

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner of Police in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use VPM Professional and ethical standards to inform the decisions they make to support compliance.

Operational safety and the use of force

Context

Victoria Police is responsible under the *Victoria Police Act 2013* (VPA) for specific roles and functions that provide a service to the Victorian community. To perform these roles and functions, members and police custody officers (PCOs) are expected to protect themselves and the public while fulfilling their duties. To do this effectively, they may need to use force.

Members and PCOs are trained in a range of techniques and a variety of operational safety equipment to enable them to have options when responding to an incident. The level of force required to bring an incident under control may need to increase or decrease depending on the situation, and is determined by a range of factors including:

- legislative provisions including 322K and 462A, *Crimes Act 1958*
- the type of incident
- the capability of the responding members and PCOs
- the responding members' and PCOs' assessment of the risk.

When it comes to using force, members and PCOs must lead by example, treating everyone with dignity and respect while having regard to the safety of themselves, other police employees, members of the public and any offenders.

Policy at a glance

This policy includes:

- the notification requirements for reporting a use of force incident
- the responsibilities of the duty officer and divisional patrol supervisor following the notification of a use of force incident
- member and PCO use of force actions that require reporting
- the operational response principles providing members and PCOs with guidance on organisational expectations, performance and decision making
- information on the Tactical Options Model (TOM), a visual aid outlining the tactical options available to members and PCOs in situations when use of force is required
- information on the use of SAFE TACTICS as an operational safety tool for responding to incidents.

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Scope and application

This policy relates to all members and PCOs.

Policy and procedures

1. Role of Victoria Police

Section 8, VPA outlines the role of Victoria Police. It states:

'The role of Victoria Police is to serve the Victorian community and uphold the law so as to promote a safe, secure and orderly society.'

2. Functions of Victoria Police

Section 9, VPA outlines the general functions of Victoria Police. It states:

'The functions of Victoria Police include the following:

- *preserving the peace*
- *protecting life and property*
- *preventing the commission of offences*
- *detecting and apprehending offenders*
- *helping those in need of assistance'.*

3. Legislative powers

3.1 Overview

- The use of force, including the use of operational safety equipment (OSE), must be in accordance with specific legal requirements (e.g. legislative provisions or common law).
- Two relevant sections of the *Crimes Act* are addressed within this policy. Additional powers relating to the use force are available to members and PCOs, including under common law and other legislative provisions.

3.2 Use of force (s.462A, Crimes Act)

Any force used by a member or PCO must be in line with legal requirements and the principles of s.462A, *Crimes Act*, which states:

A person may use such force not disproportionate to the objective as he or she

believes on reasonable grounds to be necessary to prevent the commission, continuance or completion of an indictable offence or to effect or assist in effecting the lawful arrest of a person committing or suspected of committing any offence.

Example

A member or PCO uses lethal force on a person to prevent that person from committing an indictable offence that involves causing really serious injury or death because the member or PCO believes on reasonable grounds that it is necessary to use that force for that purpose. The member or PCO may do so before that offence is committed.

3.3 Self-defence (s.322K, Crimes Act)

- Section 322K, *Crimes Act* relates to self-defence. The circumstances in which a person may carry out conduct in self-defence includes the:

- defence of the person or another person
- prevention or termination of the unlawful deprivation of the liberty of the person or another person
- protection of property.

- Section 322K, *Crimes Act* states:

A person is not guilty of an offence if the person carries out the conduct constituting the offence in self-defence.

A person carries out conduct in self-defence if:

- *the person believes that the conduct is necessary in self-defence; and*
- *the conduct is a reasonable response in the circumstances as the person perceives them.*

This section only applies in the case of murder if the person believes that the conduct is necessary to defend the person or another person from the infliction of death or really serious injury.

4. Operational response principles

- The operational response principles represent the role, functions, obligations and goal of Victoria Police. They reinforce that members and PCOs have:
 - a duty to provide a community service under legislation, policy, training and terms of employment
 - a responsibility to perform their duties as safely as possible under legislation, policy, training and terms of employment
 - a goal to perform their duties while minimising all types of harm.
- The operational response principles provide:
 - a guide for members and PCOs in performing their operational duties
 - clarification of organisational expectations
 - improved operational decision making.
- The principles are:
 - **Service** – members and PCOs are obligated to provide a service to the Victorian community, in line with their legislated responsibility. In performing this role, they may be required to perform tasks that may be considered inherently

unsafe. Members and PCOs are trained, equipped and empowered to perform such tasks and there is a community expectation that they will do so

- **Safety** – while providing a service members and PCOs will, as far as practicable, identify hazards and mitigate risks to themselves and others. This is consistent with the requirements of the *Occupational Health and Safety Act 2004*
- **Harm Minimisation** – the goal of policing activities is to minimise harm caused by the actions of police or the actions of others. This is a broader concept that extends beyond the use of force and physical injury. It encompasses human rights, psychological and emotional harm and other impacts on community safety and confidence.

