



NEW ZEALAND  
**POLICE**  
Ngā Pirihihana o Aotearoa

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24 February 2022

Joshua Rogers  
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Dear Joshua

***Request for information***

Thank you for your OIA request of 8 February 2022, in which you asked for information regarding policy documents on a range of tactical options. You requested the following:

*Dear New Zealand Police,*

*I am writing to request any and all policy documents on the following tactical options used by the NZ Police:*

- Taser's
- OC spray
- ASP batons
- Firearms
- Restraint techniques/approved methods of restraint

The following Police Instructions are being provided to you for your information:

- Batons
- Mechanical Restraints
- Oleoresin Capsicum Spray
- Police Firearms
- TASER (Conducted Electrical Weapons)

Police Instructions include (amongst other information) policy, general instructions and guidance applying to all Police employees.

Please note, where appropriate, some information has been withheld under section 6(c) of the OIA, as the making available of the information is likely to

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prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely



**Superintendent David Greig**  
Director: Capability, Leadership and Capability  
New Zealand Police





## Batons

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*Part of the 'Use of Force' chapter*

# Policy statement and principles

## What

Batons are one of a number of tactical options available for use by Police under the Tactical Options Framework.

## Why

A key function of Police is to maintain public safety. At times this requires police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Police use of batons is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961 - they set out the circumstances in which this tactical option or any use of force may be used.

## How

- There are 3 types of approved batons, ASP baton, side handled baton, and long baton.
- ASP baton can be deployed by all employees who are suitably trained and certified.
- Side handled batons can only be used by Policing Support Units, or other employees who have been assembled and trained for public order activities.
- The Side handled baton or long baton must not be carried routinely.
- The long baton can only be used by trained PSU units in conjunction with shields.
- Deployment with the side handled baton or long baton must be preceded by approval from one of the listed levels of approval.

## Introduction

Police have three approved batons:

- ASP baton (general issue)
- Side handled baton (SHB) (specialist / authorised user)
- Long baton (specialist / authorised user).

## Purpose

This topic details:

- when the ASP baton, side handled baton or the long baton may be deployed
- who can be deployed with the side handled baton or the long baton
- reporting after use
- training and certification requirements.

## Deployment with the ASP baton

The ASP baton is general issue and the primary baton in use by Police. The ASP baton should be carried as an appointment at all times. Any decision to use the ASP baton must be made in accordance with the [Tactical Options Framework](#), and '[Use of force overview](#)' chapter.

## Deployment with SHB or long baton

Consideration of the operational deployment of the SHB or long baton is an important escalation in New Zealand Police's use of force and consequently requires careful consideration before any decision to deploy.

Decisions must be in accordance with the Tactical Options Framework as well as the [Public Order Intervention Model](#). The SHB or long baton should only be used when it is believed that other more reasonable tactical options would be ineffective.

The SHB is provided primarily as a means of defence

### Who may be deployed with the SHB?

Policing Support Units and other Constabulary employees assembled and trained for public order policing activities may be deployed with the SHB, but only in specific operational circumstances, such as large scale and out of control parties, potentially violent protest activity, or during pre-planned operations such as New Years Eve policing. In all cases, deployment with the SHB can only occur when specific approval has been given pursuant to '[Approval required for deployment](#)' below.

Only constables [trained and currently certified](#) in SHB may be issued with and deployed with the SHB.

District Commanders may authorise District Operations Managers to organise the training and certification of additional staff in SHB to meet any specific operational requirement.

### Who may be deployed with the long baton?

The long baton may only be used by specifically trained Policing Support Unit squads in conjunction with the gladiator or enforcer shields and only during 'hard' public order policing responses

### SHBs or long batons must not be routinely carried

The SHB or long baton must not be issued as a matter of course and must not be routinely carried.

## Approval required for deployment

Deployment with the SHB or long baton can only be approved by the:

- District Shift Commander or
- District Command Centre Coordinator, or
- Shift Commander Communications Centre (Northern / Central / Southern)
- Operations Commander of a particular event.

## Tactical Options reporting

A Tactical Options Report (TOR) must be submitted before the end of shift for any use (strike) of the ASP baton, SHB, or long baton against an offender or member of the public. See 'Reporting use of force/tactical options use' in the '[Use of force overview](#)' chapter.

## **Training and certification**

### **SHB baton**

All employees who may be issued with and deployed with the SHB must undergo basic operator training and annual certification training from SHB Instructors qualified by the Training Service Centre.

- SHB certification is valid for 12 months.
- Every fulltime Policing Support Unit should maintain a SHB Instructor component on the unit at all times.
- SHB instructors must re-certify as SHB instructors every 2 years.

### **ASP baton**

To deploy with and use the ASP baton employees must be PITT trained and certified.

### **Long baton**

Training for use of the long baton will be conducted within Policing Support Units.

## **Storage of SHB and long batons**

Full time PSU units must maintain a supply of SHB, long batons, and baton clips for their normal deployment activities.

District Operations Managers must also maintain a suitable supply of SHB and baton clips in a central location for contingency purposes, and for operational deployments.

## Loss or theft of a baton

Any loss or theft of a baton must be recorded in the [Security and Privacy Incident Register](#) (SPIR) tool. See '[Loss or theft of Tactical Equipment](#)' in the '[Approved tactical equipment and carriage for constables and Authorised Officers \(non specialist\)](#)' chapter.

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## Mechanical restraints

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*Part of the '[Use of Force](#)' chapter*

# Policy statement and principles

## What

Mechanical restraints are one of several tactical options available for use by Police within the Tactical Options Framework.

## Why

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Mechanically restraining a person is the application of an approved device or devices designed to restrict the movements of the person to whom the devices are applied.

Police use of mechanical restraints is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) of the Crimes Act 1961 - they set out the circumstances in which mechanical restraints or any use of force may be used, and section [23\(5\)](#) of the New Zealand Bill of Rights Act 1990 which sets out the respect required for the individual's rights, and the [UN Convention Against Torture](#) including the UN Optional Protocol for that Convention.

## How

Police applying mechanical restraints must be aware of these key, critical points:

- Only approved mechanical restraints must be used.
- The use of mechanical restraints must be recorded and reported as detailed in this chapter.
- Employees and supervisors must ensure that mechanical restraints are used in a safe and humane manner, and not for the purpose of cruel, inhumane or degrading treatment or punishment.
- Employees must be appropriately trained before they can use mechanical restraints in situations other than controlled training sessions.
- TENR must be applied to assist in deciding whether it is necessary (or not) to apply mechanical restraints. You must consider this overriding question: In the particular circumstances what possible risks are posed by the person?
- Restraint chairs must only be used as a last resort to control a detainee who is violent and intent on harming themselves or others, where serious injury or death is a likely result, and where other available restraints would be ineffective.
- A clear and identified risk must be present to handcuff a person who is not arrested - under no circumstances can there be any pre-determined decision.

# Overview

## Purpose of use

Mechanical restraints are used to reduce the risk of injuries to:

- Police employees
- the subject
- any other person

or when there is a risk of the subject escaping.

Mechanical restraints are a tactical option employed by Police to maintain control of a person at:

- a Police station
- during transport
- whilst secured in any other premise or place,

usually where the person has been detained or arrested. In addition there are provisions to restrain persons under the Mental Health (Compulsory Assessment and Treatment) Act 1992 - see '[Restraining people](#)' in the 'People with mental impairments' chapter of the Police Manual.

## Purpose of chapter

This chapter:

- explains mechanical restraints and their purpose
- lists and describes the mechanical restraints approved for use by Police including:
  - handcuffs (metal and plastic)
  - waist restraint belts
  - vehicle leg restraint
  - restraint chairs
  - combinations of restraints
  - spittoon hoods
- outlines the risks associated with the use of mechanical restraints and provides instruction on how these risks should be minimised
- provides instruction on:
  - the circumstances in which each restraint type may be used
  - the factors to consider before deciding to use a mechanical restraint and any authorisation required
  - monitoring requirements when mechanical restraints are used
  - when they must be removed, and where applicable, any time limits on use
- details when the use of restraints must be reported.

## Control and restraint techniques

See '[Defence Tactics](#)' in the 'PITT training manual' on the Police intranet for information about control and restraint techniques. For Restraint Chair, see also '[Mechanical restraints resources](#)'.

# TENR and the use of mechanical restraints

TENR (Threat, Exposure, Necessity, Response), Police's operational threat assessment tool, **must** be utilised when considering using, or when using mechanical restraints. TENR supports the timely and accurate assessment of information directly relevant to the safety of Police and others. Its overriding principle is '**safety is success!**'.

TENR will assist you to decide whether to use a mechanical restraint to restrain a prisoner and to choose an appropriate mechanical restraint considering the threat posed. See the '[TENR - Operational threat assessment](#)' chapter for more information.

## Necessity to use

Using the TENR model follow the steps below to decide whether the use of mechanical restraints is necessary and proportionate to the threat faced given all the circumstances known at the time and if so which mechanical restraint to use

Step	Action
1 - Assess the threat	<p>Assess the threat, taking into account:</p> <ul style="list-style-type: none"> <li>the nature of the charge</li> <li>- the person's behaviour, and your perceived cumulative assessment (PCA) based on this</li> <li>the extent to which the person is under the influence of alcohol or other drugs if at all</li> <li>- the likelihood of the person attempting to escape.</li> </ul>
2 Assess the exposure	<p>Assess the exposure taking into account:</p> <ul style="list-style-type: none"> <li>- the safety of the person and Police employees</li> <li>factors that may elevate or reduce the risk to the person or Police employees e.g. the person's age children and elderly are vulnerable whether the person has mental health issues is overweight or underweight pregnant a refugee or under the influence of alcohol or other drugs See 'Factors affecting subject vulnerability' in the '<a href="#">Use of force overview</a>' chapter</li> </ul>
3 - Assess the necessity to act	<p>Assess the threat and exposure to determine whether a mechanical restraint is necessary now, later or not at all; and if a mechanical restraint is necessary, what type is reasonable, necessary and proportionate.</p>
4 - Develop a response	<p>Develop a response ensuring use of a mechanical restraint is necessary and proportionate, given all the circumstances known at the time.</p>

# Approved mechanical restraints and training

## Director: Capability approves Police mechanical restraints

The Director: Capability may approve mechanical restraints for use by Police employees who are authorised to use force, including during training.

## Assessing or testing new equipment

The Director: Capability may temporarily approve a new type of mechanical restraint for the purpose of an assessment or trial/pilot.

## Only approved mechanical restraints to be used

Police employees authorised to use force and use a mechanical restraint must when required, carry and use **only** mechanical restraints which have been approved by the Director: Capability. Note the exception provided for in the '[Use of force overview](#)' chapter.

## Table of approved mechanical restraints

This table details the approved mechanical restraints available through the Police distribution warehouse.

Type of Mechanical restraint	Approved model	Date of Approval
<a href="#">Handcuffs - metal</a>	Chain link (Smith and Wesson)	19 August 2009
<a href="#">Handcuffs - plastic</a>	- Plastic, known as 'ties' - Monadnock double cuff disposable handcuffs	19 August 2009 28 January 2010
<a href="#">Waist restraint belt</a>	- Black Scorpion H212P Humane Restraint NT42	19 August 2009 01 July 1998
<a href="#">Vehicle leg restraint</a>	- Black Scorpion H207P - NCS300 Nylon Control Strap	19 August 2009 15 February 2011
<a href="#">Restraint chairs</a>	Safety Restraint Chair Incorporated	3 March 2014
<a href="#">Spitting hoods</a>	- TranZport Hood 8320-0-2	19 August 2009

## Approved techniques and training

The Training Service Centre conducts training courses in applying some mechanical restraints. For detailed training instructions, see [Defence Tactics](#) in the 'PITT training manual' on the Police intranet. See [training guides](#) for the Restraint Chair.

# Reporting use of mechanical restraints

The '[Use of force overview](#)' Police Manual chapter outlines when using force/tactical options must be reported in a Tactical Options Reporting (TOR) form (i.e. reportable force).

## When must a TOR form be submitted?

You must submit a TOR form if you use:

- metal or plastic handcuffs, a waist restraint belt, and a vehicle leg restraint:
  - with pain compliance**
  - **without** pain compliance, but **only** when handcuffs, waist restraint belt, and/or vehicle leg restraint are used with another reportable tactical option
- a spitting hood
- a combination of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, whether linked by plastic ties or not
- a restraint chair

See the [Use of Force overview](#) part of this chapter for more details on reporting tactical options

## Pain compliance

Pain compliance means the direct and intentional use of the minimum force necessary by a constable to gain compliance of an actively resistant subject. The subject's reaction to the pain compliance techniques usually causes the subject to comply with instructions.

## Recording restraint times in your notebook

You must record in your notebook and in the custody module the time a person is put in any of the following restraints and the time it is removed:

- a spitting hood
- a combination of either a rear wrist and ankle restraint or a waist restraint belt and ankle restraint **linked** by plastic ties
- a restraint chair.

# General guidelines and requirements for all mechanical restraints

## Humane use of mechanical restraints

Employees and supervisors must ensure that mechanical restraints are used in a safe and humane manner, and not for the purpose of cruel, inhumane or degrading treatment or punishment.

## Legal authority

See the '[Use of force overview](#)' chapter and '[Restraining people](#)' in the 'People with mental impairments' chapter of the Police Manual

## Overriding principle

When deciding whether to use mechanical restraints, you must consider this overriding question: **In the particular circumstances what possible risks are posed by the person?**

## TENR and mechanical restraints

See '[TENR and the use of mechanical restraints](#)' in this chapter.

## Use of a mechanical restraint in non-arrest situations

While there is no statutory basis for handcuffing anyone prior to arrest, the courts have held that operational requirements may sometimes justify the extreme step of handcuffing a non-arrested person. Decisions to handcuff in non-arrest situations require careful assessment and balancing in each case and consideration of all the facts available. A **clear and identified risk** must be present to handcuff a person who is not arrested - **under no circumstances can there be any pre-determined decision**

In *R v Paythe* judge stated:

"I am also concerned by the use of handcuffs. I am unaware of any statutory basis for the use of handcuffs prior to arrest. On that basis the use of handcuffs may be unlawful."

However, after careful reflection the judge concluded that operational requirements justified the use of handcuffs, in that Police had not made a pre-determined decision to handcuff but that it had been done at the discretion of the detaining officer at the scene taking into account all the facts and circumstances, for example the detainee being a patched gang member with numerous convictions for violence and drug offences.

The judge concluded:

"On the authority of Dunlea<sup>1</sup> operational requirements may sometimes justify the extreme step of handcuffing a citizen and here there was a lawful basis for detention in order to conduct a

search."

**Caution:** Handcuffing a detained person (not arrested), as commented on in *R v Pay* above, should only be considered **where a clear risk to a person is evident**. There can be no pre-determination that risk may develop!

## Using restraints during transport or at cellblocks

You can use mechanical restraints in a custodial cellblock or a Police vehicle whilst moving prisoners, if your [TENR](#) risk assessment indicates that they are required in the circumstances. Employee numbers in comparison with prisoner numbers and a history of previous escape are valid risk identifiers.

Your decision should be recorded in your notebook if time allows. See also '[TENR and mechanical restraints](#)' in this chapter.

You should consider restraining arrested or detained persons in your custody when you transport them in a Police vehicle. This is to prevent interference with the driver or escape from custody by exiting the moving vehicle. Due to extreme risk of [positional asphyxia](#) you must **not** transport anyone in a Police vehicle who is restrained by a combination of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, **linked** by a plastic tie.

# Managing the person in mechanical restraints

## General risk factors for all types of mechanical restraint

As the level of intervention increases, the level of risk to Police employees, the subject and the public increases. In these situations the management of these risks becomes paramount to all involved. To manage the risks you must:

- ensure restraints are applied in accordance with training
- ensure, if possible, there is a support officer(s) present and that each officer understands their role in applying the mechanical restraint
- assess and frequently re-assess any risk during and after the restraint has been applied.

## Monitoring requirements when in restraints

A person must be subject to...	while restrained by one or more of the following:
<b>care and frequent monitoring</b>  (Means to watch or observe at least five times per hour at varying intervals. This definition does not include CCTV as a method of frequent monitoring).	<ul style="list-style-type: none"> <li>- a waist restraint belt</li> <li>- an ankle restraint (by plastic ties)</li> <li>- a vehicle leg restraint when <b>not linked</b> to another restraint by plastic ties.</li> </ul>
<b>care and constant monitoring</b>  (Means to watch or directly observe without interruption. This definition does not include CCTV as a method of constant monitoring).	<ul style="list-style-type: none"> <li>- a spitting hood</li> <li>- a combination of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, <b>linked</b> by plastic ties</li> <li>- a restraint chair.</li> </ul>

See the '[People in Police custody](#)' chapter for the procedures relating to persons assessed as requiring care and either frequent or constant monitoring. Note in particular:

- the requirement for a medical examination as soon as practicable after the person's assessment
- that once confirmed, a monitoring level cannot be reduced without the authority of the Police Medical Officer (PMO) or health professional who made the assessment.

Note also the requirement below for a medical assessment by a PMO before certain restraints can be used beyond two hours.

## Removal of mechanical restraints

All mechanical restraints must be removed from a person as soon as it is believed that the need for using them ceases, and in some instances, [time limits on their use](#) apply.

The fact that a person is in a custodial cellblock does not by itself constitute grounds for removal of a mechanical restraint. Carefully consider the risk of escape, the risks of the person harming themselves, and the risks and requirements involved in searching and processing the person before you remove mechanical restraints.

## Time limits for removal of certain mechanical restraints

A person must not be restrained for more than two hours in:

- a spitting hood
- a combination of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, **linked** by plastic ties
- a restraint chair

unless they have been [assessed](#) by a Police Medical Officer (PMO) **before** the two-hour time limit expires and an extension of the two hours is granted. The person must be re-assessed before any subsequent two-hour period has been reached.

Anyone in these restraints must be subject to [constant monitoring](#).

## Extending the initial restraint period on medical assessment

Where there are justifiable reasons for restraining a person in any of the above restraints for more than two hours, the Police Medical Officer (PMO) or registered health professional must assess their wellbeing **before** reaching the two hour time limit, or any subsequent two hour period. (A PMO or registered health professional rather than a DAO or Community Assessment Team member must undertake this assessment because of the medical risks associated with prolonged use of these restraints)

It is accepted that there will be smaller rural or semi-rural stations that may utilise these restraints, but there is not a Police Medical Officer available or on call. Where a Police Medical Officer is not available, it is acceptable for an assessment to be conducted by a duty General Practitioner or local hospital doctor, or if not available, a registered nurse, or if not available, an ambulance officer. In all situations, the Custody Module must clearly document the actions taken to have a registered health professional or ambulance officer conduct an assessment.

The PMO (or registered health professional or ambulance officer) must:

- advise whether the person can continue to be safely restrained for more than two hours, and the type of restraint to be used; and
- if they cannot be safely restrained for more than two hours, provide advice on a safe alternative course of action, e.g. sedation.

## Observation and care of persons in mechanical restraints

During the [constant monitoring](#) of someone in a mechanical restraint, you must give particular attention to:

- airway clearance
- respiration rate
- skin colour, circulation
- range of movement/discomfort, e.g. muscular cramps
- pressure areas
- hydration
- changes in the person's state which could indicate a need to review their status
- swelling of the body area adjacent to the mechanical restraint
- statements by the person in respect of their condition (e.g. "I cannot breathe").

## Caution - positional asphyxia

Be aware that a person whose legs and wrists are restrained has an increased risk of asphyxiation.

Positional asphyxia is a clear and material risk and the person must be kept under constant monitoring and never allowed to lie face down.

Positional asphyxia arises when a restrained person is unable to obtain sufficient oxygen to meet physiological requirements. This is likely to occur as a result of a number of risk factors, such as:

- increased oxygen requirement in a highly stressed or agitated person
- pressure on abdomen and chest will restrict the mechanics of breathing
- restriction of the airway (facial covering or pressed against a surface)
- alcohol or drugs may inhibit respiration even if the person is not obviously sedated.

You must be acutely aware of these risk factors and avoid, as best you can, creating breathing restrictions when you use any technique, but particularly where you use one or more of the following:

- a spitting hood
- a combination of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, **linked** by plastic ties
- a restraint chair.

In a situation of risk, you must constantly monitor to ensure adequate breathing is maintained.

For more detail see the '[Positional asphyxia](#)' Police Manual chapter.

## Segregation during transport in Police van

Anyone restrained by an approved mechanical restraint **must not** be transported in the same compartment of a Police van as someone who is not restrained.

The fact that someone must be restrained during transport is sufficient to allow for the restraint of all other persons carried in the same van compartment. This is to reduce the risk of harm being caused by others if no other safer method of transport is available or practicable.

# Metal handcuffs

## Type

The approved steel handcuffs are shown in these pictures.



## Take care when applying metal handcuffs

Metal handcuffs must be double locked so that the person is not injured when the ratchet arm is closed. Don't apply them too tightly, because they can cut off blood circulation and cause injury. Remove them as soon as practical.

**Important:** See [requirements for monitoring](#) handcuffed people in some situations.

See the RNZPC training material on [handcuffing](#) for detail on risk factors and tactical considerations.

# Plastic handcuffs

## Introduction

These two types of plastic handcuffs are approved Police equipment:

- plastic ties (3 required)
- Monadnock double cuff (do not require assembly and are designed for immediate use).

Plastic handcuffs are:

- made of nylon
- generally black in colour (but other colours available also)
- about 10g in weight
- configured to link both wrists securely.

**Note:** They can withstand a strain of more than 140 kg.

## Diagram

This is what the different types of plastic handcuffs look like.

### Plastic tie type



### Monadnock double cuff



## When should plastic handcuffs be used?

Plastic handcuffs should be used in situations when:

- no metal handcuffs are available
- there are more people to be restrained than metal handcuffs available
- in mass arrest situations
- the person's wrists are of a size that the metal handcuffs would injure them or would not fit
- the officer is not accompanying the arrested person and wants to prevent the loss or misplacement of their metal handcuffs.

Plastic ties may be used, a minimum of one on each wrist, with the third creating a joining link between the first two.

Plastic handcuffs may be used to secure the feet, ankles and legs of a highly agitated or aggressive person. This option would be used to prevent injury to Police employees, members of the public and the subject, and to prevent damage to property.

**Note:** An [ASP scarab restraint cutter](#) will be required to remove plastic handcuffs. If unavailable, use side cutters, pliers or other pliers with a cutting ability. For safety reasons do **not** use knives except in an emergency.

## Risk factors

Consider these risk factors before applying plastic handcuffs:

- The plastic handcuff system takes time to set up.
- Plastic handcuffs cannot be:

- used in a pain compliance technique
  - prevented from being tightened by another person.
- The person may be able to break or cut plastic handcuffs if left unsupervised.
- The officer must have access to a tool to cut the handcuffs off the person when the handcuffs are no longer required.
- The potential risk of injury to Police and the person from using a cutting tool other than an ASP scarab restraint (or similar safety) cutter.

## Carriage

Plastic handcuffs can be carried loosely inside the banding of the forage cap, around the duty belt, secured around the belt keepers and equipment pouches, or inside the baton or torch pocket of the trousers.

## Plastic handcuff cutter

ASP has a standard cutter that safely cuts the plastic handcuffs without inflicting injuries to Police or the person wearing the cuffs. The ASP scarab restraint cutter is recommended for use by Police.

## Diagram

This is what the ASP scarab restraint cutter looks like (open and closed).



# Waist restraint belts

## Introduction

The restraint belt is approved Police equipment consisting of an adjustable belt that is put around a person's waist and buckled at the back. Handcuffs are fed through a keeper ring in the front of the belt, and when attached to the person's wrists, keeps the wrists and hands at waist level at the front of the waist.

Waist restraint belts with handcuffs may also be used in combination with ankle restraints, with or without being linked by plastic ties. (There is less risk of positional asphyxia with unlinked combinations, and they are more comfortable than other methods)

## Diagram

This is what a waist restraint belt looks like when used in conjunction with metal handcuffs



## When can waist restraint belts be used?

A waist restraint belt can be used in conjunction with handcuffs:

- if a person is violent or potentially violent, and just using handcuffs would be ineffective or inappropriate
- where a spitting hood is applied to avoid the person interfering with the hood (although handcuffs alone may be the preferred option).

**Note:** A supervisor should be notified whenever a waist restraint belt is used. However, a supervisor's authority is not required to use a waist restraint belt

## Safety rules

These safety rules apply at all times:

- Belts must be applied in accordance with training.
- A person on whom a waist restraint belt has been applied must be **frequently monitored**.
- A person on whom a waist restraint belt linked to an ankle restraint has been applied must be

constantly monitored.

## Risk factors

As the level of intervention increases, the level of risk to Police employees and the public increases. To manage the risks you must:

- be trained in the safe application of the Police-approved waist restraint belt
- ensure there is a support officer(s) present, where available
- ensure that each officer understands their role in applying the waist restraint belt
- assess and reassess any risk frequently during and after the waist restraint belt has been applied
- consider the increased risk of [positional asphyxia](#) if a combination of a waist restraint belt **linked** to an ankle restraint is used. (See '[Rear wrist and ankle, and waist and ankle restraints](#)' in this chapter for more information about the risks associated with using combinations of restraints)

# Vehicle leg restraint

## Introduction

A vehicle leg restraint can be used during the transport of persons in a Police vehicle.

They are used if a person is violent or potentially violent, and in addition (but **not linked**) to handcuffs or a waist restraint to prevent the person:

- interfering with the safe operation of the vehicle
- assaulting Police employees
- escaping from the vehicle whilst the vehicle is stationary or mobile.

**Note:** A supervisor should be notified whenever a vehicle leg restraint is used. However a supervisor's authority is **not** required to use a vehicle leg restraint.

## Diagram

This is what a vehicle leg restraint looks like.



## About the vehicle leg restraint

The vehicle leg restraint is approved Police equipment consisting of an adjustable belt that is put around a person's ankles and secured by Velcro. A section of belt with a plastic clip is secured by closing the door on the mechanical restraint securing the clip outside the door (on the bottom of the door) and preventing the movement of the person's legs.

## Safety rules

These safety rules apply at all times:

- The belt must be applied in accordance with approved **training**
- A person on whom a vehicle leg restraint has been applied must be **frequently monitored**.

## Risk factors

As the level of intervention increases the level of risk to Police employees and the public increases To manage the risks you must:

- be trained in the safe application of the Police-approved vehicle leg restraint
- ensure there is a support officer(s) present where available
- ensure that each officer understands their role in applying the vehicle leg restraint
- assess and reassess any risk frequently during and after the vehicle leg restraint has been applied

# Restraint chairs

## Introduction

The restraint chair is approved Police equipment consisting of an inclined chair that uses leg, wrist, waist and chest mechanical restraints to immobilise a person. The chair has wheels that allow for the safe movement of prisoners in and around custodial areas.

Restraint chairs may be used to control a detainee who is violent and intent on harming themselves and/or others and where serious injury or death is a likely result and where other available mechanical restraints would be ineffective.

Examples of such behaviour are the person striking doors walls and other objects with their body or head. In such circumstances the use of handcuffs and other mechanical restraints would be ineffective or unable to secure the person in a manner where they cannot harm themselves or others.

The restraint chair must never be used as a form of punishment.

## Diagram

This is what a restraint chair looks like.



## Supervisor's authority required

The restraint chair is one of the most intrusive of approved mechanical restraints. A supervisor's authority must be obtained before using the restraint chair unless a supervisor is not available and immediate action is required to prevent the person harming themselves and/or others and where serious injury or death is a likely result.

Considerable force by a number of employees may be required to secure the person so planning and a clear understanding of each employee's role in applying the restraint is paramount

**Note:** If you have to take immediate action advise a supervisor as soon as practicable

## Safety rules

These safety rules apply at all times:

- **TENR (Threat, Exposure, Necessity, Response)**, Police's operational threat assessment tool, supports the timely and accurate assessment of information directly relevant to the safety of Police and others. Its overriding principle is 'safety is success'. Use TENR when deciding if the restraint chair is an appropriate tool to help resolve a situation. Regularly reassess the safety and security risk to both staff and the prisoner.
- The use of the restraint chair must be in accordance with approved training.
- A person secured in a restraint chair must be **constantly monitored** to ensure their safety.

**Note:** You must record in your notebook and the Electronic Custody Module, the time a person is put in a restraint chair and the time they are removed. During the monitoring the ongoing use of the chair should be reassessed regularly. Total time in the restraint chair must not exceed two hours, unless the person has been assessed by a Police Medical Officer (PMO) or registered health professional **before** the two hour time limit expires, and before any subsequent two hour period has been reached. See '[Time limits for removal of mechanical restraints](#)'

It is accepted that there will be smaller rural or semi rural stations that may utilise these restraints, but there is not a Police Medical Officer available or on call. Where a Police Medical Officer is not available, it is acceptable for an assessment to be conducted by a duty General Practitioner or local hospital doctor, or if not available, a registered nurse, or if not available, an ambulance officer. In all situations, the Custody Module must clearly document the actions taken to have a registered health professional or ambulance officer conduct an assessment.

## Using a restraint chair

When you intend to place a person onto, or remove from a restraint chair, it is recommended that a 4-person team is assembled to:

- take control of the person to be put onto the chair
- minimise the likelihood of any injuries or harm to the person or employees.

One Police employee who is trained and currently certified in the use of the restraint chair must take charge on each occasion a person is to be restrained in a restraint chair. Prior to restraining the person, that employee must fully brief each of those assisting on their individual roles ensuring they understand. During the restraint process the employee in charge must take personal control of the person's head and provide advice, assistance and direction to the other employees as required.

Training is available from district trainers and a training package specific to restraint chairs for the use of district trainers obtained from the School of Response RNZPC See also [Mechanical restraint resources](#)

# Rear wrist and ankle, and waist and ankle restraints

## Combination options

Combination option	Supervisors authority
handcuffing the person (by metal or plastic handcuffs) and restraining their ankles by plastic ties	Not required, but should be notified
As above, and <b>linking</b> these restraints by a plastic tie	Must be obtained before doing this, unless impractical (then advise supervisor as soon as practicable)
putting the person in a waist restraint belt (with handcuffs) and restraining their ankles by plastic ties	Not required, but should be notified
As above and <b>linking</b> these restraints by a plastic tie	Must be obtained before doing this unless impractical (then advise supervisor as soon as practicable)

## Using a combination of restraints

Using combinations of either a rear wrist and ankle restraint, or a waist restraint belt and ankle restraint, **linked** by plastic ties, pose a significant risk to the person and they should only be used in exceptional situations, for example:

- when no other way of calming or controlling that person is readily available; and/or
- where a restraint chair would otherwise be used, but is not available.

Positional asphyxia is a clear and material risk and the person must be continuously monitored and never allowed to lie face down. For more detail see '[Positional asphyxia](#)' and '[Restraint chairs](#)'.

**Unlinked** combinations should be used to prevent injury to Police employees, members of the public and the subject, and to prevent damage to property.

## Risk factors

As the level of intervention increases, the level of risk to Police employees and the public increases. To manage the risks you must:

- be competent in the safe application of combined restraints, whether linked or not
- ensure there is a support officer(s) present, where available
- ensure that each officer understands their role in applying these restraints
- assess and reassess any risk frequently during and after the restraint has been applied.

## Safety rules

These safety rules apply at all times:

Any person restrained by a combination of restraints **linked** by plastic ties:

- must not be restrained for more than two hours, unless they have been assessed by a Police Medical Officer (PMO) before the two hour time limit expires. See [Time limits for removal of mechanical restraints](#)
- must never be allowed to lie face down
- must be constantly monitored
- should, where possible, be left on a mattress.

**Note:** You must record in your notebook the time a person is put in a combination of restraints **linked** by plastic ties and the time the restraints are removed. Total time in the restraint must not exceed two hours, unless the person has been assessed by a Police Medical Officer (PMO) **before** the two hour time limit expires, and re-assessed before any subsequent two hour period is reached. See '[Time limits for removal of mechanical restraints](#)'.

# Spitting hoods

## About the spitting hood

The spitting hood is approved Police equipment. It is a one size unit that slips over the person's head. The spitting hood uses a dark mesh to view the person whilst the lower part of the hood prevents spitting and reduces the risk to others.

For the best fit, the centre elastic is placed under the nose and over the ears. However, for better protection, the elastic may be placed above the nostrils. Both fits are acceptable.

## Diagram



## When can spitting hoods be used?

Police approved spitting hoods may be used in conjunction with other approved mechanical restraints for restraining people who are prone to spitting or have threatened to spit. Only use spitting hoods after a risk assessment has identified a risk of spitting or a person has spat at Police.

## Supervisor's authority required

The spitting hood is an intrusive mechanical restraint. A supervisor's authority must be obtained before using the spitting hood unless a supervisor is not available and immediate action is required to prevent the person spitting. More than one employee may be required to put the hood on, so planning and a clear understanding of each employee's role in applying the hood is paramount.

**Note:** If you have to take immediate action, you must advise a supervisor as soon as practicable.

## Safety rules

These safety rules apply at all times:

- Spitting hoods must be applied in accordance with approved training.
- A person on whom a spitting hood has been applied must be **constantly monitored**.
- If OC spray has been used, aftercare must be in line with the '[Oleoresin Capsicum \(OC\) Spray](#)' chapter.
- **Do not use** the spitting hood on anyone who is vomiting, having difficulty breathing or bleeding profusely from the mouth and nose area.

**Note:** You must record in your notebook the time a person is put in a spitting hood, and the time the hood is removed. Total time in the hood must not exceed two hours unless the person has been assessed by a Police Medical Officer (PMO) **before** the two-hour time limit expires, and re-assessed before any subsequent two hour period is reached. See '[Time Limits for removal of mechanical restraints](#)'

It is accepted that there will be smaller rural or semi-rural stations that may utilise these restraints, but where there is not a Police Medical Officer available or on call. Where a Police Medical Officer is not available, it is acceptable for an assessment to be conducted by a duty General Practitioner or local hospital doctor, or if not available, a registered nurse, or if not available, an ambulance officer. In all situations, the Custody Module should clearly document the actions taken to have a registered health professional conduct or ambulance officer an assessment.

## Risk factors

As the level of intervention increases, the level of risk to Police employees and the public increases. To manage the risks you must:

- be trained in the safe application of the Police approved spitting hood
- assess and reassess any risk frequently during and after the spitting hood has been applied
- not use** the spitting hood on anyone who is vomiting having difficulty breathing or bleeding profusely from the mouth and nose area

[1](#) Dunlea concerned an Armed Offenders Squad evacuation of a two unit flat where flat 1 contained armed robbers and flat 2 innocent citizens. Police handcuffed two of the innocent citizens when they exited their flat just as the AOS prepared to begin their raid. Although upholding the complaint on other grounds, the Court of Appeal found that the initial handcuffing was operationally justified.

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## Oleoresin Capsicum Spray

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*Part of the 'Use of Force' chapter*

# Policy statement and principles

## What

OC spray or gel are one of a number of tactical options available for use by Police within the [Tactical Options Framework](#).

## Why

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Police use of OC spray / gel is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961 - they set out the circumstances in which OC spray / gel or any use of force may be used.

## How

Employees issued with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties. See '[Legal authority to use force](#)' in the 'Use of force overview' chapter.

Before using OC spray, employees will consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident.

They will be satisfied when using OC spray that the person is resisting (by more than passive resistance) or attempting to prevent police from lawfully controlling or arresting them.

# Overview

## What is OC spray?

Oleoresin Capsicum spray (OC spray) is an intermediate tactical tool available to Police employees. For the purposes of this policy, OC spray includes a spray and a gel product.

OC spray is a naturally occurring biodegradable product consisting of oleoresin oil suspended in an alcohol and water based carrier. The solution is packaged in an aerosol canister with a propellant and a dye for identification purposes.

**Note:** In this chapter, Police employees include employees with constabulary powers and Police Integrated Tactical Training (PITT) instructors without constabulary powers that are authorised by the Commissioner to provide training to Police employees.

## Approved OC spray

There are currently two types of approved OC Spray:

- **Sabre Red Crossfire stream** (new spray) - for use in general policing situations outside of custody areas.



- **Sabre Red Crossfire gel** (new gel) - for use within Police stations and custody areas.



# Carrying and using OC spray

## Carrying OC spray

Employees [issued](#) with OC spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

Employees issued with OC spray must carry it if undertaking duty that may involve personal contact with the public.

OC spray must **not** be carried:

- on a commercial aircraft in the cabin or as checked or carried on baggage
- by employees rostered for duty at demonstrations - unless a District Commander specifically authorises it
- if the employee's first aid certificate has expired.

## Using force

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Using OC spray is using force. Employees may be liable under section [62](#) of the Crimes Act 1961 for applying any excess force to a person in the course of Police duties.

## Tactical options framework

OC spray is an option available to an employee when their perceived cumulative assessment of the situation is that the persons behaviour is within or beyond the **active resistance** range on the Tactical Options Framework and the situation cannot be resolved by less forceful means. See '[Tactical Options Framework](#)'.

## Situations when OC spray may be used

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties. See '[Legal authority to use force](#)' in the 'Use of force overview' chapter.

## Consider other options

Before using OC spray, consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident. You must be satisfied when using OC spray that the person is [resisting](#) (by more than passive resistance) or attempting to prevent Police from lawfully controlling or arresting them.

## Person in custody or handcuffs

Unless there are exceptional circumstances, OC spray must not be used on a person:

- in custody in a Police custodial area, and/or
- secured in handcuffs.

Exceptional circumstances include situations when either:

- the person cannot be controlled by less forceful means
- timely assistance is not available
- there is a risk of injury to the person or another person
- the prisoner is in possession of a previously unknown weapon, or
- you need to take immediate action to resolve a situation or prevent a situation continuing.

## **Using OC spray in crowds**

As a general rule, OC spray should not be used in crowded situations. However, it can be used against more than one person at a time, if circumstances justify this.

## **Using against armed people**

If the person is armed with a blunt edged weapon or knife exercise caution and ensure a safe distance is maintained when using OC spray

Avoid using OC spray against a person armed or with access to a firearm. Using OC spray may be appropriate as a supplementary tactic if the person:

- has put their firearm on the ground and is covered by an armed Police constable, and
- **actively resists** control by Police.

## **Warn before using**

Before using OC spray, unless impractical, you must:

- warn the person that non-compliance will result in them being sprayed
- give the person a reasonable opportunity to comply before being sprayed
- warn other people nearby that a spray may be used.

## **Effects of OC spray**

On most people, OC spray causes:

- blood vessels to dilate rapidly
- bronchial passages to constrict
- mucous membranes to secrete freely and eyes to burn and close tightly.

Physical symptoms from OC spray can last from 10 to 45 minutes. There are no known long-term after effects. See '[Medical attention](#)'.

# After using OC spray

## Aftercare

If you use OC spray, afterwards you must:

minimise any residual **effects** caused by the spray by providing proper decontamination and proper aftercare as in the 'OC Spray Training Manual'. See below:

 OC spray Ma ua V3 (PDF)

693.65 KB

- ensure the person's face is not covered and they are not left lying face down with their hands constrained behind their back. This may lead to positional asphyxia, where the position of the body interferes with breathing. See '[Positional asphyxia](#)'
- accompany and monitor the person for at least 45 minutes or until the symptoms or effects are no longer apparent.

## Medical attention

People with a severe asthma condition who are exposed to OC spray may suffer respiratory distress caused by their airways narrowing (bronchi-constriction). If this happens:

- use the salbutamol inhaler and spacing device to provide relief to the person (**Note: Police are only licensed to administer salbutamol, not to dispense it. It must remain in Police possession and control at all times, and is not to be given to, or left with, unsupervised persons**), and
- immediately seek medical attention.

Also provide medical attention immediately, if the person sprayed:

- does not recover within 45 minutes
- complains of, or appears to be, suffering from a medical condition
- asks for medical attention.

## Caution on arrest

You must immediately caution the person if using OC spray leads to their arrest.

Courts might consider admissions made while the person is under OC spray's effect to be unfair and inadmissible. Repeat the caution when the arrested person has had time to sufficiently recover and is capable of understanding.

## Report after use

Employees must follow this procedure after OC spray is used against a person, except during training.

Step	Action
1	Provide proper aftercare and if necessary, medical attention for the person sprayed.
2	Notify your supervisor as soon as practical to: <ul style="list-style-type: none"><li>- attend the scene if requested by the attending officer</li><li>ensure the employee has provided proper aftercare and obtained medical attention when necessary</li></ul>
3	Complete a Tactical Options Report before going off duty. <b>Note</b> that if the spray was only used against an animal, use the ' <a href="#"><u>Use of OC Spray on Animal Only</u></a> ' report.

# **Issuing and managing OC spray**

## **Employees' responsibilities when spray is issued**

Employees must be personally responsible for the security of OC spray canisters issued that are to them. You must ensure canisters are:

- not carried off duty (unless authorised by the District Commander)
- secured at the end of duty in a locked cabinet at the station or in another secure place approved by the district commander.

Before starting duty you must check the canister visually and by shaking it, to ensure the:

- nozzle is unobstructed
- unit is not damaged
- contents are verified
- use by date has not expired.

Supervisors must regularly inspect the integrity of canisters issued to employees under their control.

## **OC spray register**

There must be a robust system in place for controlling stock at all stations where OC spray is stored.

The Area Commander must ensure an OC spray register is operated in their area to record stock levels at each station and other details including:

- date spray is issued or received
  - employees name and ID receiving or returning the canister
- employees name and ID issuing or receipting the canister
  - the canister's serial number issued or received and the expiry date
- a running total of stock on hand both new and used
  - disposal details of used canisters

## **Storing OC spray**

Stocks of OC spray must be stored in a secure environment at normal temperature. They must not be exposed to sunlight

Store enough stock to enable ready replacement and to issue in emergencies.

## **Internal control process**

OC spray issue must be included as part of the internal control process. Internal control must:

- check to ensure canister use by dates are current and units are not damaged
- reconcile actual canisters held to the OC spray register
  - sample check of issued units from the register against what employees actually hold

Internal audit will evaluate and report on the effectiveness of the internal control procedures as part of district audit.

## Returning OC Spray on resignation/leaving Police

Employees resigning or leaving Police must ensure a POL217 is completed and their OC Spray canister and holster are returned to Lockheed Martin along with the other specified items.

## OC spray coordinator's role

District commanders must appoint a district OC spray coordinator responsible for:

- reviewing and filing copies of Tactical Options Reports and associated papers
- internal control and internal audit of OC spray
- interviewing employees to obtain further information about the spray's effectiveness, medical effects or any training or policy modifications that may be necessary
- making recommendations on any necessary policy or training changes to the Director: Capability, PNHQ.

## Used, lost, damaged or expired canisters

If your OC spray is lost or stolen, this must be recorded in the [Security and Privacy Incident Register](#) (SPIR). See 'Loss or theft of Tactical Equipment' in the '[Approved equipment](#)' part of this chapter.

Used, damaged or operationally unused expired canisters must be returned to the issuing office and kept until sufficient quantities are gathered for [disposal](#) (seal any damaged canisters in a plastic bag to prevent leakage). Any partially used canisters may be re-issued to an authorised OC spray trainer.

The approved employee:

- records details of all canisters received and replacements issued in the [OC spray register](#)
- files reports (POL 258) and replacement authorisations.

## Disposing of used or damaged canisters

OC spray canisters must be disposed of using the following process.

Step	Action
1	If the OC spray can is damaged, wear appropriate safety apparel when handling - the minimum is rubber gloves and safety glasses.
2	Centralise OC spray for disposal, record the serial number on a spread sheet and place the can into the lockable container provided.
3	When the container is full, enclose a copy of the spread sheet and secure the container with the supplied combination lock.
4	Use the <b>Section 6(c) Official Information Act 1982</b> to dispatch the items to the destruction destination.
5	E mail the contracted service provider <b>Section 6(c) Official Information Act 1982</b> <ul style="list-style-type: none"> <li>- a copy of the spreadsheet listing S/No of canisters to be supplied</li> <li>- the combination for the container.</li> </ul>
6	The service provider will: <ul style="list-style-type: none"> <li>- provide a certified copy of the serial numbers destroyed for local records</li> <li>- return an empty container and lock for future use.</li> </ul>

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## Police firearms

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***Part of the 'Use of Force' chapter***

# Policy statement and principles

## What

Firearms are one of a number of tactical options available for use by Police within the [Tactical Options Framework](#).

## Why

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Police use of firearms is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961 - they set out the circumstances in which firearms or any use of force may be used.

The NZ Police are not routinely armed. As such, it is recognised that firearms need to be made available for deployment in such a way that they are accessible, depending on the situation.

## How

In relation to the carriage and use of firearms, Police:

- apply at all times, the key use of force principles (see [Use of Force overview](#)) of:
  - minimum carriage and visibility of firearms and related equipment, and
  - minimum use of force
- keep their staff safe by making firearms available and accessible to all primary responders and others when operationally required by the nature of their duties
- maintain robust security measures for Police firearms at all times
- require every employee issued with a firearm to ensure they are thoroughly conversant with relevant law and Police instructions and guidelines
- use firearms only when lawful, necessary, proportionate and reasonable in the circumstances
- where practical, do not use a firearm unless it can be done without endangering other persons
- accept there is no justification for firing at a suspect when they are no longer a threat to life.

When dealing with an armed offender or an offender believed to be armed, these basic principles apply:

- An ongoing [TENR assessment](#) should be conducted during the course of an incident
- It is better to take the matter too seriously than too lightly.
- Caution is not cowardice.
- When the offender's actions permit, Police focus on de-escalation, communication, and prevention, cordon the area, and adopt the wait and appeal role in order to negotiate a surrender.
- Never go unnecessarily into danger. However, if the offender is acting in a way that makes casualties likely, Police must act immediately to prevent this.
- Treat all armed offenders or offenders believed to be armed, as dangerous and hostile unless there is definite evidence to the contrary.

# Summary

## Purpose of this chapter

This part of the '[Use of Force](#)' chapter details Police national policies and procedures for:

- when employees may carry or be in possession of firearms
- making firearms readily accessible in patrol vehicles to frontline employees when necessary
- the secure carriage of firearms in Police vehicles and on aircraft
- the use of firearms
- what to do if firearms are discharged in operational situations
- safe handling, storage, cleaning and maintenance
- transporting or re-locating firearms
- auditing firearms and vehicle storage security.

The chapter also provides information on the law relating to Police use of firearms.

## Local Orders

Local Orders:

- should only be used to describe district or local practice and procedure within the context of the national firearms policy and procedures
- must not conflict with national policy and procedures.

## Approval of Local Orders

Local Orders relating to firearms must be approved by the Director: Capability before being issued.

## Health and safety

See the '[Use of Force overview](#)' chapter for details on health and safety.

## Legislation

Key legislation relating to Police use of firearms are sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961. See the '[Use of Force overview](#)' chapter for further detail on these sections.

## Other reference material

These other references should be read in conjunction with this part of the 'Use of Force' chapter.

Reference	Description
Police issue notebook	A summary of the use of firearms by Police is printed as an aide memoire on the inside cover of Police issue notebooks. These are referred to (when time and circumstances permit) whenever <a href="#"><u>fire orders</u></a> are given in operational situations.
<a href="#"><u>Police Integrated Tactical Training programme (PITT)</u></a>	Includes detailed Police training packages covering the use and maintenance of Police issued firearms.

## Approved firearms

Only firearms, their accessories and ammunition as approved by the Commissioner for their identified specific roles can be used operationally.

For general duties approved weapons and ammunition refer to the '[Approved tactical equipment and carriage for constables and Authorised Officers \(non specialist\)](#)' part of the 'Use of Force' chapter.

# Operational carriage and possession of firearms

## Possession and use of Police firearms generally

Who	For the purposes of ...
Constables	Use of force, training, transport
Employees engaged in training roles	Training purposes
Armoury	Audit, testing, repair, transport
Property and exhibit officers	Storage of Police firearms as exhibits
Arms officers	Storage, transport

## Who can be deployed with firearms?

Only certified level one responders may deploy and use a Police firearm. See the '[Police deployability](#)' chapter for details on certification

## Making firearms available and accessible

Certified level one responders carrying out duties of a nature that could require access to firearms as a tactical option may have firearms assigned to them for their on-duty shifts. Unless the circumstances for physical carriage apply, assigned firearms must be secured in the Police vehicle's approved firearms security cabinets.

## When can firearms be physically carried?

A constabulary employee may carry firearms:

when their perceived cumulative assessment of a situation or the immediate operating environment is that it is in or likely to escalate to be within the death/grievous bodily harm range as specified by the '[Tactical Options Framework](#)' in the '[Use of Force overview](#)'

(An example of the 'immediate operating environment' presenting a heightened perceived cumulative assessment of death or GBH could be that a suspect is known to be at large, has not been contained, and is believed to:

- be armed (or have access to weapons); and
- present a risk of death or GBH to members (including Police) of our communities)

- when on duty as a member of:

- the Armed Offenders Squad or Special Tactics Group

Protection Services as authorised by the supervisor of that squad

- when [temporary carriage](#) has been authorised by an Inspector or above in specific circumstances as detailed below

when performing:

- airport duties at any airport that is 'security designated' under the Civil Aviation Act 1990
- the role of escorts and guards for people carrying valuables as authorised by a District Commander
- to destroy animals in circumstances set out in the '[Animals](#)' chapter
- for training purposes.

## Temporary carriage of firearms

Police officers at the rank of Inspector or above can authorise temporary carriage of firearms by some or all District / Area staff when they determine that the circumstances of an event warrant that. The authorisation may be given as an initial verbal instruction or as part of a coordinated pre-planned operation with an operation order.

### Conditions of temporary carriage decisions

Any authorisation for temporary carriage must:

be made on the basis of a risk assessment using [TENR](#) and by having regard to Police's obligations as an employer under the [Health and Safety at Work Act 2015](#) and [Health and Safety at Work \(General Risk and Workplace Management\) Regulations 2016](#) for the safety of its employees

- be for a specific time frame
- specify roles and conditions of carriage specific to the threat
- be continuously reviewed to determine if the threat still exists
- be notified to the DCC and NCCC so it can be communicated to all staff in the operating environment including oncoming shifts and to ensure that the relevant Police Executive members are aware of the authorisation
- clearly outline the nature of the threat and rationale for the temporary carriage (where it is operationally appropriate to do so)
- utilise known intelligence and continue to build our intelligence as an event unfolds
- be recorded in RIOD along with the justification for the decision and updated when reviewed.

### Recording, notifying and managing temporary carriage decisions

Temporary Carriage refers to a decision to authorise staff to carry firearms due to circumstances which suggest a specific threat to staff and/or community safety exists. Temporary Carriage is additional to the application of [TENR](#) which staff must apply on a routine basis as part of their policing duties

A substantive **Police Inspector** (or higher ranked officer) can make an initial decision to authorise the temporary carriage of firearms. The authorisation must detail the timeframe in which it applies, the location or area that temporary carriage is authorised, and the roles and conditions of carriage specific to the threat justifying the carriage.

The authorisation may be given as an initial verbal instruction.

These tables outline expectations and responsibilities for recording, logging, notifying and reviewing decisions for the temporary carriage of firearms.

