‘client’ means a person who reports an incident to police or requests police assistance. The term includes a person representing any organisation, company or body.

14.24.4 Outcomes of negotiated response agreements

POLICY
Negotiated response agreements are to result in a definite course of action being agreed between the relevant member and the client.

Examples of appropriate outcomes of a negotiated response agreement include:
(i) the client reporting the incident at a nominated police station when it is open or on the next working day;
(ii) the client attending at and reporting the incident immediately at the nearest 24 hour police station; or
(iii) if the nature of the incident is such that the attendance of an officer at a time acceptable to the Service and the client is suitable, the recording of particulars and giving an undertaking to the client that an officer will attend as agreed. Where Regional/Command/District negotiated response policies allow a single officer patrol to attend, that option should be considered.

14.24.5 Approval of Regional/Command/District Negotiated Response Policies

POLICY
Proposed Regional/Command/District negotiated response policies are to be submitted by the relevant assistant commissioner to the Deputy Commissioner (Regional Operations), for approval prior to implementation.
Upon receiving approval to implement a negotiated response policy, officers in charge of Regions/Commands/Districts are to ensure that:

(i) members of the affected community are advised of the nature of the negotiated response policy and the police response alternatives;

(ii) members are provided with suitable training in the use of the applicable negotiated response policy; and

(iii) Regional/District instructions are developed to ensure that the negotiated response policy is applied with consistency.

14.24.6 When negotiated response agreements may be entered into

POLICY

Subject to the requirements of a Regional/Command/District negotiated response policy, incidents which would not otherwise be assigned a priority classification of ‘Code 1 – Very Urgent’ or ‘Code 2 – Urgent’ may be considered for a negotiated response.

Negotiated response agreements may be entered into with a client who;

(i) personally attends a police station or establishment;

(ii) telephones a police station, establishment or police communications centre; or

(iii) by prior arrangement, as part of an approved Regional/Command/District negotiated response policy, sends an approved form to a police station or establishment.

Negotiated response agreements may be entered into when:

(i) the relevant member is satisfied that:

   (a) a negotiated response is an appropriate method of responding to the call for service;

   (b) the wishes of the client are considered and met; and

   (c) the client understands the negotiated response agreement; and

(ii) the client and the relevant member have agreed that immediate police attendance is not required, and an alternative method of reporting the incident has been agreed to.

PROCEDURE

In considering whether a negotiated response is an appropriate method to respond to a call for service, members receiving such calls should ascertain the following information relating to the incident and, unless they are relevant members, convey that information to a relevant member:

(i) informant/complainant/witness details, including name, address, current location and telephone number;

(ii) the nature of the incident;

(iii) the time the incident occurred or whether it is still occurring;

(iv) details of any threat or injury to any persons and any medical assistance required;

(v) type and value of any property involved in the incident;

(vi) identification or location of any suspects/offenders;

(vii) whether any weapons are involved;

(viii) whether any person involved in the incident is affected by drugs or liquor;

(ix) the nature of any nuisance or risk to the public caused by the incident; and

(x) regularity or frequency of the incident.

14.24.7 When negotiated response agreements may not be entered into

POLICY

A negotiated response agreement is not to be entered into when:

(i) all relevant information cannot be obtained or clarified;

(ii) the relevant member believes that a negotiated response is not appropriate, regardless of the wishes of the client; or

(iii) the client does not wish to enter into a negotiated response agreement.

In such cases the call for service is to be allocated an appropriate priority code.
A relevant member who enters into a negotiated response agreement, which requires that an officer attend a location at a specified time, is to ensure that details of the negotiated response agreement are recorded in accordance with s. 1.6.1: ‘Recording initial demand’ of this Manual.

### 14.24.8 Procedures to be adopted when negotiated response agreements cannot be fulfilled

**POLICY**

If, as part of a negotiated response agreement, a relevant member and a client agree that an officer or the client would attend a location at a specified time, the client is to be notified of any likely delay or proposed change to the time or location agreed upon. Regional/Command/District negotiated response policies are to assign the responsibility for providing such notification to a suitable member of the Service.

If the conditions of a negotiated response agreement are not met, the original negotiated response agreement ceases to exist. A new agreed response may be negotiated; otherwise an appropriate response code is to be assigned to the call for service.

### 14.24.9 Single officer patrols

**POLICY**

Where practicable, single officer patrols should not be tasked to attend incidents involving weapons or disturbances involving a number of offenders, unless they are assisting officers who are already in attendance at such incidents.

District officers are to ensure that where single officer patrols are performed, for example:

- (i) one and two officer stations;
- (ii) traffic enforcement;
- (iii) crime reporting;
- (iv) enquiries; or
- (v) any other operational duty,

that district instructions are implemented within their respective district to minimise identified operational risks, for example:

- (i) single officer patrols;
- (ii) vehicle interceptions; and
- (iii) communication black spots.

See also s. 1.5.3: ‘Regional, District and Station/Establishment Instructions’ of this Manual.

Officers performing single officer patrols are to familiarise themselves with the relevant district instructions in relation to single officer patrols within their respective district.

### 14.25 Radio communications

Police two way communications are approved and licensed by the Australian Federal Government. The issue of the licence is subject to special conditions enabling radio operations to be established state wide for the distribution and exchange of urgent, important or special information.

A network of police communication centres are established throughout the state to enable constant radio communications with radio equipped motor vehicles, vessels, aircraft and portable (hand-held) transceivers.

#### 14.25.1 GWN talkgroups, radio channels, identification and call signs

Communications across the State are supported by the Government Wireless Network (GWN) and analogue radio (legacy) networks. All communications made on the radio networks are electronically logged. These details include voice, talkgroup or channel details, time and date of call, and for GWN transmissions the identity and location of the calling unit.

**POLICY**

The police communications centres situated throughout the state are authorised to use the call sign ‘VKR’. To conduct operations in the various areas across the state, talkgroups (GWN), radio channels (analogue network) and call signs are allocated by the Commander, Communications Group, Community Contact Command. Call signs are allocated to police vehicles, vessels or to individual officers, depending on the policing function being performed.

Officers should ensure that they are conversant with the call signs and radio talkgroups or channels used at their location or area of operations.
ORDER

Officers are to ensure they operate on the correct talkgroup (GWN) or channel (analogue network) for the location they are working in.

14.25.2 Correct radio procedure

PROCEDURE

Officers should ensure that correct radio procedures for all radio transmissions are observed on the radio talkgroups and channels allocated to the Service. Officers should not use superfluous conversation, improper or offensive language when transmitting messages on the Service radio communication network.

The correct format of making a radio transmission is as follows:

(i) a radio transmission from VKR to a police vehicle/officer should contain the call sign of police vehicle or officer, and the purpose of the transmission. For example, ‘VKR to Bravo Echo 400 (purpose of transmission)’; and

(ii) a radio transmission from a police vehicle/officer to VKR should contain the call sign of the police vehicle or officer and the purpose of the transmission. For example, ‘VKR this is Bravo Echo 400 (purpose of transmission)’.

See s. 14.25.4: ‘Requests for urgent assistance’ of this chapter.

In all radio transmissions officers should use where appropriate the International Phonetic Alphabet and use the twenty-four hour time system when referring to time.

14.25.3 Radio and communication procedures generally

POLICY

Where police radio is available, officers should convey critical information to other police officers by radio.

