



**Additional copies of this and other publications
are available from:**

Research Branch
Police Ombudsman for Northern Ireland
New Cathedral Buildings
11 Church Street
BELFAST
BT1 1PG

Telephone 028 9082 8616
Fax 028 9082 8615

E-mail: research@policeombudsman.org

Other publications currently available:

- Public Awareness of the Northern Ireland Police Complaints System (1) (February 2001)
- Public Awareness of the Northern Ireland Police Complaints System (2) (June 2001)
- The Police Ombudsman for Northern Ireland: Early Days (October 2001)
- A Statement by the Police Ombudsman for Northern Ireland on her investigation of matters relating to the Omagh bombing on August 15 1998 (December 2001)
- Research Report 1/2002: A Summary of Reports by the Police Ombudsman for Northern Ireland on the discharge of baton rounds by police officers during 2001 and 2002 (May 2002)
- Research Report 01/2003: A study of the treatment of solicitors and barristers by the police in Northern Ireland (March 2003)

These publications and other information about the work of the Police Ombudsman for Northern Ireland are also available on the Internet at:

<http://www.policeombudsman.org>



**A study of complaints involving
the use of batons by the
police in Northern Ireland**



**Research Branch
Office of the Police Ombudsman
for Northern Ireland
March 2003**

Contents

	Page
Foreword by Nuala O'Loan, the Police Ombudsman for Northern Ireland	5
Summary	6
1 Introduction	8
2 Guidance and legislation covering the use of force by the police	12
3 Complaints involving baton use reported to the Police Ombudsman, November 2000 to March 2002	14
The complainants	14
The complaints	17
Nature of injuries due to the alleged baton use	21
Police involvement with complaints	23
Outcomes of complaints involving baton use	26
4 Recording of baton use by the police	28
5 Complaints involving baton use reported to other Police Forces	29
6 Current PSNI Training in Conflict Resolution Skills	32
7 Conclusions	34
8 Summary of Recommendations	36
Appendix 1: Supplementary statistical tables	37
Appendix 2: Complaints involving baton use in GB Police Forces	45
Appendix 3: Use of Force Monitoring Forms	47
Bibliography	53

Foreword by Nuala O'Loan, Police Ombudsman for Northern Ireland

I am pleased to present the results of a study of complaints involving the use of batons by the police in Northern Ireland during the period November 2000 to March 2002.

I have a statutory power to research matters concerning the practices and policies of the police which come to my attention. An initial analysis of the trends and patterns in complaints made me aware that there was a high incidence of complaints about the use of force by police officers, and particularly about baton use. In the first three months after my Office opened 55% of all complaints involved allegations of the use of force and 8% involved the use of batons. I was concerned at this and have been bringing this fact to the attention of the Chief Constable and senior officers in the PSNI. I also decided to carry out a detailed study of incidents involving the use of batons and the findings of that study are set out in this Report.

Any use of force by a police officer must be lawful, necessary and proportionate. These are the criteria by which all use of force must be judged. Officers have to respond immediately in situations that may represent a threat to them (during 2000-2001 946 officers were injured on duty), or to others whom they seek to protect. In those circumstances it is essential that they are able to respond in a proper manner. It is also important that training is a vital part of reinforcing an officer's understanding of these criteria.

The past year has seen a diminution in the level of public order incidents. There has also been a reduction in the number of serving police officers and also in the number of complaints made. Since the commencement of the research which led to this Report, and since I started raising this matter as an issue that required attention, the proportion of complaints about the use of force has fallen from 52% to 39% and the proportion of complaints involving the use of batons has fallen to 5%. This is a significant change and such progress should be acknowledged.

The recommendations I make in this Report are designed to facilitate an enhanced delivery of the policing service to the people of Northern Ireland. Officers at all levels are aware of the need for further and regular training on the use of force, and it is necessary that the means and resources be found to deliver such training. It is also necessary that there be a central recording of the use of force by police officers, so that further analysis can take place.

I would like to pay tribute to Dr Malcolm Ostermeyer and his colleagues who carried out this research.

In bringing these matters to public attention I seek to support, and to contribute to, the provision of the best possible policing service for Northern Ireland.

Nuala O'Loan
Police Ombudsman for Northern Ireland



Summary

1. This report presents a study of complaints involving baton use by the police in Northern Ireland. It looks at the number and nature of these complaints and the circumstances in which they arose, and then compares the frequency of these complaints in Northern Ireland with figures for other police forces in England and Wales. The issue of the recording of the use of force by the police is also addressed.
2. A statistical summary of all the 419 complaints involving baton use reported to the Police Ombudsman for Northern Ireland between 6 November 2000 and 31 March 2002 is given. It shows that:
 - 91% of the complainants were male;
 - Of those complainants whose ages were known, just under a third were less than 21 years of age;
 - Of those complainants whose residential addresses were known, just under half lived in the Belfast area;
 - On average about 25 complaints were reported each month, with the greatest number of incidents (41) taking place in June 2001;
 - About two-fifths of the incidents leading to complaints took place between the hours of midnight and 3am;
 - Nearly half of the incidents took place on Saturdays and Sundays;
 - Arrest was the identifiable factor involved in the majority of incidents;
 - The majority of incidents took place in the street;
 - Complainants alleged that they had been struck in 94% of complaints;
 - A third of complainants said they had been struck on the legs, with slightly smaller proportions saying they had been struck on the head or on the arms;
 - Over three-quarters of complainants with documented injuries had suffered bruising and soreness;
 - Oldpark was the most frequently occurring police station area in which incidents took place;

- Incidents leading to complaints most frequently occurred in the North, South and West Belfast and Foyle DCU areas;
 - Two-thirds of the incidents involved one or two officers; in total, nearly 770 officers were involved in incidents leading to complaints;
 - In those complaints in which the units to which these officers were attached were known, the majority were attached to Tactical Support Groups (TSGs), which are used mainly to control public disorder situations and were formally known as Mobile Support Units (MSUs).
3. A number of police forces in England and Wales are now taking part in a Use of Force Monitoring system, which it is hoped will give more accurate information of baton and CS spray use. In Northern Ireland, members of the Police Service are instructed to complete a baton report form if they use their batons. There is no obligation upon police commanders to retain or collate these reports locally. There is no statistical analysis of these reports conducted, either centrally or locally.
 4. Looking at police forces in England and Wales, most of these had introduced CS spray by 1998 with a consequent diminution in baton use. The numbers of complaints alleging baton use are considerably higher in Northern Ireland than they are in England and Wales. While cognisance should be given to the extreme circumstances of policing here in Northern Ireland, for example the high levels of street violence and assaults upon officers, these factors are not by themselves sufficient to explain the high number of complaints observed.
 5. PSNI training in the use of batons currently takes place in the context of the Conflict Resolution Skills (CRS) course. There is no refresher training in these skills. The resources currently dedicated to CRS training by the PSNI are small. Furthermore, the Code of Practice relating to baton use is an outdated document. While a new Code, reflecting both the updated national manual and local input, is currently in preparation, this has yet to be completed.
 6. It is recommended that the Police Service of Northern Ireland should examine its training in Conflict Resolution Skills with reference to its content, its timing, the level of resources devoted to it and the lack of refresher training. The completion and promulgation of the updated Police Code on baton use should be expedited. Clear and consistent recording of the use of physical force by police officers should be encouraged. The central recording and monitoring of the use of physical force should also be examined, with a view to improved record keeping and analysis for local management and accountability purposes.

1. Introduction

- 1.1. The police's use of force has long been a focus of attention among those who have studied policing and police/public interactions. As Bittner (1970) points out, the defining aspect of the police's role revolves around their capacity to use force. Friedrich (1980) enlarges upon this view, stating that:

"Police use of force is theoretically important because it involves the execution of perhaps the essential function of the state, and practically important because it affects the public's attitudes and behaviours towards the police and government more generally."

- 1.2. Police officers carrying out their duty face many situations in which the use of force is necessary and proportional, for example when making arrests. Often the force used is no more than the issue of verbal commands by the officer. However, in some situations (for example in restraining unruly or violent people, or in controlling public disorder situations, or in self-defence) officers may be obliged to use actual physical force. Henriquez (1999) offers the following classification of the various types of physical force that might be used:

- Manual force (using hands, fists or feet);
- Chemical force (discharge of CS spray, etc., as used by most Constabularies in England and Wales);
- Electronic force (use of Tasers, stun guns, electric prods, etc., although these are not currently used by UK Constabularies);
- Impact force (use of batons, etc.); and
- Lethal force (discharge of firearms).

- 1.3. The available research evidence suggests that only a small proportion of interactions between the police and the public involve the use of actual physical force of the types listed by Henriquez (1999). For example, American data suggest that the police use physical force in about 20% of arrests, and that even then the majority of the physical force used is manual (e.g. grabbing and holding) rather than involving the use of weapons (Bayley and Garofalo, 1989; US Department of Justice, 1999). British data indicate similar low levels of the use of physical force; for example, physical force was used in only 6% of the arrests carried out by Northamptonshire Police in 1999/2000 (Boatman, 2000). Batons were used to strike individuals on 178 occasions out of the 3,987 incidents in which physical force was used (equivalent to 4%).

- 1.4. The US Department of Justice (1999) report summarises what is known about the police's use of physical force in descending order of certainty:
- The police use physical force infrequently, and the force used is normally at the lower (i.e. manual) end of the spectrum;
 - When injuries occur as a result of the use of physical force they tend to be relatively minor (e.g. bruising and grazing of the skin);
 - The use of physical force typically occurs when the police are trying to arrest a person who is resisting;
 - Officers' use of physical force appears to be unrelated to their personal characteristics, such as age, gender and ethnicity;
 - The use of physical force is more likely to occur when the police are dealing with persons who are under the influence of drink or drugs, or who are mentally ill;
 - A small proportion of officers are disproportionately involved in use of physical force incidents.
- 1.5. The US Department of Justice (1999) report also summarises what is not known about the police's use of physical force:
- It is not known reliably, validly and precisely how frequently transgressions of use-of-force powers occur;
 - The impact of differences in police organisations (including administrative polices, recruitment, training, discipline and use of IT) on excessive use of physical force is unknown;
 - The influences of situational characteristics on the use of physical force by the police and the transactional nature of these events are largely unknown.
- 1.6. However, when the level of physical force used exceeds that considered appropriate or reasonable in the circumstances then the behaviour of the police may justifiably come under public scrutiny. Echoing Friedrich (1980), Rappert (2002) points out:

"Undoubtedly, the use of [physical] force is essential in some situations, but of course any such action is open to various lines of questioning about its necessity and appropriateness. Was the force required? Was it sufficient to deal with the situation? Was the amount of force used excessive? As issues about what constitutes acceptable force are inexorably linked with the authority and legitimacy of the police, they are a matter of some importance for the police and the public."