5. Operational safety tool

- The operational safety tool SAFE TACTICS supports the operational response principles. It:
 - is not an exhaustive list but incorporates a number of tactical considerations
 - increases the focus on harm minimisation and consequence management
 - provides prompts relevant to operational policing.
- The operational safety tool is designed so that members and PCOs are more agile in their response to the operational environment and are empowered and enabled to make rapid and relevant operational decisions.
- SAFE TACTICS provides a continuous and non-linear process, meaning that the various steps can and should be revisited regularly throughout an incident.

OPERATIONAL SAFETY TOOL		
S	Slow Down / Step Back Consider your response, don't rush in	<i>Always consider the safety of yourself & others. Take control of your emotional response & adrenalin. Control the urge to rush in; your response is likely to be ineffective if it is not safe. Consider whether what you are doing, or intending to do, is safe, necessary & sanctioned by legislation or policy.</i>
A	Assess the Risks What can go wrong?	<i>Identify potential hazards & the risks they pose. Think broadly, sometimes there are just as many risks in getting to the job as there are once you arrive. Consider how you will manage the risks to yourself & others.</i>
F	Formulate a Plan Identify objectives and how they'll be achieved	<i>Make every effort to prepare a planned response to an unplanned incident. Consider the information you have at hand, your personal capability & experience along with that of other attending resources. Having assessed the risks, develop a plan that mitigates those risks & achieves your objectives. The complexity of the plan will vary depending on the incident & the risks identified.</i>
E	Evaluate your Options Consider the likely consequences of your action or inaction	<i>Consider the full range of responses open to you & select the most appropriate. Don't allow tunnel vision to restrict your thinking. Consequences are not limited to physical injuries and include a wide range of potential harm. Remember, some options, such as forced entry searches, present greater risk that need to be managed.</i>
T	Take Charge Demonstrate calm, maintain order, provide decisive leadership	<i>Provide leadership & direction. Be prepared to make decisions. Depending on the nature of the incident you may be required to perform command, control and / or co-ordination roles as dictated by legislation / policy. Implement effective ICCS structures as applicable to the event.</i>
A	Apply Relevant Legislation / Policy Consider the rules	<i>The Victoria Police Act articulates that we must serve the community & uphold the law. When conducting your duties you must ensure that you are working within the various rules that govern policing activities. This includes things like the Charter of Human Rights, use of force, search powers, entry powers, holding powers & considerations around urgent duty driving & pursuits.</i>
C	Create a Safe Operating Environment Isolate	<i>Depending on the situation this may involve a range of tasks, for example: isolating potential weapons at a family violence incident; closing roads at an accident scene;</i>

	and manage potential hazards	<i>creating a safety corridor during a traffic intercept; establishing a cordon around an armed offender or evacuating & cordoning off a clandestine drug lab.</i>
T	Tactical Options Select the most appropriate, but be prepared to adjust	<i>You have a variety of tactical options, including operational safety equipment, available to assist you in effectively & safely responding to policing tasks. The required response may range from a mere uniform presence to quell crowd unrest through to the use of lethal force in extreme cases. The choice of tactical option should always consider the nature of the task & the proportionality of the police response.</i>
I	Information Gathering Increase your situational awareness	<i>Situational awareness is critical to the safe & successful resolution of many policing tasks. The more accurate information that can be gathered, in the time available, to inform planning & response activities, the better. You are encouraged to utilise existing police records & databases as well as other sources of information to increase your situational awareness.</i>
C	Communication Provide clear, calm and concise communication	<i>Effective communication can often diffuse confrontation & eliminate the need to use force. In situations where communication has proven or is likely to prove ineffective & action must be taken, those actions must still be professional, reasonable and proportionate. Communication between members and/or PCOs is vital to ensure that everyone involved in or responding to an incident has a clear understanding of the circumstances, the police objectives & the risks involved. The provision of quality Situation Reports and On Air Directions must be treated as a priority to achieve a safe and successful outcome. In a multi-agency response EMTs should be conducted as required.</i>
S	Support Request assistance where appropriate	<i>Consider what additional support services or other resources might be required or are available to increase the safety of your activities or response. This may include additional general duties police units, specialist units or external agencies. In country areas, additional resources may not be available & this should also be factored into your planning & response. Consider post incident support & welfare needs.</i>

6. Operational Safety and Tactics Training

6.1 Operational Safety and Tactics Training (OSTT)

When undertaking OSTT, members and PCOs are trained in the use of force. This includes:

- the application of s.462A, *Crimes Act*
- a range of tactics
- a range of OSE (refer to **VPM Operational safety equipment** for use of force requirements for specific OSE)
- for members, the application and importance of the Tactical Options Model (TOM)
- for PCOs, the application and importance of aspects of the TOM in relation to their issued OSE and training.

