

# LESS LETHAL WEAPONS:

## Batons

### What are they and how can they be used lawfully?

Batons are the most common less lethal weapon used by police forces around the world. They are a defensive weapon and may be used to respond to a person who poses a physical threat against a police officer or others. They are used at close quarters against the targeted individual.

#### HOW DO BATONS WORK

Batons are handheld kinetic impact devices made of a range of materials (wood, plastic, metal or other). They can be short or long (20cm-2m), telescopic, collapsible or side-handled.

#### EFFECTS & RISKS

##### Warranted effects

- ✓ Pain through impact.
- ✓ Minor bruises.

##### Unwarranted effects & risks

- ✗ More serious injury and even death as a result of bone fractures, injuries to inner organs or the brain, especially when hitting the head, neck, chest, abdomen, or joints. The longer and/or harder the baton, the more harm it can inflict.
- ✗ If used as a stabbing weapon: internal organ injury and bleeding.

#### WHEN CAN BATONS BE USED LAWFULLY?

##### THRESHOLD AND PURPOSE

- ✓ In self-defence or defence of others against persons who pose an imminent threat of injury to another person.
- ✓ Purpose should be to make the person stop the violent behaviour through the pain inflicted but not to injure the person severely.
- ✓ Each baton strike must be justified on its own to assess whether it meets the criteria of necessity and proportionality.

##### PROHIBITIONS

- ✗ When a person offers only passive resistance or does not present a threat to another person.
- ✗ When the person has already been brought under control.
- ✗ As a means of punishment.

#### HOW CAN BATONS BE USED LAWFULLY

##### Do's

- ✓ After a warning with sufficient time granted to comply with the order.
- ✓ Baton strikes should be targeted against the larger muscle masses of arms or legs of the person posing the threat.
- ✓ Striking must stop immediately when the person is complying, is under control or does not present a threat anymore.

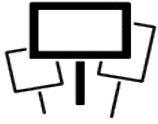
##### Don'ts

- ✗ Hitting sensitive areas of the body, such as the head, neck, throat, spine, kidneys, genitals or abdomen.
- ✗ Overhead strikes and use for neck-holds: this causes a particularly high risk of death or serious injury. (Except in life-threatening situations which cannot be addressed otherwise)

#### WEAPONS TO BE PROHIBITED

- ✗ Spiked or serrated-edged batons, as they are overly injurious, and inherently abusive.

## BATONS AND PROTESTS



Peaceful assemblies must be facilitated:

- ✓ Police may only use batons in response to a person who engages in physical violence against a police officer or others.

Police should not:

- ✗ Use batons to disperse a protest.
- ✗ Bang on their protection shields with batons to scare protesters, as it increases the risk of provocation and escalation.
- ✗ Hit the hand of protesters with a baton to make them drop a banner or other sign of protest.
- ✗ Carry out so-called "baton charges": running after protesters who are already dispersing and trying to hit whomever they can reach)

## BATONS AND CHILDREN



**The use of any weapon against children must be avoided!**

Children are more likely to suffer greater injury and harm due to their thinner muscle mass, stronger pain, and risk of psychological trauma. They are less likely to present a threat that justifies the use of a baton. If at all, a lighter strike should suffice compared to an adult. Instructions must include special precautions regarding children.

## INSTRUCTIONS AND TRAINING



**Authorities must provide clear regulations, instructions and training on when and how to use batons properly, including how to minimize harm and when it is not appropriate to use batons. The use against persons who are only passively resisting must be explicitly prohibited.**

- ✓ The decision for a specific type of baton should only be made after a thorough review of the legitimate operational need for its deployment which would comply with international human rights law and standards on the use of force.
- ✓ Batons, as all weapons used by the police, should undergo rigorous testing to ensure they are safe and appropriate for use in compliance with human rights laws and standards. Any equipment with a significant risk of causing excessive or otherwise unwarranted injury or harm should not be used.
- ✓ Each use of a baton should be reported and law enforcement officials must be held accountable for any unlawful baton use.

## MORE INFORMATION



- Amnesty's [Position Paper](#) on Batons and [Summary](#)
- Amnesty's investigation of the misuse of batons: [Blunt Force](#)
- Amnesty's [Use of Force: Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#) and [Summary](#)
- [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#)
- Amnesty's [Police and Human Rights resources website](#)