- 1.7. This report deals with one particular aspect of the use of physical force by officers of the Police Service of Northern Ireland, namely the use of batons. It should be noted that the term 'batons' includes the personal issue truncheon and the 24" 'riot' or 'long' baton¹. It does this through an examination of the number and nature of complaints made by members of the public about the conduct of police officers in incidents that involved the use of batons by the police. It considers all those complaints involving the use of batons received by the Office of the Police Ombudsman for Northern Ireland during the period 6 November 2000 to 31 March 2002 (inclusive). Neither complainants nor police officers were surveyed or interviewed as part of this research; rather, all the data relating to these complaints were gathered by means of a detailed examination of the complaint files kept by the Police Ombudsman's Office. Particular areas of interest were:
- The complainant demographics;
 - The circumstances in which the complaints arose;
 - The nature of the complaints;
 - The nature of the injuries allegedly caused by baton use;
 - The police officers involved; and
 - The outcomes of the complaints.
- 1.8. It should be noted that some of the material presented in this report – in particular, the information in relation to injuries caused by batons - is based mainly upon the allegations made by complainants, which in some cases cannot be empirically verified. Indeed, it is possible that some complainants may have provided exaggerated or even false accounts of their injuries, as has been suggested by other researchers in this area (e.g. Queensland Criminal Justice Commission, 2000).

¹ Whether a short or a long baton was involved in the incident leading to a complaint is clearly dependent upon the identification and specification of the baton type, either by the complainant or during the course of an investigation into the complaint. It will be appreciated that in many complaints this information was not obtained or was at best unreliable. Long batons were reliably specified as being used in only 50 of the 419 complaints (12%). This being the case, any analysis comparing complaints involving short batons to those involving long batons is clearly of questionable validity, and all references to 'batons' in this Report should be taken to include both short and long varieties.

- 1.9. It is important that the nature of policing and of public/police interactions in Northern Ireland are born in mind while examining these data. Officers in Northern Ireland routinely face situations in their day-to-day duties that involve far higher quantitative and qualitative levels of violence than are seen in other areas; these may include attacks by rioters using petrol, paint, acid and blast bombs and other potentially lethal weapons. Violent public disorder² also occurs frequently at sectarian interfaces, especially in certain locations in North and East Belfast. Police officers have also recently been attacked by mobs (sometimes numbering over 200 people) in the University area of South Belfast. In fact, police statistics show that there were over 4,550 incidents of public disorder recorded during 2001/02.
- 1.10. These violent situations also bring about a concomitant increase in the likelihood of officers being assaulted and injured: there were over 1,500 assaults on police officers in Northern Ireland during 2001/02. Injuries to officers are also frequent; for example in the same year over 930 officers were injured during the course of their duties (737 regular officers and 194 Reserve officers).
- 1.11. The report compares the frequency of complaints involving baton use in Northern Ireland with figures for other police forces in England and Wales (although it should be remembered that the latter have been affected by the introduction of CS spray in most English and Welsh forces since 1998). The issues of the recording of the use of force by the police and the provision of training in the use of physical force are also addressed.

2 There is no official definition of public disorder. However, Security Section of PSNI Central Statistics Unit includes in this a wide range of incidents, for example:

- Petrol bombing incidents;
- Hijackings (including attempts);
- Confrontations between rival groups at sectarian interfaces, involving fighting or throwing of missiles (stones, bottles, etc.);
- Missiles thrown at police patrols or during attacks on police stations;
- Sectarian attacks on homes (for example, windows broken by missiles);
- Attacks on commercial property during street disturbances; and
- Attacks on buses or civilian vehicles during street disturbances.

2. Guidance and legislation covering the use of force by the police

- 2.1. The Criminal Law Act (Northern Ireland) 1967 provides the legal authority for the use of physical force by the police and the benchmark by which it is judged. It states that:

"A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting the lawful arrest of an offender or suspected offender or of persons at large."

The actions of police officers in the use of physical force must appear on the available evidence to satisfy these criteria.

- 2.2. The provisions relating to the use of physical force must be interpreted in accordance with the Human Rights Act 1998. Case law concerning the use of force in the context of Human Rights jurisprudence refers to the force used being "no more than absolutely necessary". The amount of force used must be proportionate to the achievement of the purpose for which it is permitted to be used.
- 2.3. The following points should be considered when assessing whether the degree of force used is "no more than absolutely necessary":
- The nature of the aim being pursued,
 - Whether the use of force was proportionate in the given circumstances,
 - Whether other options were considered before force was used,
 - Whether the methodology used for the application of the force was in accordance with instructions and training.
- 2.4. However it must be emphasised that while the amount of physical force used must be proportional and appropriate to the circumstances, in practice this is always open to debate and can often be determined only on a case-by-case basis. Furthermore, the standards for the appropriateness of physical force are not set, and may change in response to wider social developments. As Rappert (2002) comments, *"what constitutes excessive force is not something that can be specified once and for all"*.
- 2.5. From March 2003 the use of force by the PSNI will be regulated by the terms of the new Code of Ethics (Northern Ireland Policing Board, 2003). Article 4 of the Code sets out a number of provisions regarding the use of force, of which the following are the most relevant provisions:

“(4.1) Police officers, in carrying out their duties, shall, as far as possible, apply non-violent methods before resorting to the use of force or firearms. They may use force or firearms only if other means remain ineffective or without any realistic promise of achieving the intended result.

(Sourced from: Article 4 United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.)

and:

(4.3) Whenever police officers resort to the lawful use of force or firearms they shall: -

- a) exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate object to be achieved;*
- b) minimise damage and injury, and respect and preserve human life;*
- c) ensure that assistance and medical aid, where possible, are secured to any injured person at the earliest possible opportunity;*
- d) ensure that relatives or close friends of the injured or affected person are notified at the earliest possible opportunity;*
- e) where force or firearms are used, report the incident promptly to their supervisors;*
- f) comply with any instructions issued by the Chief Constable.*

(Sourced from: United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Article 5(A)-(C), Article 6.)”

3. Complaints involving baton use reported to the Police Ombudsman, November 2000 to March 2002

3.1. This section of the report presents a statistical summary of all the complaints involving baton use lodged with the Police Ombudsman's Office between 6 November 2000 and 31 March 2002. Four hundred and nineteen such complaints were reported to the Police Ombudsman during this period, representing about 8.2% of the total of 5,130 complaints received. The first of the following sub-sections summarises the information available about the complainants, while the following sub-sections deal with the complaints, the nature of injuries due to baton use and police involvement in the incidents.

3.2. The complainants

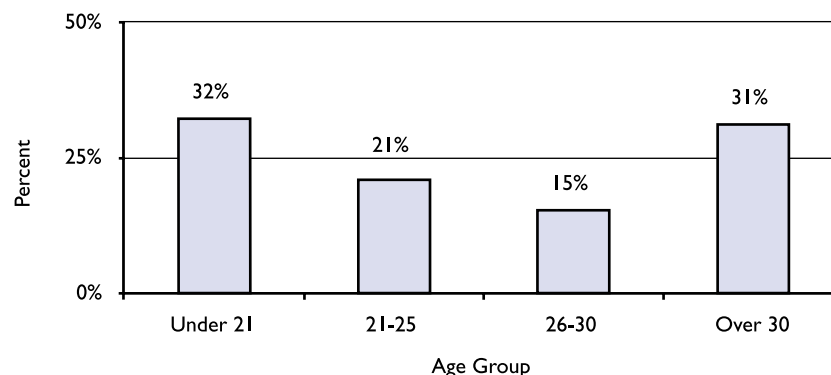
3.2.1. Gender of complainants

Of the 419 complainants lodging complaints that involved baton use, 380 (91%) were male and 39 (9%) were female (see Appendix 1, Table 1). However, in all complaints received by the Police Ombudsman's Office between November 2000 and March 2002 in which the complainants' genders were known, the proportion of males was 75%. Male complainants are thus significantly over-represented in those lodging complaints that involved baton use.

3.2.2. Age profile of complainants

Although the data are incomplete, Figure 1 shows that just under a third (32%) of the 233 complainants whose ages were known were less than 21 years of age (see also Appendix 1, Table 2). However, in all complaints received by the Police Ombudsman's Office between November 2000 and March 2002 in which the complainants' ages were known, the proportion of complainants aged less than 21 was 23%. Thus complainants in this age group are clearly over-represented in those lodging complaints that involved baton use.

Figure 1: Age profile of complainants



3.2.3. Areas in which complainants lived

Residential addresses were known for 405 out of the 419 complainants (96%). Table 1 shows that BT14 (Ardoyne and Oldpark areas in North Belfast) was the most frequently occurring Post Code area, with 49 (12%) of complainants living in this district. About 7% of complainants lived in each of the BT13 (Shankill area of West Belfast), BT15 (Antrim Road area of North Belfast) and BT48 (Londonderry west of the River Foyle) districts.

Table 1: Most frequently occurring Post Codes of complainants' residential addresses

Post Code area	Number	%
BT14 (Ardoyne, Oldpark)	49	12%
BT13 (Shankill)	30	7%
BT15 (Antrim Rd)	28	7%
BT48 (Lderry West)	27	7%

Concatenating the Post Code areas into larger postal areas, it can be seen from Table 2 that just under half (47%) of those complainants whose residential addresses were known lived in the Belfast postal area (Post Codes BT1 to BT17 inclusive). Overall, about two-thirds of complainants (67%) lived in the four postal areas listed in Table 2. A full table of these data is shown in Appendix 1, Table 3.

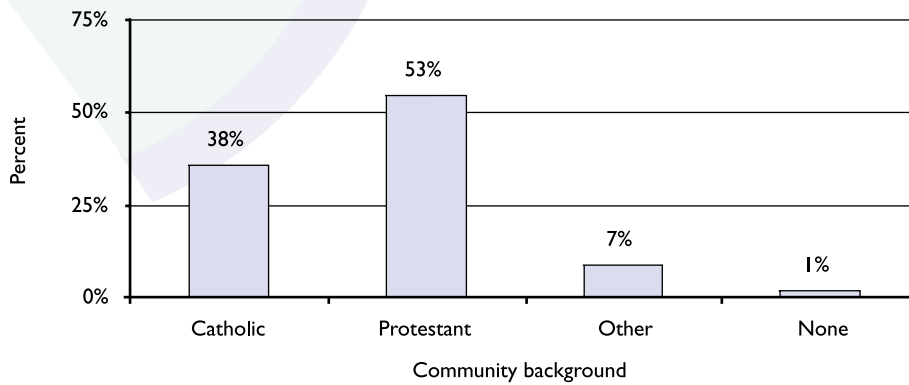
Table 2: Most frequently occurring postal areas of complainants' residential addresses

Postal area	Number	%
Belfast	189	47%
Londonderry	37	9%
Craigavon	27	7%
Ballymena	21	5%

3.2.4. Community background of complainants

The Police Ombudsman's Office collects demographic information about complainants by means of a voluntarily completed monitoring form. While it is difficult to achieve high response rates for this form, there are a limited amount of data on complainants' community background and occupational status. Looking at community background, this information was supplied by 74 out of the 419 complainants (18%). Figure 2 shows that just over a half (53%) of those complainants whose community backgrounds were known said they were Protestant, while over a third (38%) said they were Catholic (see also Appendix 1, Table 4).