PROCEDURE

Police Communication Centres (PCC) are responsible for the tasking of police resources and priority dispatching. Officers should ensure the PCC in their area of operations is advised when:

(i) commencing duty, leaving or returning to a station/establishment, changing tasking availability status and terminating duty;

(ii) attending an incident (officers should ensure the PCC knows their location and the incident number);

(iii) finalising an incident. Officers should provide the verified activity code and where necessary, additional information required for reporting purposes;

(iv) they will be out of radio contact. Officers should provide:
   (a) an approximate length of time before radio contact will resume;
   (b) their location; and
   (c) a contact telephone number;

(v) intercepting a vehicle, vessel or person. Officers should provide:
   (a) the registration number or other identifying features of the subject vehicle/vessel; or
   (b) identifying features of the subject person; and
   (c) the exact location of the interception; and

(vi) a person is to be transported in a police vehicle, to record the vehicle odometer reading at the commencement and at the conclusion of the journey.

Police communications co-ordination and control

ORDER

Officers performing duty in an area where a PCC operates are under the control of the relevant PCC for all operational dispatching and tasking.

Officers are to follow all reasonable directions transmitted from a PCC.

Officers are to acknowledge all radio transmissions and broadcasts directed to their allocated call sign.

14.25.4 Requests for urgent assistance and remote monitoring

Verbal requests

POLICY

Officers at times may find themselves in situations where they are in immediate or imminent danger and request urgent assistance. The use of a verbal request for urgent assistance provides the police communication centre (PCC) and responding officers with situational awareness. Some circumstances may include:
(i) where an officer has been injured or where danger to an officer’s life is imminent;
(ii) an officer who is in fear of his or her safety; or
(iii) requires assistance at an incident which is of an urgent nature.

PROCEDURE

Officers should use correct radio procedures when making a request for urgent assistance. A radio transmission should contain the call sign of the police vehicle or officer, the word ‘URGENT’, the location of the incident and the type of assistance required. For example, ‘VKR this is Bravo Echo 400, urgent, at Queen Street, Brisbane, ‘Male armed with a knife, I require units to assist’. See s. 14.25.2: ‘Correct radio procedure’ of this chapter.

Members receiving ‘urgent assistance’ calls at a PCC or at a police station where there is no police communications centre, are to allocate an appropriate priority code to the response in accordance with the provisions of s. 14.24: ‘Priority Codes’ of this chapter.

Duress Button

POLICY

The Government Wireless Network (GWN) radio equipment is fitted with a ‘duress button’, which is able to be activated within the GWN radio coverage area when:

(i) an officer has been injured and where danger to an officer’s life is imminent;
(ii) an officer is in fear for his or her safety; or
(iii) assistance is required at an incident which is of an urgent nature; and

(a) the officer is unable to verbally call for assistance; or
(b) due to situational or operational reasons they are unable to make a verbal call for assistance.

Officers should be aware that the activation of the duress button does not provide situational awareness, confirmation of the incident location and there may be limitations with the accuracy of GPS data provided by GWN radios.

PROCEDURE

The duress button is to be depressed until two short audible tones are heard. The activation of the duress button will cause audible alarms on radios active on the same talkgroup and on the console in the police communication centre (PCC) controlling the talkgroup.

The PCC operator will manage the duress activation and co-ordinate the response in accordance with Communications Group policy. Radio transmissions should be limited to the PCC and resource in duress to allow the location information data to be received and allowing for the co-ordination of an effective response.

The responsibility for monitoring and responding to duress activations within a specialist, operational or interoperability talkgroup not monitored by a PCC rests with the tactical commander or on scene incident controller.

Remote monitor – duress activation

The GWN radio equipment is enabled with the ability to allow a PCC operator operating within the GWN network, to activate the remote monitor, allowing all members using the talkgroup to listen to what is occurring at the location of the individual radio in duress (portable or mobile) for a period of 20 seconds.

ORDER

Activation of the remote monitor is to be approved by the senior supervisor within a PCC managing the talkgroup or the senior officer managing an operations or specialist talkgroup.

Approval is only to be given in circumstances where an officer has:

(i) called for assistance over the air; or
(ii) activated their duress button; and
(iii) all other means to communicate with the officer or provide assistance have met with negative results.

Prior to activating the remote monitor, the PCC operator is to verbally advise:

(i) of the intention to activate the remote monitoring function; and
(ii) the details of the authorising officer,

across the talkgroup.

When a PCC senior supervisor or senior officer managing an operations or specialist talkgroup authorises the use of the remote monitoring functionality, the officer is to ensure a written record of the authorisation is made in the relevant job card, other Service database or in their official police notebook.

All activations of the remote monitor will be subject to audit by the Superintendent, Communications Group to ensure compliance with legislation and policy.
Remote monitor – emergency authorisation

POLICY

Circumstances may arise which, depending on the nature of the incident that an officer is attending to, may cause concerns for the welfare of the officer if they are not responding to normal radio communications. Section 43: ‘Prohibition on use of listening devices’ of the Invasion of Privacy Act (IPA) allows a communications centre officer to remotely monitor conversations of an officer if the communications centre officer believes on reasonable grounds there may be a risk to the life, health or safety of that officer not responding to a call.

ORDER

Where no verbal request for assistance or duress activation has been received, but it is reasonably believed:

(i) an imminent threat of serious violence to a person or substantial damage to property exists;
(ii) the use of the remote monitor is immediately necessary for the purpose of dealing with the threat; and
(iii) all other means of communication with the officer or assistance have met with negative results, a district duty officer or where none exist the communications room supervisor (COMCO) may authorise the use of powers under s. 43(2) of the IPA.

Where a COMCO has authorised the use of the remote monitoring under s. 43(2) of the IPA, the communication centre officer is to:

(i) ensure a written record is made in the relevant job card or Service database of the authorisation; and
(ii) as soon as reasonable practicable, advise the regional duty inspector or district duty inspector the reasons and outcome of the activation.

All activations of the remote monitor will be subject to audit by the Superintendent, Communications Group to ensure compliance with legislation and policy.

14.25.5 Use of activity codes during radio transmissions

PROCEDURE

For the purpose of job identification and the reduction of air time during radio transmissions, the appropriate codes listed on the QP 0103H: ‘Activity codes (job and description codes)’ should be used by officers when making radio transmissions and providing finalisation details.

14.25.6 Use of operations talkgroups, interoperable talkgroup and analogue operational talk channels

POLICY

Operations talkgroups, interoperable talkgroups and analogue operational talk channels are reserved to enable police to converse directly with each other on work related matters. These radio talkgroups allow a means of communication of official information without interfering with normal radio traffic on the operational channels.

ORDER

Officers are to ensure that when using a operations talkgroup, interoperable talkgroup and analogue operational talk channel, only information of an official nature is transmitted.

Officers are to notify the police communications centre dispatcher when leaving the main talkgroup to change onto an operations or interoperable talkgroup; inquiry or legacy operational talk channel.

Operations talkgroups and legacy channels

PROCEDURE

Requests for operations talkgroups (GWN) and legacy channels (analogue) for planned operations should be made direct to the police communications centre (PCC) for the relevant area. The PCC will allocate a talkgroup or channel as required.

