



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref: 20/0733
Enquiries:
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Mr Lee Odenwalder MP
Member of Parliament
44 John Rice Avenue
ELIZABETH VALE SA 5112

Email: elizabeth@parliament.sa.gov.au

Dear Sir

Re: Freedom of Information Act application

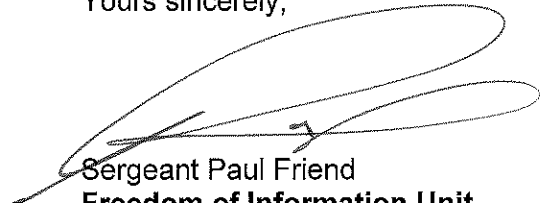
In reference to your application made pursuant to the Freedom of Information (FOI) Act 1991, access was sought to:

"Any and all documents detailing any internal policy, order or directive regarding the use, by SAPOL officers, of spit masks, spit hoods or any covering or material (however described) that is intended to prevent the person from spitting on, or biting, another person."

It is determined to **release in full** South Australia Metropolitan Operation Service Policy – Use of Spit Masks consisting of five (5) pages.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, will be published on the SAPOL website Disclosure Log. A copy of PC045 can be found at https://www.dpc.sa.gov.au/_data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf. If you disagree with publication, please advise the undersigned in writing by 30 November 2019.

Yours sincerely,


Sergeant Paul Friend
Freedom of Information Unit
(Accredited Freedom of Information Officer)

30th October 2019



METROPOLITAN OPERATIONS SERVICE POLICY USE OF SPIT MASKS

Service Policy title	Use of Spit Masks
Date of issue	September 2016
Date of operation	September 2016
Review date	September 2019
Review responsibility	Metropolitan Operations Service
Replaces	Not applicable
PCO reference	2016 / 2701
Associated General Order	Custody Management
Enquiries to	MOS Operations Support Coordinator Phone 732 24505
Corporate Policy Sponsor	Assistant Commissioner, MOS

Employees must comply with Corporate Policy. Refer to General Order, **Corporate policy framework**.

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1. STATEMENT

South Australia Police (SAPOL) is responsible for safely managing all detainees and ensuring that each detainee is provided with an environment that is safe and secure.

The purpose of this policy is to provide instruction on how to use spit masks to prevent a detainee from deliberately spitting fluid onto members and/or others.

Scope

This policy applies to employees of SAPOL who are involved in the arrest and/or custody of persons who have been lawfully detained.

This policy should be read in conjunction with General Order, **Arrest/report procedures and documentation**.

2. USE

The only spit mask approved for use in MOS is the "TranZport Hood". The intended purpose of the mask is to prevent a detainee from deliberately spitting fluid onto members and/or others.

An operational member or cell guard may use a spit mask for protection from a detainee who is likely to deliberately spit fluid. A spit mask will only be used when having considered all the circumstances present and it is completely appropriate to do so. The mask will only be used once and then disposed of.

When using the mask the member must follow the instructions on the packet.

Spit masks should only be used when:

- The detained person is under control and restrained;
- The wearer is under constant visual supervision;
- All jewellery and eyewear has been removed from the detained person; and
- There is no difficulty applying the mask.
- Spit masks may need to be readjusted on the detainees head if the detained person is resisting, to ensure coverage of the detainee's mouth

Spit masks must not be used on any person who:

- Is in need of obvious medical attention and a spit mask may worsen their condition (including Mental Health) and/or inhibit treatment; or
- Is unconscious, vomiting, having difficulty breathing, or is bleeding profusely from the area around the mouth or nose.
- In line with the Royal Commission into the Detention and Protection of Children in the Northern Territory, Spit masks are not to be used on juveniles; other practical alternatives are to be utilised to prevent exposure.

If a member has any concerns or questions in relation to the instructions or the use of a spit mask they must immediately seek advice from the Officer in Charge of a Custody Complex.

3. PROCEDURES AND RESPONSIBILITIES

- Spit masks are not to be used within a custody facility without the authority of The Officer in Charge of the custody facility;
- When used outside of a custody facility, permission will be sought from the shift supervisor. If it is impractical to obtain this permission prior to use then the supervisor must be notified of the use as soon as possible;
- An entry will be made on the custody record of the detained person including the name of the member providing the authority;
- A constant risk assessment reviewing the need to wear the spit mask will be made;
- The spit mask will be removed immediately when there is no longer a need to wear it;
- Once a detained person is placed securely in a cell or cage vehicle, the spit mask will be removed.

4. SUPPLIES OF SPIT MASKS

The 'TranZport Hood' spit masks are available as a special order from Stewart & Heaton via District Business Support Managers. Order Code Q809.

5. REFERENCES

Coroners Act 2003

Crime Scene Investigation Manual available through the intranet at <sapol home page/services/crime/forensic services branch/crime scene investigation manual>

General Order, Custody management

General Order, Arrest/report documentation

General Order, Deaths and deaths in custody

General Order, Offender record management system

General Order, Significant incident investigation and Commissioner's inquiries

Internal Investigation Section resources and documentation available through the intranet at <sapol home page/services/human resources/ethical and professional standards branch/internal investigation section/resources>

Royal Commission into Aboriginal Deaths in Custody 1991 available through the Internet at <<http://www.austlii.edu.au/au/other/IndigLRes/rciadic/>>

Shield on-line help available through the intranet at:

<<http://helptext.sapoldom.sa.gov.au/Shield/OnlineHelp/default.htm>> FURTHER ENQUIRIES

6. FURTHER ENQUIRIES

MOS Operations Support Coordinator: Phone 732 24505.

Date	Action (amendment/deletion/new/review/temporary variation)
08/09/2016	New Policy
15/02/2018	Policy reviewed and minor amendments in conjunction with the District Policing Model implementation.
1/8/2018	Insp Arthur: Reviewed and reduced text, changed context regarding not using spit masks when medical issue is present and other minor editorial.
25/7/2019	Policy amended to reflect the need to readjust a spit masks as required and stipulating that spit masks are not to be used on juveniles.

APPROVED

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Joanne SHANAHAN
Acting Assistant Commissioner, MOS

Date:

