

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
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ANSWER TO BE TABLED ON TUESDAY 11th SEPTEMBER 2007

Question

With the stated aim of the States of Jersey Police to obtain TASER stun guns (Thomas A. Swift's Electric Rifle), will the Minister –

- (a) give the reasons behind the desire to have such devices in Jersey, and advise whether she is aware of the doubt over their effectiveness, the potential for abuse and the alleged number of deaths attributed to such devices?
- (b) explain what, if any, consideration has been given to the effect that the deployment of such guns may have on police relations with the public?

Answer

- (a) Jersey strives to comply with obligations under Article 2 of the Convention on Human Rights: the right to respect for life. This additional tool provides for another less lethal option which can be deployed when encountering people who are a physical danger to themselves, officers or members of the general public, without having to deploy full lethal force.

The technology was first used in the mid seventies in the USA, and Electronic Control Devices (ECDs) were given project status by the UK Home Office in 2003, and then used on the streets in the UK from 2004. They are now in widespread use in the UK, although only to be used by trained firearms officers in Jersey.

At present the States of Jersey Police have a full firearms capability. They have at their disposal a number of conventional firearms including semi-automatic pistols, MP5 carbines, Accuracy International rifles both 7.62 and .243 calibre and Remington 870 pump action shotguns used for the delivery of specialist munitions and animal destruction.

The police use a Conflict Management Model (CMM). Authorised Firearms Officers (AFOs) have to take in to consideration a range of less lethal options before resorting to lethal force. (That is to say they must have been tried and failed or in the circumstances unlikely to succeed.)

The less lethal options are -

Officer's Presence.	
Communication Skills	Talking to subject
Primary Control Skills	Physical restraint i.e. handcuffs
Secondary Control Skills	C.S Spray
Defensive and Offensive Skills	Open handed techniques; Asp Baton strikes; dog;
	Launcher (Baton Gun)
Deadly Force.	Firearms

Within these options an ECD (of which the TASER is a brand name of one particular model) would be introduced as a secondary Control skill level. The effects of ECD are confined purely to the delivery of the voltage. There are no post traumatic injuries associated with ECD, unlike CS spray, ASP baton and Launcher baton gun strikes.

In addition ECDs provide for better officer safety as they can be discharged at up to a distance of 21 feet. The CS spray has an operational effectiveness of approximately 12 feet and with the ASP baton the officer needs to be within arms reach. The Launcher baton gun has a documented operational effectiveness of 20 meters however in instances where it has been discharged and the subject has been wearing heavy clothing or under the influence of drink or drugs or indeed both it has provided no more than a distraction.

At present if the subject is in a building then the Launcher baton gun cannot be deployed because of the ricochet dangers and so the available less lethal options are reduced. In addition the target area of the body at which the Launcher baton gun can be aimed is restricted to the belt buckle, should the subject be seated behind a desk or intentionally or otherwise obscure their abdomen then the launcher baton gun cannot be used. There are no such restrictions with ECDs.

The ECD relies on the fact that it induces Electro-Muscular Disruption which causes loss of some voluntary muscle control resulting in the subject falling to the ground or 'freezing' on the spot, incapacitating the subject for as long as the ECD (electrical charge) is being activated. It is not intended, nor is it likely to render the subject into a state of unconsciousness and the effects are likely to be instantaneous.

The States of Jersey Police have adopted the Home Office Codes of Practice on the Police use of Firearms as 'Good Practice' and all of the training and operational deployments of firearms are conducted in accordance with the ACPO Manual of Guidance on Police Use of Firearms and the National Firearms Curriculum. There is no room for abuse in any of the tactics that described in any of these documents. The proposal locally is that only trained and recognised AFOs are deployed with ECDs being amongst a number of options, in line with the standard firearms authority (authorised at ACPO level) – officers on routine patrol will not be carrying ECD equipment.

In a press release on 31st August 2007 Amnesty International are quoted as saying –

Amnesty International believes that Tasers (ECDs) can only be used if:

- Tasers (ECDs) are only used as an alternative to lethal force where situation presents an immediate threat of death or serious injury to officers or others
- Officers carrying Tasers (ECDs) are trained to firearms standards on an ongoing basis
- Roll-out is highly restricted and then only to specially trained officers
- The Home Office has demonstrated how the use of Taser will be consistent with its obligations under international human rights guidelines and what policies and procedures are in place to prevent misuse of electro-shock weapons.

Deployment in Jersey will be in compliance with all these points.

There are no known deaths that can be attributed **directly** to the use of ECD. There may however be some deaths which have occurred as a result of poor after care i.e. positional asphyxia. SoJP officers are trained in First Aid and AFOs will be trained in the specialist aftercare required, as will Custody Staff. During the development of a firearms incident it is a standard option to deploy paramedics to the scene, this would include the use of ECD.

The electronic charge of the ECD is well within the safety limits to have any effect on the heart. It has been deemed as totally safe, for example, with persons who have an electronic pacemaker fitted.

"The risk of life threatening or serious injuries from the M26 advanced Taser appears to be very low." DOMILL report August 2004.

"The risk of a life-threatening event arising from the direct interaction of the currents of the X26 Taser with the heart, is less than the already low risk of such an event from the M26 Advanced Taser." PSDB report March 2005. (X26 Taser is the second Model currently in use in the UK, M26 Advanced was actually the first).

- (b) Fatal shootings involving police officers attract a huge amount of public and media attention. They are expensive in terms of human loss and injury, trauma, public enquiries, independent investigations. The impact on a small community such as Jersey would be significant. Deployment of ECD equipment is designed to reduce the possibility of fatal police shootings and preserve officer safety as well as maximise the protection afforded to the general public. It should be re-assuring to the general public that the Police have access to such equipment.

The general public will also be re-assured that Jersey's compliance with the Convention on Human Rights will be enhanced as a result.