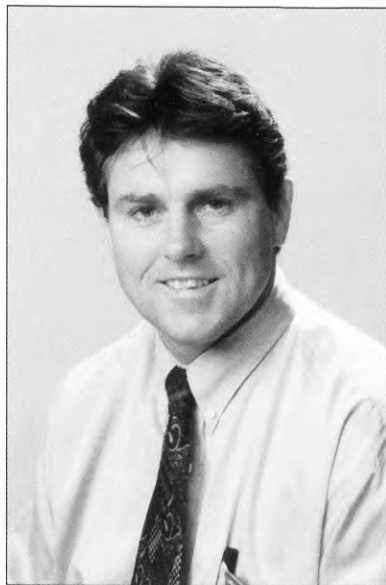


# Assess and re-assess: communication a vital element of new training model

By Federal Agent Ben McDevitt



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Federal Agent Ben McDevitt of AFP Education and Training at Barton College began a review in mid-1994 into the AFP's 'use-of-force' training and policy. Deputy Commissioner Adrien Whiddett directed in January, 1995, that the review be given the highest priority. Following extensive research and consultation the completed review paper 'Assess and Re-assess: A Conflict De-escalation Model' was circulated for comment in January this year. At the request of Deputy Commissioner Jim Allen, an agenda paper on the 27 review recommendations will be considered by the National Management Team.

*The review of 'use-of-force' training and policy was not prompted by any single incident. Rather it was foreshadowed by a growing realisation that our training and policy was not truly directed towards reinforcing the ethic of minimum force to which we aspired.*

The need for a clear and decisive shift of the training emphasis from the higher levels of force toward a program of conflict de-escalation based around active communication was self-evident upon examination.

The course of the use-of-force review was impacted upon by several key factors. These included:

- Endorsement by the Australian police ministers of the national guidelines on the use of firearms and other lethal force by police and of the guidelines on the deployment of police in high risk situations.
- Examination of our response to the ombudsman's report of investigations into complaints arising from demonstrations held at the Australian International Defence Exposition (AIDEX) in November 1991.
- The series of police shootings in Victoria which led to the initiation of Project Beacon.
- Receipt by the Commonwealth Ombudsman of a growing number of complaints regarding the execution of search warrants.
- In addition, we examined new member training procedures and the use of and availability and acceptance of less than lethal force options such as Oleoresin Capsicum (OC) spray and extendable batons.

The purpose of the review was not to seek to resolve all of the complex issues associated with use of force by our members. However, as a serious start point for effectively addressing these issues, 27 key recommendations have been made.

The first six recommendations establish a framework for adoption of a proposed police safety principles model. This model will form the basis for all of our use of force training and is representative of a clear and decisive shift of the training emphasis towards conflict de-escalation and verbalisation skills.

The model is aimed at outlining the primary options which may be available to a member faced with confrontation. In most occasions all of the options detailed on the outer circle will not be available to the member (for example, at present only the AFP Special Operations Team has a capacity to utilise chemical munitions). It is necessary then that the member assesses the situation constantly and chooses an appropriate response which will be principally guided through the communication process. The model is not incremental and the options detailed do not necessarily require a step-by-step process. For



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*New members undertaking training in one facet of the revamped use-of-force program.*

example the situation may be one which upon assessment may immediately require an appropriate use of a baton and in that instance the member would choose the path which radiates through the communication band (which if time and circumstances permit will involve a warning) and to the baton/impact weapon.

The model reinforces key factors which should guide a member in making a decision based on reasoned discretion. Communication is the central

*Communication is the central encompassing theme regardless of which option may eventually be utilised.*

encompassing theme regardless of which option may eventually be utilised. Other models list verbalisation as a step which is passed through enroute to other options. This is not the case with this model with communication being constant and ongoing.

