

## **6. The Chairman of the Education and Home Affairs Scrutiny Panel will make a statement regarding its review of the proposed introduction of Tasers in Jersey**

### **6.1 Deputy J.M. Maçon (Chairman, Education and Home Affairs Scrutiny Panel):**

The Introduction of Tasers in Jersey Review has sparked much public interest and I would like to thank all those members of the public who contributed their opinions. They provided the Scrutiny Panel with many of the key issues and themes during the review. Additionally, I would like to thank the members of my panel, the Constable of St. Brelade, the Constable of St. Martin and Deputy Tadier of St. Brelade. He has brought an extremely useful perspective to the table. Furthermore, I would like to thank the Home Affairs Department and the States of Jersey Police for their co-operation in providing the panel with the information sought. Finally, but by no means least, I would like to thank our Scrutiny Officer, Mr. Mike Hayden, for his hard work and invaluable support to the panel. The proposal of introducing Tasers into Jersey has proved to be a controversial matter, which has polarised opinions. These range from a complete distrust of the States of Jersey Police to an unquestioning support of the force. I would suggest that neither are a healthy position to hold. However, as with any position of authority, constant vigilance and questioning has to be done. While the panel notes that certain elements of the States of Jersey Police were upset with the rigour that the panel undertook during this review, as it was viewed by some that this was an operational matter, the public would expect no less thoroughness. The panel also supports the Minister's view that this matter is, indeed, political. During the review, the central question for the panel was for the Minister to establish a clear need for the introduction of Tasers. While the Minister, the Chief Officer of Police and the Police Association all support the introduction of Tasers in limited circumstances only as an additional option to use against violent aggression, none in our view have yet been able to demonstrate a fully convincing case for the need for Tasers in Jersey. The evidence demonstrates that Jersey is a very safe place to live with very low levels of violent crime. The States of Jersey Police have never fired a shot from a conventional firearm in the field and appear to be able to cope with the situations that they find themselves in with C.S. (counter strike) sprays, batons, by talking through and calming the situation down. The panel believes that this is testimony to the professionalism of the Jersey Police Force as well as the high standard in training that they receive. That is something that the panel wishes to praise and which the Island should be proud of. I would like to take this opportunity to thank the States of Jersey Police Force for the hard work that they do on behalf of Islanders in a role which is not easy, at times dangerous and that many could not do. **[Approbation]** The public feedback that the panel received was clear in that great concerns were expressed about the risks of introducing a new armed element into local policing, therefore promoting a possible change in the culture of the police force moving from a British model of policing by consent to a U.S. (United States) style model of enforcement. This was expressed as being extremely undesirable by many of the public who contributed to our review. The evidence of the over-use of Tasers in the U.S. and, in particular, the number of deaths which are attributed to the Tasers, has shocked many people. Many need to be convinced and reassured that the police in Jersey would use Tasers responsibly and only as a last resort against serious violent offenders. The panel do not totally support a rejection of the proposal to introduce Tasers because the evidence of Taser use in Britain and other Crown Dependencies where strict procedures and controls are in place, supports the view that they can be used responsibly. The panel agrees with the rationale that should Tasers be introduced, they should be restricted to authorised firearms officers only. This calmed many of my concerns personally and changed my opinion significantly but the Minister must present a more convincing case to the general public. Further concern was expressed by the public regarding the medical implications of the use of Tasers. There is a wide body of published evidence on this which we have examined in our review. While the evidence would support that an average healthy adult should not suffer any long-term medical problems, there is always a risk that a Tasered person may fall and this can cause them injury. However, currently this risk is also present should a police

officer have to restrain someone, having to tackle them to the ground, for example. Those at higher risk of injury or even fatality are those with mental health issues, those intoxicated on illegal drugs or alcohol. The evidence provided by the States of Jersey Police force states that in the majority of cases where a violent crime occurred, the perpetrator fell into one of these categories. This provided a further dilemma, as those who are in the greater risk groups are more likely to have a Taser used against them. This is a situation that one has to accept if one supports the introduction of Tasers. However, much of this can be managed if there be a high level of training given. The panel are content that the appropriate level of training would be issued. In our review, we carefully examined the guidelines which govern the situations which Tasers, if approved, might be used. We found that, however, the current draft of the Minister's policy skirts over many of these issues and was much too vague for the panel and the public to accept. Thus, many of our recommendations focus on providing a clear understanding of when Tasers might be deployed and used. This is to reassure the public given the concerns expressed above and also to protect police officers who may have to use Tasers by giving them a clear framework to work within. We believe that the publication of clear prescribed guidance can prevent mission creep; the tendency, or the possibility, for the Tasers to extend to more and more areas of policing which was a core concern of the panel during the review. In conclusion, the Taser can be a lethal weapon even when used correctly so the case for need has to be strongly made. This is not the current situation. The draft report and proposition of the Minister needs to be amended to give greater clarity in areas such as deployment, use, governance and accountability in order to gain the support of the public and the panel. We commend our report to the States Assembly and encourage Members to read it.

### **The Deputy Bailiff:**

The statement is now open to questions. Do you have any questions for the chairman of the panel?

#### **6.1.1 Deputy T.M. Pitman:**

Could the Chairman shed some light on an apparent fact that there were more than 100, might even be 200, submissions made from one I.P. (internet provider) address, as I believe his panel did look into this and managed to avoid what would have been a clear intention, I suppose, to push the review into one particular direction?

#### **Deputy J.M. Maçon:**

Yes, this is explained in the annex to our report. We did have over 100 responses which appeared to emanate from one U.K. I.P. address from the period from about 3.00 a.m. to about 7.00 a.m. during the phase of our survey monkey results. However, because we were able to identify this, we were able to remove those results from the survey and that has given a more accurate response from the public response that we can see. So I would stress the case that, of course, we cannot claim the results from the public survey is any way significant in order to say the public are for or against the use of Tasers but, nevertheless, as I have already stressed, it did help greatly in providing areas that the panel were able to focus on, on both sides of the debate.

#### **6.1.2 Deputy T.M. Pitman:**

Supplementary. Does the Chairman know or would be able to ascertain who was behind this site because you would imagine it could be, being a cynic, someone trying to push something where they might get some business out of it? It could be from a Taser company, I do not know.

#### **Deputy J.M. Maçon:**

Unfortunately, the panel was not able to identify the particular user in this case.

#### **6.1.3 The Connétable of St. Lawrence:**

First of all, I would like to congratulate the Chairman and his panel on deciding to undertake a review of something which found so much interest with the general public. Certainly, I think the responses received was a higher number than for any other review and the report read well. What I am not clear about in this statement is that, clearly, we are told it is a statement to be made by the Chairman of the Education and Home Affairs Scrutiny Panel. The last paragraph on the front page and the final sentence of that last paragraph begins: "This calmed many of my concerns personally and changed my opinion significantly." That just leads me to question whether the statement is being made by the Chairman, personally, or whether it is a statement of the views of the panel and supported by the panel.

**Deputy J.M. Maçon:**

Thank you. Of course, as with all scrutiny reports, there was no matter of dissent in the report or the content of report. The statement I have issued in the House is the same statement as the Chairman's Board found within the report. It was something which I personally wished to add. Of course, it is a personal statement made from me and not a reflection of the feelings of the other members of the panel. That does not mean to say that the other members of the panel from the evidence from the other Crown Dependencies changed their views, but I believe that is clear from the location of the statement and the reference to the Chairman's Board within the report.