Multi-agency interoperability

Multi-agency interoperability is the ability for police, fire and ambulance services to communicate directly with each other on the same radio communications platform and frequency group when attending and manage incidents or events, e.g. managing the response at the scene of a large chemical spill.

PROCEDURE

The lead agency on-scene incident controller may request an interoperable talkgroup through their communications/operations centre. All agencies must be alerted to the assigned interoperable talkgroup and acknowledge their presence on the talkgroup by identifying their name and agency.

The incident controller requesting the talkgroup is responsible for:

(i) the on-scene monitoring of the talkgroup;
(ii) management of duress calls on the talkgroup; and
(iii) maintaining communications with their communications/operations centre,
for the duration of the event (i.e. until the entire response is completed, which may be several days).

To stand down the talkgroup, the lead agency must advise all agencies on the talkgroup and their communications/operations centre of the closure of the talkgroup.

**Patching/Multi-Select**

**ORDER**

Analogue radio channels are not to be patched or multi-selected to a GWN talkgroup as this removes the end-to-end encryption of the GWN network.

The patching of GWN consoles is not to be done without the prior authorisation of the communications supervisor.

**14.25.7 Repairs to radio equipment**

**ORDER**

All portable, mobile, console and associated accessories provided under the GWN contract belong to Telstra/Motorola and are provided to the Service under a managed service contract. Any faults, damage or other issues with GWN equipment are to be reported and managed through the GWN Service Desk (see the ‘Government Wireless Network (GWN) Project’ webpage on the Service Intranet).

Officers are not to perform any repairs or adjustments to any Service radio or electronic equipment unless they are qualified and authorised by the officer in charge of the region or command which has responsibility of the particular equipment.

**14.25.8 Recording radio transmissions**

**PROCEDURE**

Members performing duty at a police communications centre are to ensure that full particulars, including times, location of officers making the radio transmission, call sign, incident number if relevant to the radio transmission, job and description codes, of incoming and outgoing radio transmissions are accurately recorded in a QPB 19: ‘Radio log book’, QP 0103A: ‘Job card’ or in an appropriate Service computer system. Transmissions from officers and members that are received at communications centres are to be acknowledged by members at the relevant centre.

**14.26 Deleted**

**14.27 Deleted**

**14.28 Miscellaneous operational matters**

**14.28.1 Rendering assistance to stranded motorists and passengers**

Occupants of motor vehicles are sometimes stranded by the roadside due to mechanical failures, crashes, police enforcement action, and other unexpected incidents.

**POLICY**

Members performing duty should be alert, particularly during the hours of darkness, for stranded persons. In circumstances where stranded persons may be exposed to danger, members should offer assistance.

**ORDER**

In cases where police enforcement action has resulted in occupants of a vehicle being left without transport, officers are to offer assistance to ensure the occupants are transported to their destination, or a place of safety. See also s. 16.4.5: ‘Arrest of persons who have others in their care’ of this Manual.
POLICY

Assistance may include arranging for a relative or friend of the person to collect the person, or arranging for a taxi to collect the person. Members offering such assistance should clearly explain to the person for whom the assistance is sought that the Service is not responsible for any costs associated with the services subsequently provided.

Where it is not possible to obtain other suitable assistance, members should contact the regional duty officer (RDO), district duty officer (DDO), or their officer in charge and seek permission to use a Service motor vehicle to convey the stranded person(s) to a place of safety. A place of safety may include an attended police station, but does not include a Watchhouse.

Unless otherwise directed by an RDO, DDO or their officer in charge, members offering assistance should remain with stranded persons until appropriate assistance is obtained.

Arrangements for assisting a stranded person should be made in consultation with the person and should be mutually convenient. There is no obligation on a person to accept assistance.

In appropriate cases where a stranded person is a child under the age of 12, officers should consider applying the provisions of s. 7.4.2: ‘Moving a child to a safe place’ of this Manual.

ORDER

The member with responsibility for command is to record full particulars of any assistance provided, or where assistance is offered and declined, including the names and addresses of parties concerned and the registered numbers of vehicles involved, in that member’s activity log (QP161) or official police notebook.

Additionally where assistance has been offered by officers to stranded persons and declined, the relevant police communications centre or where no such centre is available, the officer in charge of the police station where the members are required to report, is to be notified of the assistance offered, the location of the stranded person, identification of the person if known, identification of stranded vehicle and reason for the person declining the offer of assistance.

14.28.2 Remotely piloted aircraft systems

Remotely piloted aircraft systems (RPAS), also referred to as unmanned aerial vehicles (UAV), remotely piloted aircraft (RPA) or drones, are utilised by law enforcement agencies to assist in police operations. The Service possesses a Civil Aviation Safety Authority (CASA) RPA Operators Certificate (ReOC) authorising the use of RPAS for law enforcement purposes.

A member intending to operate RPAS to assist in police operations, is to be mindful of all CASA rules and requirements as they relate to RPA, (see ‘Flying drones/remotely piloted aircraft in Australia’, ‘Remotely piloted aircraft system resources and links’ and ‘Civil Aviation Safety Regulations, Part 101’ available on the CASA web-page, the Services CASA approved Operations Manual and RPAS Operational Procedures Library).

The Service Chief Pilot (RPAS) has the responsibility for:

(i) ensuring all operations are conducted in accordance with Civil Aviation legislation;
(ii) maintaining a record of the qualifications held by each person operating Service RPAS;
(iii) monitoring the operational standards and proficiency of each person operating Service RPAS;
(iv) maintaining a complete and up-to-date reference library of operational documents required by CASA (see s. 101.335(1): ‘Eligibility for certification as UAV operator’ of the Civil Aviation Safety Regulations) for the types of operations conducted; and
(v) reporting all Service RPAS incidents/accidents to CASA.

The Service approved CASA Maintenance Controller has the responsibility for:

(i) ensuring all maintenance carried out on Service RPAS is carried out in accordance with approved documented procedures;
(ii) ensuring personnel carrying out maintenance on Service RPAS are competent to do so;
(iii) maintaining a record of the serviceability or otherwise of Service RPAS;
(iv) ensuring each item of equipment essential to the operation of Service RPAS is serviceable;
(v) maintaining a thorough technical knowledge of the Services RPAS; and
(vi) investigating all defects in Service RPAS.

Deploying a Remotely Piloted Aircraft

A Service owned and approved RPA is not to be deployed unless the operator:

(i) holds a Remote Pilot Licence (RePL) or Controllers Certificate, issued by CASA;
(ii) holds an Aviation Radio Operators Certificate (AROC);
(iii) has been tested by the Service Chief Pilot (RPAS);
(iv) has completed the annual flight proficiency test;
(v) has maintained flight currency; and
(vi) has sought and been granted approval to deploy an RPA by the Service Chief Pilot (RPAS) via the approved RPA flight authorisation process.

A qualified Service RPA remote pilot is required to undergo a minimum of 5 hours training on each RPAS type they intend to operate, and validate their qualifications and hours flown through maintenance of a flying hours’ logbook.

A non-Service owned RPA is not to be used for law enforcement purposes or Service operations, unless prior approval has been obtained from the Service Chief Pilot (RPSA). Non-Service RPA is to be CASA authorised. Consideration is to be given to ownership of footage, or images, when using a non-Service owned RPA. All costs associated with the use of non-Service owned RPA is the responsibility of the district employing the service of a non-Service RPA.

