

Dear Deputy Macon,

I believe that it would be wrong to allow the introduction of Tasers into Jersey. In summary, I think that the burden of proving that Tasers are necessary lies on those who want them, and the burden is a heavy one, because the proposal is that the police should have available for use against citizens of Jersey a dangerous weapon. Every reason given by the proponents must be examined carefully, and only if you are persuaded that

(a) the danger to society, including the police, would be significantly reduced if Tasers were introduced, and  
(b) to avoid that danger to society, it is worth permitting another danger to society - the introduction of these weapons (which can kill),

should your panel recommend the introduction of Tasers.

### 1. The danger of Tasers

You will have done the background research, so you will know the arguments about the dangerous effects of these weapons. To put it at its lowest, it seems that in certain circumstances the electric shock can kill and has done so. It may be that only particularly categories of people are at particular risk - the mentally unstable, the inebriated or those under the influence of drugs for instance - but aren't they the sort of people who tend to run amok? In other words, I suggest that there is a risk that Tasers are most likely to be used against the very people to whom they pose the greatest risk.

### 2. Guns

Guns are a necessity of modern policing, mainly because criminals have guns, and, given their long range effect, they can be matched only by another weapon with long range effect, which is a gun. Matching a gun with a gun is proportionate. But, those who want to introduce Tasers are not saying they will be useful to counter a firearm threat, but to counter non-firearm threats, i.e. threats from less lethal weapons.

### 3 Police weapons

I do not know what weapons, below guns, are available to the police. We are concerned with situations where

(a) a weapon (not a gun) is held by the criminal, for if there is no weapon, it is unarmed combat, so there could be no question of using a Taser,

(b) the techniques taught to police for peaceful resolution of a threatening situation have failed,

(c) there is a danger that the criminal will use his weapon.

I suggest that, for such situations, there must be appropriate weapons available to the police, such as a long baton, a riot shield, pepper spray.

### 4 Proportionate force

In such situations, the police need to be armed proportionately. This means that the police must have the equipment necessary to deal with the armed criminal, minimising the danger to both the police and the criminal. The principle surely must be that the police use the least force reasonably necessary. Short of a firearm, I suppose that the most dangerous weapon a criminal may have is a knife, or other cutting or stabbing implement, or something like a crowbar. What would be a proportionate weapon for the police faced with a dangerous person armed with a knife? Only if you are satisfied that there is no alternative available to the police, other than a Taser or a gun, should you accept that a Taser would be appropriate.

Senator Le Marquand is quoted as saying recently, in the context of an incident involving a knife "The problem is there is no alternative level of force other than firearms". This needs examination; I do not believe it. Indeed, I am surprised to have read in the same article, that the police normally go to knife incidents armed with guns.

Perhaps, for this purpose, you need some expert advice from somebody outside the police force, for the police clearly want this weapon and are not going to accept that they have any suitable alternative. You need to have reliable evidence of what alternatives are available to the police.

## 5 The police

It should not be thought that I do not have sympathy with the police. But, I recognise the way that human nature operates in such circumstances. Of course the police will want any weapon which minimises danger to them, and which makes their job easier. Shooting with a Taser a person armed with a knife is much safer and easier than using unarmed combat, or a baton or some spray. But that is not our way of policing. We require our police to use minimum/proportionate force.

An interesting recent example of how human nature operates in the context of police equipment is the recent acquisition of powerful motorbikes, of around 600cc. Everybody knows (I do because I can manage over 50 mph on my 125cc scooter) that 250cc motorbikes would have been ample for this island, but the police wanted, and got, unnecessarily powerful machines.

The risk might be reduced if Tasers did not have the capacity to send multiple pulses. In threatening situations, there is a risk that the operator of a Taser will not confine himself to sending just the one pulse, but will send several. It is well documented that this happens. It is the multiple, or repeat, pulses which are particularly dangerous. Unless a Taser is specially altered so as to be capable of delivery only one shock, this danger will exist in all volatile situations.

## 6 If the argument is lost

I urge the panel to insist that, should the use of Tasers be permitted in Jersey, there should then be some public consultation on setting the circumstances in which a Taser may be used. The chief of police will argue that this is an operational matter, but everything can be described as operational. Politicians are elected to govern, and I suggest that this should include governing precisely the circumstances in which such a lethal weapon may be deployed.

## 7 Conclusion

(a) My fear is that this argument may be decided on vague threats and generalisations; I hope that the panel will insist upon rigorous examination of all facts and assertions.

(b) It would be interesting to examine, perhaps with an independent expert, incidents in recent years in which it is said that use of a Taser would have made a difference.

(c) We are talking about a dangerous weapon. It should not be allowed into Jersey unless its advocates satisfy your panel, and the States, that it is necessary, rather than useful or convenient.