## Action where temporary carriage is authorised

### Step Task

1	<p>The <b>Inspector</b> (or higher ranked officer) must:</p> <ul style="list-style-type: none"> <li>- document their decision and include factors such as date time the location or area that temporary carriage is authorised and reasons or justification for their decision</li> <li>- consider the relevance of a temporary carriage decision on other Areas and Districts, particularly neighbouring Areas and Districts</li> <li>- immediately notify the District Command Centre (DCC) and the Duty Shift Commander of the appropriate Emergency Communications Centre</li> <li>- notify the District Commander of their decision as soon as practicable (the timing of this notification will depend on the nature of the risk to public and staff and the need or otherwise immediate notification i.e. considering the time of day).</li> </ul>
2	<p>The <b>District Commander</b> must:</p> <ul style="list-style-type: none"> <li>- consider the temporary carriage decision as soon as practicable after being notified by the Inspector <ul style="list-style-type: none"> <li>- should the District Commander <i>not</i> support the decision, or if the risk profile has changed, the instruction for temporary carriage must be immediately withdrawn</li> </ul> </li> <li>- consider the relevance of a temporary carriage decision on other Areas and Districts, particularly neighbouring Areas and Districts</li> <li>- record their decision (to support or not support temporary carriage) in the Temporary Carriage Decision Log (Log created by the DCC in RIOD).</li> </ul> <p>Where the decision for temporary carriage <i>is</i> supported the District Commander must notify as soon as practicable:</p> <ul style="list-style-type: none"> <li>- the relevant Assistant Commissioner: Districts; and</li> <li>- other senior staff in the District (Inspector level and above)</li> </ul> <p>of the temporary carriage decision and reasons for it.</p>
3	<p>The <b>Assistant Commissioner: Districts</b> must notify the <b>Deputy Commissioner: Operations</b></p> <p>Should the Assistant Commissioner: Districts or the Deputy Commissioner: Operations <i>not</i> support the decision or if the risk profile has changed, the instruction for temporary carriage must be immediately withdrawn.</p>

4	<p><b>The DCC</b>, on receipt of the initial temporary carriage of firearms decision, must:</p> <ul style="list-style-type: none"> <li>- ensure the decision is communicated to all staff in the operating environment, including oncoming shifts. The DCC should clearly outline the nature of the threat and rationale for the temporary carriage</li> <li>- ensure all relevant persons of interest, related FLINT, intel slides, vehicles and addresses of interest are flagged and disseminated</li> <li>- create a New Firearms Event &gt; Temporary Carriage Log in RIOD and ensure the Temporary Carriage Decision Log is attached (including updated versions)</li> <li>- notify the NCCC</li> <li>- advise neighbouring District DCC's where appropriate.</li> </ul>
5	<p><b>The DCC</b> in consultation with the <b>District Commander</b> must:</p> <ul style="list-style-type: none"> <li>- ensure that continuous reviews of the temporary carriage authorisation and conditions occur (reviews should be carried out at a minimum every 12 hours or as facts change)</li> <li>- ensure reviews are undertaken by an Inspector or another constabulary staff member as authorised by the District Commander, including assessing known intelligence as the event unfolds</li> <li>- maintain a record of all reviews and subsequent decisions in the Temporary Carriage Decision Log in RIOD and keep these up to date</li> <li>- regularly update the NCCC and all staff in the operating environment including the District Commander.</li> </ul>
6	<p>The <b>District Commander</b> must keep the relevant <b>Assistant Commissioner: Districts</b> updated on the situation and the decision(s) following each review.</p>

## Action where temporary carriage is requested but not authorised

Step	Task
1	The Temporary Carriage Decision Log must be completed.

## Attending Calls for Service unrelated to the matter which gave rise to Temporary Carriage

During a time where temporary carriage is authorised staff must continue to make their own TENR assessment when attending calls for service unrelated to the matter which has given rise to temporary carriage. This is to ensure a decision to temporarily carry does not cause distress or compromise the safety of any person (including Police staff).

## Media

If a media query relating to temporary carriage is received, the relevant District Commander, Assistant Commissioner: Districts and Deputy Commissioner: Operations will consider any response in consultation

with Police Media.

## Responsibilities when firearms are carried

Employees who carry firearms because their assessment of a situation is that it is in, or likely to escalate to be within, the death/grievous bodily harm range as specified by the [Tactical Options Framework](#) must:

- advise their immediate supervisor and the Police Emergency Communications Centre of their decision to deploy with firearms as soon as practicable
- deploy with a TASER where one is available.

See also '[Security requirements for firearms](#)' when carrying or in possession of firearms.

## Ballistic armour

With the exception of specialist groups employees must wear the approved integrated Body Armour System with both soft panels and ballistic plates (BAS) or HAP in association with stab resistant body armour (SRBA) when deploying to an incident where they believe firearms are or could be present. This includes circumstances where temporary carriage of firearms has been authorised

## Employees on standby, on call or engaged in specific operations

When required as a matter of operational necessity or efficiency, [Section 6\(c\) Official Information Act 1982](#)

[REDACTED] For the purposes of section [3](#) of the Arms Act 1983, the possession of Police firearms in these circumstances forms part of the employee's duties.

If a District Commander is not available, the O/C station or Area Commander may authorise such possession provided they seek the District Commander's confirmation of their approval at the earliest opportunity.

# Security of firearms when carried or possessed

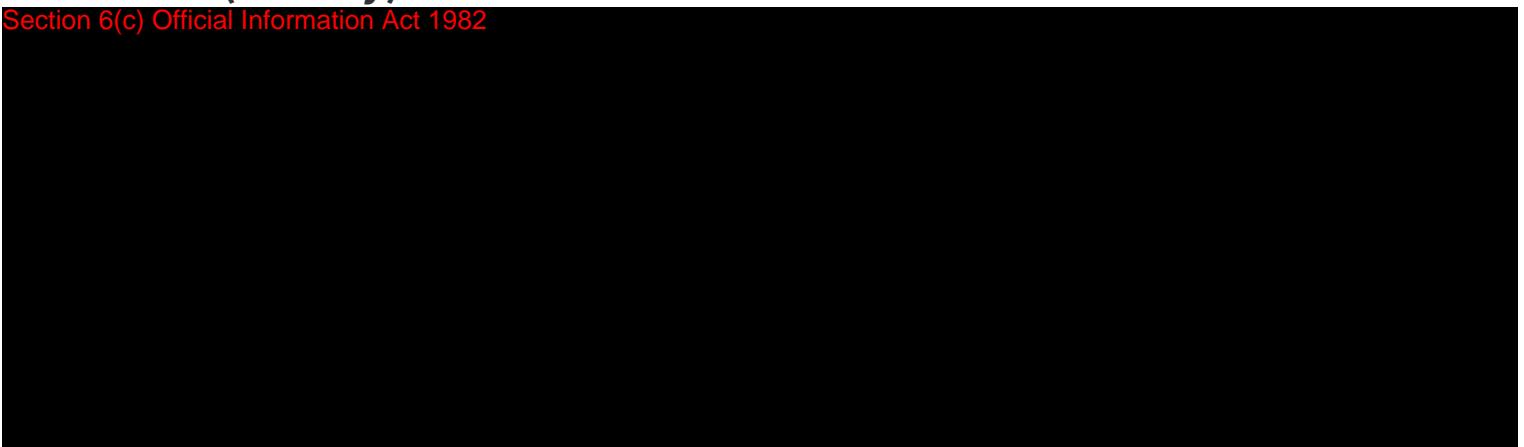
Security of firearms is paramount.

Firearms security arrangements are approved by the Director: Capability.

Police firearms, unless physically carried during the course of duty, must be secured in vehicles (see '[on duty](#)' and '[off duty](#)' below), in [Police owned 'E' category equivalent storage facilities](#), and [off-site](#) as follows:

## Vehicles (on duty)

Section 6(c) Official Information Act 1982



<b>Vehicles in for service</b>	All firearms and security cabinet keys must be removed from vehicles going for maintenance, and stored within the station.
<b>Key access to cabinets and vehicles</b>	Supervisors must ensure that employees working in units requiring firearms to be available to them, have at the start of their shift, their own set of keys to access the vehicle and security cabinet, should circumstances arise requiring them to carry firearms.
<b>Vehicles unoccupied</b>	Police employees must ensure when vehicles are not physically occupied that: <ul style="list-style-type: none"> <li>- ignition and firearm security keys are not left in the vehicle</li> <li>- vehicle is locked and alarmed</li> <li>- vehicle immobiliser is used.</li> </ul>

## Vehicles (off duty)

Section 6(c) Official Information Act 1982

## **Storage and security in Police owned ‘E’ category equivalent storage facilities**

All Police firearms must be removed from vehicles at the end of shifts and secured in Police owned E category equivalent storage facilities unless requirements described under [Vehicles at Police premises](#) above exist permitting Police firearms to be stored in a vehicle s approved security cabinet

‘E’ category equivalent storage must be within a secure and locked room or safe that aligns to the requirements of regulation [28](#) of the Arms Regulations 1992 (i.e. that required of endorsed licence holders for the storage of pistols, prohibited firearms, prohibited magazines or restricted weapons). If storage is accessed by a key, locking mechanism or access control, then those access tools must be suitably secured.

‘E’ category equivalent storage facilities at Police premises must have an Intruder Detection Alarm which is monitored and has a response plan. The response plan should consider an armed response contingency if appropriate. CCTV monitoring and storage areas and/or entrance and exit points can also be incorporated into security infrastructure.

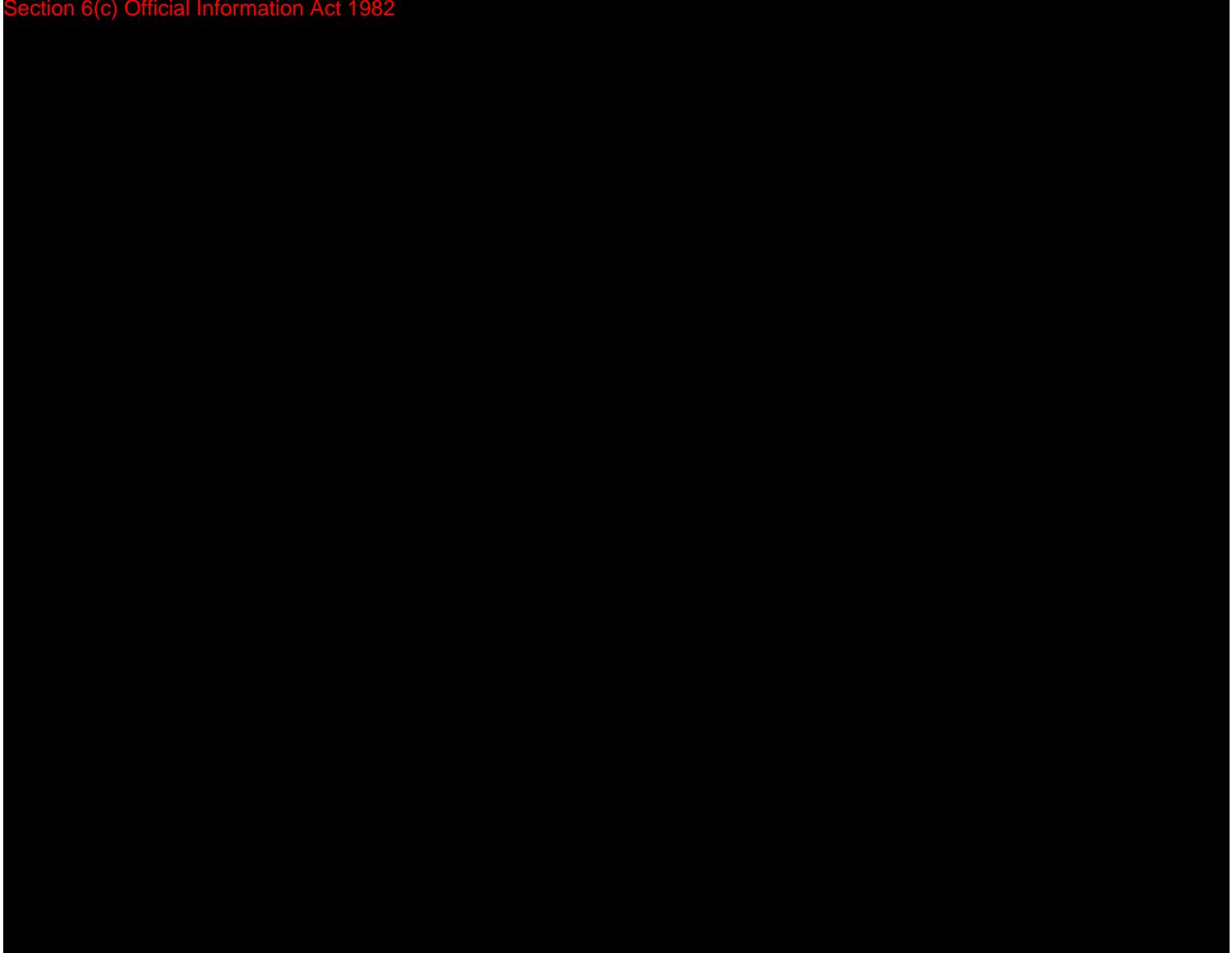
**Note:** At least two layers of storage security should exist.

## **Off-site security**

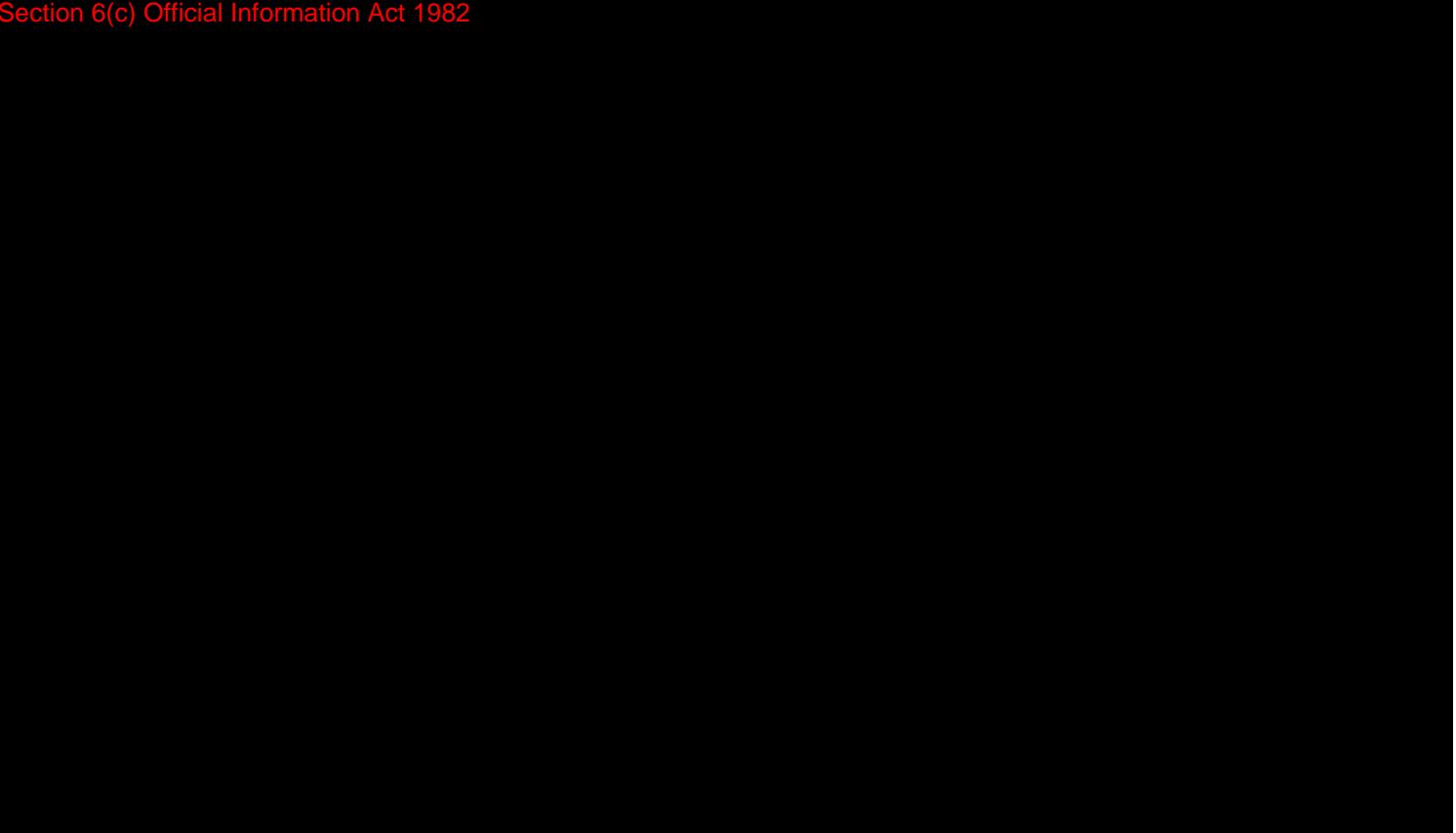
Section 6(c) Official Information Act 1982

## Security of Police firearms on shooting ranges

Section 6(c) Official Information Act 1982



Section 6(c) Official Information Act 1982



# Tactical Options Framework - firearms

In relation to the [Tactical Options Framework](#) a firearm is one of a number of tactical options available for use.

## Prepare, show, use

An operator must prepare, show or use firearms in accordance with:

- these instructions
- approved training

This table outlines how firearms can be utilised within the Tactical Options Framework.