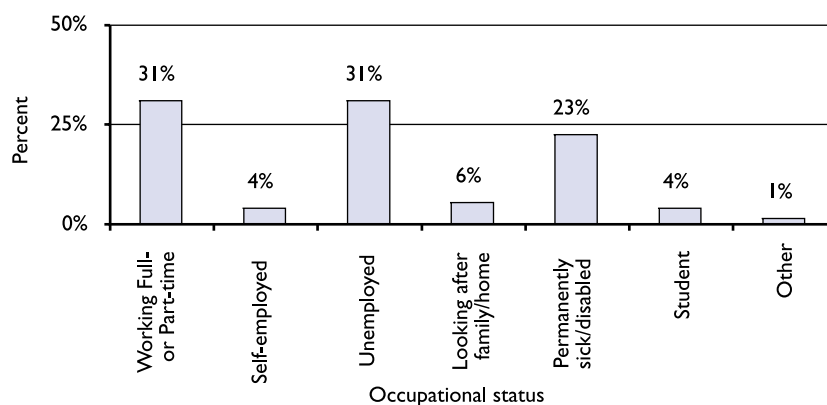
Figure 2: Community background of complainants



3.2.5. Occupational status of complainants

Looking at complainants' occupational status, this information was supplied by 71 out of the 419 complainants (17%). Figure 3 shows that just under a third (31%) of those complainants whose occupational status was known said they were working either full- or part-time, with the same proportion saying they were unemployed (see also Appendix 1, Table 5). The unemployment rate in Northern Ireland is estimated at about 4% of the population aged 16 and over (47,000 out of 1,271,000; figures from the Northern Ireland Statistics and Research Agency), and so it can be seen that unemployed people are considerably over-represented in those lodging complaints that involved baton use.

Figure 3: Occupational status of complainants



3.2.6 Criminal charges brought against complainants

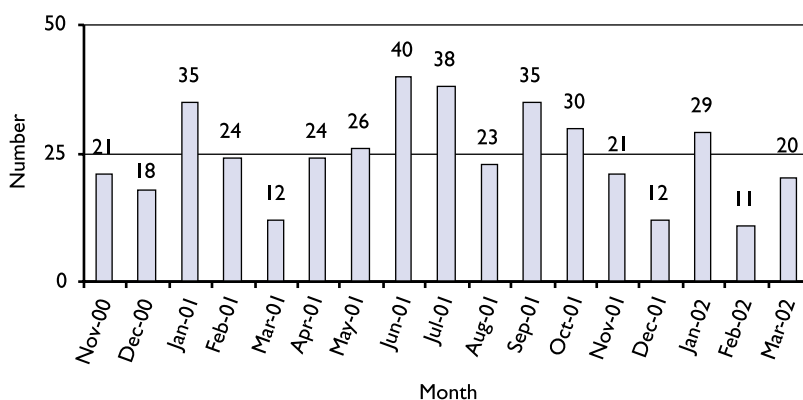
Approximately 100 of the 419 complainants (24%) had some form of criminal proceedings brought against them in connection with the incident that led to the complaint.

3.3 The complaints

3.3.1. Number of complaints involving baton use received each month

Figure 4 (see also Appendix 1, Table 6) shows that the number of complaints involving baton use received by the Police Ombudsman each month varied between 11 in February 2002 and 40 in June 2001. The average number received per month was 25.

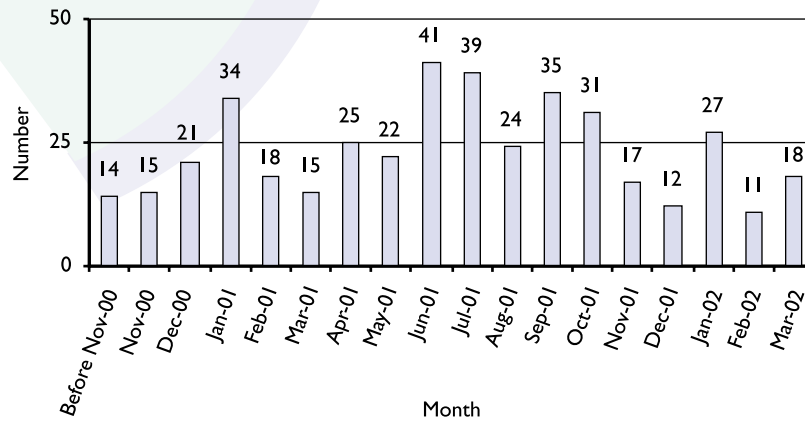
Figure 4: Numbers of complaints involving baton use received each month, November 2000 to March 2002



3.3.2. Months in which incidents leading to complaints involving baton use took place

Often some time elapses between an incident taking place and the resultant complaint being received. Consequently detailing the months in which complaints were received does not necessarily show when the incidents leading to them actually took place. Thus Figure 5 (see also Appendix 1, Table 7) shows the months in which the incidents leading to complaints involving baton use took place. The largest number (41) of incidents took place in June 2001. It should be noted that figures for later months (February and March 2002) might underestimate the actual numbers of incidents taking place in those months because of delay between an incident taking place and the resultant complaint being received.

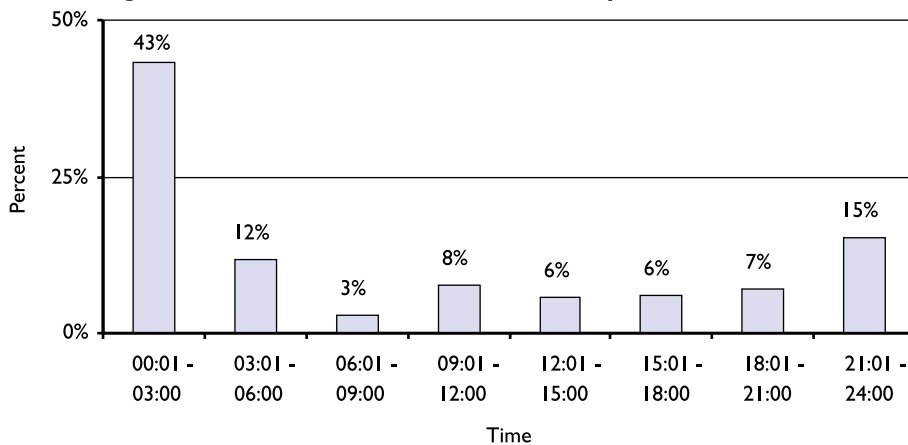
Figure 5: Months in which incidents leading to complaints involving baton use took place



3.3.3. Times at which incidents involving baton use took place.

The times at which the incidents leading to complaints involving baton use occurred were known in 340 out of the 419 complaints (81%). Figure 6 (see also Appendix 1, Table 8) shows that of those incidents for which this time is known, 147 (43%) took place between midnight and 3am. In all, 199 (58%) took place in the six-hour period between 9pm and 3am.

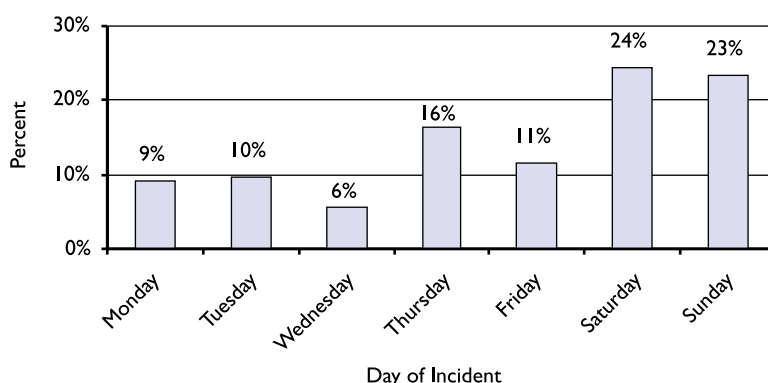
Figure 6: Times at which incidents took place



3.3.4. Days on which incidents involving baton use took place

Figure 7 (see also Appendix 1, Table 9) shows that 102 of the 419 incidents (24%) leading to complaints involving baton use took place on Saturdays, with a further 98 incidents (23%) taking place on Sundays.

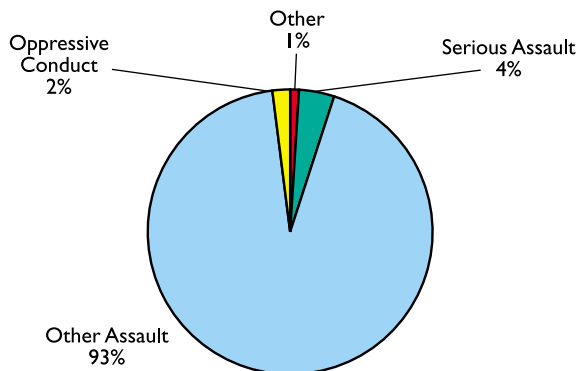
Figure 7: Days on which incidents took place



3.3.5. Nature of allegations

The 419 complaints involved 426 separate allegations. While 4% of these were of Serious Assault, the great majority (93%) were of Other Assault (i.e. less serious assaults) (see Figure 8 and Appendix 1, Table 10).

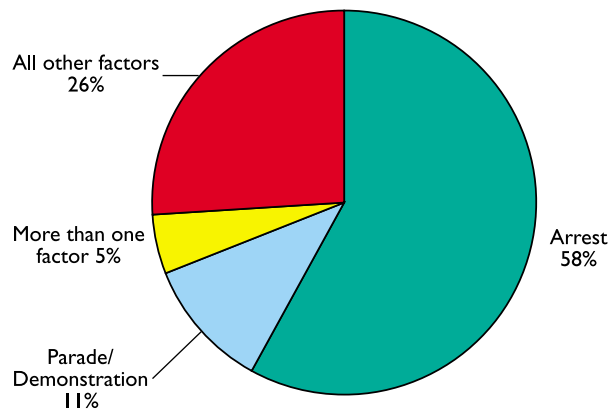
Figure 8: Allegation types in complaints involving baton use



3.3.6. Factors involved in complaints

Information on the factors involved in complaints has been collected since February 2001. Where the factor is known, the largest proportion (58%) of factors behind complaints involving baton use was Arrest (see Figure 9 and Appendix 1, Table 11). About 11% of complaints were connected with parades and demonstrations.

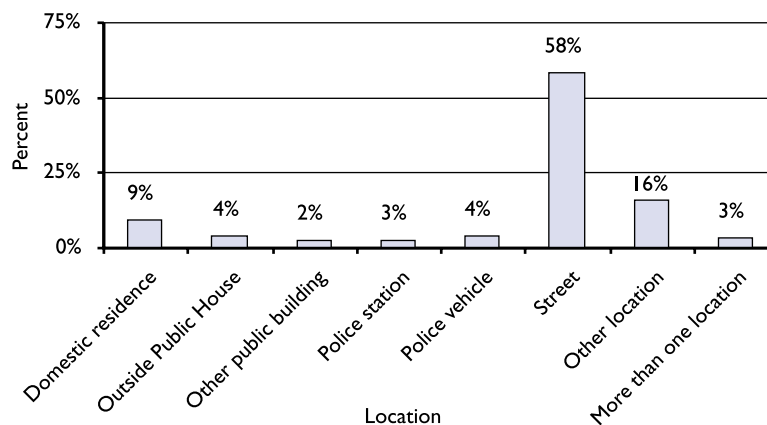
Figure 9: Factors involved in complaints involving baton use



3.3.7. Location of incidents

Information on the location where incidents leading to complaints took place has also been collected since February 2001. Where the incident location is known for those complaints involving baton use, the largest proportion (58%) took place in the street (see Figure 10 and Appendix 1, Table 12).

