

# Chapter 6:

## Handcuffs

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# Chapter 6

## Procedures and Guidance Regarding Handcuffs

### PSNI Statement on Use of Handcuffs

The use of handcuffs in and of themselves is not a use of force by police providing that force is not applied as a means of facilitating application or through the device as a means of control. Police officers or civilian detention officers will not routinely use handcuffs with every DP, every circumstance is different and officers and staff are required to justify their use of this tactic in terms of proportionality and reasonableness. However officers and staff should consider that the use of handcuffs on a non-compliant DP, or a DP who it is assessed may offer violence during detention or transport, can potentially reduce injuries to both police/staff and to the public. By effectively restraining a potentially violent individual officers and staff are also reducing the likelihood of having to resort to the use of other tactical options, escalating the use of force and therefore reducing the risk of injury to the DP. It is not necessary to await violence from a DP to use handcuffs; previous conduct or the officer's objective belief can be a sufficient basis. PSNI record the use of handcuffs and restraints for the purposes of statistical recording to comply with national guidance and oversight requirements. Officers should record their rationale for any decision to use handcuffs.

### Introduction

- 6.1 The handcuff of choice for PSNI is the Combination Hinge/Rigid Handcuff, however the Rigid Handcuff will continue to be used until eventually replaced by the combination type. Handcuffs and carrying pouches are on personal issue to police officers and Civilian Detention Officers (CDOs) who have been trained in their use and should be carried as part of normal patrol equipment. Only official issue handcuffs and pouches will be used.
- 6.2 In addition, officers from Specialist Operations Branch, Armed Response Officers, Close Protection Officers and Police Coxswains (including Marine Trained Crew and Tactical Passengers) are issued with and trained in the use of Plasticuffs as a temporary restraining measure. Plasticuffs may also be applied in conjunction with Evidence Protection Kits in order to secure and protect evidence. (The term Plasticuffs includes Keycuffs). On the direction of ACC Operational Support, Plasticuffs can be issued to suitably trained officers for use in a specific planned operation. This authorisation is only for the operation specified and in normal circumstances the handcuff of choice remains the Combination Hinge/Rigid Handcuff.
- 6.3 Plasticuffs, if applied, should normally be removed using safety cutters, except where over-tightening has occurred, when in that case the Plasticuff must be removed immediately by anyone who has the capacity to do so. Safety cutters are available at all custody suites. In addition safety cutters must be available operationally for use with Plasticuffs. (N.B. Cutters are not normally required to remove Keycuffs, which are controlled by a standard issue handcuff key).

## Tactics

- 6.4 Tactics in respect of handcuffs are contained in the NPCC Personal Safety Manual of Guidance. The manual also refers to the medical implications specific to the use of handcuffs, and the potential for injury.
- 6.5 Included in the Personal Safety Manual of Guidance is the NPCC Guidance on the Use of Handcuffs which states:
- In establishing an objective basis for believing that a person may escape or attempt to escape, an officer may react to whatever the person says or does, but need not wait for a physical act. The officer should take into account the seriousness of the offence for which the person has been detained. Depending on the circumstances, this can induce a level of desperation so that an attempt to escape could reasonably be expected. Previous indications of the person's likelihood to escape can also be considered to establish reasonable grounds to handcuff.
  - In establishing an objective basis for believing that a person should be handcuffed because violence is likely to be used against the officer or a member of the public, the officer need not wait for a physical act from the person. The officer should take into account the actions of the person prior to detention. If violence had already been displayed in the circumstances that led to the detention, regardless of whether or not the detention was for an offence involving violence, this could constitute adequate objective grounds for handcuffing. Verbal and non-verbal indications from a person of a possible likelihood of violence can provide grounds for making an objective decision. When a person is known or is believed to be likely to use violence, based on previous experiences of such (perhaps particularly at the point of detention or while in custody), this would also assist an officer to develop an objective basis for a decision to use handcuffs.
  - There will be occasions when officers take custody of prisoners from one of Her Majesty's Prisons (e.g. to facilitate attendance at an identification parade). Irrespective of the status of the prisoner, the escorting officer bears the responsibility of deciding whether the prisoner should, or should not be handcuffed.
  - In addition to the officer's prior knowledge of the prisoner (as set out in the bullet points above) consideration should also be taken of any information available from the Prison Authorities. The Prison Service has access to intelligence and information which may not have been previously available to the police officer. The category or status of the prisoner will be based on this intelligence and will include a recommendation as to whether handcuffs should be used. The information should be conveyed to police in writing. If for any reason this information is provided verbally, officers should make a record of the information. A requirement made by the Prison Service that handcuffs should be used places no obligation on the police officer, but it must be recognised that in such circumstances the Governor may decline to release the prisoner into police custody.

- 6.6 In addition to guidelines contained within the Personal Safety Manual of Guidance, the following will also apply:
- A prisoner will not be handcuffed to another person or object.
  - The use of handcuffs on children should be restricted to exceptional circumstances.
- 6.7 After handcuffs have been applied the officer must make the necessary check to ensure that the handcuffs have been tightened to the appropriate level and double locked to prevent further tightening. Where possible, a warning should be given to the detained person that struggling may cause the handcuffs to tighten and cause unnecessary injury.
- 6.8 Police officers will record all use of handcuffs in their official notebooks, CDOs will make a custody record entry and will include the following information:
- They have checked and adjusted for tightness.
  - They have double locked.
  - They have warned the detained person that struggling may cause injury.
- 6.9 Police Officers and CDO's will complete Electronic Use of Force monitoring form as soon as practicable. For further Guidance see also Chapter 3 Reporting Use of Force.
- 6.10 If the resistance by the detained person is such that it is unsafe or impractical for the officer to carry out the functions outlined above or provide a warning, then the officer should record this fact in their official notebook, highlighting the specific reasons surrounding the incident.

