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Tasers

I think that your coverage and comment on the JHRG discussion on Tasers last Monday, including my contribution, is pretty good.

Unfortunately, I don't think that my contribution was as clear and constructive as I would have liked. Perhaps this was because it is, in my view, a complex and emotional subject that goes well beyond inanimate pieces of equipment. In short, the human factor, especially including intent and training, is massively more important than the equipment.

Violence is not always wrong

There are circumstances in which violence is not wrong. Violence in self-defence and/or the defence of others is not the same thing at all as a violent criminal attack. On the contrary, it is often a brave, public-spirited and praiseworthy act. The fact that British courts in recent decades often demonstrate grave difficulty in differentiating between the victim who fights back and the attacker – and sometimes treat such a victim more harshly than the criminal – is a sad reflection of the fact that the criminal justice system is not perfect and is often influenced by political correctness and other fashions.

Thus police violence, even lethal violence, is sometimes appropriate and necessary. Perhaps, in such circumstances, it could be referred to as the “least bad alternative”. Sometimes such circumstances can arise rapidly and unexpectedly. If the police on the spot are unable to respond equally rapidly – and appropriately – the situation can rapidly get worse. There simply may not be time to contact a senior officer and arrange for specially-trained and equipped teams to arrive.

What then?

So there are quite strong arguments for equipping patrolling police officers with a range of equipment that will be helpful in a wide range of circumstances. And, under the principle that **“the police are the public and the public are the police”**, there is an equally strong argument for allowing ordinary civilians to so equip themselves.

Of course most tense situations can be defused without violence by a skilled, sensitive and experienced person – but not all of them. Good training will

help, whereas inculcating a perception in the police that their own safety is the first priority is likely to lead to more instances of police violence being used at an early stage “just in case”.

Frequency, Probability & Cost

Tasers are expensive and the training of many officers in their use will add substantially to the cost. How much is their introduction to Jersey going to cost?

How often might they actually be a valuable tool that “fills the gap between a truncheon and a firearm”?

Has any attempt been made to investigate the average number of past incidents per year in Jersey in which a Taser would have been helpful? My understanding is that there has been no case of the police shooting someone in Jersey for over 100 years. So the frequency of incidents in which that level of force was judged necessary has been extremely low.

If no serious assessment of likely justified use rate has been made, is it an adequate argument to simply claim that they might one day be useful? Not for me.

Gun Control

I have been a serious student of the costs and effects of civilian gun control around the world since 1979. I believe that that field of study is highly relevant to the question of whether the police (and the public) should be armed and, if so, under what conditions and to what extent.

There is a strong, widespread belief in the UK and many other countries, including Jersey, that “strict gun control” is a very important element of a civilised society and that “liberalising” gun controls will lead to more violence. I would guess that the majority of the JHRG support that belief. Until I had actually studied the subject, I supported that belief too.

But that belief is not supported by the evidence. On the contrary, careful analysis of crime levels “before” and “after” the introduction of new gun control laws, e.g. in both the UK and the USA, some making the laws more strict, some less so, points consistently in the other direction. In other words, strict gun controls increase crime, especially violent crime, while laws allowing the ordinary citizen to possess and use guns in defence of self and others, reduces crime.

The statement above may be a big pill to swallow. If anyone would like to see supporting evidence, please write to me at DB@TSLjersey.com. And/or I could address a JHRG meeting on the subject.

The point that I am making is that the “received wisdom” of how best to deal with violence is not always accurate; and may be little more than mythology.

Robbery & Violence

If large numbers of robberies are analysed by reference to the type of weapon used by the robber (e.g. gun, knife, blunt instrument, or hands & feet) and the injuries, if any, suffered by the victim, the results are both surprising and consistent. One very large US study showed the following proportions:

| Weapon used by robber | Proportion of victims injured |
|-----------------------|-------------------------------|
| Gun | 2.8% |
| Knife | 6.6% |
| Other (e.g. club) | 12.0% |
| Hands & feet | 5.2% |

You will note that 4 times as many victims were injured when the robber was using a weapon **other than** a gun or knife, than when a gun was used. These are not the results that would be expected from the publicity generated by government and police statements about the vital importance of gun control.

The point that I am trying to make here is that focussing purely on a piece of “hardware” is unlikely to be very productive and may well be counter-productive.

Human Factors are much more important than Hardware

So, my bottom line is that police training at defusing tense situations is vastly more important than whether they are allowed to carry a Taser. Is that training being done well? Could it be improved?

9 Principles of Policing

I am a great fan of the famous “**9 Principles of Policing**” by Sir Richard Mayne, but often credited to Sir Robert Peel. They are attached, with 3 of them highlighted for the present discussion. I understand that the Met stopped using them about 30/40 years ago, but I believe that they are much more than a quaint piece of history and are still valid today.

The Jersey Honorary Police are a brilliant present-day example of the 7th Principle: “**the police are the public and the public are the police**”. Some UK-trained police officers seem to have had real difficulty coping with the concept and have floated the idea that it is old-fashioned and out-of-date. I absolutely disagree.

A significant negative factor flowing from equipping a police patrol officer with a wide range of enforcement equipment, especially equipment that ordinary civilians are banned from owning, is that the gap between the public and the police very visibly widens. This is especially true when the level of specialised equipment and clothes make them look like military personnel.

Conclusion

I do not regard the equipping of the SoJP with Tasers as some sort of critical watershed. At a technical level there is absolutely no question but that they are significantly less likely to be lethal than a firearm. But that alone is

nothing like a good enough reason to spend the resources required to obtain them and train numerous officers on how to use them.

Recommendations

1. I would like to see an independent assessment of the quality of the “peaceful resolution” training given to our police officers; and an undertaking to improve it if it is seen as inadequate. In my view, such skills will likely be applied much more frequently than skill with a Taser. Thus it seems reasonably likely that spending resources on improving such training will be more cost-effective than spending the same resources on Tasers.
2. I would like to see some serious research into the frequency of likely use, based on local records of violent events, not on those of the UK or elsewhere.

Kind regards

Derek
Derek Bernard

PS 1 For those who would like to learn more about the hardware, there is a detailed article on Tasers in the Guardian at:

<http://www.guardian.co.uk/world/2011/nov/09/how-safe-are-tasers>

PS 2 I am going to use this response as my submission to the Scrutiny Panel; and I am also sending blind copies to a range of people involved with the Honorary Police and the criminal justice system who do not attend the JHRG.

The 9 Principles of Policing
Sir Richard Mayne, 1st Commissioner of the Metropolitan Police
1829

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.
2. To recognise always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect.
3. To recognise always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.
4. To recognise always that the extent to which the co-operation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.
5. To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humour; and by ready offering of individual sacrifice in protecting and preserving life.
6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.
7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. To recognise always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.
9. To recognise always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

Sir Robert Peel (1788 – 1850), Home Secretary and Prime Minister, established the Metropolitan Police in 1829 and is often credited with a list of “9 Principles” similar to those above.

In a broad sense these principles continued to be taught until the 1970's.