Figure 10: Locations where incidents leading to complaints involving baton use took place

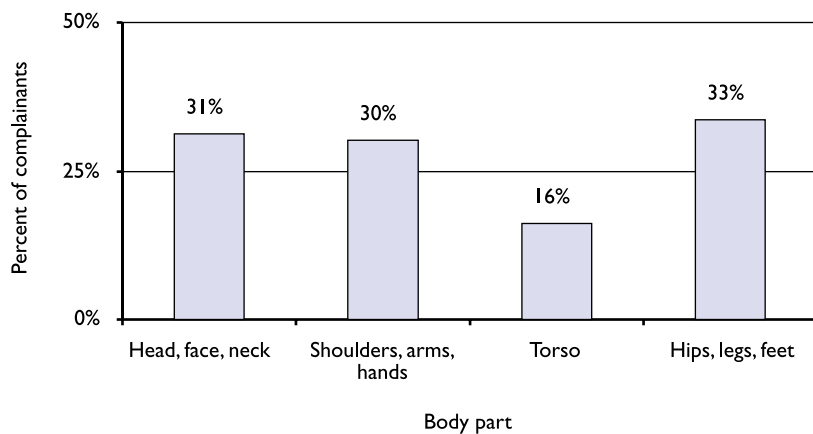


3.4. Nature of injuries due to the alleged baton use

3.4.1. Parts of body allegedly struck in baton use complaints

While a small proportion of complainants (6%) said they had been threatened with batons or that police officers with batons had destroyed or damaged their property, the great majority (94%) claimed they had been struck. Figure 11 (see also Appendix 1, Table 13) shows the parts of the complainants' bodies that they claimed had been struck. Although in a number of complaints the exact part(s) of the body struck was unspecified, a third (33%) of complainants alleged that their legs had been struck, while 31% said they had been struck on the head or neck and 30% said they had been struck on the shoulders, arms or hands. Many complainants said that they had been struck on more than one part of their bodies, while some referred to having received "a beating" or having been "hit all over".

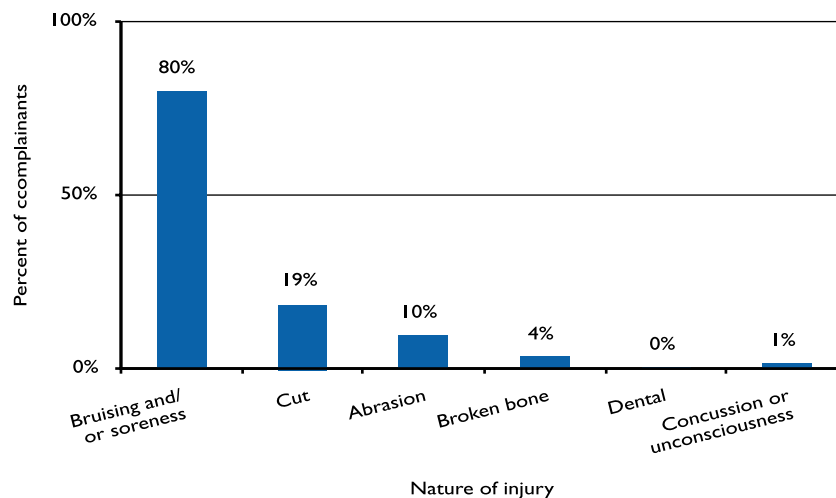
Figure 11: Parts of the body allegedly struck



3.4.2. Nature of injuries allegedly due to baton use

Figure 12 (see also Appendix 1, Table 14) shows the nature of the injuries that complainants claimed were due to baton use. While in a number of complaints the exact nature of the injuries that the complainants alleged they had suffered was not specified, 314 complainants (75%) said they had suffered some form of injury. Of these 314 complainants, 80% alleged they had suffered bruising and/or soreness, while 19% claimed they had received cuts.

Figure 12: Nature of injuries allegedly due to baton use



3.4.3. Nature of recorded injuries

As has been mentioned, it is possible that some complainants may have provided exaggerated or even false accounts of their injuries. Figure 13 (see also Appendix 1, Table 15) thus shows the nature of the complainants' injuries that were actually observed and recorded in medical reports received by the Police Ombudsman's Office. In a number of complaints these reports were unavailable and consequently there was no way of verifying complainants' reports of injuries. However, verifiable information was obtainable for 230 complainants (55%). Of these, 80% had suffered some form of bruising and/or soreness, while 31% had suffered abrasions and 9% had suffered cuts. It must be noted, however, that the presence of these injuries does not necessarily mean that they were inflicted by batons.

3.5. Police involvement with complaints

3.5.1. Police areas in which incidents took place

Looking at the police station areas in which incidents occurred leading to complaints involving baton use, Table 3 shows the areas in which incidents most frequently occurred. It can be seen that 47 incidents (11% of the total) took place in the Oldpark station area in North Belfast. It should be noted that this includes the Ardoyne district and the area surrounding the Holy Cross Primary School, which were the scenes of large-scale outbreaks of public disorder during the period covered by this Report. A full tabulation of these data is shown in Appendix 1, Table 16.

The table also shows the number of complaints involving baton use in these police station areas expressed as a proportion of all complaints arising from these areas during the reference period. It can be seen that complaints involving baton use accounted for 23% of all complaints in the Oldpark area and for 22% in both the Tennent Street and Portadown areas (note that the latter area includes the main site of the disturbances associated with the Drumcree demonstration). It will be recalled that in Northern Ireland as a whole during this period, complaints involving baton use accounted for just 8% of all complaints (see Paragraph 3.1). Clearly, then, these areas are over-represented in terms of complaints involving baton use.

Table 3: Police station areas in which incidents leading to complaints involving baton use most frequently took place

Police station area	Number of baton complaints	% of total of baton complaints	Baton complaints as % of all complaints in area
Oldpark	47	11%	23%
Antrim Road	34	8%	14%
Strand Rd	27	6%	15%
Ballymena	20	5%	14%
Portadown	18	4%	22%
Tennent Street	17	4%	22%

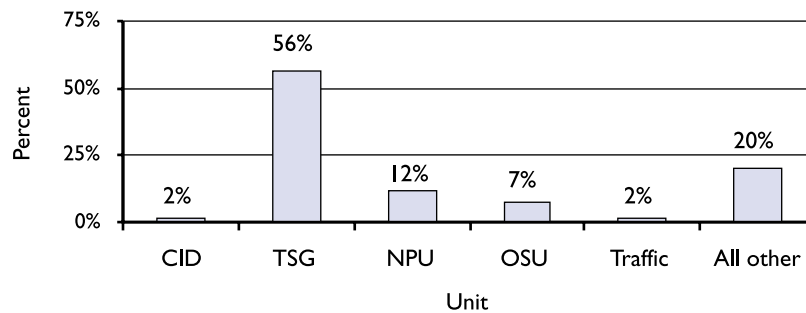
Looking at the District Command Units areas (DCUs) in which incidents occurred leading to complaints involving baton use, Table 4 shows the DCUs in which incidents most frequently occurred. It can be seen that a quarter (26%) of all incidents took place in the Belfast North DCU. Over half (52%) of all incidents took place within the four DCU areas listed in Table 2. Again, a full tabulation of these data is shown in Appendix 1, Table 17.

|

Table 4: Police DCUs in which incidents leading to complaints involving baton use most frequently took place.

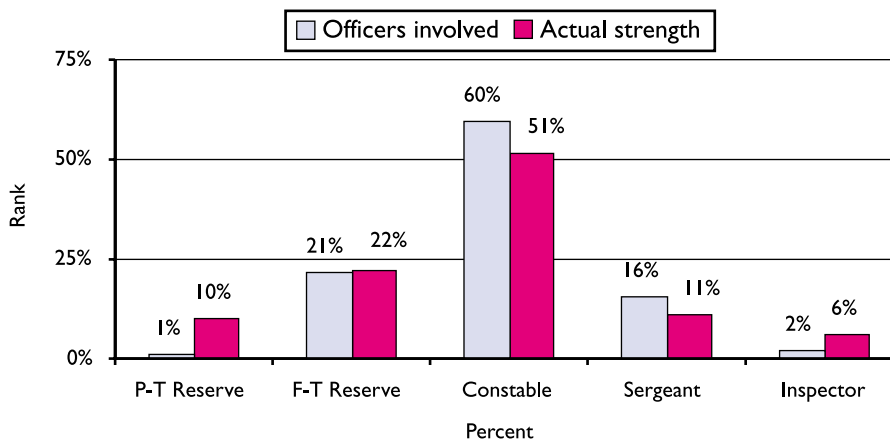
DCU	Number of baton complaints	% of total of baton complaints	Baton complaints as % of all complaints in DCU
-----	----------------------------	--------------------------------	--

Figure 15: Units to which officers involved in incidents were attached



Belfast North	110	26%	18%
Foyle	41	10%	16%
Belfast South	36	9%	13%
Belfast West	31	7%	13%

Figure 16: Ranks of Officers involved in baton incidents compared to actual Strength of Police Service, 31-12-01



The table also shows the number of complaints involving baton use in these DCUs expressed as a proportion of all complaints arising from these DCUs during November 2000 to March 2002. Complaints involving baton

use accounted for 18% of all complaints in the Belfast North DCU and for 16% of all complaints in the Foyle DCU. Again, it is clear that these areas are over-represented in terms of complaints involving baton use.

3.5.2. Officers involved in incidents leading to complaints

Figure 14 (see also Appendix 1, Table 18) shows the numbers of officers involved in incidents leading to complaints involving baton use. In about half (50%) of the incidents only one or two officers were involved. Three or more officers were involved in about 28% of the incidents.

3.5.3. About 769 identified officers were involved in the incidents leading to the complaints. Looking at the units to which these officers were attached (see Figure 15 and Appendix 1, Table 19) it can be seen that where this is known, the majority (56%) were attached to TSGs. This is to be expected

Table 5: Number of complaints involving baton use that individual police officers were involved in

Number of Complaints	Number of Officers
One	516
Two	88
Three	20
Four	3
Five	1

It can be seen that, compared to the actual numbers of these ranks in the police service at the end of 2001, officers of Constable and Sergeant ranks are over-represented in the group of officers involved in incidents leading to complaints involving baton use (60% and 16% of officers involved in incidents compared to 51% and 11% of actual strength respectively). This is predictable as it is these ranks that are involved in street duty and arrests. Part-time Reserve Officers are, on the other hand, under-represented (1% of officers involved in incidents compared to 10% of actual strength).

3.5.5. Some individual police officers were involved in more than one complaint involving baton use. Table 5 shows that 88 officers were involved in two separate complaints, 20 officers were involved in three complaints, three officers were involved in four complaints and one officer was involved in five complaints.