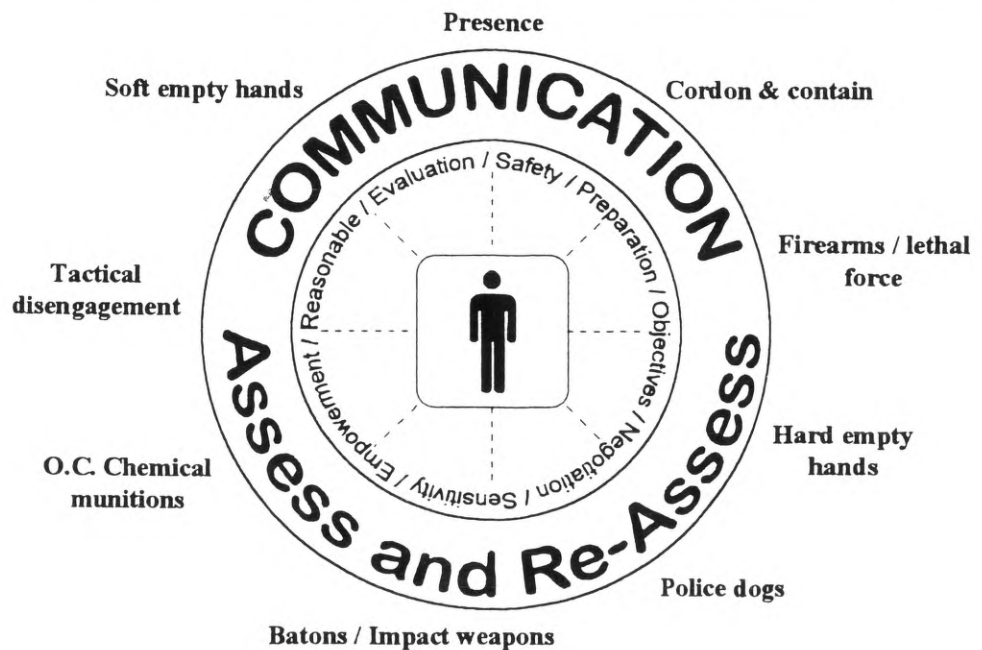
The key words assess and re-assess, relate to

the essential need for constant assessment and re-assessment of any confrontational situation. The inner circle factors are those which should guide this process of constant re-assessment. The inner circle factors form the acronym RESPONSE and each is critical to the decision-making process. The aide memoir is applicable to most conceivable potential confrontational situations, ranging from a one-on-one conflict on the street (or in the workplace for that matter) or in the planning and execution phases of a search warrant or crowd control situation, through to a siege or barricade situation. The model itself was designed following extensive consultation with AFP and State police use-of-force instructors, the National Police Research Unit, the Office of the Commonwealth Ombudsman and members of the legal profession.

Operational police are entrusted with immense and unique discretionary power regarding the use of force and the model seeks to give our members guidance in use of this power.

Recommendations seven to nine address the need to re-focus the way in which we provide in-service training to our members in use of force. Under the proposals, all operational members will be required to undertake a two day use-of-force program each year. In addition to firearms re-certification this program will include training in

## POLICE SAFETY PRINCIPLES MODEL



- REASONABLE:**
  - Any application of force must be reasonable, necessary and proportionate to the threat or resistance offered
- EVALUATION:**
  - Prior intelligence gathering and evaluation may reduce the need for later use of force
  - Conduct risk assessments
- SAFETY:**
  - The primary consideration must be the safety of all persons involved
- PREPARATION:**
  - Mental and physical
  - Planning is critical
  - Consider limitations and parity/disparity
- OBJECTIVES:**
  - Should be continually re-assessed
  - Do not lose sight of aims and objectives merely because of confrontation
- NEGOTIATION:**
  - Negotiation is the primary and preferred means of confrontation management
  - Communication should be active and ongoing wherever possible
  - Cordon and containment options are preferred – forced entries are to be exercised only as a last resort
- SENSITIVITY:**
  - Adoption of communication strategies for dealing with people with a mental illness
  - Acceptance and accommodation of cultural diversity in interactions
  - Sensitivity to the persons and issues involved
- EMPOWERMENT:**
  - Acceptance of responsibility and accountability
  - Allocation of appropriate resources
  - Effective command and control – assertive communication style

areas such as basic empty hands techniques, body language, anger and fear management, dealing with the mentally ill, conflict de-escalation and negotiation techniques.

Members undertaking the program will be exposed to scenario training in dealing with use of force matters.

Scenario training is undoubtedly the foremost methodology for inculcating in police an assertive communication style rather than an aggressive or passive style when faced with confrontation.