A non-Service approved Remote Pilot is not to utilise any RPAS for any Service operation.

**Reporting deployment of a Remotely Piloted Aircraft**

If exceptional circumstances exist (e.g. to prevent loss of life or serious injury) telephone approval from the Service Chief Pilot (RPAS) is to be sought by the Service Remote Pilot. All required flight paperwork is to be completed as soon as practical by the Service Remote Pilot after the exceptional circumstances finish.

Service Remote Pilots intending to operate a RPAS for a police operation are to seek approval from the Service Chief Pilot (RPAS) prior to deployment of an RPAS using the approved flight approval process.

At the conclusion of an RPA deployment, the Service Remote Pilot is to notify the Service Chief Pilot (RPAS) in the event of any injury, damage to property, damage to Service RPAS, and any breach of safety or regulations.

**Information regarding the deployment**

Electronic images and recordings obtained from the deployment of a RPA remain the property of the Service. See also s. 4.3: ‘Storage, retention and production of personal recording device recordings’ of the DERIE Manual.

**Contact information and future projects**

Members are to contact the Service Chief Pilot (RPAS), (rpa@police.qld.gov.au), for all approvals and inquiries relating to the use of RPA.

All inquiries relating to the approval or use of Service RPAS are to be made with the Service Chief Pilot (RPAS). Members are not to contact CASA directly.

All RPA’s used for police operations are to be approved by the Service Chief Pilot (RPAS).

**Calls for Service**

The Civil Aviation Safety Authority (CASA) is responsible for regulating and overseeing the safe operations of both RPA and model aircraft. Members of the community may initially contact QPS seeking assistance relating to the misuse of a RPAS. Officers are to investigate and report misuse of a RPAS and should refer to the RPAS Aide Memoire for guidance. CASA are responsible for any enforcement action in relation the misuse of a RPAS.

### 14.28.3 Queensland Health (Needle and Syringe Program and opioid treatment programs)

**POLICY**

Queensland Health operates a Needle and Syringe Program (NSP) and opioid treatment programs from a number of Brisbane and regional premises. The goal of these programs is to prevent the re-use or sharing of syringes/needles in order to reduce the spread of communicable diseases, particularly HIV/AIDS, Hepatitis B and C.

Officers should be mindful of the need for injecting drug users to freely use these services.

Officers are not to deter injecting drug users from participating in these programs. Patrols, surveillance, or person checks in the vicinity of premises used for NSP or opioid treatment programs should not be conducted unless warranted and justifiable.

Officers in charge should ensure that officers under their supervision are made aware of the location of premises where these programs operate to avoid any unnecessary police presence in the area.

**PROCEDURE**

Inquiries may be made with the Queensland Needle and Syringe Program to obtain information about the location of NSP services and opioid treatment clinics in Queensland.

Inquiries about injecting drug users attending NSP or opioid treatment programs may be made through the Inspector in Charge, Drug and Alcohol Coordination Unit, Frontline Capability.

Officers should be mindful of the potential hazard of needle stick injuries from used syringes which may be in the possession of injecting drug users or which have been discarded (see Appendix 16.9: ‘Guidelines for conducting
personal searches’ of this Manual, and ‘Management of blood/body exposures and skin penetrations’ available on the Safety and Wellbeing webpage of the Service intranet).

14.28.4 Police Bicycle Patrols

Bicycle patrols can be an effective method of preventing and detecting crime. This is particularly true for operations in areas which are inaccessible to motor vehicles.

POLICY

District officers should consider the benefits that may be derived from implementing bicycle patrols in their area of responsibility. The officer in charge of a region, may implement bicycle patrols where considered appropriate.

District officers who implement bicycle patrols are responsible for the acquisition of suitable bicycles, uniform and ancillary equipment.

Officers are not to be required to undertake duties as bicycle patrol officers unless they have sufficient skill and physical fitness to safely operate a bicycle.

Officers riding bicycles should not engage in pursuits of motor vehicles.

PROCEDURE

When performing duty, bicycle patrol officers should:

(i) only use bicycles and other equipment provided by the Service unless approved by the district officer;
(ii) ensure that bicycles and equipment are appropriately cared for and maintained when in their possession;
(iii) wear the Service issue bicycle patrol uniform;
(iv) perform patrol duties as required by the officer in charge of the relevant station or establishment;
(v) at the termination of each shift:
   (a) complete an activity log (QP161); and
   (b) secure the bicycle at the relevant police establishment.

POLICY

Officers in charge of stations or establishments which operate bicycle patrols are to ensure that:

(i) bicycles and other equipment issued to that station or establishment are appropriately maintained;
(ii) a monthly check is made of all accessories, tools and equipment supplied with the bicycles used for patrols and appropriate action is taken with respect to any item found to be missing or damaged;
(iii) only officers who are sufficiently skilled and physically fit are permitted to perform bicycle patrols.

14.28.5 Deleted

14.28.6 Deleted

14.28.7 Borrowing or using non-service property for operational purposes

Where non-Service property is borrowed or used by members of the Service for operational purposes this creates a legal relationship similar to a bailment situation. In such cases, there will generally be no contractual arrangements between the parties that specify rights and obligations. Should the property be damaged, destroyed or lost, the Service bears an onus to demonstrate that reasonable care had been taken in relation to the property.

Where possible, consideration should be given to hiring such property instead of borrowing. Where such property is hired, the terms and conditions of any agreement should be in the form of a written contract. In any contractual or borrowing arrangement there should be clear agreement with the owner or lender regarding any damage that may occur to the property while in the possession of the Service. The owner or lender should be made aware that the Service is only responsible for damage, destruction or loss caused during the time it was in the possession of the Service.

Borrowing officers should ensure:

(i) where practicable:
   (a) that they have a suitably qualified person:
      • examine the quality of any property; and
      • inspect and assess the property prior to use;
   (b) that a contractual agreement is made with an owner or lender of property; and
   (c) that members who use the property are appropriately licensed or qualified to use the equipment;
(ii) in the case of vehicles:
   
   (a) the property is roadworthy and registered;
   
   (b) authorisation to borrow the property is obtained from a responsible senior officer; and
   
   (c) the property is suitable for the functions to be performed,

   see also s. 4.2.6: ‘Use of loan vehicles for Service purposes’ of the MSM;

   (iii) reasonable care is taken of non-Service property that is used for an operational purpose; and

   (iv) a record is made in their official police notebook of the condition of the property, including any damage, destruction or loss, prior to delivering the property to the owner or lender.

An OIC or a supervisor of a borrowing officer is to ensure that a record is kept of the details of any vehicle(s), dates borrowed, the particulars of drivers and any other relevant information.

District officers are to ensure that appropriate district instructions are established in their area of responsibility.

### 14.29 Miscellaneous duties performed by police

#### 14.29.1 Service of civil processes and other documents

Section 14: ‘What a licence authorises’ of the Debt Collectors (Field Agents and Collection Agents) Act (DC(FACA)), authorises the holder of the licence (a field agent) to perform activities including a process serving activity, which involves serving a writ, claim, application, summons or other process as an agent for others for reward.

Section 30: ‘Acting as a debt collector’ of the DC(FACA), makes it an offence for a person, as an agent for someone else for reward, to perform a regulated activity unless the person is authorised to perform the activity under the DC(FACA) or another Act.