Table 6: Status and outcomes of complaints involving baton use

Complaint status	Detail	Number	%
Closed	Complainant non-cooperation	183	44%
	Withdrawn by complainant	46	11%
	Informal Resolution accepted	2	0%
	Incapable of Investigation	7	2%
	Duplicate complaint	3	1%
	Complaint ill-founded	11	3%
	Disproportionate	26	6%
	Not substantiated	87	21%
	Outside remit	4	1%
	Repetitive	1	0%
	Abuse of procedure	1	0%
	Vexatious	1	0%
	Sub-total	372	89%
	Open	Being investigated	46
Disciplinary proceedings ³		1	0%
Sub-total		47	11%
Total		419	100%

³ Allegations of assault involving the use of batons must be sent to the Director of Public Prosecutions for consideration of criminal proceedings before disciplinary proceedings can be considered. Consequently at the time of writing only one case has reached this stage in the complaints process.

3.6. Outcomes of complaints involving baton use

3.6.1. Table 6 shows the outcomes (as at 11 February 2003) of the 419 complaints involving baton use. It can be seen that over four-fifths (89%) had been closed, the largest proportion (44%) because of complainant non-cooperation (the non-cooperation rate for these complaints is substantially lower than that for all complaints alleging Oppressive Behaviour, which is 57%). A further 46 complaints (11%) were withdrawn by the complainant. Eighty-seven complaints (21%) had been investigated and could not be substantiated. The remaining 47 complaints (11%) were the subject of ongoing investigation or other procedures.

4. Recording of the use of force and baton use by the police

4.1. It is interesting to note that there are few systematic analyses or even reliable data on the use of force by the police (Rappert, 2002). In the USA, Congress requires the Attorney General to collect use-of-force data annually from police departments, in accordance with Section 210402 of the Violent Crime Control and Law Enforcement Act of 1994 (Terrill and Mastrofski, 2002). Some British police forces are currently taking steps to introduce a standardised use of force reporting form, but this development

is still only at its early stages. Examples of these forms (from the Home Office and from Northamptonshire Police) are shown in Appendix 3.

- 4.2. Police officers in the PSNI are obliged (Code Section 24, Paragraph 22 (2) (c)) to lodge a report (Form 48) if they use batons during the course of their duties; a copy of this form is shown in Appendix 3. Failure to lodge such a report would be regarded as a breach of discipline. However, while some police commanders may examine these forms for local management purposes, there is no obligation on them to retain or collate these reports locally. There is no statistical analysis of these reports conducted, either centrally or locally. There is thus no overall calculation of the number of occasions that batons are used in Northern Ireland by the police.
- 4.3. An examination of the documentation attached to the complaint files on the Police Ombudsman's Office's computerised Case Management System showed that baton reports had been supplied by the police to the Office in 78 of the 419 complaints (19%). At first sight this would appear to be a considerable shortfall. However, it is clear that reports would not have been supplied in those cases in which the complainant did not cooperate with the Office's investigation or in which the complaint did not proceed for some other reason (these categories making up approximately two thirds of complaints involving baton use). However, there were some complaints in which the case records would have been expected to contain baton reports but in fact did not appear to contain them.

5. Complaints involving baton use reported to other Police Forces

- 5.1. The table in Appendix 2 sets out in detail the results of a trawl of British police forces that asked for the following information:
 - Whether records of baton use were kept;
 - If so, in what form; and
 - Numbers of complaints lodged involving baton use.

It is clear from an examination of this table that record keeping of baton use is patchy, with some forces keeping very full data and others keeping no records at all.

- 5.2. It should be noted that by October 1998 all but three of the 43 forces in England and Wales had introduced CS spray, with a subsequent diminution in baton use and consequential complaints. However, it should be noted

that complaints about the use of CS spray were made in all force areas, in numbers that in some areas exceeded the reduction achieved in the number of complaints involving baton use.

- 5.3. Looking at the available data it would appear that in England and Wales the total number of complaints involving baton use represents about 4% of the number of times that batons are used. It is interesting to note that this figure is similar to that from a Police Complaints Authority study of CS spray, suggesting that the total number of complaints about CS spray is in the region of 5% of the number of times the spray is used. While any extrapolation to Northern Ireland should be treated with considerable caution, the level of baton use complaints here would suggest that the actual level of baton use in Northern Ireland could be in the region of 7,500 occasions a year.
- 5.4. It is clear from these data that complaints involving baton use are more frequent in Northern Ireland than in police forces in England and Wales. For example, the total of 309 complaints involving baton use received by the Police Ombudsman's Office in the twelve-month period from April 2001 to March 2002 compares to the total of 105 complaints received by the Metropolitan Police during the same period. The Metropolitan Police received a further 40 complaints involving CS spray during this period. It should be noted that in 2000/01 the strength of the PSNI was about 11,450 officers compared to about 25,950 in the Metropolitan Police.

Table 7: Numbers of complaints involving baton use and numbers of assaults upon officers in various police forces, 1998/99 to 2001/02

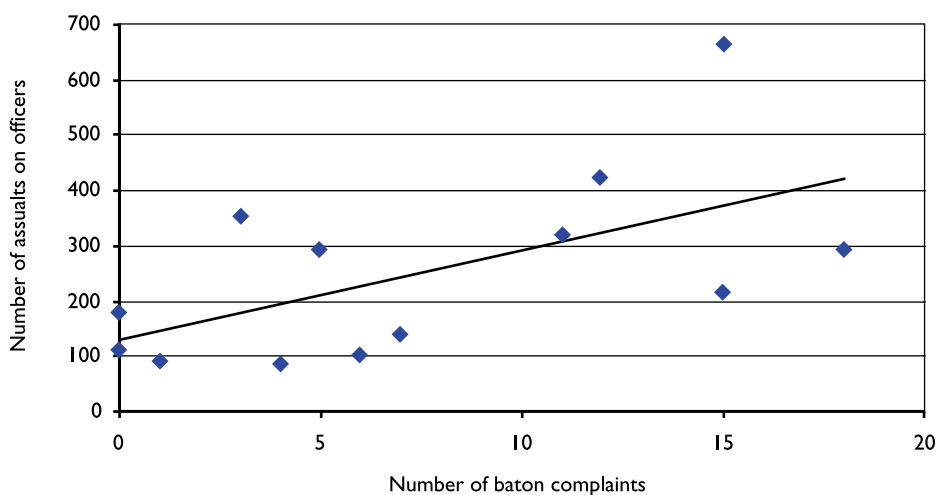
Police force	Period	Complaints involving Baton use	Numbers of Assaults upon Officers
Cumbria	1999/2000	6	103
	2000/01	4	85
Dyfed-Powys	1999/2000	1	89
	2000/01	0	112
Gloucestershire	2000/01	0	176
Lancashire	1999/2000	18	294
Leicestershire	1999/2000	15	218
Norfolk	1999/2000	5	294
	2000/01	3	354
Nottinghamshire	1999/2000	12	422
	2000/01	11	316
Warwickshire	1999/2000	7	142
West Yorkshire	1999/2000	15	665
RUC/PSNI ⁴	1998/99	-	1203
	1999/2000	-	1637
	2000/01	110 ⁵	1464
	2001/02	309	1563

⁴ The RUC was renamed as the PSNI on 4 November 2001.

⁵ For period 6 November 2000 to 31 March 2001 inclusive.

- 5.5. It is likely that the particular circumstances of policing in Northern Ireland may lead to police officers using their batons more frequently than in other police force jurisdictions. For example, it might be that police officers in Northern Ireland are more prone to use their batons because they also carry firearms: in a tussle, they might feel constrained to use their

Figure 17: Numbers of baton complaints and numbers of assaults on police officers in England & Wales police forces



batons to prevent their firearms being taken. Furthermore, as has already been emphasised at Paragraph 1.8, there is no doubt that police officers in Northern Ireland customarily encounter public disorder situations that are considerably more violent and life-threatening than those in other areas. It is clearly difficult to either prove or disprove this kind of hypothesis without a considerable amount of actual observation of policing; the records held by the Police Ombudsman's Office are representative only of certain types of interaction between the police and the public.

- 5.6. However, it is possible to examine indirect indicators of police/public interactions that could illustrate these circumstances. The numbers of assaults upon officers, for example, are available for all police forces and can be tabulated with the numbers of complaints involving baton use where these data are available for similar time periods. Table 7 shows that the numbers of assaults upon officers over recent years are much higher in Northern Ireland than in other police force areas (averaging 1,467 a year over the last four years); Home Office data would suggest that they are in fact comparable only with those levels experienced in London (1,391 assaults in 1999/2000) and the West Midlands (1,865 assaults in 2000/01).
- 5.7. Figure 17 shows this information graphically, and it can be seen from the limited amount of data available that there is a positive correlation between the numbers of assaults upon officers and the numbers of complaints involving baton use. This correlation reaches accepted levels

- of statistical significance ($r^2 = 0.35$, $t = 2.43$, $d.f. = 11$, $p < .05$).
- 5.8. However, an examination of these data shows that while the rate of assault on the police in Northern Ireland is about six times higher than the average for the police forces in England and Wales, the rate of complaints involving baton use is about 40 times higher. It must therefore be stressed that the much higher level of baton complaints in Northern Ireland is not adequately explained by the relatively high rate of assaults on the police.

6. Current PSNI Training in Conflict Resolution Skills

- 6.1. The Home Office Police Research Group ("Assessing the Expandable Side-Handled Baton", 1993) recommends about 12 hours' initial training in the use of this particular type of baton, followed by "regular" refresher training (although the frequency of this is unspecified). The view of the Association of Chief Police Officers (ACPO) is that all officers up to the rank of Chief Inspector ought to complete a minimum of 12 hours' refresher training in baton use per year. It should be noted, however, that the use of this particular type of baton – with which the PSNI is not issued - is considered to be more complex than that of the straight batons employed by the PSNI.
- 6.2. ACPO also provides guidance on baton use to Centrex (formerly National Police Training). This is contained within the Centrex Personal Safety Manual, which is a "menu of options" from which Chief Officers may select what they consider to be the most appropriate tactical options to address their constabulary's needs. Centrex recommends a two-hour initial baton-training package.
- 6.3. In Northern Ireland, police training in the use of batons currently takes place in the context of the Conflict Resolution Skills (CRS) course. This is divided into two phases: a three-day event between the fifth and the ninth week of a student officer's training, and a two-day scenario-based event about 25 weeks later.
- 6.4. In the initial three-day phase, the following elements are covered:
- The Code of Practice;
 - Human Rights legislation and the use of force;
 - Threat assessment;
 - Baton use;
 - Restraint of persons; and
 - Handcuff use.

The baton use content lasts about 70 minutes.

- 6.5. The content of the subsequent two-day phase includes further material on baton use (particularly close-range use) and some work on manual skills. Combining the content of the two phases, it is probable that the total training time devoted to baton use exceeds the two hours recommended

by Centrex. There is, however, no refresher training in these skills.