Term	Applying the Tactical Options Framework	Practice	Submit TOR?
<b>To "prepare"</b> <i>(Means carriage)</i>	Following a <a href="#">TENR assessment</a> , when the employee's perceived cumulative assessment of a situation is that it is within or likely to escalate to be within the death or grievous bodily harm range as specified by the Tactical Options Framework.	Carriage of a firearm in the holster or slung on the person and includes the Sul and ready positions	No
<b>To "show"</b> <i>(Means presentation)</i>	An operator may show a firearm as a deterrent in situations below the death or grievous bodily harm range on occasions where their perceived cumulative assessment is that it is likely that the situation has the potential to escalate to within or beyond the death or grievous bodily harm range.	The intentional aiming of a firearm directly at a subject.	Yes
<b>To "use"</b> <i>(Means discharge)</i>	An operator may use the firearm when their perceived cumulative assessment gives rise to an honest belief that the subject, by age, behaviour exhibited (death or grievous bodily harm), apparent physical ability, threats made and opportunity or a combination of these is capable of carrying out the threat of death or grievous bodily harm to any person.	The intentional discharge of a firearm at a subject	Yes

## Use of force - legal implications of firearm use

The discharge of a firearm is a use of force and as such, its use must be necessary, proportionate and therefore reasonable in the circumstances.

[Use of Force overview](#) details:

- when police have lawful authority under the Crimes Act 1961 or other legislation to use force
- the limitations on the use of force
- liability for use of excess force.

(See 'Legal authority to use force' and 'Limitations on the use of force' in the [Use of Force overview](#)).

# Operating with firearms

## When can firearms be used?

Police issue firearms can be used for -

Training	On all occasions that police are planning or conducting training or exercises involving the use of firearms, they must refer to and comply with the procedures detailed in the Firearms Instructors Manual ' <a href="#">Range Management</a> ' and ' <a href="#">Firearms Safety</a> ' chapters.
Animal destruction	Destruction of animals in line with the circumstances set out in the ' <a href="#">Animals</a> ' chapter
As a <a href="#">Tactical Option</a>	In line with the policy and guidelines in this chapter.

## Principles applying when offenders are armed

When dealing with an armed offender or an offender believed to be armed you should observe these basic principles:

- Conduct an ongoing [TENR](#) assessment during the course of an incident.  
It is better to take the matter too seriously than too lightly
- Caution is not cowardice.  
When the offender's actions permit focus on de escalation communication and prevention cordon the area and adopt the wait and appeal role in order to negotiate a surrender
- Never go unnecessarily into danger. However, if the offender is acting in a way that makes casualties likely, Police must act immediately to prevent this.  
Treat all armed offenders or offenders believed to be armed as dangerous and hostile unless there is definite evidence to the contrary
- Where practical, Police should not use a firearm unless it can be done without endangering other persons.

## Fire Orders

(previously referred to as F061)

'Fire Orders' are operationally specific instructions on the circumstances in which Police employees may use firearms.

Fire orders must be given according to this table

Operational situations	Training
<ul style="list-style-type: none"> <li>- When firearms are issued before the start of authorised routine carriage and pre-planned operations, fire orders must be given by operation or unit commanders as part of the operation briefing.</li> </ul> <p>In all other operational situations where firearms are carried if time and circumstances permit supervisors must draw attention to the fire orders printed on the inside cover of the Police issue notebooks</p>	<ul style="list-style-type: none"> <li>- Every time employees receive formal firearms training they must be asked by the instructor to demonstrate their thorough knowledge and understanding of fire orders.</li> </ul>

## THESE ARE the FIRE ORDERS THAT SHOULD BE GIVEN (REPLICATED IN THE POLICE NOTEBOOK):

*...START OF FIRE ORDERS...*

### Responsibility for knowing when firearms may be used

Every Police employee issued with a firearm is personally responsible for ensuring they are thoroughly conversant with relevant law particularly sections [39](#) [40](#) [41](#) [48](#) and [62](#) of the Crimes Act 1961 and all relevant instructions and guidelines contained in this chapter

### Conditions to be satisfied before use

The circumstances justifying police firing at an offender can change very rapidly. Any employee who fires a shot must be personally satisfied through their perceived cumulative assessment that there exists justification for doing so.

An offender must not be shot without first considering

Communication	they must have first been asked to surrender (unless it is impractical or unsafe to do so) and
Less violent alternatives (Proportionality)	- it must be clear they cannot be disarmed or arrested without first being shot, and
Delay (Necessity)	- it must be clear that further delay in apprehending the offender would be dangerous or impractical

## Making decisions to use

Police must only use a firearm for these lawful purposes:

Lawful Purpose	Police may use a firearm...
<b>Defending themselves or others</b> (s <sup>48</sup> Crimes Act 1961)	to defend themselves or others if: <ul style="list-style-type: none"> <li>- they fear death or grievous bodily harm to themselves or others, and</li> <li>- cannot reasonably protect themselves or others in a less violent manner.</li> </ul>
<b>Arresting an offender</b> (s <sup>39</sup> Crimes Act 1961)	to arrest an offender if they: <ul style="list-style-type: none"> <li>believe on reasonable grounds that the offender poses a threat of death or grievous bodily harm in resisting their arrest and</li> <li>- the arrest cannot be reasonably effected in a less violent manner, and</li> <li>the arrest cannot be delayed without danger to other people</li> </ul>
<b>Preventing escape</b> (s <sup>40</sup> Crimes Act 1961)	to prevent an offender escaping if: <ul style="list-style-type: none"> <li>Police believe on reasonable grounds that the offender poses a threat of death or grievous bodily harm to any person (whether an identifiable individual or members of the public at large) and</li> <li>- the offender flees to avoid arrest or escapes after arrest, and</li> <li>the flight or escape cannot reasonably be prevented in a less violent manner</li> </ul>
<b>Destroying animals</b>	To destroy animals in circumstances set out in the <a href="#">Animals</a> chapter of the Police Manual.

**...END OF FIRE ORDERS...**

## Restrictions on firing

There is no justification for firing at a suspect when they are no longer a threat to life. This applies regardless of the suspect's previous actions.

## Warning shots

As a general rule warning shots should not be fired

However, there may be circumstances where a warning shot may be appropriate, e.g:

- the suspect has been asked to surrender (if practical) and has not done so, and
- it can be clearly aimed as a warning shot.

Take extreme caution to safeguard the safety of others.

## Shooting at motor vehicles

Shots may only be fired at moving vehicles in exceptional circumstances

It is extremely difficult to disable a vehicle by discharging a firearm at tyres or other parts. The small target area and the margin for error impose a high probability of misdirection or ricochet increasing the risk of causing death, injury or damage.

## Forced entry to premises with firearms

For information about forcing entry to premises with firearms see '[Use of force against persons and property](#)' in 'Search Part 5 - [Carrying out search powers with or without warrants](#)'.

## Custodial areas

No firearms may be carried in custodial areas.

## Escorts and guards for people carrying valuables

On an application by the Reserve Bank District Commanders may provide a guard or escort to protect people having custody of money bullion or valuables

Unless otherwise directed:

- the escort must be carried out by employees who are on duty
- employees may wear plain clothes or uniform (based on a [TENR](#) assessment) and be armed.

Police must not:

- take charge of the property (it is to remain in the possession of the applicant or representative)
- remain on guard inside the building.

District Commanders are responsible for negotiating the provision of services. Recovery of costs will be at the rates authorised and published by the Executive Director: Finance.

## Observers

An observer should not enter into a situation involving firearms or the possibility of firearms. If the situation is such that the constabulary staff need to don HAP in compliance with this policy, then the observer should be excluded from the incident. This includes a situation where routine arming has been authorised.

## Alcohol and drug consumption

In compliance with the [Police drug and alcohol policy](#), Police require employees to:

- not use illegal drugs
- not report for duty when affected by alcohol or illegal drugs
- not consume alcohol while on duty unless it has been authorised by the District Commander or Director
- notify their manager of their taking of, or failure to take, any prescribed medication that may adversely affect their safety or the safety of others at work.

Employees on standby, who may deploy with firearms, must not consume alcohol, illegal drugs, or (prescribed medication that may adversely affect their safety or the safety of others), whilst on standby. Off duty employees called back before their expected start time must not report for duty if affected by alcohol, illegal drugs, or affected by any prescribed medication that may adversely affect their safety or the safety of others.

If you are unsure about whether you should report for duty consult a supervisor

# Discharge of Police firearms

## Discharge involving death or injury

Where an incident involving death or injury has been caused through the discharge of a firearm by a Police employee or when an employee has fired shots that could have caused death or injury to any person, the incident controller present or the person appointed to do so **must**:

1. take control of the scene
2. ensure first aid is rendered
3. manage the scene according to the principles contained in the '[Investigation of critical incidents](#)' chapter
4. inform the District Commander, who in turn will initiate alcohol and drug testing of employees involved in the shooting in accordance with the '[Police drug and alcohol policy](#)'.

See the '[Investigation of critical incidents](#)' chapter for more detailed information about carrying out an investigation after an incident involving death or injury caused through the discharge of a firearm by a Police employee.

## In all other instances of firearms discharge

In all other instances of firearms discharge (except for training and animal destruction) the incident controller present or the person appointed to do so must take control of the scene and then -

Step	Action
1	Mark the discharging employee's position, empty cartridge cases, bullet fragments, and any other items or people associated with the discharge.
2	Preserve the cartridge cases and where possible the bullet or bullet fragments
3	Secure the firearm and remaining rounds, making the firearm safe as soon as practicable recording any action taken. <b>Note:</b> On no account is the firearm to be altered or items/accessories removed.
4	Preserve and photograph the scene where it is believed this may be necessary or relevant for subsequent enquiries.
5	Advise the employee's immediate supervisor who will advise the District Commander. Report this use of force in compliance with the <a href="#">Use of Force reporting requirements</a> .  If the discharge has been unintentional, follow the procedure for <a href="#">Reporting and investigating unintentional discharges (no death or injury)</a>
6	Commence review / investigation into the incident.  <b>Note:</b> The scope and scale of the review / investigation will depend largely on the nature of the discharge and whether there was any potential for injury.
7	Conduct a debrief in compliance with the <a href="#">Debriefs</a> chapter.

See also [Unintentional discharges \(no death or injury\)](#)

# Unintentional discharges (no death or injury)

An unintentional discharge of firearms may occur through:

- **operator error:** e.g. a failure to follow procedure and ensuring a firearm is in the unload state before conducting a pre op check leading to an unintentional discharge
- **mechanical fault:** a fault with the firearm leads to a discharge.

## Reporting and investigating unintentional discharges (no death or injury)

In the event of an unintentional discharge (other than in training), the operator involved in the discharge must notify their supervisor or senior employee present as soon as possible. The supervisor (or senior employee present until the supervisor's arrival) must then follow these steps:

Step	Action
1	Follow steps 1 – 5 as applicable for <a href="#">all other instances of firearms discharge</a>
2	Notify the District Police Integrity and Conduct Manager.
3	Instigate a review (debrief) of the facts surrounding the incident.  <b>Note:</b> The scope and scale of the review will depend largely on the nature of the discharge and whether there was any potential for injury.
4	Send the firearm and any bullets and cartridge cases to the <a href="#">Police Armoury</a> for examination. Enclose a detailed report covering the circumstances or incident with items sent to the Police Armoury for examination.

## District resolution

Upon receiving a supervisor's report, the District Police Professional Conduct Manager should:

Step	Action
1	Consider whether to temporarily suspend the operator from being issued a firearm.
2	Where it is established the discharge was the result of <b>operator error</b> , categorise this incident in compliance with the categorisation process found in the <a href="#">Disciplinary Process guidelines</a> .

## Unintentional discharges during training

In the event of an unintentional discharge during training, the individual supervising the training must examine the incident to determine the facts surrounding the discharge.

Where...	the...
it is clearly established the discharge was the result of operator error, and no injury is involved...	supervisor may elect to deal with it as a remedial training issue. Consider reporting as a 'near miss' on an Incident Reporting Form in My Police> My Services> My Safety Info> Create an Incident.
the discharge is the result of a mechanical fault and no injury is involved	<a href="#">procedure</a> relating to unintentional discharges must be followed
the discharge involves death or injury...	<a href="#">procedure</a> relating to discharge involving death or injury must be followed.

## Tactical options reporting

A Tactical Options Report must be submitted by the employee in possession of a firearm on these occasions:

<b>Presentation</b>	Each time a firearm is presented at another person other than in training, with the exception of AOS and STG whilst employed in their role.
<b>Discharge</b>	Each time a firearm is discharged other than in training
<b>Unintentional discharges</b>	Each time there is an unintentional discharge of a firearm (except where in training) and it is clearly established the discharge was unintentional and no injury is involved.
<b>Destruction of animals</b>	Each time a firearm is used for the destruction of animals.

A Tactical Options (Fatality or Non-fatal Police Shooting) Report must be submitted by a supervisor (not the person who used the force) whenever a firearm has been discharged resulting in death or injury.

# Database, registers, pre-operational checks, and storage

## Database

The Tactical Asset Management System (TAMS) will be maintained to identify the type and locality of each firearm down to individual group and station level.

## Registers

Except for weapons permanently assigned on an individual basis (specialist units) an individual firearms register must be maintained for each set of firearms (2 Glock, 2 Rifle) (1 Glock, 1 Rifle).

The register must be completed at the beginning and end of each shift or period of duty by the employees taking possession of the set of firearms (Firearms registers can be ordered in SAP reference PL3360136)

These details must be recorded:

- Firearm serial numbers
- Date/Time
- QID
- Pre-operational check
- Weapon state
- Notes as applicable

## Pre-operational check

Each time employees take possession of a firearm operationally at the commencement of a shift or period of duty they must:

- carry out safety precautions
- carry out a pre-operational check (detailed on the inside cover of the register)
- ensure the firearm is in the correct weapon state for the shift or period of duty.

## Failure of pre operational check

If a firearm fails any aspect of the pre-operational check:

- immediately withdraw the firearm from service
- create a task in the 'Operational asset' section of RIOD
- forward to the [Police Armoury](#) for repair.

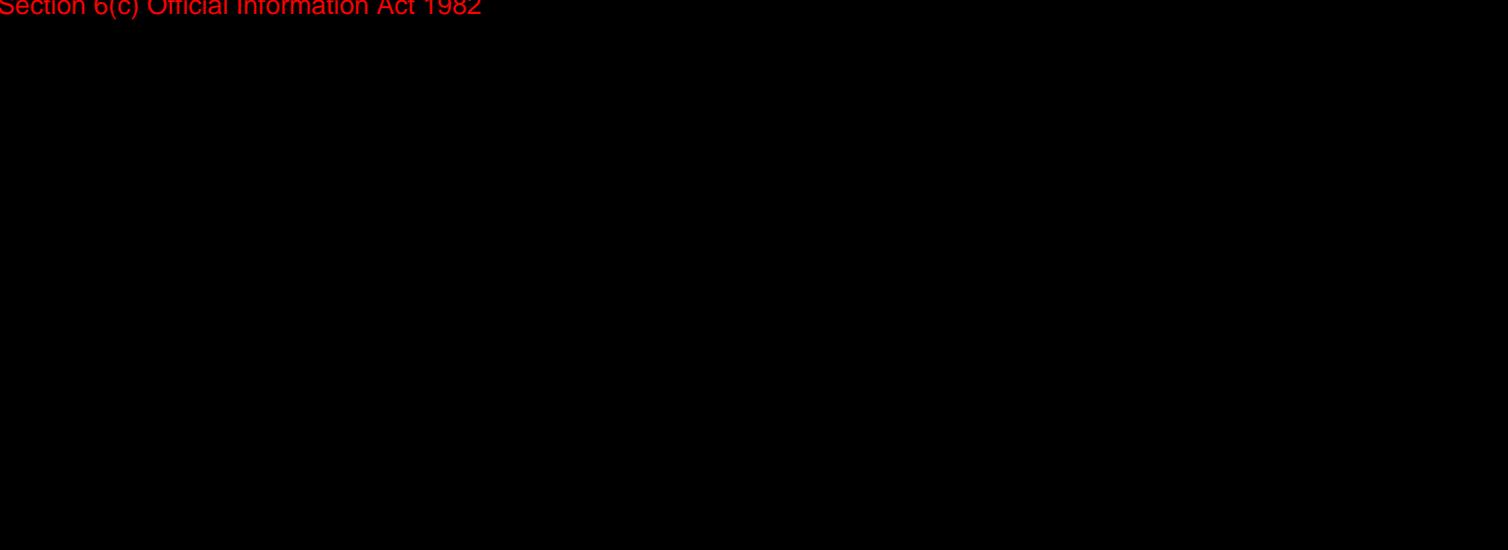
## Bullet traps

Approved bullet traps, where available at Police stations, must be used for loading and unloading firearms. If bullet traps are not available, a 'safe direction' in line with firearms training must be employed.

## Weapon states

This table details the required weapon states for differing storage conditions

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Refer to the [Police Integrated Tactical Training materials](#) for more information about weapon states and pre-operational check requirements.

