



Standing Committee on Justice and Community Safety

Inquiry into Annual and Financial Reports 2021-2022 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Dr Marisa Paterson on 01 November 2022: Deputy Chief Police Officer Crozier took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 01 November 2022 [PAGE 19]

In relation to:

DR PATERSON: My question is in respect to the use of force table in the Annual Report. So I would like to run an assumption past you and see what you think.

So that handcuffs, the use of handcuffs is 640 uses in the ACT. I would assume for every other use of force that you would subsequently use handcuffs afterwards. For example, if there is a firearm used, a chemical agent, a baton, you would then put someone in firearms. So when you subtract all the other offences, there is only 87 handcuffs used in the ACT, that you did not have to use other uses of force.

So my question is, if you reduce the use of handcuffs, will that overall reduce the use of force?

Mr Crozier: Dr Paterson—

DR PATERSON: Complicated, sorry.

Mr Crozier: Yes, yes. It is a little bit complicated.

DR PATERSON: Okay.

Mr Crozier: Handcuffs are used, you know, not only in terms of proportionately for the outcome of other matters. So we have—but they are also used for sometimes quite routine movements of people and the like. And that happens more so in a custodial situation. But I—it is not something that I have really thought—if you would not mind, we would probably take it on notice and come back to you, how that might reflect? Yes, if you would not mind? That is a bit of a challenging question.

Mick Gentleman MLA: The answer to the Member's question is as follows:—

The use of handcuffs is a use of force option applied in proportion to the behaviour being demonstrated by an individual. Where an individual is displaying physical threatening behaviour or verbal threats leading to concerns of a physical threat, toward an AFP member or other member of the public, an AFP member will make a decision to apply a use of force option.

Removing handcuffs as a use of force option is likely to result in an increase in less desirable use of force options requiring the application of an increased use of physical restraint to secure compliance of an individual. In turn there is a likely increased risk of injury to both police and the individual.

To clarify, Table 6.1 in the Annual Report summarises the number of use of force reports submitted by ACT Policing during the 2021–22 reporting year. This table does not include the number of incidents where handcuffs have been applied as part of routine use of force duties by AFP members.

Should a compliantly handcuffed person physically or verbally resist an AFP member’s directions or is injured, the incident is no longer a compliant handcuffing or routine use of force, and becomes a reportable use of force incident.

	2020–21	2021–22	Percentage Change (%)
Baton	22	36	63.6%
Chemical Agent	90	154	71.1%
Conducted Electrical Weapons	329	344	4.6%
Firearm	31	49	58.1%
Handcuffs	621	670	7.9%
Total	1,093	1,253	14.6%

Table 6.1: Use of Force Reports submitted by ACT Policing in 2021-22 (p91, ACT Policing Annual Report).

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature: 

Date: 15/11/2022

By the Minister for Police and Emergency Services, Mick Gentleman MLA