- 6.6. It could be argued that, if it were the only training received, the initial phase takes place too early in a student officer's career, since if skills are not practised or used for a considerable period of time, they tend to deteriorate. Anecdotal evidence suggests that such decay is visible by the time student officers come to participate in the second, two-day phase of the CRS course. The lack of refresher training also contributes to deterioration in skill levels in experienced officers.
- 6.7. It is noteworthy that the personnel resources currently dedicated to CRS training by the PSNI are small while the demands placed upon these staff are high (especially given the current large scale of officer recruitment). The courses are thus condensed, with a concomitant decrease in the level of skills taught. The opportunities for teaching staff to train additional trainers or to attend refresher training are particularly limited. Furthermore, the physical resources offered by the Sprucefield training facility are poor.
- 6.8. The Code of Practice relating to baton use that is currently in use is an outdated document, with parts of it dating back to the 1920s. Consequently, it cannot reflect the realities of modern-day policing and deal adequately with the range of situations in which police officers might find themselves in the course of their duties. While a new Code of Practice, reflecting both the updated national manual and local input, is currently in preparation, this has yet to be completed.

7. Conclusions

- 7.1. An examination of the available comparative data and the Police Ombudsman's Office complaint case files would lead to the suggestion that police officers in Northern Ireland tend to use their batons more frequently than do members of other police forces. This cannot be fully explained purely by reference to the public order disturbances in which police officers in Northern Ireland so frequently find themselves. From the information outlined above, the incidents leading to complaints about baton use tend to occur late at weekend nights, to involve young people, and to be connected to people being arrested on the street. While a proportion (about 11%, see Paragraph 3.3.6) is indeed connected to parade and demonstration situations, it is by no means the case that these are typical scenarios for producing complaints of this nature.
- 7.2. It is clear that because of local circumstances police officers in Northern Ireland are more likely to be exposed to violence in the course of their

duties than are those in other areas in Great Britain. The data in Paragraph 5.6 illustrate the high numbers of assaults upon officers here and the risks of injury to which they are exposed. However, the level of baton complaints in Northern Ireland cannot be fully accounted for by the rate of assault on the police here being higher than the average for police forces in England and Wales.

- 7.3. A noteworthy issue is the way in which batons are used. The police Code relating to baton use (Section 24, Paragraph 22 (1) (a)) reads:

“Batons are supplied to the police to protect themselves and others when violently attacked. In using them police should aim at the arms or legs as these parts of the body are least likely to suffer serious injury. Baton strikes should not be aimed at the head.”

During their training in the use of batons officers are instructed that blows to the head should be used only in extremely grave situations, after blows to other parts of the body (the motor muscle points on the arms and legs, the shins, etc.) have failed to enable the officer to control the person confronting them. However, a significant proportion (31%) of complainants in the present study alleged that they had been struck on the head. While police officers striking people on the head with their batons are not acting in direct contravention of the Code, the high proportion of complainants alleging blows on the head may call into question the extent to which officers are observing this guidance.

- 7.4. The Code specifies that officers should only use their batons when they are “*violently attacked*”, but in many complaints complainants refer to being beaten and notes taken at the time refer to complainants having “*multiple baton marks*”. This raises questions about the use of appropriate force in arrest situations (from which the majority of complaints arise), and it could be suggested again that officers on the ground may not be paying full attention to the Code. It should also be noted that groups of five or more officers were involved in about 12% of the incidents leading to complaints. This may lead to questions about officers’ need to use batons if they considerably outnumbered the complainant involved.
- 7.5. The adequacy of the present training in Conflict Resolution Skills is debateable. The training is simplified, and it could be argued that the initial training comes too early in an officer’s career. The resources devoted to training would appear to be insufficient, both in terms of the number of

trainers and the physical conditions of the training environment. The issue of the deficit in refresher training should also be addressed.

- 7.6. The Code of Practice relating to baton use is outdated. The completion and promulgation of the new Code should be accelerated.
- 7.7. The possible introduction of CS spray by the police may have an effect on the levels of complaints of baton use, but it is vital that the misuse of CS spray is not allowed. Again, training issues as outlined above should be considered.
- 7.8. The issue of the recording of baton use – and indeed, of all physical force – should also be examined. For accountability purposes, it is important that the Police Service keeps clear and accessible records of the use of physical force. These records should be kept centrally, perhaps by the PSNI's Central Statistics Unit. This would promote improved use of data for management purposes, training needs analysis and statistical analyses of the data. While not being prescriptive, the use of a form such as that developed by the Northamptonshire Police (shown in Appendix 3) should be considered to secure information about all occasions that physical force is used. If these data were to be collected systematically, resulting in a verifiable and reliable dataset, then the PSNI might wish to consider their publication. Precedents for this exist, for example the Annual Use of Force Report issued by the Northamptonshire Police (Boatman, 2000).

8. Summary of Recommendations

- 8.1. The Police Service of Northern Ireland should examine its training in Conflict Resolution Skills with reference to the following issues:
 - The content of the training;

- The timing of the initial training;
- The resources devoted to the training, especially the number of

Table 1: Gender of complainants

Gender	Number	%
Male	380	91%
Female	39	9%
Total	419	100%

Table 2: Age profile of complainants

Age	Number	%	% for which age known
Under 21	75	18%	32%
21-25	49	12%	21%
26-30	36	9%	15%
Over 30	73	17%	31%
Unknown	186	44%	N/A
Total	419	100%	100%

Table 3: Postal areas (based on Post Codes) of complainants

Postal area	Number	% for which area known	Postal area	Number	% for which area known
Belfast	189	46.7%	Limavady	1	0.2%
Holywood	3	0.7%	Coleraine	2	0.5%
Bangor	5	1.2%	Portstewart	2	0.5%
Donaghadee	5	1.2%	Ballymoney	0	-
Newtownards	9	2.2%	Ballycastle	0	-
Ballynahinch	3	0.7%	Portstewart	0	-
Dromore	0	-	Portrush	2	0.5%
Hillsborough	0	-	Bushmills	0	-
Lisburn	0	-	Armagh	4	1.0%
Crumlin	0	-	Craigavon	27	6.7%
Downpatrick	5	1.2%	Caledon	0	-
Castlewellan	0	-	Aughnacloy	0	-
Banbridge	3	0.7%	Dungannon	4	1.0%
Newcastle	1	0.2%	Fivemiletown	0	-
Newry	9	2.2%	Clogher	0	-
Newtownabbey	9	2.2%	Augher	0	-
Carrickfergus	11	2.7%	Omagh	14	3.5%
Ballyclare	3	0.7%	Cookstown	1	0.2%
Larne	3	0.7%	Castlederg	0	-
Antrim	9	2.2%	Strabane	4	1.0%
Ballymena	21	5.2%	Enniskillen	13	3.2%
Magherafelt	6	1.5%	Other (ex-NI)	0	-
Maghera	0	-	Unknown	14	N/A
Londonderry	37	9.1%	Total	419	100%

Table 4: Community background of complainants

Community background	Number	%	% for which Community background known
Catholic	28	7%	38%
Protestant	39	9%	53%
Other	5	1%	7%
None	1	0%	1%
Unknown	346	83%	N/A
Total	419	100%	100%

Table 5: Occupational status of complainants

Occupational status	Number	%	% for which Occupational status known
Working (Full-or Part-time)	22	5%	31%
Self-employed	3	1%	4%
Unemployed	22	5%	31%
Looking after family or home	4	1%	6%
Permanently sick or disabled	16	4%	23%
Student	3	1%	4%
Other	1	0%	1%
Unknown	348	83%	N/A
Total	419	100%	100%

Table 6: Numbers of complaints involving baton use reported, November 2000 to March 2002

Month	Number	%
November '00	21	5%
December '00	18	4%
January '01	35	8%
February '01	24	6%
March '01	12	3%
April '01	24	6%
May '01	26	6%
June '01	40	10%
July '01	38	9%
August '01	23	6%
September '01	35	8%
October '01	30	7%
November '01	21	5%
December '01	12	3%
January '02	29	7%
February '02	11	3%
March '02	20	5%
Total	419	100%

Table 7: Months in which incidents leading to complaints involving baton use took place

Month of occurrence	Number	%
Before November '00	14	3%
November '00	15	4%
December '00	21	5%
January '01	34	8%
February '01	18	4%
March '01	15	4%
April '01	25	6%
May '01	22	5%
June '01	41	10%
July '01	39	9%
August '01	24	6%
September '01	35	8%
October '01	31	7%
November '01	17	4%
December '01	12	3%
January '02	27	6%
February '02	11	3%
March '02	18	4%
Total	419	100%

Table 8: Time when incidents leading to complaints involving baton use took place

Time	Number	%	% in which time known
00.01 – 03.00	147	35%	43%
03.01 – 06.00	40	10%	12%
06.01 – 09.00	10	2%	3%
09.01 – 12.00	26	6%	8%
12.01 – 15.00	20	5%	6%
15.01 – 18.00	21	5%	6%
18.01 – 21.00	24	6%	7%
21.01 – 24.00	52	12%	15%
Unknown	79	19%	N/A
Total	419	100%	100%

Table 9: Days on which incidents leading to complaints involving baton use took place

Day	Number	%
Monday	38	9%
Tuesday	40	10%
Wednesday	24	6%
Thursday	69	16%
Friday	48	11%
Saturday	102	24%
Sunday	98	23%
Total	419	100%

Table 10: Allegation types in complaints involving baton use

Allegation type	Allegation sub-type	Number	%
Oppressive Behaviour	Serious Assault	19	4%
	Other Assault	395	93%
	Oppressive Conduct or Harassment	8	2%
	Unlawful Arrest or Detention	2	1%
	Sub-total	424	99%
Failure of Duty	Breach of Code	1	0%
	Search of Premises	1	0%
	Sub-total	2	1%
Total		426	100%

Table 11: Factors⁶ involved in complaints involving baton use

Factor	Number	%	% in which factor known
Arrest	159	38%	58%
Domestic incident	2	0%	1%
During detention	4	1%	1%
Parade/Demonstration	30	7%	11%
Search	1	0%	0%
More than one factor	15	4%	5%
Other	65	16%	24%
Unknown	143	34%	N/A
Total	419	100%	100%

Table 12: Locations⁷ where incidents leading to complaints involving baton took place

Location	Number	%	% in which location known
Domestic residence	31	7%	9%
Outside Public House	14	3%	4%
Other public building	8	2%	2%
Police station	9	2%	3%
Police vehicle	13	3%	4%
Street	193	46%	58%
Other location	52	12%	16%
More than one location	10	2%	3%
Unknown location	89	21%	N/A
Total	419	100%	100%

⁶ Factor information collected from February 2001 onwards

⁷ Location information collected from February 2001 onwards

Table 13: Parts of body allegedly struck (number of times mentioned and proportion of all complaints)

Part of body	Number ⁸	% ⁹
Head, face, neck	131	31%
Shoulders, arms, hands	126	30%
Torso	67	16%
Hips, legs, feet	140	33%

Table 14: Nature of injuries allegedly due to baton use (number and proportion of complainants)

Nature of Injury	Number ¹⁰	%	% of complainants alleging injuries ¹¹
Bruising and/or soreness	251	60%	80%
Cut	59	14%	19%
Abrasion	30	7%	10%
Broken bone	11	3%	4%
Dental	1	0%	0%
Concussion or lost consciousness	4	1%	1%
No injury recorded	105	25%	N/A

Table 15: Nature of recorded injuries (number and proportion of complainants)