## Ammunition storage

This table specifies the storage requirements for differing approved ammunition types:

<b>Ammunition Use</b>		<b>Requirements</b>
Type		
Operational	Operational  Training (Specialist Units)  Armoury (weapon zero and testing)	Must be stored in approved safe or security cabinet:  in the approved firearms magazine (filled to magazine capacity as applicable) - in the manufacturer's packaging
Training	Training only  - Restricted to range environment	Must be stored in a secure area  - in the manufacturer's packaging separate from other ammunition types
Drill	Training only  With the exception of specialist units conducting training under a qualified instructor restricted to use in drill weapons only	Must be stored  separate from other ammunition types - in the manufacturer's packaging

Stoppage	<p>Training only</p> <ul style="list-style-type: none"> <li>- For use in training weapons</li> <li>- Restricted to range environment</li> </ul>	<p>Must be stored</p> <ul style="list-style-type: none"> <li>- separate from other ammunition types</li> <li>- in the manufacturer's packaging</li> </ul>
Blank (UTM)	<p>Dog Training only</p> <ul style="list-style-type: none"> <li>- Restricted to use in dedicated blank firing weapons</li> </ul>	<p>Must be stored</p> <ul style="list-style-type: none"> <li>- separate from other ammunition types</li> <li>- in the manufacturer's packaging</li> </ul>
Simmunition	<p>Training only</p> <p>Restricted to dedicated simmunition weapons only (includes Drop in kits)</p>	<p>Must be stored</p> <ul style="list-style-type: none"> <li>separate from other ammunition types</li> <li>- in the manufacturer's packaging</li> </ul>
Popper Load	<p>Dog training only</p> <ul style="list-style-type: none"> <li>- Restricted to use in dedicated 12 gauge shotguns</li> </ul>	<p>Must be stored</p> <ul style="list-style-type: none"> <li>- separate from other ammunition types</li> <li>- in the manufacturer's packaging</li> </ul>

# Cleaning and maintaining firearms

## Cleaning regimes

Cleaning and maintenance of all firearms is necessary to ensure the operational capability of each weapon.

Employees deployed with a Bushmaster /Colt M4 rifle or a Glock 17 pistol during operations or firearms training must clean and ensure the firearm is fully operational before putting it back into service. Follow the procedures for cleaning detailed in the 'General Duties Cleaning Regime' displayed where the firearm is drawn.

Record details of cleaning and maintenance in the notes section of the [firearms register](#)

## Adverse conditions

If a firearm has been used in 'adverse' or exceptional conditions (e.g. when it has been fully submerged in any type of liquid) it must be sent to the Police Armoury for cleaning.

## Armourer's inspection

The Police Armoury performs a biennial technical inspection of all firearms held by districts and annual inspections of those firearms assigned to national tactical squads and training. Note that firearms are not cleaned as part of this inspection

## Firearm repairs and modifications

The Armoury must do all repairs to firearms, modifications, and replacement of parts.

The Director: Capability must approve any modifications or attachments to firearms.

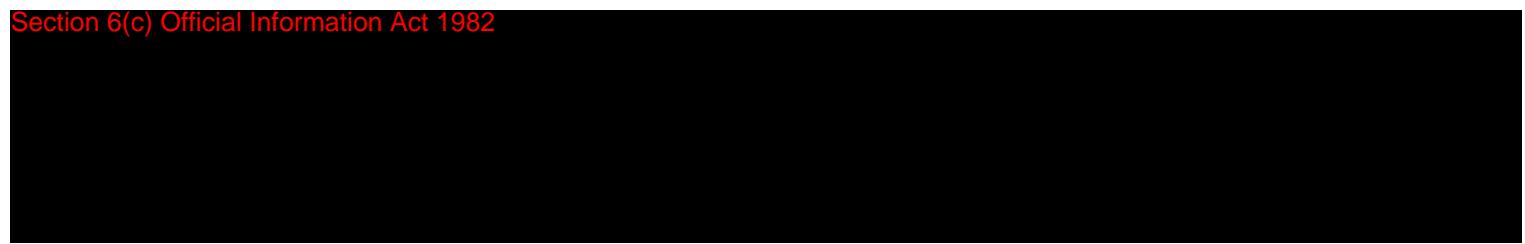
If an armourer finds a firearm with unauthorised modifications or attachments (e.g. during the annual inspection) they must withdraw it, and report the facts to the Director: Capability who will decide on any further action to be taken.

## Further information

Refer to:

- the [Armoury](#) chapter for further information about the specialist services provided by them
- Police Integrated Tactical Training materials for more information about cleaning and maintenance of firearms

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## Auditing firearms

For information regarding auditing of firearms and ammunition, see the '[Approved tactical equipment and carriage for constables and Authorised Officers \(non specialist\)](#)' chapter.

# Purchasing firearms

## Introduction

This section outlines the processes to be followed by districts purchasing firearms outside of significant national purchases, e.g. the Bushmaster rollout.

## Authorising firearms purchases

Except in the case of national purchases, firearms are purchased against individual district budgets. However, notional 'ownership' of all Police firearms rests with the Director: Capability and their written approval must be obtained before any new firearms can be procured.

## Procedures when purchasing firearms

Follow these steps when purchasing firearms.

Step	Action
1	Districts identify the need for purchasing a firearm(s) and / or accessories within their district. This can be for a variety of reasons, e.g. firearms destroyed in a fire, increased staffing numbers at a particular station.
2	Send the request to the District Commander for their approval and if given, for forwarding to the Director: Capability.  Include information justifying the need for the purchase and the relevant budget cost centre.
3	The Director: Capability considers the request and if approved, forwards that approval to the Co-ordinator: Firearms & Tactical Equipment or the national <a href="#">Armoury</a> to place the order. The co-ordinator must notify the Armoury of any orders they place as the firearms will be delivered to the Armoury for pre-operational checks.
	<b>Note:</b> Districts must not order firearms direct from suppliers.
4	The national Armoury processes the receipt, pre-delivery operational checking and ultimately the dispatch of the firearm to the district.
5	The Armoury ensures the firearms and /or accessories purchased are recorded in the Operational Asset Management System.

## Destruction of firearms

Destruction of Police firearms must be carried out by the Police Armoury.

### Police firearms reaching end-of-life operational deployment or training

Police firearms that reach their end-of-life for operational deployment or training must be destroyed, unless retention at the following Police premises are authorised for the purpose of collection and display:

- [Police Armoury](#) (collecting for future forensic comparisons)
- [New Zealand Police Museum](#) (note, firearms collected for historical and display purposes, unless on loan to Police, are deemed Police owned firearms).

### Meaning of 'end-of-life' of Police firearms

A Police firearm has reached its end-of-life for operational deployment or training, when:

- in the opinion of the Senior Armourer the firearm is too worn or damaged to be repaired to an operational standard
- the Police Executive have determined the make and model of firearm is no longer suitable for operational deployment or training (note, firearms authorised as no longer suitable, must be forwarded to the Police Armoury for destruction).

### Police armoury

All Police firearms **must** be sent to the Senior Armourer at the Police Armoury for inspection and determination as to whether the firearm has reached its end-of-life for operational deployment or training.

The make and model of Police firearms determined by the Police Executive to no longer be suitable for operational deployment and training **must** be sent to the Police Armoury for destruction.

[Section 6\(c\) Official Information Act 1982](#)

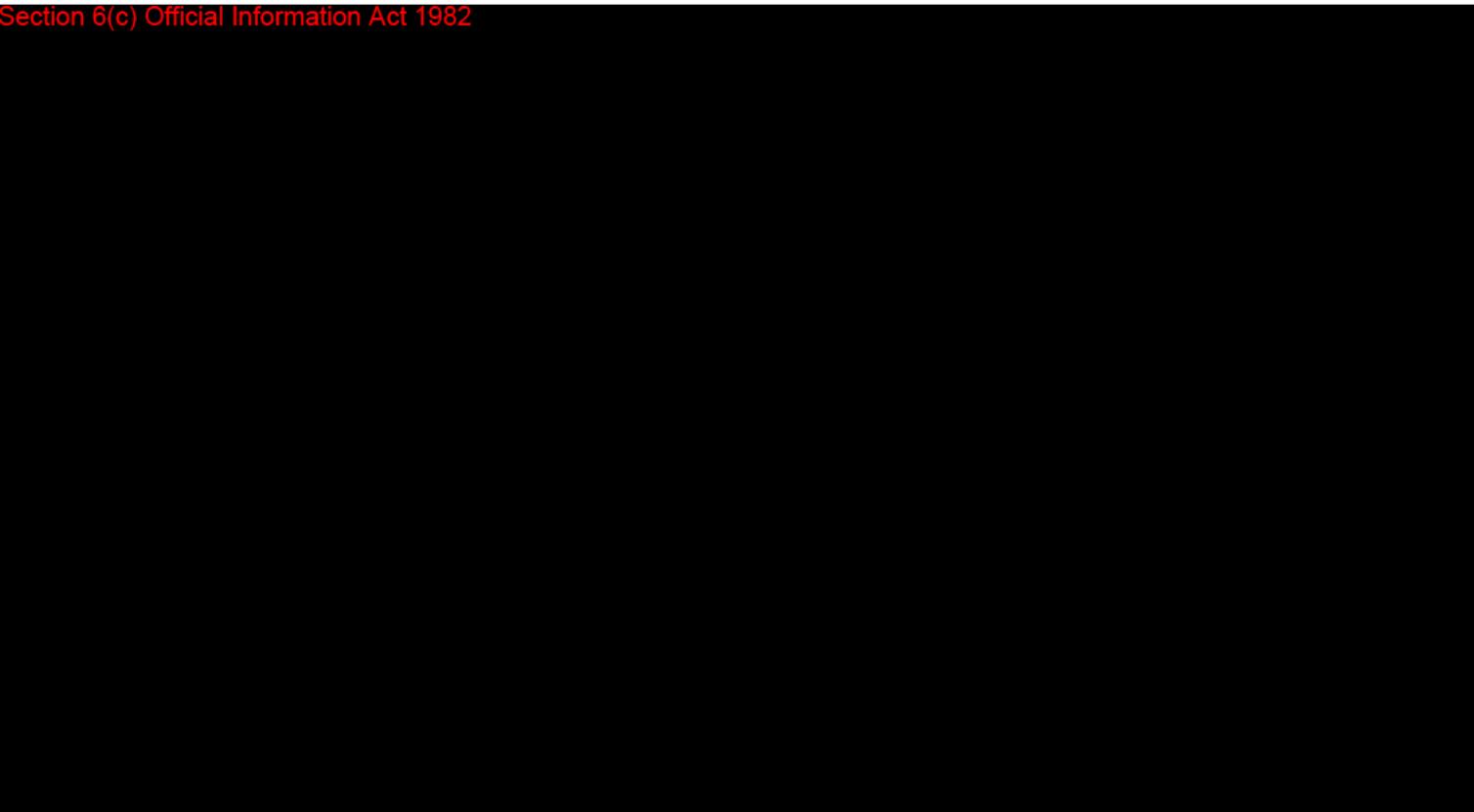
### Destruction process

Police Armoury follows these steps.

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## **TASER (Conducted Electrical Weapons)**

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*Part of the 'Use of Force' chapter*

# Policy statement and principles

## What

The TASER is a less lethal conducted electrical weapon, using an electrical discharge to cause incapacitation through motor skill dysfunction.

TASER is one of a number of tactical options available for use by Police within the [Tactical Options Framework](#).

## Why?

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

New Zealand Police as an employer also has a responsibility to ensure that its employees are safe when they undertake their duties. This requires TASER to be available to and accessible by frontline staff.

## How?

Police utilise TASER to maintain public safety and the safety of its employees by requiring Level one responders and approved specialist groups undertaking duties involving personal contact with the public to carry TASER.

Police will:

- show or use TASER in accordance with the law relating to the use of force and in accordance with their perceived cumulative assessment of the circumstances and the subject's behaviour at the time
- use TASER only when necessary, proportionate and reasonable in the circumstances
- after TASER use, provide appropriate aftercare and constantly monitor the subject until examined by a registered medical doctor / ILS qualified ambulance officer
- remove TASER probes from the subject with their consent at the earliest opportunity
- maintain robust security measures for TASER at all times
- investigate any unauthorised and unintentional discharges of TASERs.

# Introduction

## Purpose

This part of the '[Use of force](#)' chapter details:

- the conducted electrical weapons (CEW) and accessories approved for use by the Police Executive
- in what circumstances they can be [utilised](#), and
- under what conditions and rules.

## Approved devices and accessories

- TASER X2, Taser Bolt/Pulse, Taser 7
- TASER CAM HD
- X2 25' (7.6 metre) smart cartridge for operational use
- Taser Bolt/Pulse 4.6 metre air cartridge for operational use
- Taser 7 live cartridge, (CQ and SO).

## What are TASERS?

The TASER is a less lethal conducted electrical weapon (CEW). It uses an electrical discharge, causing incapacitation through motor skill dysfunction.

## Operating distance

The optimum operating distance is between 2 - 4.5 metres.

## Application and effects

TASER deliver a sequence of high voltage low amperage, short duration pulses over the course of a cycle.

Application can be achieved by:

- discharging an approved cartridge at the subject (the TASER delivers an electrical current to the subject by means of two probes attached to insulated wires)
- direct application of the TASER to the subject (the TASER delivers electrical current to the subject by means of contacts contained on the device).

The application's effects only remain as long as the electrical charge is being activated. There are no known long-term after effects to exposure.

## Possession of TASER

The TASER and its associated cartridges are restricted weapons under paragraph [8](#) of the Arms (Restricted Weapons and Specially Dangerous Airguns) Order 1984.

Police employees have statutory authority to be in possession of and carry restricted weapons in the course of their duty, by virtue of section [3](#) of the Arms Act 1983.

# Carrying TASER

## TASERs must be available to certain Police employees

District Commanders must make TASERs available and accessible for Level one responders and by such specialist groups as approved by the Executive.

## Carriage

A TASER, where available, must be carried:

- by Level one responders, or
- by approved specialist groups.

When carrying a TASER, it must be in the load state on the non-master side within an approved holster.

## Discretionary wear

In some situations the operating risk is low and the carrying of TASER may not be necessary or appropriate, e.g. advising of a sudden death, visiting a school, or interviewing a victim or witness.

Before removing the TASER, the constable must conduct a [TENR risk analysis](#) and only where that analysis supports low risk, may the TASER be removed.

## Custodial areas

Except where expressly necessary, TASERs must not be routinely carried in custodial areas (including court cells). Staff entering custodial areas are to remove and secure TASERs before doing so.

TASER's should be available in custodial areas should they be needed in response to a particular detainee.

## Carrying TASER in a court environment

On occasion, a TASER may be carried in a court environment. This includes staff entering court to conduct business, such as getting a search warrant signed, or staff responding to an event at court.

If, however, a constable is **required to give evidence in court**, and is still wearing operational uniform, the TASER should be left in the vehicle lock box. If this is not possible for whatever reason and:

- the TASER is being carried into the courtroom:
  - the constable must inform the Police prosecutor of this, who will consult with the presiding Judge prior to the constable giving evidence
  - while the safest place for the TASER in this situation is to remain in the secure holster with the constable, any direction from the presiding Judge must be followed.

## Pre-carriage check for serviceability

Before carriage, operators must carry out a battery percentage and fault check OR full pre-operational check (at the frequency outlined in the table below) of the TASER and cartridges for serviceability noting in

the associated register (see '[Database, registers, audits, and storage](#)):

- Date
- Time
- QID
- Number of activations

This table outlines the required frequency of pre-carriage checks for serviceability.

<b>Group</b>	<b>Requirement</b>	<b>Frequency</b>
BAU (Pooled Tasers)	Full Pre-op check.	As soon as practicable at the commencement of a period of duty.
Planned Operations	1. Battery percentage and Fault check. 2. Full Pre-op check.	1. As soon as practicable at the commencement of a period of duty. 2. Once in any 24 hour period as determined by the operation commander.
Personal Issue	1. Battery percentage and Fault check 2. Full Pre-op check.	1. As soon as practicable at the commencement of a period of duty 2. Once in any seven day period.

## Alcohol and drug consumption

Employees must not carry a TASER if under the influence of:

- alcohol
- illegal drugs
- any prescribed medication that may adversely affect their safety or the safety of others at work.**

# Operating with TASER

## Tactical Options Framework

TASER is one of a number of tactical options available for use within the [Tactical Options Framework](#).

### Prepare, show, use

An operator must prepare, show or use TASER in accordance with:

- these instructions
- approved training.

This table outlines how TASER can be utilised within the Tactical Options Framework.

Term	Definition	Applying the Tactical Options Framework	Submit TOR
<b>To “prepare”</b>	Means carriage. Includes Holster conditions, Sul, and ready positions	A TASER must be carried by Level one responders and by approved specialist groups.	No
<b>To “show”</b>	Presentation, laser painting or arcing.	An operator may show a TASER as a deterrent in situations below the assaultive range on occasions where their perceived cumulative assessment (PCA) is that it is necessary because the situation has the potential to escalate to within or beyond the assaultive range.	Yes
<b>To “use”</b>	Means application by: <ul style="list-style-type: none"> <li>- discharging an approved cartridge at the subject</li> <li>- direct application of the TASER to the subject (contact stun, follow-up contact stun).</li> </ul>	An operator may use the TASER when their PCA gives rise to an honest belief that a subject(s) poses an imminent threat of physical harm to any person.	Yes

### Examples of TASER use within policy

- A subject has assaulted a member of the public, and when confronted by police, stands in an aggressive stance with fists clenched. If your PCA leads you to form an honest belief that the subject poses an imminent threat of physical harm to you or anyone else, then use of TASER would be

justified.

- You attend a 1X event where a subject is threatening to stab themselves with a knife. If your PCA leads you to form an honest belief that the subject poses an imminent threat of physical harm to themselves, then TASER use would be justified.
- You have arrested a subject and they are fleeing to escape arrest, or you have attempted to arrest a subject and they are fleeing to avoid arrest. If your PCA leads you to form an honest belief that the subject poses an imminent threat of physical harm to any person if they escape, then use of TASER against the fleeing subject would be justified.

