

Chief Constable
Chief Constable Robert Carden
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



20th February 2025

Dear

FREEDOM OF INFORMATION REQUEST – FOI 132/25 Compliant Handcuffing

I refer to your request for information received by Cumbria Constabulary on the 29th of January 2025. I note you seek access to the following information:

1. *The forces use of force policy and any associated guidance. This can be redacted but specifically requiring anything that governs the practice of "compliant handcuffing" as well as anything the force has issued to officers and/or supervisors/investigators/psd that supports or advises against its practice.*
2. *Any elements of your officer safety training material/handouts that covers "compliant handcuffing". For clarity I do not require the operational detail of how officers are trained to handcuff either compliant or non-compliant individuals but what the forces teaches them in respect of it as a power and how and when it should be used in an operational policing context.*
3. *The forces official stance on the "widespread" or "routine" use of "compliant handcuffing"*
4. *How many times (and the outcomes if any) in 2024, 2023 and 2022 "compliant handcuffing" has been deemed either unjustified (and as such was excessive use of force) or inappropriate for the circumstances at the time (these terms are not set in stone and should be taken to mean the number of times this practice was viewed in a negative light" either by: The Professional Standards Team (or similar), the local policing body (e.g. The Offices of the Police and Crime Commissioner), HMICFRS or any and all independent mechanisms that exist for the scrutinising of the police use of force. If there is an issue with the wording or cost limit of this request please contact me before refusing it.*
5. *The forces complaints policy.*

Your request for information has now been considered and I can confirm Cumbria Constabulary does hold some information relevant to your request and where this is the case I have today decided to disclose this to you.

The information in response to your request has been provided by the Constabulary's Professional Standards Department and Training Department.

Question 1 –

Cumbria Constabulary has a Use of Force and Stop and Search Policy.

The only specific reference to "compliant handcuffing" is as follows:



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The Constabulary will record uses of force in the context of the National Police Chief's Council guidance:

When to record use of force:

A record is to be completed as soon as is practicable and preferably within the tour of duty the force was used. If you are going on a period of leave then this should be completed before you go. Each member of staff is required to record their own use of force. A record is to be completed when an individual officer or member of police staff uses force against a person. If an officer / member of police staff uses force on more than one person, a new report will be completed for each person on whom force is used.

Designated public order events: Recognising the potential lack of detail, one record should be completed where force has been used over a period of time against person(s) not subsequently apprehended in a designated public order event. Where the incident doesn't occur in an officer's home constabulary area, the officer should complete their own constabulary's records.

A record is to be created when one of the following techniques or tactics is used on a person:

- Handcuffing (compliant)
- Handcuffing (non-compliant)
- Unarmed skills (including pressure points, strikes, restraints and take downs)
- Dog deployment or dog bite
- Drawing or use of baton
- Drawing or use of irritant spray (CS or PAVA)
- Limb / Body restraints
- Spit and bite guard
- Shield CED, i.e. TASER, in any of the 7 categories of use
- Attenuating Energy Projectile (AEP): aimed or discharged
- Firearms: aimed or discharged
- Other / improvised

Cumbria Constabulary follow the NPCC's definition of use of force as a guide to assist with recording decisions.

"Use of force is any use of any police equipment or training that would (or could be likely to) inflict pain on someone. This can include handcuffing, baton, take down's, taser etc. This would not include a simple hand on an arm to usher someone away from an incident scene."

A use of force form is to be submitted every time an officer utilises force in line with the use of the tactics listed above. Each officer utilising force during an incident is required to submit a use of force form. The form is governed nationally by the Home Office and the Constabulary will review the form annually based on changing national requirements.

The Constabulary mandates the use of Body Worn Video where force is used, acknowledging the fact that some incidents may not be captured as they happen dynamically, and activation of a camera may not be possible. However, wherever possible, a use of force will be recorded on Body Worn Video as per the BWV procedures.

Question 2 –



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When officers attend initial PPST(Public/Police/Safety Training) and refresher (ppst training) our officers are instructed and must demonstrate when it is lawful to apply handcuffs on subjects. If officers use handcuffs unlawfully then the use of them does amount to an assault. The officer's decision to handcuff subjects is a use of force and officers use the National Decision Model (NDM). Handcuffing is one of many uses of force options to reduce risk to themselves, members of the public and in some cases the subject themselves. A decision to use handcuffs to protect themselves, members of the public and themselves is not based on a subject's compliance or non-compliance. It is based on the following NPCC(National Police Chiefs Council) criteria guidelines making reference to the following:

- Prevent Escape
- Offer threat of Violence/Violence displayed
- Subjects own safety
- Nature/Gravity of offence for which arrested

Police officers have the following powers in reference to using handcuffing as a use of force.

1. Legal Framework: Police officers derive their powers to use handcuffs from various sources, including the Criminal Law Act 1967, Police and Criminal Evidence Act 1984, Common Law (Brach of the Peace and Self Defence), and the Criminal Justice and Immigration Act 2008
2. Proportionality and Necessity: Handcuffs can only be used if there are good objective ground to believe it is necessary to prevent harm, escape or interference with evidence. The force used must be proportionate to the threat posed.
3. Conflict Management Model: Officers are trained to follow the Conflict Management Model, which emphasizes de-escalation and the use and the use of the least intrusive measures necessary to achieve a legitimate aim.
4. Accountability: All uses of force, including handcuffing, must be recorded and justified to supervisory officers and, if necessary, to the courts.

Question 3 –

Cumbria Constabulary do not direct a policy regarding compliant handcuffing; and all applications of force (which includes compliant handcuffing) must be justified by the officer utilising the same.

Question 4–

Cumbria Constabulary have had no complaint cases relating to “compliant handcuffing” being deemed inappropriate or unjustified in 2022, 2023 or 2024.

Question 5 –

Cumbria Constabulary does not have a specific complaints policy, the force follows the guidance set out within the Police (Complaints and Misconduct) Regulations 2020.

Whilst every care has been taken in the retrieval of the information provided, please do not hesitate to contact us for clarification, if you do have any issues or queries relating to this data.

Complaint Rights

If you believe your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request, you have the right to request an internal review.



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In the first instance, please email freedomofinformation@cumbria.police.uk quoting the FOI reference number and explain why you are dissatisfied. Your complaint will be considered and a response will be provided to you after your complaint has been investigated.

If you remain dissatisfied following conclusion of the internal review, you have the right, under section 50 of the Freedom of Information Act, to complain directly to the Information Commissioner.

The address for the Information Commissioner can be found below:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Complaints to the Information Commissioner can also be made online:

[Make a complaint | ICO](#)

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary.



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