Nature of Injury	Number ¹²	%	% of complainants suffering injuries ¹³
Bruising and/or soreness	185	44%	80%
Cut	36	9%	16%
Abrasion	71	17%	31%
Broken bone	8	2%	3%
Dental	1	0%	0%
Concussion or lost consciousness	1	0%	0%
No injury recorded	189	45%	N/A

8 Number of body parts struck sums to more than 419 because of multiple blows alleged in some complaints

9 As percentage of total of 419 complaints

10 Number of injuries sums to more than 419 because of multiple injuries alleged in some complaints

11 As percentage of total of 314 complainants with alleged injuries

12 Number of injuries sums to more than 419 because of multiple injuries alleged in some complaints

13 As percentage of total of 230 complainants with recorded injuries

Table 16: Number of complaints involving allegations of baton use received from each Police Station area

Police station	Number	Police station	Number
Andersonstown	4	Lisnaskea	1
Antrim	9	Lurgan	6
Antrim Road	34	Magherafelt	2
Armagh	5	Moneymore	1
Ballyclare	4	Mountpottinger	3
Ballymena	20	Musgrave St	15
Ballynafeigh	1	New Barnsley	4
Ballynahinch	4	Newcastle	1
Banbridge	4	Newry	4
Bangor	5	Newtownabbey	1
Carrickfergus	7	Newtownards	13
Castleberg	1	North Queen Street	7
Castlereagh	1	Oldpark	47
Coleraine	5	Omagh	11
Cookstown	2	Portadown	18
Craigavon	6	Portrush	4
Cullybackey	1	Rathfriland	1
Donaghadee	2	Saintfield	1
Donegall Pass	15	Shantallow	5
Downpatrick	5	Sion Mills	1
Dungannon	3	Springfield Rd	3
Dunmurry	2	Stewartstown	1
Enniskillen	11	Strabane	3
Garvagh	1	Strand Rd	27
Glengormley	2	Strandtown	6
Greencastle	2	Tennent St	17
Grosvenor Rd	13	Toomebridge	2
Hollywood	2	Warrenpoint	5
Irvinestown	2	Waterside	9
Larne	4	Willowfield	3
Limavady	2	Woodbourne	7
Lisburn	3	York Rd	3
Lisburn Road	5	Total	419

Table 17: Number of complaints involving allegations of baton use received from each Police DCU

DCU	Number	%
Antrim	11	3%
Ards	15	4%
Armagh	5	1%
Ballymena	21	5%
Ballymoney	0	-
Banbridge	5	1%
Belfast East	12	3%
Belfast North	110	26%
Belfast South	36	9%
Belfast West	31	7%
Carrick	7	2%
Castlereagh	1	0%
Coleraine	10	2%
Cookstown	4	1%
Craigavon	30	7%
Down	11	3%
Dungannon	3	1%
Fermanagh	14	3%
Foyle	41	10%
Larne	4	1%
Limavady	2	0%
Lisburn	5	1%
Magherafelt	2	0%
Moyle	0	-
Newry & Mourne	9	2%
Newtownabbey	7	2%
North Down	7	2%
Omagh	11	3%
Strabane	5	1%
Total	419	100%

Table 18: Numbers of officers involved in incidents leading to complaints involving baton use

Numbers of officers involved	Number of incidents	%	% in which number known
One	132	31%	40%
Two	81	19%	25%
Three	45	11%	14%
Four	27	6%	8%
Five	20	5%	6%
Six	8	2%	2%
Seven	4	1%	1%
Eight	3	1%	1%
Nine	4	1%	1%
Ten and over	6	1%	2%
Unknown	89	21%	N/A
Total	419	100%	100%

Table 19: Units to which officers involved in incidents leading to complaints involving baton use were attached

Unit	Number	% of officers	% in which unit known
CID	5	1%	2%
Tactical Support Groups	153	20%	56%
Neighbourhood Patrol Unit	33	4%	12%
Operational Support Unit	20	3%	7%
Traffic	5	1%	2%
All other units	55	7%	20%
Unknown	498	65%	N/A
Total	769	100%	100%

Table 20: Ranks of officers involved in incidents leading to complaints involving baton use

Rank	Number of officers	%	% in which rank known
Part-time Reserve Constable	7	1%	1%
Full-time Reserve Constable	125	16%	21%
Constable	348	45%	60%
Sergeant	91	12%	16%
Inspector and above	13	2%	2%
Unknown	185	24%	N/A
Total	769	100%	100%

Appendix 2: Complaints involving baton use in GB Police Forces

Police force	Officers on patrol (Foot/car/beat) ¹⁴	Baton use records kept	Period	Baton use ¹⁵ (Number of incidents)	Complaints involving Baton use
Avon & Somerset	1539	Yes	1999	653	17
			2000	460	10
Bedfordshire	478	N/A	1998	N/A	2
			1999	N/A	1
			2000	N/A	1
Cleveland	676	Not fully	1998	N/A	7
			1999	N/A	7
			2000	N/A	9
Cumbria	571	N/A	1999/2000	N/A	6
			2000/01	N/A	4
Devon & Cornwall	1444	Yes (full)	1998	132	6
			1999	134	3
			2000	147	6
Dorset	612	N/A	1999	N/A	3
			2000	N/A	2
Dumfries & Galloway	N/A	N/A	2000/01	N/A	1
Durham	742	Yes	1998	20	4
			1999	32	4
			2000	42	5
Dyfed-Powys	599	Yes	1999/2000	3	1
			2000/01	0	0
Gloucestershire	502	Yes	2000/01	6	0
Humberside	1148	Yes	2000	50	6
Kent	1132	Yes	2000	387	7
Lancashire	1586	N/A	1998/99	N/A	17
			1999/2000	N/A	18

¹⁴ Home Office data

¹⁵ 'Baton Use' includes batons drawn, baton strikes and baton restraints

Appendix 2: Complaints involving baton use in GB Police Forces

Police force	Officers on patrol (Foot/car/beat) ¹⁶	Baton use records kept Yes (very full)	Period	Baton use ¹⁷ (Number of incidents)	Complaints involving Baton use
Leicestershire	1084		1999	248	N/A
			2000	220	4
Metropolitan Police	12312	Yes	1999/2000	N/A	15
			1998/99	N/A	109
			1999/2000	N/A	73
			2000/01	N/A	105
Norfolk	691	N/A	1998/99	N/A	8
			1999/2000	N/A	5
			2000/01	N/A	3
			1999	N/A	7
Northumbria	2070	No	2000	N/A	19
			1998/99	N/A	16
Nottinghamshire	1100	No	1999/2000	N/A	12
			2000/01	N/A	11
			2000	N/A	8
Hampshire	1912	N/A	2000	N/A	35
South Wales	1615	N/A	2000	N/A	8
South Yorkshire	1468	Yes (approx)	1999	36	11
			2000	45	N/A
Staffordshire	2170	Yes	N/A	N/A	16
Thames Valley	1761	Yes	2000	613	6
Warwickshire	459	Yes (?)	1998/99	N/A	7
			1999/2000	N/A	4
West Mercia	798	Yes (approx)	2000	82	18
West Yorkshire	2478	N/A	1998/99	N/A	15
			1999/2000	N/A	

¹⁶ Home Office data

¹⁷ 'Baton Use' includes batons drawn, baton strikes and baton restraints

- trainers and the physical conditions of the training environment; and
- The deficit in refresher training.

USE OF FORCE

This form should be completed when Tactical Communications have not been effective i.e. when

1. there is officer &/or subject injury
2. there has been use / drawing of baton &/or incapacitant
3. there has been physical use of force except compliant handcuffing or escort position

Please use a black pen. Shade circles ● and print in boxes **E X A M P L E**

Day of Incident
 Mon Tue Weds Thurs Fri Sat Sun

Incident date / / Incident time :

Station Code Incident Log No. /

Type of Duty (fill one circle only)	Type of Incident	Location of Incident	Reason for Use of Force
Mobile Patrol <input type="radio"/>	Public Order <input type="radio"/>	Roadway <input type="radio"/>	Protect self / other officer <input type="radio"/>
Foot Patrol <input type="radio"/>	Custody <input type="radio"/>	Dwelling <input type="radio"/>	Protect public <input type="radio"/>
Custody <input type="radio"/>	Crime <input type="radio"/>	Car Park <input type="radio"/>	Protect / secure property / evidence <input type="radio"/>
Traffic / ARV <input type="radio"/>	Sexual Offences <input type="radio"/>	Public Park <input type="radio"/>	Prevent harm to subject <input type="radio"/>
Drugs <input type="radio"/>	Domestic <input type="radio"/>	Garden / Yard <input type="radio"/>	Effect arrest <input type="radio"/>
CID <input type="radio"/>	Traffic <input type="radio"/>	Public Building <input type="radio"/>	Prevent offence <input type="radio"/>
Football Duty <input type="radio"/>	Alarm <input type="radio"/>	Custody Block <input type="radio"/>	Effect search <input type="radio"/>
PSU <input type="radio"/>	Suspicious Person <input type="radio"/>	Commercial Premises <input type="radio"/>	Remove handcuffs <input type="radio"/>
Enquiries <input type="radio"/>	Assault <input type="radio"/>	Licensed Premises <input type="radio"/>	Accidental <input type="radio"/>
Dog Section <input type="radio"/>	Other <input type="radio"/>	Motor Vehicle <input type="radio"/>	Destroy animal <input type="radio"/>
Off Duty <input type="radio"/>		Train <input type="radio"/>	Other <input type="radio"/>
Other <input type="radio"/>		Other <input type="radio"/>	

What equipment were you in possession of at the time of the incident

Incapacitant Spray	<input type="radio"/>
ASP	<input type="radio"/>
PSU Baton	<input type="radio"/>
Protective Vest - Std Force Issue	<input type="radio"/>
Protective Vest - Ballistic	<input type="radio"/>
Rigid Handcuffs	<input type="radio"/>
Shield	<input type="radio"/>
Firearm	<input type="radio"/>
Other	<input type="radio"/>

Officer Response
 For each type of officer response indicate whether the response was effective or not effective or that it was not used.

	effective	not effective	not used
Tactical Communication	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Primary Control Skills	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non Compliant Handcuffing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Empty Hand Defensive Tactics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incapacitant Drawn / Presented	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incapacitant Used	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baton Drawn	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baton Strike	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baton Restraint	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Police Dog	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shield Used	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Firearm Drawn	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Firearm Discharged	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