## **Examples of TASER use that would not meet the policy threshold**

- You have attempted to arrest a subject for theft and they are fleeing to avoid arrest and you do not have a belief that they pose an imminent threat of physical harm. If they escape, then you would not be justified in using TASER. However, in the same circumstances, your TENR assessment could be that deployment of a Police dog would be justified to arrest the same subject.

A subject has been tasered and arrested but is actively resisting being handcuffed (active resistance) or is not complying with officer instruction while being taken into custody. You would not be justified using TASER again unless the actions of the subject escalate to the point that they pose an imminent threat of physical harm.

- You locate an offender sometime after an assault and attempt to arrest them. They are not complying with your instructions but do not pose an imminent threat of physical harm at the time of arrest. Use of TASER would not be justified against a non-compliant person based on their previous assaultive behaviour.

## **Use of force - legal implications of TASER use**

The deployment of a TASER is a use of force and as such, its [use](#) must be necessary, proportionate and therefore reasonable in the circumstances.

You may use TASER to effect lawful purpose in situations where you fear imminent physical harm to yourself or some other person. Therefore, if you use TASER, you will need to show that there was a risk of physical harm likely to occur at any moment. Once the likelihood of physical harm is no longer present, the use of TASER will no longer be necessary, and therefore, no longer be reasonable.

The [Use of Force overview](#) details:

- when Police have lawful authority under the Crimes Act 1961 or other legislation to use force
- limitations on the use of force
- liability for use of excess force.

(See 'Legal authority to use force' and 'Limitations on the use of force' in the [Use of Force overview](#)).

## **Warnings**

To encourage de-escalation and to warn others nearby, unless impractical or unsafe to do so, you should give a verbal warning in conjunction with the show or use of a TASER.

<b>In conjunction with:</b>		<b>Verbal warnings</b>
<b>Show</b>	presentation, laser painting, and arcing	"TASER" (with a verbal warning.)
<b>Use</b>	discharge or contact stun	"TASER, TASER, TASER"!

## Showing and using the TASER

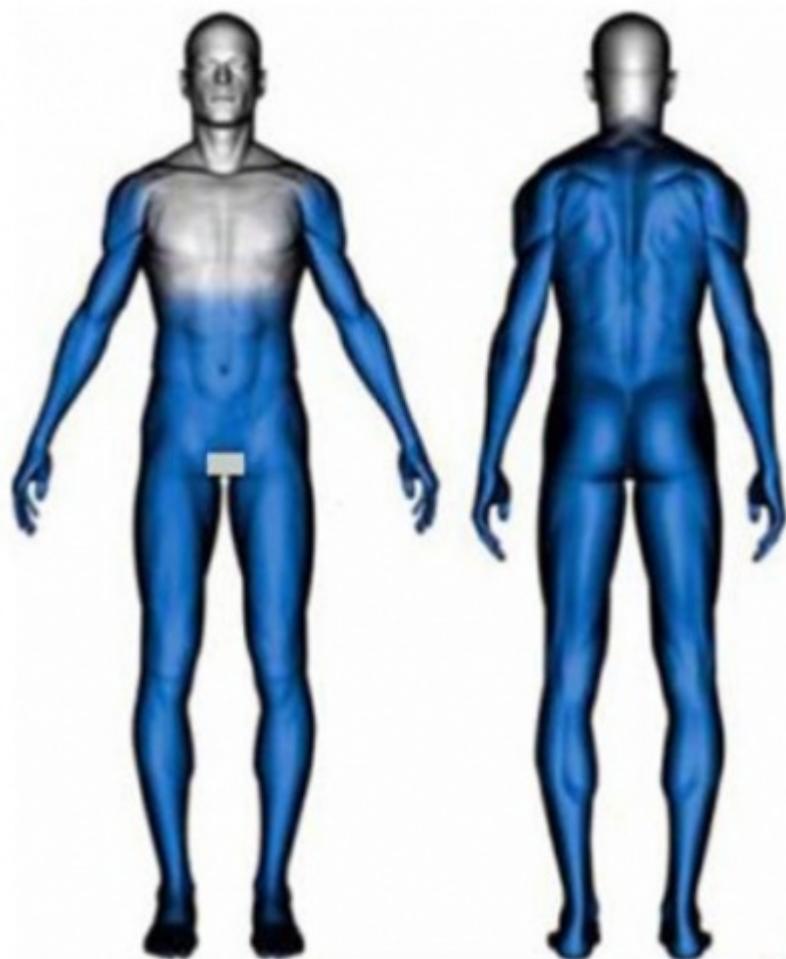
A TASER may be shown or used operationally to effect the required purpose in these ways.

<b>Show Force</b>	<b>Presentation</b>	Drawing and presenting the device at a subject as a visual deterrent in conjunction with a verbal warning
	<b>Laser painting</b>	Turning the device on and overlaying the laser sighting system of the TASER on a subject as a visual deterrent, in conjunction with a verbal warning.
	<b>Arcing</b>	Activating the device as a visual deterrent, in conjunction with a verbal warning.
<b>Use Force</b>	<b>Contact stun</b>	<p>Activating the TASER while the device is directly applied to the body of the subject. (Arc)</p> <p><b>Note:</b> Contact stuns should only be applied in situations where the operator finds themselves in close proximity to the subject and it is necessary to use force to create distance in order to discharge or apply alternative tactical options and/or considerations.</p>
	<b>Discharge</b>	<p>Application by firing two probes over a distance from a cartridge attached to the TASER, or subsequent applications of electrical current via the probes (Trigger or Arc) which are in contact with the subject after firing, in conjunction with a verbal warning.</p> <p><b>Important:</b> Both probes must hit the target. This makes distance, correct aiming and target selection critically important.</p>
	<b>Follow up contact stun</b>	<p>Activating the TASER, immediately following a probe discharge by directly applying the device to the body of the subject.</p> <p>This method increases the area of the body affected by electrical current and is used where a discharge fails to create neuro-muscular incapacitation (NMI) due to limited probe spread or a miss/disconnect of a probe.</p>

# Restrictions on TASER use

## Targeting

The large muscle groups within the body should be the target area when discharging the TASER, particularly the large muscles in the back. In the case of the front, if possible, aim one probe either side of the belt line involving the large muscles of the pelvic triangle, or legs (avoiding the groin).



**Caution:** The head, face, neck, chest and groin areas should not be deliberately targeted unless the appropriate level of force can be justified.

The lasers must not intentionally be aimed at the subject's eyes.

## Within the Tactical Options Framework

Always use a TASER in a manner consistent with the '[Tactical Options Framework](#)' and **never** 'use' in situations below the assaultive range, e.g. active or passive resistant.

## Use against armed subjects

Exercise caution when you use a TASER against a subject armed with a weapon or knife in close proximity to you. Ensure you maintain a safe reactionary distance.

**NB:** If deploying with firearms you must also take a TASER where available. Police firearms remain the most appropriate tactical response for situations where a **subject is armed with a firearm**. However,

circumstances may exist where the use of a TASER may be appropriate when deployed **with or in support** of firearms.

## Public order policing

TASER is best suited for application against individuals. This means that in crowd situations (e.g. demonstrations, protests) you must consider the potential to inflame the situation before you show or use a TASER. There is an additional risk of a TASER being taken from a constable during a ‘close quarter’ demonstration or skirmish line scenario. Therefore the Operation Commander or Incident Controller of a public order policing event, must assess the suitability to carry TASER at the event.

## Pregnant females

Other than in exceptional circumstances you must **not use** a TASER on females who are known to be, or believed to be, pregnant.

## Flammability

Due to its design, a TASER could provide a source of ignition, and you must**not**, other than in exceptional circumstances, **use** it in situations where:

- a subject has, or is believed to have, doused themselves with any accelerant
- the proximity of accelerants or flammable liquids or vapours may present a risk of ignition (e.g. clandestine labs, petrol stations, airport tarmacs)
- it is believed that the subject is in physical possession of explosives.

## Elevated positions

The TASER must not be **used** where a subsequent fall may result in a risk of serious injury or death to the subject.

## Fleeing subjects are at greater risk of an uncontrolled fall

When the **use** of TASER against a fleeing subject is justified, consider the additional risk of injury to the subject following an uncontrolled fall. This additional risk should form part of your decision making when deciding to use TASER against a fleeing subject. In some situations, deploying a Police dog rather than TASER may be more appropriate to mitigate the increased risk of injury and to incapacitate the fleeing subject.

## Water

Do **not use** the TASER on subjects in or near water if there is a risk of them drowning.

## Vehicles and machinery

Do **not use** the TASER on a subject in a vehicle or in control of machinery if there is a risk of the vehicle or machinery going out of control and injuring the subject, occupants or other persons.

## Animals and wildlife

A TASER can be used to deter an attacking animal but not to capture an animal that is otherwise not attacking

## Multiple and/or extended applications

Multiple and/ or extended applications of the TASER against a subject should be avoided wherever possible. If unavoidable, each use must be necessary, proportionate and therefore reasonable in the circumstances.

**Note:** The internationally recommended **maximum application** is three 5 second cycles.

Every effort must be made, where practicable and safe to do so, to gain control of the subject whilst they are incapacitated by the initial application(s) of the device. Subjects must be given a reasonable opportunity to comply with instructions after every use. Where a TASER has been applied and the initial application(s) fails to incapacitate the subject, operators **must** consider alternative tactical options and considerations.

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## Recording

The TASER must not be utilised in situations where the sole purpose is the gathering of digital video and audio evidence.

## Demonstrating the effects of TASER

Do not subject any person to the application or discharge effects of the TASER for demonstration purposes without first obtaining the authority of the Director: Capability.

# Aftercare and custodial requirements

## After care and monitoring

Where a person is exposed to the application of a TASER in the operational environment, the deploying operator must ensure the person is provided with the appropriate level of aftercare and is constantly monitored until examined by a registered medical doctor or where not available, an Intermediate Life Support (ILS) qualified ambulance officer.

## First aid

Follow normal first aid procedures, and as per your training, look for injuries and assess and deal with them appropriately until the person can be examined by a registered medical doctor. Seek immediate medical assistance if the subject's health appears to be at risk at any stage.

## Medical attention

A registered medical doctor must examine and complete a POL 42 examination form on anyone who is exposed to the application of a TASER as soon as is reasonably practicable. However, it is accepted that there will be occasions where a registered medical doctor is not available or on call. In this situation, it is acceptable for an Intermediate Life Support (ILS) qualified ambulance officer to conduct the assessment and complete a POL 42 examination form.

Research suggests that persons most likely to be at greatest risk when exposed to the application of the TASER are:

- drug or alcohol intoxicated subjects
- mental health patients
- subjects with pre-existing cardio vascular disease, a pacemaker or implanted medical device
- subjects who have received multiple and/or extended applications
- subjects with low BMI
- subjects who are pregnant
- 
- subjects who have been struggling violently or exhibiting bizarre behaviour (e.g. 'excited delirium' - see 'Definitions' in the [Use of Force overview](#) for more information).

If you use TASER on a subject, and are aware of any health issues relating to the subject and/or the use of TASER, it is important that these concerns are passed on to custody staff, and recorded in the custody module.

## When is immediate medical attention necessary?

Recovery from the effects after TASER use should be almost instantaneous. Medical attention must be provided immediately if:

- the subject does not recover within a reasonable time

- the subject complains of a medical condition
- the subject asks for medical attention
- the operator is informed, or believes, that the subject has a cardiac pacemaker or other implanted medical device such as a cochlear implant
- in the operator's opinion, the subject appears to be suffering from a medical condition pre-existing or otherwise (e.g. exhibiting symptoms associated with excited delirium, or symptoms associated with a mental health issue).

## Records of medical examination POL 42

Records of the medical examination of subjects exposed to the application of TASER must be provided by the examining registered medical doctor (or the Intermediate Life Support (ILS) qualified ambulance officer) and recorded on a POL 42 - Post TASER Exposure Medical Examination Form.

All records of examination must be collated and maintained within districts (consider up-loading as an attachment to the custody record or attaching to the Tactical Options Report).

## Reassurance

When the subject has been restrained after the application of a TASER, it is important that you:

- verbally reassure them as to the temporary effect of the TASER
- encourage them to breathe normally to aid recovery.

## Probe removal

The TASER operator should remove the TASER probes with the subject's consent at the earliest opportunity. However, if a subject insists that the TASER probes attached to their body be removed by a medical professional, then:

- leave the probes in place
- take care to minimise discomfort to the subject
- have them seen by a medical professional at the earliest opportunity.

## Restrictions and recommendations for probe removal

Probes should only be removed by TASER qualified employees or medical professionals in accordance with these restrictions and recommendations:

- Only a medical professional should remove probes:
  - lodged in bone tissue
  - located in sensitive areas such as the head, face, neck, groin, or in the case of female subjects, in the breast area.
  - that are difficult to remove
- If the subject is female, only medical professionals or female TASER qualified employees can remove probes (unless clearly only stuck in clothing), and take necessary evidential photographs of the injuries caused by the probes.

- Wear gloves during probe removal keeping in mind blood borne pathogen concerns.
- Before removing probes, break or cut the attached wires. Take care during this process to avoid discomfort to the subject.
- After removal, the probes must be inspected to ensure the entire probe (including barb) have been removed. If a probe barb is not intact or is missing, provide the subject with the appropriate medical attention to remove the object.
- Initial first aid must be provided following probe removal in the form of an antiseptic wipe and an appropriate dressing being applied to the affected site.
- Removed probes must be secured as evidence within the applicable containers and stored in a sealed biohazard bag. These should be disposed of as a biohazard on file closure.
- Seek the subject's consent to photograph probe impact sites, and any other related injuries, for evidential purposes. If the subject refuses to allow photographs, you should note this in your records of the incident.

## Custody

Where a person is detained in custody after being exposed to the application of a TASER, endorse the relevant custody record (ECM/charge sheet) to indicate that the detainee must be:

- constantly monitored until examined by a registered medical doctor or where not available, an Intermediate Life Support (ILS) qualified ambulance officer
- monitored according to the registered medical doctor's or qualified ambulance officer's advice, the detail of which must be entered into the ECM/charge sheet
- issued with an information leaflet from the TASER aftercare kit.

## Rights and caution

Any admission made while under the effects of a TASER application may result in the court determining such an admission to be unfair and inadmissible.

The [rights caution](#) given immediately following an arrest must be repeated after the person has been given sufficient time to recover from the effects of the TASER.

# Operational post-incident procedures

## Notifying supervisor

Whenever a TASER is [shown](#) or [used](#), the operator must notify a supervisor as soon as practicable. In the case of employees in rural or remote locations, notify the nearest on duty supervisor.

## Supervisor's action after an operational TASER use

When notified of an **operational use** of the TASER, the supervisor should follow these steps.

Step	Action
1	Consult with the operator involved as to whether your physical attendance is necessary at the scene (consider using mobility, e.g. Facetime).
2	Ensure that proper <a href="#">aftercare</a> and appropriate medical attention where necessary is provided.
3	Ensure that: <ul style="list-style-type: none"> <li>- the scene is preserved and photographed where it is believed this may be necessary or relevant for subsequent enquiries</li> <li>- all evidence, including discharged cartridges, wires, probes and sufficient (4-5) cartridge identification tags (CIT), are recovered from the scene and secured.</li> </ul>
4	Ensure: <ul style="list-style-type: none"> <li>- subjects exposed to the application of TASER are examined by a registered medical doctor (or where not available, an Intermediate Life Support (ILS) qualified ambulance officer), and</li> <li>- the examination is recorded on a POL 42 - Post TASER Exposure Medical Examination Form.</li> </ul>
5	Ensure the operator completes the details of all instances of use in the TASER register.
6	Ensure the operator, or individuals involved submit a tactical options report (standard TOR, or TOR used on an animal) in compliance with reporting requirements in the <a href="#">Use of Force overview</a> . Note the process to follow if the incident in which TASER was used resulted in the subject's death.
7	Ensure the operator(s) involved: <ul style="list-style-type: none"> <li>- uploads the incident (both Taser footage and any other electronic footage that is available) into Evidence.Com via Evidence Sync</li> <li>- categorises the uploaded data including the TOR and event details</li> <li>- shares the event in Evidence.com with their supervisor.</li> </ul>
8	Review the TASER footage, any other electronic footage that is available and TOR, determining whether the use of the TASER was in accordance with these instructions noting on the TOR form a summary of the outcome of the review.

## Supervisor's action after an operational TASER show

When notified of an **operational show** the supervisor should follow these steps.

Step	Action
1	Ensure the operator or individuals involved submit a tactical options report (TOR).
2	Ensure the operator completes the details of all instances of arcing in the TASER register.
3	Ensure the operator(s) involved: <ul style="list-style-type: none"> <li>- uploads the incident into Evidence.Com via Evidence Sync</li> <li>- categorises the uploaded data including the TOR and event details</li> <li>- shares the event in Evidence.com with their supervisor.</li> </ul>
4	Debrief the officer involved on the incident and review the TASER footage along with the TOR.  Determine whether the show of the TASER was in accordance with these instructions, noting on the TOR form a summary of the outcome of the review.

## Reviewing Inspector's action after an operational TASER show or use

When receiving a TOR for operational show or use, the reviewing Inspector should follow these steps.