Section 5: ‘Public officials’ of the DC(FACA) provides a number of exceptions to s. 30 of the DC(FACA), but does not include an officer.

Section 19: ‘General power to enter to make inquiries, investigations or serve documents’ of the PPRA provides that an officer performing a function of the Service may enter and stay for a reasonable time on a place to serve a document.

Also s. 798: ‘Service and enforcement of process’ of the PPRA provides that an officer may serve or enforce a warrant, summons, order or command of any court, judge, magistrate or justice even though the warrant, summons, order or command is not addressed to the officer and despite the requirements of any other Act or law, or rule having the force of law, about who may enforce the warrant, summons, order or command.

Although s. 19 and s. 798 of the PPRA appear to act as exceptions to the provisions of the DC(FACA), the scope of these sections was narrowly interpreted by the district court in the matter of Vaschina v Clague (2002) [Qld DCA 5199/1997] (see Criminal Law Bulletin No. 187.3: ‘Service of court documents and the PPRA’). In this particular case the court held that as civil documents and processes are not required to be served by officers in particular, officers serving such documents are not performing a function of the Service and the provisions of s. 19(4) of the PPRA do not apply. Consequently s. 19 of the PPRA cannot be relied upon as an exception to s. 30 of the DC(FACA).

Furthermore, in regard to s. 798 of the PPRA, the district court viewed the meaning of ‘warrant, summons, order or command’ to be quite specific. In essence the court held that s. 798 of the PPRA only applies to situations where an officer serves a document that requires the party being served to take some form of action, for example to attend court, file a pleading or pay an amount claimed. Where the document being served is merely notification that a proceeding is commencing (or continuing) and does not require any specific action by the party being served, the document does not fall within the provisions of s. 798 of the PPRA and the section cannot be relied upon as an exception to s. 30 of the DC(FACA).

Officers are often requested to serve or attempt to serve civil processes and documents, particularly in areas where a bailiff or commercial agent may be unable to effect service. Fees provided to cover the cost of serving such documents usually accompany the civil process or document. However, officers should only serve such documents where the provisions of s. 798 of the PPRA apply.

Officers in charge of stations or establishments receiving civil processes or documents to serve should:

- (i) examine the process or document and ensure the provisions of s. 798 of the PPRA apply. If the process or document received is not a warrant, summons, order or command, it is to be returned unserved together with refunded fees, to the person/organisation requesting service;

- (ii) comply with any relevant provisions of the:

  (a) Mail Receipt and Primary Point Mail Opening Handbook (s. 5.2.3: ‘Mail receipt management’ of the MSM);
(b) Financial Management Practice Manual relating to banking and collections; and
(c) regional collections manual practices; and

(iii) if the process or document can be served, ensure the service fee and expenses provided (e.g. travelling fees, hourly service fees) are consistent with those prescribed in the Uniform Civil Procedure (Fees) Regulation (UCP(F)R) (see ‘Fees payable to enforcement officer, marshal or marshal’s officer’ in Schedule 1: ‘Fees payable in the Supreme Court and the District Court’ or ‘Part 2 – Bailiff’s Fees’ in Schedule 2: ‘Magistrates Courts Fees’ as the case may be).

If the service and expense fees provided are less than those prescribed in the UCP(F)R, further expenses are to be sought from the person/organisation requesting service prior to effecting or attempting to effect service of the civil process or document.

Where the OIC ascertains the fees supplied are consistent with those prescribed in the UCP(F)R, officers may serve the relevant civil process or document.

If the actual expenses incurred in serving a civil process or document exceed expense fees previously provided, the officer serving or attempting to serve same is still entitled to payment. In any case, the OIC is to request additional expenses be paid by the person/organisation requesting service to cover all expenses actually incurred. Where applicable, reference is to be made to the schedule of fees payable for the service or attempted service of any process or document under the UCP(F)R (see Schedule 1: ‘Fees payable in the Supreme Court and the District Court’ or Schedule 2: ‘Magistrates Courts Fees’) as the case may be.

The OIC of a station or establishment who receives and causes the service or attempted service of any civil process or document is to issue a QP 220A: ‘Official receipt’ for the total amount received. The receipt is to be forwarded to the person/organisation requesting service. The receipt is to show the number of the civil process or document, name and address of the person/organisation requesting service, and any other relevant information. All service and expense fees are to be banked into the collections account for the relevant station.

The service fee and any expense fees should be disbursed by the OIC to the officer effecting or attempting to effect service of the process or document, if service is effected or attempted while the officer is not on rostered duty. For taxation liability reasons, the payment of service and expense fees should not be disbursed directly to station social clubs. If service is effect or attempted while the officer is on rostered duty, the service fee and any expense fees are to be retained by the Service.

Where a Service vehicle is used for service or attempted service of a civil process or document the vehicle expense allowance is payable to the Service. This amount is to be banked into the collections account at the station concerned and remitted monthly.

Where an officer uses a private vehicle to effect or attempt to effect service of a civil process or document, the travelling fee is to be disbursed to that officer. When the disbursement of the vehicle expense allowance is made to an officer the disbursement notice is to state a Service vehicle was not used.

When serving a civil process or other document, officers should comply with the provisions of Chapter 4: ‘Service’ of the Uniform Civil Procedure Rules.

Officers in charge are to retain and file a copy of the affidavit of service of any civil process or document served by officers.

Officers serving civil processes and documents whilst not on rostered duty are considered to be working in a private capacity for remuneration (not in the course of their employment for the Service), and are not covered by the Service Work Cover policy in the event of any injury or illness. Furthermore, officers using their own private vehicles to serve civil summonses or processes may not be covered by their motor vehicle insurance, as the use of the vehicle in such circumstances may be considered commercial as opposed to private use.

Officers considering applying for a licence pursuant to the DC(FACA) should consider the provisions of ‘Outside Employment’ within ‘Procedural Guidelines for Professional Conduct’ in Professional Conduct of the Ethical Standards Command in the Service Intranet.

### 14.29.2 Public Trustee

**POLICY**

All inquiries by or on behalf of the Public Trustee concerning estates, deceased persons, incapacitated persons, relatives or property, are to be forwarded to the relevant district officer, who is to liaise directly with the inquirer. Inquiries on behalf of the Public Trustee are only to be accepted from an official source, including the clerk of the court, Magistrates Courts Offices. Such requests should be undertaken as part of the performance of the officer’s rostered duty. Officers are entitled to travelling allowance in accordance with the ‘Police Service Award – State’ when complying with such requests.

Prior to complying with a request, the district officer should ascertain the expenditure anticipated. This is to include estimates of travelling allowance and vehicle expenses. If satisfactory confirmation cannot be obtained regarding
sufficient funds in the estate, subject of the request, any further police involvement in the matter is to be at the discretion of the relevant district officer.

Upon completion of the inquiries subject to the request, the officer who has completed the inquiries is to prepare a separate report setting out details of the actual work performed and any other expenses, such as travelling allowance and distance travelled, and forward same through the district officer for transmission to the inquirer.

It is the responsibility of the Service to deliver to the Public Trustee property taken possession of by police during the course of inquiries. These situations do not become a Public Trustee request, as outlined above, until after the property has been delivered to the Public Trustee. Details regarding handling property of deceased persons and mentally ill persons are dealt with in s. 4.3.2: ‘Property of deceased/mentally ill persons’ of this Manual.