For office use only

24035

I M P A C T F A C T O R S			
Weapon Carried by Subject Unknown <input type="radio"/> None <input type="radio"/> Firearm <input type="radio"/> Weapon - edged <input type="radio"/> Weapon - bladed <input type="radio"/> Weapon - pointed <input type="radio"/> Weapon - blunt <input type="radio"/> Missile <input type="radio"/> Bottle <input type="radio"/> Other <input type="radio"/>	Distance between Officer & Subject Under 3 feet <input type="radio"/> 3 feet or more <input type="radio"/>	Nature of your Injuries None <input type="radio"/> Stab wound <input type="radio"/> Bruising <input type="radio"/> Slash / laceration <input type="radio"/> Broken bone <input type="radio"/> Affected by CS spray <input type="radio"/> Other <input type="radio"/>	Number of Other Officers Injured [][]
Location of Weapon In hand <input type="radio"/> Close by <input type="radio"/> Concealed on person <input type="radio"/> Other person <input type="radio"/> Motor vehicle <input type="radio"/>	Method of Assault Fist / punch <input type="radio"/> Kick <input type="radio"/> Headbutt <input type="radio"/> Struggle / resist arrest <input type="radio"/> Threat of violence <input type="radio"/> Other <input type="radio"/>	Body Part(s) Injured None <input type="radio"/> Head <input type="radio"/> Torso <input type="radio"/> Limb <input type="radio"/> Please submit Pers 2 if injured	Profiled Offender Behaviour (mark one only) Verbal Resistance <input type="radio"/> Passive Resistance <input type="radio"/> Active Resistance <input type="radio"/> Aggressive Resistance <input type="radio"/> Serious Resistance <input type="radio"/>
Person(s) Arrested			No. of Subjects / Offenders [][]
Name: _____ Address: _____ Age / DOB: _____ Injuries: _____ Height: _____ Weight: _____ Custody Record No: _____		Name: _____ Address: _____ Age / DOB: _____ Injuries: _____ Height: _____ Weight: _____ Custody Record No: _____	
Officer number [][][][] Name: _____ Male <input type="radio"/> Female <input type="radio"/> Rank PC <input type="radio"/> Sgt <input type="radio"/> Insp <input type="radio"/> Other <input type="radio"/> Age in years [][] Relief [][][] Length of Service in years [][] When did you last receive Officer Safety Training(month/year) [][]/[][]			
For office use only Record for HMIC Yes <input type="radio"/> No <input type="radio"/> Complaint No. _____ 1 2 3 4 5 6 7 8 9 0 o o o o o o o o o o		Officer Signature: _____ Supervisor Signature: _____ Please submit this form to Complaints & Discipline Dept, HQ Attach copy of PNB entry or statement re: incident	



USE OF FORCE REPORT

When do I fill in this Form? →

Alcohol Related

- 1 Officer/subject Injury
- 2 Use/drawing of baton/spay
- 3 Physical Use of Force except Compliant Handcuffing and Escort Position

Your Police Area

N'ton Northern

Eastern Western

Operations

Incident Date	Incident Time	<input type="checkbox"/> Individual Report Or <input type="checkbox"/> Team Report	Type of Team	Total Number of Officers Deployed
---------------	---------------	--	--------------	-----------------------------------

Officer Completing this form

Rank	Number	Name	Gender M <input type="checkbox"/> F <input type="checkbox"/>
			Dress Uniform <input type="checkbox"/> Plain Clothes <input type="checkbox"/>

Length of Service (to nearest year) _____ Date of your last D/T training _____

Types of Duty	Incident Type	Number of Subjects
<input type="checkbox"/> GD <input type="checkbox"/> Town Van <input type="checkbox"/> Custody <input type="checkbox"/> PSU <input type="checkbox"/> Foot Patrol <input type="checkbox"/> Enquiries <input type="checkbox"/> Traffic/RPU <input type="checkbox"/> Dog Section <input type="checkbox"/> Drugs <input type="checkbox"/> Off Duty <input type="checkbox"/> IRV <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Public Order <input type="checkbox"/> Custody <input type="checkbox"/> Crime <input type="checkbox"/> Sexual Offence <input type="checkbox"/> Domestic <input type="checkbox"/> Alarm <input type="checkbox"/> Traffic <input type="checkbox"/> Assault <input type="checkbox"/> Suspicious Person <input type="checkbox"/> Other (specify)	<input type="checkbox"/> One <input type="checkbox"/> Two <input type="checkbox"/> Three <input type="checkbox"/> Four <input type="checkbox"/> More Than Four (specify)

Officer Response	Was the response Effective?	Reason for Use of Force
<input type="checkbox"/> Firearm discharged <input type="checkbox"/> Firearm pointed <input type="checkbox"/> Incapacitant used <input type="checkbox"/> Incapacitant drawn <input type="checkbox"/> Baton Strike <input type="checkbox"/> Baton restraint <input type="checkbox"/> Baton draw <input type="checkbox"/> Defensive tactics <input type="checkbox"/> Primary control skill <input type="checkbox"/> Police dog <input type="checkbox"/> Compliant Handcuffing <input type="checkbox"/> Non-Compliant Handcuffing <input type="checkbox"/> ERB <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Protect self/other officer <input type="checkbox"/> Protect Public <input type="checkbox"/> Protect/secure property/evidence <input type="checkbox"/> Prevent harm to subject <input type="checkbox"/> Effect arrest <input type="checkbox"/> Prevent offence <input type="checkbox"/> Effect search <input type="checkbox"/> Remove Handcuffs <input type="checkbox"/> Accidental <input type="checkbox"/> Destroy animal <input type="checkbox"/> Other (specify)

Other Situational Factors			
Distance Between Officer and Subject	Weapons Carried by Subject	Weapon Detail (eg Knife/bottle/baseball bat)	Location of Weapon
<input type="checkbox"/> Under 6 ft <input type="checkbox"/> 6 ft to 10 ft <input type="checkbox"/> 10 ft to 15 ft <input type="checkbox"/> 15 ft to 20 ft <input type="checkbox"/> Over 20 ft	<input type="checkbox"/> Unknown <input type="checkbox"/> None <input type="checkbox"/> Firearm <input type="checkbox"/> Edged Weapon <input type="checkbox"/> Club <input type="checkbox"/> Other (specify)	<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p style="text-align: center;">If a firearm - real/imitation</p> <p>No. of rounds fired _____</p>	<input type="checkbox"/> In hand <input type="checkbox"/> Close by <input type="checkbox"/> Concealed on person <input type="checkbox"/> Other person <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other (specify)

(if no injuries leave this section blank)

Person Injured	Seen by Police Surgeon	Nature of Injuries	Body Part/s
<input type="checkbox"/> Self <input type="checkbox"/> Other Officer <input type="checkbox"/> Subject <input type="checkbox"/> Third Party	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Your injury Colleague Injury Subject Injury Third Party Injury

Conditions		Location of Incident	
<input type="checkbox"/> Daylight	<input type="checkbox"/> Dark	<input type="checkbox"/> Roadway	<input type="checkbox"/> Public building
<input type="checkbox"/> Dusk/dawn	<input type="checkbox"/> Artificial lighting	<input type="checkbox"/> House/flat	<input type="checkbox"/> Custody block
<input type="checkbox"/> Sunny	<input type="checkbox"/> No lighting	<input type="checkbox"/> Car park	<input type="checkbox"/> Commercial building
<input type="checkbox"/> Cloudy	<input type="checkbox"/> Snow	<input type="checkbox"/> Park	<input type="checkbox"/> Licensed premises
<input type="checkbox"/> Raining/rained	<input type="checkbox"/> Fog	<input type="checkbox"/> Yard/lane	<input type="checkbox"/> Motor vehicle
	<input type="checkbox"/> Other (specify)	<input type="checkbox"/> Garden	<input type="checkbox"/> Other (specify)

Police Use of Firearms	
Type of firearm:	Number of Rounds Fired

Supervisor Submitting:	Rank	Number	Name	Date

Reviewed by Principal Instructor:	Rank	Number	Name	Date

OFFENDER

<input type="checkbox"/> Male
<input type="checkbox"/> Female
<input type="checkbox"/> Ethnic Code

SPRAY
Canister Number/s

EQUIPMENT

<input type="checkbox"/> Side Handle Baton
<input type="checkbox"/> Straight Baton
<input type="checkbox"/> Protective Vest Worn

WRITTEN PRECIS OF INCIDENT (or your copy pocket book entry or statement)
 Include: *Profiled Offender Behaviour *Impact Factors *Reasonable Response Option
 Include a list of other officers present:

Signature of officer completing this form Date

Submit this form direct to your PRINCIPAL INSTRUCTOR

OCCURRENCE REPORT : BATONS

SERGEANT _____

_____ Station/Unit _____ District _____ Date

I have to submit the following particulars of an occurrence involving the use of batons issued to a member of the force:

1. Date, Time, Location and Station Area of Occurrence: _____

2. Name, Rank, Reg. No. and Station of Member Involved: _____

3. Name, Rank, Reg. No. and Station of Member who authorised Use of Batons if applicable: _____

4. Full details of Members of Public Involved: _____

5. Details of known injuries to Person and/or Police: _____

6. Details of Known Damage to Property: _____

7. Name and Address of any person who has made a Complaint, with details of Complaint: _____

8. Brief Details of Circumstances including reasons for drawing or ordering the drawing and/or use of batons.

9. Baton produced for inspection by Constable _____ to Sergeant _____

Signed: _____ Constable

Continue Overleaf

Section A - To be completed in every case

To: Inspector _____

- (a) The baton was produced to me with the following results: _____

- (b) The Constable's notebook was examined and is correct.

_____ Sergeant

To: DCU Commander _____

- (a) It appears that the use of the baton **was/was not*** justified.
- (b) There **has/has not*** been a breach of discipline.
- (c) A complaint **has/has not*** been made.

_____ Inspector

To: DCU Secretariat
via Inspector _____

Noted. Please have these papers filed.

_____ Chief/Superintendent
(DCU Commander)

**Section B - To be completed where conditions (a), (b) or (c) below apply. Copy form to be sent to Chief Superintendent 'G'.
Original to go to DCU Level for filing.**

To: Assistant Chief Constable 'G' Department
(via Personnel Liaison Officer in breaches of discipline)

These papers are forwarded for your attention as:

- (a) It appears that the use of baton was not justified.
- (b) There has been a breach of discipline.
- (c) A complaint has been made.

_____ Chief/Superintendent
(DCU Commander)

**Delete as appropriate*



Bibliography

Bayley, D. and Garofalo, J. (1989), 'The Management of Violence by Police Patrol Officers', *Criminology*, 27/1: 1-27.

Boatman, P. (2000), End of Year Use of Force Report. Northampton: Northamptonshire Police.

Bittner, E. (1970), *The Functions of Police in Modern Society*. Washington DC: US Government Printing Office.

Friedrich, R. J. (1980), 'Police use of force: Individuals, situations and organisations', *Annals of the American Academy of Political and Social Science*, 11: 82-97.

Henriquez, M. A. (1999), 'IACP National Database Project on Police Use of Force', in *Use of Force by Police: Overview of National and Local Data*. Washington DC: Office of Justice Programmes.

Northern Ireland Policing Board (2003), *Code of Ethics for the Police Service of Northern Ireland*. Belfast: Northern Ireland Policing Board.

Queensland Criminal Justice Commission (2000), Reported Use of Force by Queensland Police: Findings from the 1999 Queensland Defendants Survey. Brisbane: QCJC Research Paper Series, Volume 6, Number 2.

Rappert, B. (2002), 'Constructions of Legitimate Force: The Case of CS Sprays', British Journal of Criminology, 42: 689-708.

Terrill, W. and Mastrofski, S. D. (2002), 'Situational and Officer-Based Determinants of Police Coercion', Justice Quarterly, 19/2: 215-248.

US Department of Justice (1999), Use of Force by Police: Overview of National and Local Data. Washington DC: Office of Justice Programmes.

