

STATES OF JERSEY



DEPLOYMENT AND USE OF ENERGY CONDUCTIVE DEVICES ('TASERS') BY THE STATES OF JERSEY POLICE (P.97/2020): SECOND AMENDMENT (P.97/2020 AMD.(2)) – AMENDMENT

**Lodged au Greffe on 30th October 2020
by the Minister for Home Affairs**

STATES GREFFE

DEPLOYMENT AND USE OF ENERGY CONDUCTIVE DEVICES ('TASERS')
BY THE STATES OF JERSEY POLICE (P.97/2020): SECOND AMENDMENT
(P.97/2020 AMD.(2)) – AMENDMENT

1 PAGE 2, PARAGRAPH 2 –

After the word “must” insert the words “, wherever practicable,”.

MINISTER FOR HOME AFFAIRS

Note: After this amendment, paragraph 2 of the amendment would read as follows –

“After paragraph (c) insert the following new paragraph –

“(d) Any use of a Taser must, wherever practicable, be recorded on body-worn cameras by all officers attending the situation in which use occurs, with the footage to be submitted, retained and logged alongside the use form from the incident.””

The proposition, if amended by the amendment, as amended, would read as follows –

THE STATES are asked to decide whether they are of opinion –

to refer to their act dated 1st April 2014 and to endorse the intention of the Minister for Home Affairs to authorise the deployment and use of Energy Conductive Devices (“Tasers”) by the States of Jersey Police Force in accordance with the following principles –

- (a) A Taser will only be issued to a uniformed police officer who has completed a Taser course (to the national standard) and who has also completed their probationary period.
- (b) The use of a Taser will be at the discretion of the police officer who is carrying the Taser and will not be subject to a specific firearms authority.
- (c) Usual supervision of the use of Taser will apply and the individual officer’s usage must be justified and compliant with all existing legislation and associated College of Policing Guidelines.
- (d) Any use of a Taser must, wherever practicable, be recorded on body-worn cameras by all officers attending the situation in which use occurs, with the footage to be submitted, retained and logged alongside the use form from the incident.

REPORT

The [Panel's amendment](#) would make 2 changes.

The first being to add a stipulation that tasers can only be issued to officers who have passed their 2-year probationary period.

The second change concerns body worn cameras and would compel all officers attending an incident where a use of Taser occurs to record the incident on their body worn camera, with the footage to be submitted, retained and logged alongside the use form from the incident.

I am supportive of both elements of this amendment, and indeed both reflect current practice within the States of Jersey Police (SOJP). As correctly noted by the Panel, neither issue was referenced within the original proposition, leading to uncertainty. I am therefore sympathetic to the Panel's wish to clarify these important aspects of operational practice.

The Panel correctly notes that it is current practice for police officers to utilise body-worn cameras whilst involved in situations in which a use of Taser may occur. Indeed, SOJP have become well accustomed to the use of body worn cameras and all occasions on which a Taser has been discharged up to this point have been captured on body worn camera footage.

I am for several reasons, however, concerned about the feasibility of requiring all uses of Taser to be captured on body-worn cameras by all officers present at the situation.

Firstly, unfortunately as with all pieces of technology, body-worn camera equipment is not infallible. These cameras can fail for a variety of reasons, including problems with the technology, with battery life and issues arising out of human error.

Secondly, it is possible that in a fast moving and potentially dangerous situation, not all Officers will be able to utilise their body-worn cameras in sufficient time to capture an incident for various reasons.

Therefore, whilst in complete agreement with the Panel that body-worn footage is a crucial aspect of governance around the use of Taser, I am uncomfortable with the potential for the Assembly to require something of the Police which is potentially operationally unfeasible in all circumstances.

This amendment to the Panel's amendment would ensure that the importance of body-worn footage is rightly acknowledged as part of this proposition, whilst also ensuring that we do not place unworkable restrictions on our police officers.

Financial and manpower implications

There are no financial or manpower implications as result of this amendment.