14.29.3 Family Law Act
Details regarding the serving of process under the Family Law Act (Cwlth) are dealt with in s. 11.13: ‘Family Law Act’ of this Manual.

14.29.4 Extraneous duties of officers and officers in charge of stations

POLICY
The officer in charge of a station or establishment may be appointed to perform extraneous duties, such as assistant clerk of the court, subject to approval of the Commissioner. Extraneous duties are not to adversely interfere with policing duties.

A member of the Service responsible for extraneous duties who relinquishes charge of those duties, temporarily or permanently, shall provide adequate familiarisation of those duties for the incoming/relieving officer.

14.29.5 Service of New South Wales court attendance notices
A court attendance notice may be issued in NSW in respect of a person, if the person has committed or is suspected of having committed an offence (see ss. 47-54 and ss. 172-181 of the Criminal Procedure Act (NSW) (CPA)). A court attendance notice must:

(i) describe the offence;
(ii) briefly state the particulars of the alleged offence;
(iii) contain the name of the prosecutor;
(iv) require the accused person to appear before the magistrate or court at a specific date, time and place, unless a warrant is issued for the arrest of the person or the person is refused bail; and
(v) state, unless a warrant is issued for the arrest of the person or the person is refused bail, that failure to appear may result in the arrest of the person or in the matter being dealt with in the absence of the person (see ss. 50(3): ‘Form of court attendance notice’ and 175(3): ‘Form of court attendance notice’ of the CPA).

Court attendance notices may, in cases where the accused person resides in Queensland, be forwarded to the officer in charge of the police station nearest the accused’s residence for service.

POLICY
Officers in charge of stations or establishments receiving court attendance notices are to:

(i) check to ensure that the appearance date is at least twenty-one days after the notice is received;
(ii) assign such notices to officers under their control for service;
(iii) forward the notice to another police station or establishment for service, if inquiries reveal that the accused person is now residing in another division;
(iv) retain a photocopy of any court attendance notice served, including the signed endorsement of service;
(v) arrange for the ‘service copy’ of any court attendance notice served to be returned to the issuing or prosecuting officer in NSW as quickly as possible. A copy of a court attendance notice must, except with leave of the court, be filed in the registry of the relevant NSW court within seven days after it is served and it must contain an endorsement as to service (ss. 52(4): ‘Service of court attendance notices’ and 177(4): ‘Service of court attendance notices’ of the CPA). Consequently, the issuing or prosecuting officer in NSW must receive the endorsed service copy of the court appearance notice within seven days after service so that it can be filed at the relevant court registry; and
(vi) return any court attendance notice unable to be served for any reason, to the issuing or prosecuting officer in NSW.

Court attendance notices must be served in Queensland at least twenty-one days before the court appearance date specified in the notice (see s. 25: ‘Time for service’ of the Service and Execution of Process Act (Cwlth) (SEPA). This
twenty-one day period does not include the date of service and the court appearance date (see s. 36: ‘Calculating time’ of the Acts Interpretation Act (Cwlth)).

Service on individuals

Section 24(2): ‘Initiating process may be served in any part of Australia’ of the SEPA, provides that service on an individual must be effected in the same way as service of such an initiating process in the place of issue.

For committal proceedings, the provisions of s. 52 of the CPA apply.

For summary proceedings, s. 177 of the CPA and rule 5.9: ‘Service of court attendance notices in summary proceedings’ of the Local Court Rules (NSW) apply.

PROCEDURE

In both committal and summary proceedings, court attendance notices may be served by handing the notice to:

(i) the accused person; or

(ii) a person at the accused person’s usual place of residence or business who is apparently of or above the age of sixteen years; or

(iii) if the accused person is an inmate of a correctional centre, by handing it to the officer in charge of the correctional centre.

POLICY

Where a court attendance notice is unable to be served via personal or substituted service, it is to be returned to the issuing or prosecuting officer in NSW. The postal service of court attendance notices is not to be undertaken by QPS officers.

Service on companies and registered bodies

In accordance with s. 24(3) of the SEPA the service on a company or a registered body must be effected in accordance with s. 9: ‘Service on companies and registered bodies’ of the SEPA.

Service on other body corporate

Pursuant to s. 24(4) of the SEPA the service on any other body corporate must be effected in accordance with s. 10: ‘Service on other bodies corporate’ of the SEPA.

Actual service

PROCEDURE

An officer when serving a court attendance notice on an accused person, company, registered body or other body corporate is to:

(i) hand the ‘defendant copy’ of the notice to the accused person;

(ii) explain the offence for which the court attendance notice has been issued; and

(iii) advise the time, date and court at which the accused person is to appear.

Where an accused person refuses to accept a copy of the court attendance notice, the notice may be served by putting it down in the person’s presence after the person has been told of the nature of the notice (see rules 5.3: ‘How personal service effected generally’ and 5.9: ‘Service of court attendance notices in summary proceedings’ of the Local Court Rules (NSW)).

Pursuant to s. 19: ‘General power to enter to make inquiries, investigations or serve documents’ of the Police Powers and Responsibilities Act, a police officer may enter and stay for a reasonable time on a place to serve a document; this includes a court attendance notice. However, if the place contains a dwelling the only part of the place that a police officer may enter without the consent of the occupier is the part of the place that is not a dwelling.

Endorsement of service

POLICY

After serving a court attendance notice officers are to:

(i) complete the statement of service details outlining the time and manner of service and sign the ‘service copy’ of the notice. This signature must be witnessed, however it does not need to be witnessed by a justice of the peace and can be witnessed by another officer; and

(ii) return the service copy of the court attendance notice, including the completed endorsement of service, to the officer in charge of the station or establishment, who will arrange for the notice to be returned to the issuing or prosecuting officer in NSW.

An officer who receives a court attendance notice for service and:

(i) is unable to serve the notice at least twenty-one days before the appearance date;
(ii) is unable to locate the defendant after all avenues of enquiry have been exhausted; or
(iii) locates information to suggest that the defendant is residing in another division;

is to complete a brief covering report outlining the circumstances and submit that report with the unserved court appearance notice to the officer in charge of their station or establishment.

14.29.6 Interstate service of an originating process

The Service and Execution of Process Act (Cwlth) (SEPA) allows for the interstate service of a civil process issued by a Queensland court or tribunal.

In Queensland a civil proceeding starts when the originating process is issued by the court (see rule 8: ‘Starting proceedings’ of the Uniform Civil Procedure Rules (UCPR)).

POLICY

Where an officer commences a civil proceeding under the UCPR in a Queensland court that requires service on a party interstate, a copy of a SEPA Form 1: ‘Notice to defendant’ is to be attached to the originating process (see s. 16: ‘Information to be provided’ of the SEPA, s. 4: ‘Notices and forms’ of the Service and Execution of Process Regulations and Form 1: ‘Notice to defendant’ under the SEPA). For example, where an application is made under s. 694: Application by police officer for order if ownership dispute of the Police Powers and Responsibilities Act and a party to the proceeding is located interstate. (see s. 4.7.1: ‘Disputed ownership (disposal)’ of this Manual).