Through the medium of professionally conducted scenario exercises police can be actively assessed on their total

evaluation and response to a given situation rather than on a single mechanical application of a particular level of force.

*Lack of confidence breeds fear which is a root causal factor in instances of excessive force.*

The proposed re-certification program is not limited to those members engaged in ACT local policing, but is directly aimed towards all of our operational members. In particular any member whose duties require him or her to carry a firearm will need to be exposed to this balanced training program.

Competence in the use of a firearm must be accompanied by competence in the lower levels of force. Without adequate training and equipment police will not feel confident in their own ability to correctly assess and deal with the confrontational situations which they may have to face. Lack of confidence breeds fear which is a root causal factor in instances of excessive force.

The use-of-force training program will be delivered by comprehensively trained defensive skills instructors capable of teaching all aspects of use of force. The bread and butter subjects of this defensive skills instruction are conflict de-escalation and negotiation skills.

Statistical studies clearly show that most conflict is resolved via verbalisation and the majority of arrests are made without physical force. It follows then that whilst police need to be confident and competent in their abilities at the higher use of force levels, the training emphasis should be directed toward the communication skills. In the majority of cases these skills will save a member well before marksmanship ability or physical prowess.

Recommendations 10-12 refer to the use of facial touch pressure point techniques and the need to adopt alternative methods for dealing with people offering passive or defensive resistance.

Recommendations 13 and 14, for operational members to be issued with the ASP extendable

baton after completing the appropriate training, and for regions to be suitably equipped with safety and training equipment, have been implemented in most regions.

Recommendations 15 and 16 refer to a proposal for a stringently controlled trial of OC spray. OC is not a panacea for all difficulties associated with police use of force matters. It is not intended to, nor will it ever take the place of the police baton or police firearm. There has been considerable success in the use of OC spray overseas and indications are that we should explore this option further.

Recommendations 17-20 deal with firearms training and have been largely satisfied through a re-vamping of the firearm qualifying test and re-design of the standard target.

Recommendation 20 specifically addresses assessment of the continued suitability of our standard issue firearm, the .38 revolver, and the implications of adopting a semi-automatic pistol. The main arguments in favour of adopting a semi-automatic firearm are increased firepower, much faster reloading and the relative ease of passing a full magazine to a downed member.

On the other hand it has been argued in the past that revolvers are less prone to malfunctions such as double feeds or extraction problems and further, there is evidence to suggest that a disproportionate number of accidental shootings by police have involved semi-automatic weapons (Geller 1981). While this issue has been the focus of considerable debate recently, its priority falls far below that of the other recommendations of the review.

Recommendations 21 and 22 deal with the issue of the need for assessment of the requirement for protective body armour for use by members. If such a need is identified then appropriate vests need to be chosen and members adequately trained in their usage and limitations. There is a trade off between ballistic protection and user wearability with the bottom line being that the selected vest must be capable of defeating the standard issue police round.

Recommendations 23 and 24 deal directly with the issue of demonstration management and suggest a consistent and comprehensive five day training program dealing with crowd control, mob psychology, media awareness, dealing with difficult people and arrest and support team functions. Police supervisors undertake aligned command and control training. All operational members within the ACT, and other non-



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Red man training exercise

operational members who may be called to assist (as at AIDEX) would undertake the program.

Recommendations 25-27 address the need for comprehensive training for operational members who are engaged in the execution of search warrants. This need has been reinforced by the growing number of complaints received by the Commonwealth Ombudsman in this aspect of operations. The proposed five-day program would be undertaken by members once every two years. It would bring together all aspects of the application and execution of search warrants including the planning, preparation and risk assessment phases, an overview of powers and legislation and a review of practical aspects involved. It is proposed that the Commonwealth Ombudsman would be involved in the

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structure of the program.

Each of the recommendations discussed briefly here is expanded in the review document which is available to any member requiring more information.

Aside from entrenched corruption, arguably the most contentious issue in modern day policing is in regard to use of force matters. As such, it is these issues which have the most potential for degrading the image of and the trust held for a policing agency. Adoption of some of the recommendations contained within the review involve considerable resource implications and some loss of operational time

while members undertake training. These investments must be weighed up against the costs of maintaining a public trust and confidence which can so easily be irreparably damaged through an abuse of legitimate coercive powers.