## Positional Asphyxia and Acute Behavioural Disturbance

- 6.11 These are two conditions identified as risks during arrest and restraint procedures which must be considered following the use of physical restraint and/or use of force on an individual.

### 6.12 **Positional Asphyxia**

Positional Asphyxia is a form of asphyxia (a state of deficient supply of oxygen to the body that arises from abnormal breathing) which occurs when someone's position prevents the person from breathing adequately.

There is a risk of Positional Asphyxia when restraining a person (in prone restraint). There is a risk also in a seated position pushed forward with the chest on or close to the knees, reducing the ability to breath. In simple terms, a subject can stop breathing (i.e. asphyxiate) because of the position they have been held in. Positional Asphyxia is likely to occur when a subject is in a position that interferes with their inhalation and/or exhalation and they cannot move from that position.

In relation to COVID-19 that causes severe respiratory distress in severe cases, there is a possible increased risk of respiratory distress.

### 6.13 Acute Behavioural Disturbance

When a subject exhibits confused, fearful, agitated, violent psychotic and/or aggressive behaviour, it is a spectrum from mild, to moderate, to severe. Not all signs may be present and to varying severity. There may be no signs exhibited if the subject is exhausted and close to collapse. Subjects with ABD are usually fearful, confused and paranoid. Intoxicated subjects are more likely to be aggressive and not paranoid. Historically, there have been various names for these symptoms - drug induced psychosis or excited delirium. This does not always mean ABD and vice versa. It is not a cause of death. It is an umbrella term for a collection of symptoms and behaviours. **The correct Police and NHS term is Acute Behavioural Disturbance (ABD).** These outdated terms should not be used when dealing with a subject suffering from ABD.

### 6.14 Officers and Staff should treat both these conditions as a medical emergency.

6.15 Officers and Staff should read the further guidance on Positional Asphyxia and Acute Behavioural Disturbance which is contained in Appendix E Conflict Management Manual and available on POINT. This appendix also contains information on restraint techniques, monitoring, medical response and transportation of subjects.

6.16 Officers and Staff should also make themselves aware of the LEARN online course 'Acute Behavioural Disturbance' which should be completed prior to attending mandatory PSP refresher training.

## Use by Persons other than a Police Officer

6.17 Handcuffs are not prohibited items, and possession by a person other than a police officer is not illegal, however, the use of handcuffs on another constitutes an assault and is unlawful unless it can be justified. Justification is achieved through establishing not only a legal right to use handcuffs, but also good objective grounds for doing so. Any person using handcuffs, whether they are a police officer or other person, must show that what they did was a reasonable, necessary and proportionate use of force.

6.18 If police arrive at an incident where a person has been handcuffed by a person other than a police officer (e.g. door staff), the officer-in-charge should make an immediate assessment of the person's physical condition and the justification for the use of handcuffs, taking into account all the accompanying circumstances at that time. Officers should note any visible injuries to the subject, the method of handcuffing and the type of handcuffs used. Once police have assumed control of a situation, it is a police decision as to whether or not the use of handcuffs should be

continued.

- 6.19 If the officer-in-charge feels that the continued use of handcuffs cannot be justified they should ensure that the handcuffs are removed immediately. Alternatively, if the officer-in-charge decides that the person should continue to be handcuffed then police issue handcuffs should be applied and the other handcuffs removed. Officers should avoid having two cuffs applied simultaneously to a person's wrist as this could increase the potential for injury and obstruct access to the key holes. Officers should remove one cuff under control, as per training, prior to the application of the police cuff to the free wrist. The same process should then be repeated for the other wrist. Only in very exceptional circumstances, where it is considered unsafe to remove non-police issue handcuffs, should police allow them to remain in place. The justification for doing so must be recorded by police.
- 6.20 If the person is arrested by police and conveyed to a custody suite, the arresting officer should ensure that the Custody Officer is fully briefed as to the circumstances of the arrest and the detained person's physical condition upon Police intervention. Any complaint made to police regarding the use of handcuffs by a person other than a police officer should be investigated as per current PPS/PSNI protocols.
- 6.21 Supervisor officers will inspect handcuffs on issue to officers for damage and to ensure the serial number of the handcuffs presented by the officer matches the one assigned to them. This inspection will be made quarterly in line with eServices Personal Issue Equipment checks.

## Contaminated Handcuffs

- 6.22 Officers must be aware of the possibility of handcuffs becoming contaminated by blood or urine. In such circumstances care should be taken not to come in direct contact with the handcuffs. They should be handled using gloves or other suitable material and placed in a plastic bag or receptacle. Contaminated handcuffs should not be returned to the carrying pouch. In the event of contaminated handcuffs coming in to contact with the pouch, both items will be treated as contaminated and similarly dealt with. The contaminated items will be double wrapped and clearly labelled '**CONTAMINATED HANDCUFFS**' or '**CONTAMINATED HANDCUFFS AND POUCH**' as appropriate. The name, rank, number and station of the member to whom issued will be clearly indicated. The member concerned will make a notebook entry of the circumstances surrounding the contamination. Unless required for evidential purposes, arrangements will be made to have the contaminated items returned to Weapon Control by first available free transport, for sterilisation or disposal, and application made for replacement items.