6.2 Tactical Options Model (TOM)

- The Victoria Police TOM is an organisational visual aid that outlines the various tactical options available to members and PCOs. It includes communication, physical presence, negotiation, tactical disengagement, and cordon and manage, as well as OSE.
- When considering which tactical option to choose, members and PCOs should be mindful that their goal is to minimise the overall harm caused by their actions or the actions of others.
- Where the use of force is required, the random arrangement of tactical options encourages members and PCOs to escalate and de-escalate the choice of

equipment or tactics in accordance with the direction the incident is taking, the objective and the information available to them.

- 'Other weapons/tactics' in the TOM includes Active Armed Offender option and a vehicle being used as a tactical use of force option (interdiction).
- For full details of the TOM and access to the TOM Manual, refer to the Victoria Police Learning Hub (VPLH).



7. Specialist support

- When planning an operation or responding to an incident, there are several support services that may assist in safely managing or resolving the incident, particularly when the incident may be outside the capability of the responding units.
- These support units include the Special Operations Group, Bomb Response Unit, Critical Incident Response Team, Dog Squad, trained negotiators and other relevant units.
- Refer to **VPM Specialist support** for further details.

8. Recording of rationale

- Members and PCOs must position themselves to make considered and defensible decisions when responding to incidents that may involve the use of force.
- If force is used, members and PCOs must record the details of the incident and any justification that determined that the use of force was necessary in the circumstances.

9. Notification requirements

9.1 General

- A duty officer or divisional patrol supervisor must be notified as soon as practicable where:

- a member discharges a firearm
- Oleoresin Capsicum (OC) aerosol is deployed
- the use of force results in a death or serious injury
- a person is injured by the use of a baton
- a conducted energy device (CED) is used (refer to **VPM Conducted energy devices** for notification requirements)
- a vehicle is used as a tactical use of force option (interdiction).
- Once notified, the duty officer or divisional patrol supervisor must:
 - assess the situation and, where practical, attend the scene
 - ensure that proper after care and medical attention has been provided
 - investigate the incident to determine whether the use of any equipment was in line with policy
 - determine if the circumstances meet the criteria for must or should consider suspension of the members OSTT qualification as outlined in **VPM Operational safety and tactics training qualifications**
 - ensure the relevant Use of Force App report, Incident Fact Sheet and Occupational Health and Safety (OHS) notifications are submitted where appropriate. See **VPM OHS Incident management** for more information on reporting OHS incidents.
- Refer to **VPM Operational supervision and incident attendance** for guidance on the level of supervision required at the incident.
- Professional Standards Command must be notified in accordance with **VPM Complaints and VPM Discipline**.

9.2 *Critical incidents*

- The Centre for Operational Safety (CfOS) must be notified where either:
 - the use of OSE has resulted in the death or serious injury of any person
 - where the investigating member believes expert evidence in the area of OSE, tactics or training is required.
- A Use of Force App report and an Incident Fact Sheet must be submitted where required.
- Refer to **VPM Death or serious injury/illness incidents involving police** for instructions relating to the management of any incidents where death or serious injury has resulted from one or more of the following:
 - the discharge of a firearm or use of force by an employee
 - the use of a vehicle by an employee in the course of their duties
 - the person being in the care or custody of an employee
 - attempts to bring a person in custody (e.g. sieges, suicides)
 - an escape or attempted escape from police custody
 - any police actions or inactions during other policing activities or operations.

10. Reporting use of force

10.1 *Purpose of collecting use of force information*

- Victoria Police collects Use of Force details of incidents where force is used by or against members and PCOs as well as information about pursuits to:

- identify trends in force used against members and PCOs and operational responses
- develop strategies to address identified risks, including but not limited to training
- determine whether operational training and techniques are adequate.