PROCEDURE

When service of an originating process is required to be made on a party located interstate, the applicant officer should:

(i) liaise with the local Service prosecutor and the registrar of the relevant Queensland court to ensure the required originating process, forms and affidavits in relation to the civil proceeding are completed correctly and a suitable hearing date is obtained;

(ii) complete a Form 1: ‘Notice to defendant’ of the SEPA;

(iii) file all copies of the originating process, forms and affidavits with the registrar of the relevant Queensland court;

(iv) ensure that the originating process, together with a copy of the Form 1: ‘Notice to defendant’ of the SEPA and any other required forms and/or affidavits are served on the interstate party in accordance with rule 123: ‘Service outside Queensland’ of the UCPR, s. 15: ‘Initiating process may be served in any part of Australia’ of the SEPA and Chapter 4: ‘Service’ of the UCPR.

Where personal service is required, officers should firstly contact the officer in charge of the interstate police division where service is to be attempted to ensure that they are able to serve the documents. Attach the originating process together with all other attachments to a report addressed to the officer in charge of the relevant interstate police division. The report should request that all documents be served personally and that an affidavit to establish proof of service be completed and returned. (See s. 11: ‘Proof of service’ of the SEPA. See also Appendix 13.24 of this Manual for an example of a completed ‘Affidavit of Service’).

Where police from the interstate division are unable to assist in serving the documents, officers should make the necessary arrangements to have the originating process and attachments served by a process server.

Where service is affected by post, officers concerned should complete an affidavit of service in accordance with s. 11: ‘Proof of service’ of the SEPA.

All affidavits of service are to be returned to the relevant Queensland court prior to the hearing date; and

(v) forward to the prosecutor all documentation in relation to the matter.

All forms are available on QPS Forms Select or the Queensland Courts website.

14.30 Use of tyre deflation devices

Definition

For the purpose of this section, the following definition applies:

authorising officer for the deployment of a tyre deflation device (TDD):

(i) in a pursuit, means the pursuit controller; or
(ii) other than a pursuit, the regional duty officer (RDO), district duty officer (DDO), shift supervisor, OIC or shift supervisor of the relevant communications centre, station or radio base.
For matters other than a pursuit, where it is not possible to obtain authorisation prior to deployment of the TDD and there is an emergent reason to justify the deployment, the senior officer at the scene may authorise the deployment. In such instances, the senior officer is to notify an authorising officer of the deployment as soon as practicable.

Tyre deflation devices are designed to immobilise vehicles with minimum injury to all participants and damage to surrounding property. They may be used, where justified, to terminate pursuits, in roadblocks or in other situations which require target vehicles to be stopped. For use of a TDD in a roadblock, see s. 2.4.12: ‘Roadblocks’ of this Manual.

The contents of this section are to be read in conjunction with ss. 15.4: ‘Vehicle interceptions’ and 15.5: ‘Pursuits’ of this Manual.

**Legislative authority to deploy tyre deflation devices**

Relevant legislative authority to use a TDD is contained in ss. 21: ‘General power to enter to arrest or detain someone or enforce warrant’; 52: ‘Prevention of offences—general’; 614: ‘Power to use force—exercise of certain powers’; s. 615: ‘Power to use force against individuals’; and s. 26: ‘Roadblocks’ of the PPRA.

**Deployment of tyre deflation devices**

Deployment of a TDD is to be authorised by an authorising officer. Tyre deflation devices are not to be used to stop motorcycles or similar vehicles.

When a TDD deployment is considered by the authorising officer to be a lawful and appropriate means of stopping a vehicle, the authorising officer is to:

(i) advise all officers involved in the incident that authorisation is given to deploy a TDD. Where the authorising officer is not an officer at a communications centre, station or radio base, they are to ensure the relevant communications centre, station or radio base is advised;

(ii) ascertain the availability of a deployment officer and suitably equipped vehicle;

(iii) obtain the deployment site location from the deployment officer;

(iv) ensure the location of the deployment site is communicated to the units involved in the incident;

(v) where appropriate, task other support units in the vicinity of the TDD to assist with traffic control; and

(vi) in relation to a pursuit, monitor the pursuit and if of the opinion it is in the greater interest and safety of the public, abandon the pursuit pursuant to s. 15.5.11: ‘Abandoning a pursuit’ of this Manual, and/or rescind authorisation for the TDD deployment.

When authority has been given to deploy a TDD, the deployment officer is to:

(i) monitor the progress of the incident on the police radio network;

(ii) select a suitable site for deployment of the TDD, having regard to the relevant circumstances of the incident and safety considerations concerning the potential location;

(iii) communicate the location of the deployment site to the authorising officer;

(iv) ensure pedestrians are directed away from the deployment site (see s. 59: ‘Power for regulating vehicular and pedestrian traffic’ of the PPRA);

(v) refrain from deploying the device if:

(a) personal or public safety is compromised;

(b) the incident is abandoned pursuant to s. 15.5.11 of this Manual; or

(c) the authority to deploy the TDD is revoked by the authorising officer, regional duty officer, district duty officer or shift supervisor;

(vi) deploy the TDD in accordance with Service policy and do not leave the TDD unattended;

(vii) remove the TDD from the roadway as soon as it is safe to do so, once the target vehicle proceeds through the deployment site or when it is no longer required;

(viii) remove from the roadway or vicinity of the deployment site any debris that is related to the deployment;

(ix) inspect the TDD after use and perform any required maintenance in accordance with Service policy (see also ‘Maintenance’ of this section); and

(x) update the relevant QPRIME occurrence indicating that a TDD was deployed.

When there is a pursuit:

(i) the primary unit is to:

(a) reduce speed when approaching the deployment site and remain a minimum of five seconds behind the pursued vehicle to prevent the police vehicle engaging the TDD. Distance between the pursued vehicle
and the primary unit may need to be increased due to other circumstances including speed, road and weather conditions; and

(b) where practicable, intercept the target vehicle after engagement with the TDD;

(ii) assisting officers are to:

(a) remain away from the deployment site unless otherwise directed; and

(b) where directed by the authorising officer, assist with:

- stopping traffic following the deployment; and
- reducing traffic flow in the proximity of the deployment site; and

(iii) the pursuit controller, regional duty officers, district duty officers and shift supervisors should monitor the pursuit, where possible, and if of the opinion that it is in the greater interest and safety of the public, abandon the pursuit pursuant to s. 15.5.11 of this Manual, and/or direct the non-deployment of the TDD in relation to that pursuit.

Training (tyre deflation devices)

Deployment of TDD is restricted to officers who have successfully completed the relevant OST training.

The Chief OST Instructor is responsible for ensuring the necessary systems are in place to enable OST training to take place with respect to TDD.

TDD training will be conducted in conjunction with operational skills training (see s. 14.3.10: 'Operational Skills and Tactics (OST) training' of this chapter). Officers failing to qualify in the use of TDD must undertake further training. Officers who after further training still fail to qualify are not to use or deploy a TDD until deemed competent.

Maintenance

Officers should immediately report to their OIC:

(i) the loss of any TDD;
(ii) any damage or defect to a TDD; or
(iii) any unsatisfactory condition relating to any TDD (e.g. maintenance consumables or replacement parts have been fully exhausted).

Regions and commands are responsible for ongoing financial expenses regarding the purchase of replacement TDD and all consumable components.

Officers in charge are responsible for the issue, care and storage of TDD on issue to their station or establishment. Officers in charge should ensure that when TDD are not in use they are appropriately stored.

