



## States of Jersey Police Association

For the attention of Deputy Rob Ward  
Children, Education and Home Affairs Panel

5<sup>th</sup> October 2020

By email : a.harris5@gov.je

Dear Deputy Ward,

### **Change to the Deployment of Tasers by the States of Jersey Police**

As the Association representing the members of the States of Jersey Police, we support the proposed change to the deployment of Taser. The expansion in the use of Taser, so that it is considered a regular part of the PPE available to all officers, is the logical, practical and necessary decision for the future of policing in Jersey. Taking in to account the rise in serious and violent crime, public order incidents and mental health issues in people of all ages, backgrounds and capabilities, Taser is widely considered as a valuable tool that helps to minimise the risk and maximise the safety of officers and members of the public. It has so far been used with great success in Jersey with no issues or concerns having been raised on its regular deployment. The training and assessment will be thorough, voluntary and constantly reviewed and its use by an officer will always be scrutinised and require justification. Importantly, the majority of our members welcome this change in the deployment of Taser.

In answer to your questions, we have consulted with the Firearms Training Department, Firearms and Response Officers, Senior Management and members of the public, formulating the following responses:

1. Whether you have any particular views on Taser as an instrument for policing

Taser is a great piece of equipment for officers; it is an incapacitate, meaning that it will stop the subject doing what they are doing. When compared to the current PPE carried by officers such as their ASP (Baton) and PAVA (spray), Taser has less long lasting effects and provides a greater success as an incapacitant. For example if a person was wielding a knife and presenting a threat, the officer would need to neutralise the threat whilst maximising their safety and minimising the risk to the subject. Below are the current uses and limitations of police PPE in this situation:

- i) Baton strike – The use of the baton requires the officer to be in close proximity to the threat, close enough to strike the subject. This distance would enable the subject to strike out and reach the officer with the knife. Officers are taught to strike hard and reassess before striking again. The potential consequences of this are that a hard baton strike will cause bruising and could cause more serious injuries if the point of strike was to

States of Jersey Police Association, Police Headquarters, La Route Du Fort, St Helier, JE2 4HQ  
TELEPHONE: 01534 612598 EMAIL: [policeassociation@jersey.pnn.police.uk](mailto:policeassociation@jersey.pnn.police.uk)

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a joint such as the knee or elbow or worse if it was to the head. A strike to the head could potentially be very serious. Therefore the effect of a baton strike could be long lasting, and the close proximity required does not maximise the safety of the officer.

- ii) PAVA – The use of Pava allows an officer to spray the subject in the eyes. Unlike CS Spray which was previously used by Police, PAVA requires a direct hit to the eyes to obtain the desired outcome and takes some time to take effect. PAVA causes pain and discomfort to the eyes causing the subject to be temporarily blinded. However it does not necessarily stop the subject being a threat. Someone who has been sprayed with PAVA can still walk and thrash out with their arms and limbs and in the example given can still thrash around with a knife. Subjects who are 'High' on alcohol and drugs can sometimes not be affected by PAVA and therefore again may not be effective in incapacitating the subject. PAVA has an effective range of between 3-10ft so again quite a close proximity to the subject is needed.
- iii) TASER – A direct hit of both barbs from a Taser does cause incapacitation and will stop a subject. It causes the body to lock up all the muscles between the two barbs. The initial discharge activates the Taser for 5 seconds after which there is no lasting effect or pain, (unless there is a secondary injury from falling etc.) Whilst Taser is activated, officers are able to take hold of the subject as long as they do not touch between the barb placements, allowing them to restrain the subject with little threat from the subject. The only injury sustained by Taser are where the barbs penetrate the skin, The barbs can be pulled out and only leave slight reddening. The benefits of Taser are that it has an effective range up to 21ft meaning that officers can discharge Taser whilst remaining at a safe distance.

### 2. Your professional view of what constitutes responsible use of Taser and an overview of the safeguards in place to ensure this is consistently applied

It is down to the officer to justify any use of force from simply taking hold of a subject to handcuffing right through to lethal force with a firearm. Taser is simply a use of force tool and would need to be justified on every occasion, The officer would need to evidence that the use of force was **Proportionate**, **Legal**, **Accountable**, **Necessary** and the **Least** intrusive use of force suitable for that situation. Officers are taught the P.L.A.N.L. mnemonic and are expected to use this when justifying their use of force. All Taser 'uses' (Drawing, Arching, Red Dotting, Discharge) are reviewed by the Chief Firearms Instructor who ensures they are all PLANL compliant. Any 'Discharge' of Taser is reviewed by the Professional Standards Department (PSD) to ensure it was proportionate and doesn't



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breach the discipline code or excessive use of force. Any complaint resulting from the use of Taser would be fully investigated by PSD and referred to the Jersey Police Complaints Authority.