10.2 *Criterion for using Use of Force App reports*

- A Use of Force App report must be submitted where force is used by or against a member or PCO.
- One Use of Force App report must be completed for each incident where force is used. Where more than two members, PCOs or two other people are involved, submit one Use of Force App report.
- Do not submit Use of Force reports following OSTT.
- In circumstances where the Use of Force App is offline, members should continue to complete the Use of Force App report and also complete the 'Report an Error or Fault' form via Service Now. The information entered on the Use of Force App must be reviewed and submitted to the supervisor when connectivity is restored.

10.3 *Definitions or actions requiring reporting via Use of Force App*

Circumstance	Definition or Action
Force used by members and PCOs	Any situation where members or PCOs in response to an actual or perceived threat and in the execution of their duty: - use, draw or threaten use of a Semi-Automatic Pistol - use, remove from the in-vehicle carriage system or threaten use of a Semi-Automatic Rifle - use, draw or threaten use of a conducted energy device - use or threaten use of a baton - use or threaten use of an OC aerosol - use of a vehicle as a tactical use of force option (interdiction) - use any weapon, instrument or implement against another person - use any compliance or restraint hold, blow, punch, kick or other similar operational safety defensive tactic on another person - use handcuffs or similar restraint on a non-compliant person - use a police dog or horse where such presence contributes to the resolution of the incident or a person being bitten by the animal.
Force used against employees	Any situation where employees in the execution of their duty are: - physically assaulted whether or not an injury results from that assault - threatened with assault by another, including by use of weapon, implement, instrument or force of other type - injured by the actions of another, while attempting to subdue, contain or control that person or persons.

Other situations involving force	Any situation where members in the execution of their duty: - force entry to a building, vehicle, vessel or other secured area in accordance with statutory or common law powers to search, seize or arrest - uses a firearm, CED or OC aerosol or baton on any animal.
Pursuits	Following the completion of a pursuit, the Pursuit Controller must nominate an investigating member. The investigating member is responsible for completing the Use of Force App report.
Vehicle immobilising device (VID)	In any situation where a VID is run over or avoided, the Pursuit Controller or Police Commander must complete a Use of Force App report, noting the type of VID used and its effectiveness. Report via the Pursuits screen on the Use of Force App.
Destruction of an animal	Any situation where members in the execution of their duty are required to destroy an animal using a Victoria Police issue firearm.

10.4 Completion and submission of use of force reports

- Use of Force App reports should be checked by a supervisor prior to submission.
- Use of Force App reports must be submitted within 24 hours of the incident by the:
 - member or PCO in charge of the incident where force has been used
 - pursuit controller or investigating member following a pursuit
 - member responsible for animal destruction.

Related documents

- VPM Operational safety equipment
- VPM Operational safety and tactics training qualifications
- VPM Specialist support
- VPM Road policing - operations
- VPM Operational supervision and incident attendance
- The Tactical Options Model (TOM) Manual – Victoria Police Learning Hub
- *Crimes Act 1958*
- *Victoria Police Act 2013*

Further advice and information

For further advice and assistance regarding this policy, contact the Centre for Operational Safety, People Development Command.

Update history

Date of First Issue	01/03/18	
DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER

01/03/18	Original publication as part of the VPM Review Project. Replaces VPMP Operational Safety and Equipment , VPMG Operational Safety and Equipment and VPMG Recording Use of Force .	FF-103509
25/02/19	Removal of two word statement of purpose for Operational Response Principles and replaced with full definitions.	FF-110329
2/10/19	Amended to include requirements for PCOs	FF-198454
16/12/19	Minor amendments to update references to relevant forms	FF-149875
28/01/20	Amendments to support VPM Hostile vehicle	FF -151158
20/04/20	PSC notification updated to be consistent with VPMP Complaints and discipline.	FF-147159
09/06/20	Updated to support the introduction of Semi-Automatic Rifles (SAR)	FF-173057
06/01/22	Updated to reflect relaunched ORP and include PCOs	FF-197967
18/03/22	Reference to Form 237A corrected.	N/A
22/11/22	Administrative change to remove reference to DX mail, VPM Hostile vehicles replaced by VPM Road policing - operations	N/A
22/07/24	Update to include notification requirements for specific use of force incidents and clarification of the term 'interdiction' following IBAC reviews	FF- 234970 FF-231576
17/12/24	Update to include instructions for members reporting use of force via Use of Force App reports within Use of Force App pilot sites	FF-266536
20/05/25	Removal of reference to the Use of Force Registry and Forms 237, 237A-D. Replaced with Use of Force App to align with App rollout in May 2025. Included advice to complete a Use of Force App report in any situation where a VID is run over or avoided.	FF-266536
04/09/25	Reference added for members to consult VPM Operational supervision and incident attendance following a use of force incident to determine the level of supervisor required to attend the incident.	FF-219784