Compensation

If a person suffers loss as a result of the deployment of a TDD, compensation may be payable by the State to the person whose property is damaged. Any claim for compensation arising from deployment of TDD is the responsibility of the region or command in which the deployment occurs. The region or command is also responsible for furnishing and submitting any required Ministerial submission to obtain a decision pursuant to s. 804: 'Compensation' of the PPRA.
Appendix 14.1 Australia New Zealand guidelines for the use of lethal force by police

The following guidelines relevant to the use of lethal force by police are extracted from the ‘Australia New Zealand Guidelines for Deployment of Police to High Risk Situations 2016’.

Guideline 35
Where the use of firearms by police officers is warranted, police should if possible without adding undue risk to themselves or to others under threat:

(i) identify themselves as police;
(ii) give a clear verbal warning of their intent to use firearms;
(iii) not fire warning shots; and
(iv) ensure there is sufficient time for the warning to be acted on before using firearms, unless it would:

(a) unduly place the officer at risk;
(b) create a risk of death or serious harm to other persons; or
(c) be clearly inappropriate in the circumstances.

Guideline 36
When the use of lethal force is deemed necessary and appropriate to the seriousness of the circumstances and threat to life, the police officer should consider the following:

(i) minimising injury to human life by exercising restraint and only use sufficient force to achieve their objectives;
(ii) ensuring appropriate personal protective equipment, training and tactics are utilised; and
(iii) minimising damage to property.
Appendix 14.2 Authority to possess weapons

(Section 2(1)(e) of the Weapons Act 1990)

I,.........................., Assistant Commissioner/Executive Director of the Queensland Police Service, do hereby authorise the following staff member(s) of the Queensland Police Service, as defined in s. 2.5(1) of the Police Service Administration Act 1990, to possess weapons as part of the performance of their duty as such:

- This authorisation is subject to the following condition(s):
  (i) the authorisation is only valid whilst the staff member remains a fit a proper person as defined in s. 10B of the Weapons Act 1990;
  (ii) (insert any additional conditions, if required)

This authority is granted pursuant to:
  (i) s. 2(1)(e) of the Weapons Act 1990; and
  (ii) the authority provided by the instrument of Delegation D 8.7, as contained in the Queensland Police Service Handbook of Delegations and Authorities.

Dated at .................... this .................... day of ...................., 200.....

ASSISTANT COMMISSIONER/EXECUTIVE DIRECTOR
Appendix 14.4 Threats to personal safety

PERCEIVED THREAT

- Is police attendance required/needed/appropriate? [YES/NO]
- Are General Duties available? [YES/NO]

POTENTIAL THREAT

- Is the following available for tasking:
  1. Specialist units/divisions?
  2. Negotiable response divisions?

KNOWN THREAT

- Is any unit available immediately to attend? [YES/NO]

TASK FINALISED

TASKED
Appendix 14.5 Threats to property security
Appendix 14.6 Other calls for service
Appendix 14.7 Security Controlled Airports

Security Controlled Airports (183)
At 10 March 2009

© indicates Commonwealth owned under the Airports Act,
* indicates Territories,
◊ indicates joint defence facilities

The names below are the airport names recognised under the Aviation Transport Security Act 2004. These may be different to the airport operating names.

<table>
<thead>
<tr>
<th>Designated (11)</th>
<th>Non-Screening (33)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide ©</td>
<td>Albany</td>
</tr>
<tr>
<td>Alice Springs ©</td>
<td>Archerfield © (GA no RPT)</td>
</tr>
<tr>
<td>Brisbane ©</td>
<td>Armidale</td>
</tr>
<tr>
<td>Cairns ©</td>
<td>Aurukun</td>
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<tr>
<td>Canberra ©</td>
<td>Badu Island</td>
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<tr>
<td>Gold Coast ©</td>
<td>Bamaga/Injinoo</td>
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<tr>
<td>Darwin © ◊</td>
<td>Bankstown © (GA no RPT)</td>
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<tr>
<td>Hobart ©</td>
<td>Barcaldine</td>
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<tr>
<td>Melbourne ©</td>
<td>Bathurst</td>
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<tr>
<td>Perth ©</td>
<td>Bathurst Island</td>
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<tr>
<td>Sydney ©</td>
<td>Bedourie</td>
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### Appendix 14.8 Quick reference (use of force reporting requirements)

**QPRIME Use of Force Report & Significant Event Message (SEM) Reporting Requirements – Firearm/Taser/OC Spray**

<table>
<thead>
<tr>
<th>Use of force weapon type</th>
<th>Use of force action</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Withdrawing weapon only</td>
<td>Pointing weapon at person (not discharging)</td>
</tr>
<tr>
<td><strong>Firearm</strong></td>
<td>• QPRIME UoF Report</td>
<td>• Custody 'UoF' tab</td>
</tr>
<tr>
<td></td>
<td>• SEM</td>
<td>• Custody 'UoF' tab</td>
</tr>
<tr>
<td><strong>Taser</strong></td>
<td>• QPRIME UoF Report^</td>
<td>• Custody 'UoF' tab</td>
</tr>
<tr>
<td><strong>OC Spray</strong></td>
<td>• Custody 'UoF' tab</td>
<td>• QPRIME UoF Report^</td>
</tr>
<tr>
<td><strong>Safety (spit) hood</strong></td>
<td>Only for use in a watchhouse:</td>
<td>• QPRIME UoF Report</td>
</tr>
</tbody>
</table>

**QPRIME Use of Force Report & Significant Event Message Reporting Requirements – Other**

<table>
<thead>
<tr>
<th>Use of force type</th>
<th>No Reportable injury occurs</th>
<th>Reportable injury occurs to a person*</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open/closed hand tactics</td>
<td>• Custody 'UoF' tab</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Restraining accoutrements</td>
<td>• Custody 'UoF' tab +</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Baton</td>
<td>• Custody 'UoF' tab</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Police dog</td>
<td>• Custody 'UoF' tab</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Police horse</td>
<td>• Custody 'UoF' tab</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Officer presents &amp; uses an object</td>
<td>• QPRIME UoF Report</td>
<td>• QPRIME UoF Report</td>
<td>• Injury Report (where applicable)</td>
</tr>
<tr>
<td>Police pursuit</td>
<td>QPRIME Police Pursuit Report &amp; SEM (for all pursuits)</td>
<td>If UoF option used post-pursuit, QPRIME UoF Report &amp; Injury Report (where applicable) apply. (If injury results from a traffic crash, traffic crash reporting procedures also apply)</td>
<td>S. 15.7 of this Manual</td>
</tr>
</tbody>
</table>

# No SEM required where firearm discharged for lawful destruction of injured or sick animal.

* Injury means an identifiable bodily injury to a person requiring first aid or medical treatment by a qualified ambulance officer, nurse or doctor at the time of the incident (see ss. 14.2: ‘Definitions and references to legislation’ and 14.3.9: ‘Use of force reporting’ of this chapter).

^ A SEM is required by exception only (see s. 1.18: ‘Significant events,’ of this Manual)

+ For officers performing watch house or prisoner transport duties, the routine handcuffing of non-resisting / compliant prisoners for cell movements, prison transports and court appearances, is exempt from being recorded on the Custody UoF tab.