3. Your views on the process, safeguards and training regarding Taser use and how robust they are.

The initial Taser course is four days, this is then supported by annual refresher training. This is run by the firearms training team. Prior to getting on the course officers are expected to complete an application form where they evidence sound judgement and decision making. This application is then endorsed by their line manager agreeing that they would be a suitable officer for the course. The course is a pass/fail course and during it officers are expected to evidence a good understanding of the National Decision Model and sound judgement. They are put through scenario training with role players presenting a range of threats where officers are expected to vary their communication skills and justify their action. They are then subject to summative assessment in order to pass the course. As stated all officers are then subject to annual refresher training, however should it come to light that the officer is not suitable or circumstances dictate it is not appropriate for that officer to carry Taser then their authority can be withdrawn at any time.

4. The potential impact of Taser on situations where there are significant concerns in relation to a person's mental wellbeing and how this is mitigated by Police Officers.

The use of Taser as with any use of force should always be a last resort and Taser is not and should not be used simply as a form of gaining compliance during a situation. Taser is to be used when faced with a threat or significant use of force, this may simply be a small officer facing a large strong aggressive male. There does not need to be a weapon involved in every case, rather that the threat posed to the subject would be significant without them using force.

In regards to dealing with persons with mental wellbeing issues, such as suicidal subjects or self-harming with knives, or even confused subjects in crisis, what is important to remember that a person with a knife could potentially still a threat regardless of their state of mind. The first Taser discharge was a male in crises, considering suicide and had a large knife held to his femoral artery in his groin. Should he have cut himself there would have been a very high chance that male would of died. Officers entered into negotiation with the male, and only when they feared that the negotiation was breaking down and the male made a movement with the knife did the officers discharge Taser, and were able to safely detain the male and retrieve the knife without any injury to the male or officers. The male was then detained under Mental Health law and given the help and support he needed. The male actually thanked the officers for their actions in saving him.



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As stated the use of Taser should be the last resort, but when officers are facing a subject in crises who has a knife or other weapon, they must be in a position to protect themselves or others, as well as stopping the subject harming themselves, as in the above example. The thought of officers having or even using Taser against people in mental crisis may appear aggressive and oppressive, but as evidenced in the many deployments of officers with Taser to these situations the majority have resulted without the discharge of Taser. The alternative is for unarmed officers to potentially deal with a person with a knife, and if the person was self-harming or about to self-harm then under Article 2 ECHR Officers have a duty of care to prevent injury and loss of life, and would be expected to intervene. This would look like officers taking hold and wrestling the knife from the subject. This could potentially have severe consequences both to the officer and the subject.

5. The potential impact of Taser on vulnerable individuals (including children and young people) and how this is mitigated by Police Officers

What cannot be guaranteed is that officers will never Taser a juvenile or vulnerable person. However as stated above what must be stressed is that the use of Taser must be a last resort. What needs to be understood that simply drawing a Taser or pointing it at a person is deemed as a use and even this action must be justified by the officers as it is a use of force. Since SOJP stated carrying Taser it has been 'Used' over 330 times but has only been discharged 8 times. Therefore officers have been able to resolve the situation more than 97% of the time without firing Taser. The reason for this is Taser is a great deterrent and simply presenting it can get a positive reaction from the subject. But a deterrent is only good if you are ultimately prepared to use it. So it could not be declared, you can point it at a juvenile but you are not allowed to fire it.

In regards to Juveniles, there are additional impact factors that affect the officers decision making when considering use of force. However a juvenile with a knife can be just as dangerous as an adult with a knife, and there is currently an increase in youth crime and the attitude of the youths being dealt with by police on the street is one of nonchalance and a total disregard for authority or any fear of consequence. When an officer uses force they must justify it (PLANL) and the use of force on a youth would certainly come under more scrutiny.

The point asked is the impact of Taser on vulnerable or juvenile, as repeatedly stated above the use of Taser is a last resort, and is typically when there is a significant threat posed to the officer or others. Therefore there is already a big impact on any vulnerable person simply being in a situation where there is the need for an officer to consider using a Taser. Should the subject not follow instructions given by officers then the use of Taser would be the last resort to safely resolving the situation. It is a short term incapacitation with no lasting effects.



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Should you wish to discuss the matter further, please feel free to contact me directly at [p.bell@jersey.pnn.police.uk](mailto:p.bell@jersey.pnn.police.uk).

Yours Sincerely

PC 729 Persephone Bell

General Committee – States of Jersey Police Association