Step	Action
1	Review the TASER footage and TOR, determining whether the <u>use</u> of the TASER was in accordance with these instructions noting on the TOR form a summary of the outcome of the review.
2	Review the TOR utilising the supervisors debrief and comments to determine, whether the <u>show</u> of the TASER was in accordance with these instructions, noting on the TOR form the outcome of the process.
3	Follow the process under ' <a href="#">How does the Inspector's review and sign-off process work?</a> ' in the <a href="#">Use of Force overview</a> chapter.

## TASER evidential downloads and disclosures

The CJSU processes TASER evidence for disclosure.

Contact District CJSU to arrange for the relevant evidence contained on the Evidence.Com database to be either:

- electronically shared, or

- written to disc

For more information about considering and processing TASER evidence disclosure, see '[Disclosure of video interviews, transcripts and TASER data](#)' in the [Criminal disclosure](#) chapter.

## Privacy Act and Official Information Act requests

If a request for TASER data is made under the Privacy Act 2020 or Official Information Act 1982, forward the request to the Director: Capability at PNHQ to be actioned.

## TASER aftercare kits

TASER aftercare kits are available through the online ordering system and should be carried in all front line first aid kits.

## Death or serious injury

An investigation must be commenced in situations where serious injury or death occurs following the use of a TASER in compliance with the [Investigation of critical incidents](#) chapter

In either case, the TASER must be immediately removed from service and secured as evidence. The investigator must seek advice from the Director: Capability at PNHQ as to how and when the TASER and evidence contained within it should be forensically examined and preserved.

In the case of death, the investigation must include a forensic pathologist capable of carrying out a post mortem according to the latest edition of the 'Complex Cases' section of the 'Code of Practice and Performance Standards for Forensic and Coronial Pathologists'.

# Unintentional discharges

An unintentional discharge may occur as a result of operator error or mechanical fault:

**Operator error:** for example a failure to follow procedure by ensuring a TASER is in the unload state before conducting a pre op check leading to an unintentional discharge

- **Mechanical fault:** a fault with the device leads to a discharge.

## Responding to unintentional discharges

In the event of an unintentional discharge (other than [in training](#)), the operator involved in the discharge must notify their supervisor as soon as possible. The supervisor will then:

Step	Action
1	Preserve and photograph the scene where it is believed this may be necessary or relevant for subsequent enquiries
2	Immediately withdraw the TASER from service and consult with the Police national <a href="#">Armoury</a> as to whether or not the particular TASER and associated evidence is forwarded to them for examination and a report.
3	Ensure that all evidence, including the subject TASER, discharged cartridges, wires, probes and sufficient (4-5) cartridge identification tags (CIT), are recovered from the scene and secured.
4	Instigate a review of the facts surrounding the incident.  <b>Note:</b> The scope and scale of the review will depend largely on the nature of the discharge and whether there was any injury or potential for injury.
5	Ensure the operator(s) involved submits a tactical options report for unintentional discharge.
6	Ensure the operator(s) involved uploads the incident into Evidence Com via Evidence Sync and categorises the uploaded data including the TOR and event details
7	Ensure the operator completes the details of the discharge in the TASER register.
8	Notify the District Police Professional Conduct Manager.

## District resolution following an operator error

Upon receiving a report from a supervisor the District Police Professional Conduct Manager should:

Step	Action
1	Consider whether to temporarily suspend the operator from being issued a TASER. Note that this will affect the employee's deployability.
2	Categorise the incident in accordance with normal disciplinary matters (see <a href="#">Disciplinary process guidelines</a> )

## Unintentional discharges during training

In the event of an unintentional discharge during training, the individual supervising the training must examine the incident to determine the facts surrounding the discharge.

Where...	the...
it is clearly established the discharge was the result of operator error and no injury is involved...	supervisor may elect to deal with it as a remedial training issue.
the discharge is the result of a mechanical fault and no injury is involved...	supervisor must withdraw the device from service and contact the Armoury.
the discharge involves injury...	procedure for <a href="#">responding to unintentional discharges</a> must be followed.

# Managing TASER digital evidence

## Evidence.Com

Evidence.Com is a digital evidence management programme accessible via the New Zealand Police enterprise network. The programme comprises a database representative of a virtual exhibit room apportioning unique identifiers to all data contained within and maintaining audit records in respect to all activity within the database.

### Access to Evidence.Com

As a virtual exhibit room, access to the contents of the database for reasons of security and evidential integrity is maintained through assigned roles and their respective permissions.

### Roles and permissions

Role	Purpose of access	Attained
NZ Operator (TASER trained staff)	View own entries / exhibits and shared data	By default from logging on to E.Sync
NZ District Administrator (District TASER Coordinator)	Audit / user & equipment administration	Role and permission upgrade by NZ National Administrator
CJSU	Disclosure and download	
NZ Technical Administrator (Armourer)	Equipment administration / download	
NZ National Administrator (RORE and Deployable Assets Coordinator, Frontline Capability Group, PNHQ)	User and equipment administration roles and permissions	

# Transportation, dispatch and receipt

## Carriage on aircraft

TASERs and cartridges may only be carried on aircraft in compliance with this part of the ‘Use of Force’ chapter.

TASERs and associated cartridges are not permitted in the cabin space. They may only be carried in the cargo compartment in accordance with these rules:

- unload state
- secured within an approved holster that prevents the safety from being disengaged
- securely packaged in a robust locked container
- the TASER must be delivered to the airline supervisor at the airport to request that it be accepted as hold stowed baggage. The airline supervisor should be asked to arrange for the deliverer to be present when the TASER is loaded into, and later out of, the aircraft hold.

## Carriage for Police emergencies on aircraft being used exclusively by Police

TASERs and associated cartridges may only be carried in the cabin space with the authorisation of the aircraft captain.

## Dispatch and receipt of TASER

Follow the procedures for dispatch and receipt of TASER as in '[Movement of firearms, TASER, HAP, and ammunition](#)' in the '[Approved tactical equipment and carriage for constables and Authorised Officers \(non specialist\)](#)' chapter.

# Database, registers, audits, and storage

## Database

The Operational Asset Management System (OAMS) will be maintained to identify the type and locality of each TASER down to individual group and station level.

## Registers

This table details the requirements for manual recording of the issue, use and return of a TASER.

Stage	Description
1	An individual register, which is identified by the serial number of the TASER concerned, must be maintained for each TASER.
2	Each time a TASER is <b>issued</b> or <b>returned</b> the details of date time and operator must be noted in the register
3	Each time TASER <b>pre-operational testing</b> is conducted, (other than in training) it must be noted in the register.
4	Each time a TASER is deployed as a ' <b>Show Force</b> ', (e.g. Presentation, Warning Arc, Laser Painting (other than in training) it must be noted in the register.
5	Each time a TASER is deployed as a ' <b>Use Force</b> ' (e.g. Contact stun, Cartridge discharge, Follow-up contact stun, (other than in training), details of: <ul style="list-style-type: none"> <li>- the use</li> <li>- used cartridge serial number/s</li> <li>- upload and categorisation of footage</li> </ul> must be noted in the register.

## Return of damaged, faulty or corrupted TASER

If a TASER is returned damaged faulty or corrupted the operator must before completing duty advise their supervisor who must ensure:

- the TASER is removed from service, and
- the District TASER Administrator is notified for determining a course of action

## Audit of operational TASER and TASER registers

Districts must appoint suitably qualified staff to undertake monthly TASER and TASER register audits to confirm the presence records and serviceability of the TASER and associated equipment

These tables detail the requirements for auditing operational TASER registers

## Onsite audit

Stage	Description
1	Pre Operational check and enter details in the register
2	In Sync, view pre-operational footage for picture and sound quality and function.
3	In Sync, undertake random checks of event log (trigger/ARC) against TASER register for period being audited.
4	If any inconsistencies are discovered, carry out an audit of all entries in the event log against the register for the period being audited.
5	Notify the District Manager Police Professional Conduct and commence an investigation into the inconsistencies

## Remote audit

Stage	Description
1	Operator conducts Pre Operational check entering details in the register
2	Operator connects device to Sync and assigns to themselves - then: <ol style="list-style-type: none"> <li>1. reviews the pre-operational footage confirming video and sound function</li> <li>2. creates a PDF of the event log for trigger and arcs for the period of the audit</li> <li>3. scans the TASER register for the audit period and along with the PDF of the event log forwards to the auditing officer.</li> </ol>
3	Auditor: <ul style="list-style-type: none"> <li>- undertakes random checks of event log (trigger/ARC) against TASER register for period being audited.</li> <li>- where any inconsistencies are discovered, carries out an audit of all entries in the event log against the register for the period being audited.</li> </ul>
4	Notify the District Police Professional Conduct Manager and commence an investigation into the inconsistencies.

## Security, storage or loss of TASER

TASER and associated equipment must be stored in firearms and TASER security cabinets or in a secure area within the confines of Police premises, or other secure places, as approved by the District TASER

Administrator.

These additional rules apply to storage:

- TASER and associated equipment must be stored separate from pyrotechnics, and flammable substances.

Except when stored in firearms and TASER vehicle security cabinets TASERs should be stored in the unload state

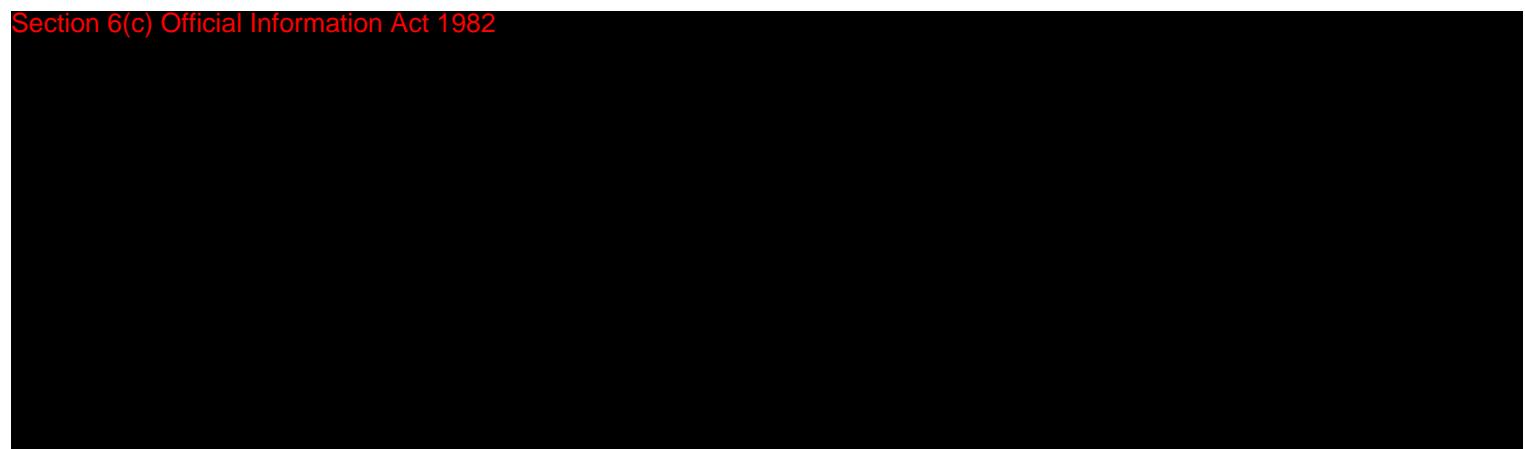
In order to maintain operational capability when not being carried the TASER should be placed on charge

### **Section 6(c) Official Information Act 1982**



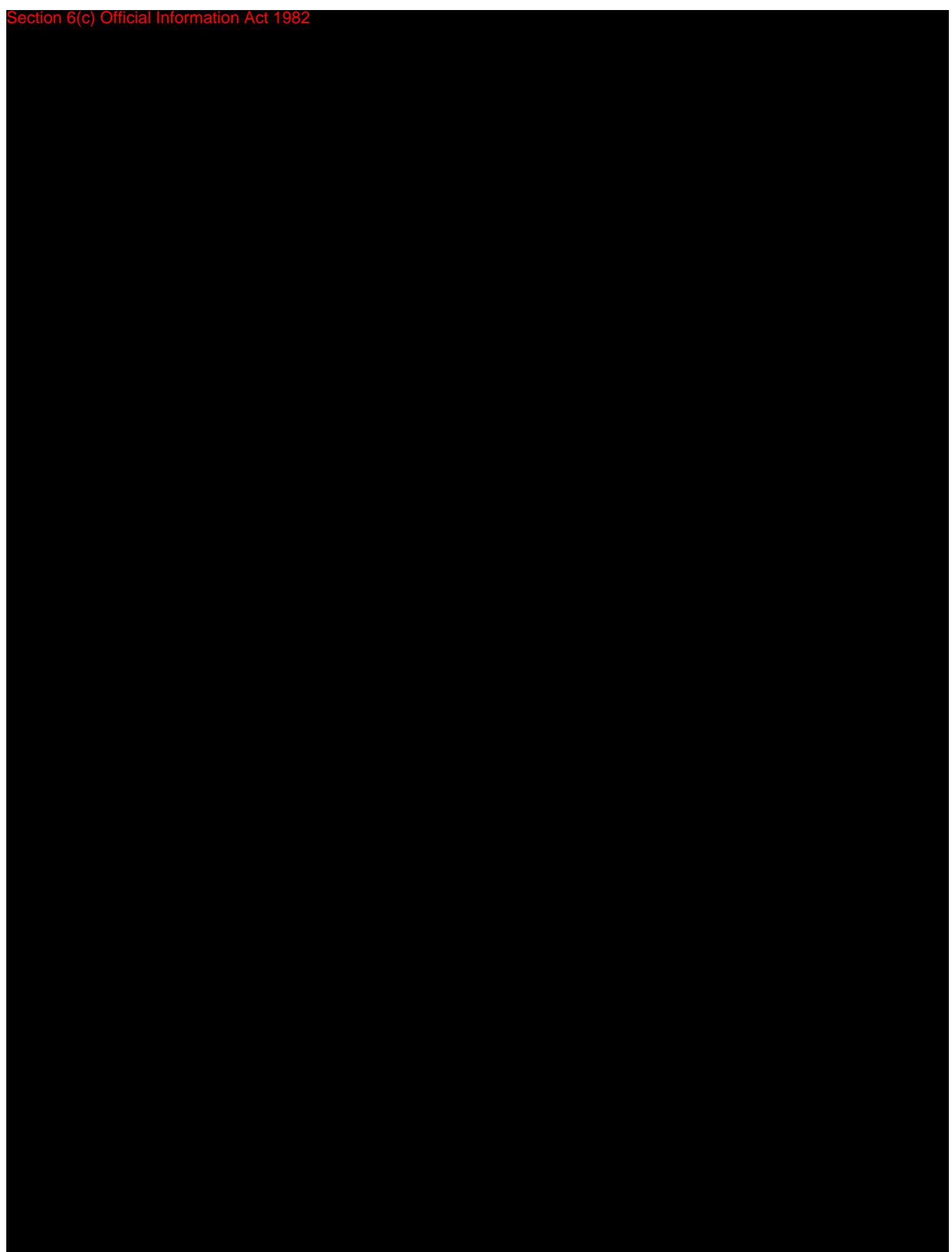
Any loss or theft of a TASER must be recorded in the [Security and Privacy Incident Register](#) (SPIR). See '[Loss or theft of tactical equipment](#)' in the 'Approved tactical equipment and carriage for constables and Authorised Officers (non specialist)' chapter.

Section 6(c) Official Information Act 1982



Section 6(c) Official Information Act 1982

Section 6(c) Official Information Act 1982



## Training

The General Manager: Training is responsible for ensuring organisational TASER capability through the development of a TASER training programme that includes:

- certification and re certification of TASER operators
- certification and re-certification of TASER instructors
- introduction and familiarisation with the digital evidence database
- establishing procedures for the monthly audits of training TASER to confirm the presence of allocated training TASER and associated equipment along with the numbers and types of cartridges held

# TASER Assurance Forum (TAF)

On completion of an operational TASER discharge review by the district, the event is further reviewed by the TASER Assurance Forum based at Police National Headquarters. An initial categorisation process will be completed with all discharges, and only those discharges that raise concerns will be forwarded to the full TAF.

## Purpose

The purpose of the TASER Assurance Forum (TAF) is to:

1. Provide organisational assurance for all TASER discharges through the moderation and review of discharge events.
2. Scrutinise all discharge events according to reporting accuracy, policy adherence, and training/best practice.
3. Where necessary, report to Police districts and/or the RNZPC outlining any TAF findings and/or recommendations.
4. Use evidence-based knowledge to enhance Police TASER training, policy and practice.
5. Act as an advisor to National Operations Steering Group (NOSG) on the use of TASER by Police.

## Membership

To ensure that all aspects of TASER discharges are appropriately reviewed, TAF membership must include representatives from the following groups:

- Director: Capability (Chair)
- Frontline Capability: Research and Evaluation (Secretariat)
- Royal New Zealand Police College (RNZPC)
- District
- Police Professional Conduct
- New Zealand Police Association
- Lessons Learned

## Schedule

The TAF convenes monthly, or more frequently as required.

## Reporting

### District Reporting

Where necessary, the TAF chair will report to districts outlining findings or recommendations where there has been a particularly commendable use of TASER, or where an issue has been identified that requires further examination and/or remedial training at district level.

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