

# E – BRIEF



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## Tasers - developments, findings and recommendations

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### 1 Introduction

This E-brief outlines recent developments in the debate about the rollout of Tasers to frontline police. It also summarises the findings and recommendations of selected reports, notably:

- the June 2008 Canadian House of Commons Select Committee report, [Study of the Conductive Energy Weapon-Taser](#);
- the NSW Ombudsman's November 2008 report, [The use of Taser weapons by New South Wales Police Force](#);
- the June 2009 [Phase 1 Report](#) of British Columbia's Braidwood Inquiry;
- the July 2009 Queensland Police Service report, produced in consultation with the Crime and Misconduct Commission, [Review of the Queensland Police Service Taser Trial](#); and
- the July 2009 report by the Victorian Office of Police Integrity, [Review of the Use of Force by and Against Victorian Police](#).

This E-brief does not present conclusions of its own on any of the matters raised.

### 2 What are Tasers?

Taser is a registered trademark of TASER International (Arizona, USA) that refers to a type of hand-held conducted energy device (CED). Initially designed as a device for causing pain, the contemporary Taser can also immobilise a person by interfering with their voluntary muscle control.

According to the Queensland Crime and Misconduct Commission, 'Tasers now combine the pain function of traditional stun guns with the incapacitation function of CEDs'.<sup>1</sup> A Taser can be operated in two modes – probe mode and drive stun mode. In the probe mode the Taser is used by firing a cartridge of barbed projectiles at a person; in the drive-stun mode it is applied directly to the body of the person. The Tasers used by police in all Australian States are the Advanced Taser M26 and the newer Taser X26 model.<sup>2</sup>

### 3 Why are Tasers used?

The Queensland Crime and Misconduct Commission commented:

As a police force measure, the device is promoted as a means of dealing with violent or aggressive people, especially those who may not respond to other uses of force.<sup>3</sup>

Tasers are characterised as either a 'non-lethal' 'less-lethal', or 'less-than-lethal' weapon.<sup>4</sup>

According to the NSW Ombudsman:

Law enforcement agencies initially introduced Tasers to provide officers with an option that they could use in circumstances where they would otherwise use lethal force. In short, Tasers were considered a weapon that would save lives.<sup>5</sup>

Another argument is that Tasers help to decrease the number of assaults on police officers. Speaking in Federal Parliament on 16 June 2009, the Member for Werriwa, Chris Hayes, stated:

There are many studies here and abroad that show that reduction of violent confrontations with offenders as well as assaults on police has directly resulted from the introduction of tasers—by up to about 93 per cent in some jurisdictions. In Western Australia it is indicated that there has been a decline of 40 per cent in assault on police officers since tasers have been introduced.<sup>6</sup>

#### **4 Recent developments in NSW**

In the [Budget speech](#) on 16 June 2009 the Treasurer stated:

Our police deserve the best possible equipment and support. That's why we will begin the rollout of tasers to frontline police from 1 July.

This followed a [News Release](#) from the Premier on 14 June 2009 saying:

The NSW Government will invest \$10 million to provide taser guns to frontline police as part of the 2009/10 NSW Budget.

The Premier continued:

Tasers will be rolled-out for frontline police officers as part of the 2009/10 record \$2.6 billion Police budget...The Commissioner has advised that after a successful trial period tasers should be deployed to frontline officers – and the NSW Government has delivered. New funding will be allocated to provide 1,962 tasers to be rolled out across NSW over the next 18 months as well as low-bearing vests for officers equipped with tasers. All first response police officers will carry tasers as part of their standard equipment. Police officers will undertake rigorous training before being armed with a taser starting from July 1 this year. This includes eight hours of initial instruction, passing a written test with a minimum score of 80% and annual recertification.<sup>7</sup>

On 16 June 2009, in a separate [News Release](#), Minister for Police, Tony Kelly, said that 'Tasers have been trialled by senior frontline police since October last year'. He added:

Tasers are a less than lethal option to safely resolve high risk situations...I am satisfied with Commissioner Andrew Scipione's advice that after a successful trial period, Tasers should be deployed to frontline police.<sup>8</sup>

These developments were welcomed by the Leader of the Opposition, with Barry O'Farrell commenting:

The NSW Liberal/Nationals have been calling for Tasers to be made available to front line police officers for well over a year...We have repeatedly told NSW Labor front line police should be equipped with alternatives to using lethal force and Tasers are one of those alternatives.<sup>9</sup>

The Leader of the Opposition had made the same case back in December 2008, adding on that occasion:

However, the NSW Police Force must take note of the Ombudsman's recommendations to clarify the procedures surrounding the use of tasers to ensure they are only used in appropriate circumstances.<sup>10</sup>

Concerns about the use of Tasers have been raised by the NSW Greens over several years.<sup>11</sup> This has included questions to the Minister for Police about the implementation of the Ombudsman's recommendations.<sup>12</sup> A [News Release](#) issued by Sylvia Hale on 15 June 2009 stated:

The review of the use of Taser stun guns should be taken out of police hands and the roll out of the stun guns to general duties police should be suspended until police implement all of the recommendations of the Ombudsman's report highlighting the danger of the guns to the public and to police officers.<sup>13</sup>

## 5 Other Australian jurisdictions

An article from 13 July 2009 in *The Australian* stated:

Queensland has halted the rollout of Tasers to general-duty police after the death of a man last month who had been stunned 28 times. NSW will introduce Tasers to general-duty police this month, while Western Australia already issues them to general-duty police. Victoria, Tasmania, South Australia and the ACT have restricted the weapons to specialist tactical response squads.<sup>14</sup>

The report by the Victorian Office of Police Integrity (OPI) commented:

Victoria Police has only ever provided the authority to use the Taser weapons to the Specialist Support Department. Increasing public pressure from some quarters to extend the issue of Tasers to general duties operational personnel occurs despite ongoing controversy about inappropriate use in other jurisdictions. Western Australia, Northern Territory, Queensland, New South Wales and New Zealand police have authorised or are in the processes of authorising, the carrying and use of Taser weapons for trained general policing personnel.<sup>15</sup>

## 6 Recent incidents

The debate about Tasers has been informed by incidents occurring in several jurisdictions. These tend to fall into two broad categories: (a) those incidents where it is said that, owing to the unavailability of Tasers, police resorted to the use of lethal force; and (b) those incidents where it is argued that Tasers were used inappropriately and/or where serious injury or death was involved.<sup>16</sup>

Examples of the first category of incidents include:

**Victoria:** Following the shooting of a 15-year old boy the Victorian Police Union renewed its call for the introduction of Tasers in the State. Tyler Cassidy was armed with two large knives and behaving erratically at a shopping centre in Melbourne. He was shot dead after capsicum foam failed to subdue him.<sup>17</sup>

**New South Wales:** On 21 December 2008 a junior police officer shot a woman threatening police with a knife. The NSW Police Association said 'it was absurd that officers were not trusted with the "less-than-lethal" alternative'.<sup>18</sup> The incident prompted

the Minister for Police to expedite a report on the Taser trial.<sup>19</sup> A similar incident occurred in early June 2009, again leading to calls for frontline police to be armed with Tasers.<sup>20</sup>

Examples of the second category of incidents include:

**New South Wales:** Following an incident on Sydney's Oxford Street on 29 March 2009 a 38-year old man launched civil legal action against NSW Police, alleging the misuse of a Taser on him.<sup>21</sup> CCTV footage suggests that:

A police officer walking behind the man orders him onto the pavement. The man appears to be obeying and is heading to the footpath when the officer fires the stun gun. The man falls and the footage shows his legs twitching violently. After struggling to his feet he is stunned again, despite being surrounded by four officers.<sup>22</sup>

**Queensland:** On 12 June 2009 a 39-year old man, Antonio Galeano, died after being shot with a Taser during a violent confrontation with police at a unit near Townsville. The post-mortem found that Mr Galeano had an existing heart condition.<sup>23</sup> One report states:

Police initially said Mr Galeano was shot three times but data recorded by the Taser showed it operated on 28 separate cycles during the confrontation.<sup>24</sup>

**Western Australia:** On 20 July 2009 a 36-year old man from a remote community was Tasered by a police officer after he allegedly ran at the officer with a container of fuel and a cigarette lighter. The report continues:

He was then engulfed in flames and was airlifted to Royal Perth Hospital with significant burns injuries. He is in a critical condition. Investigations

into whether the stun gun or the lighter caused the flames were continuing.<sup>25</sup>

## 7 Issues in the debate

The issues raised by Tasers are many and varied. They include **medical science and safety matters**. On the question of whether Tasers can cause death, the Queensland Crime and Misconduct Commission reported:

Although the research in this area is quite technical and complex, it tends to suggest overall that the risk of Tasers causing cardiac harm and death is relatively low — at least in healthy subjects.<sup>26</sup>

Discussed were concerns about the potential risks of Taser use where the subjects are drug affected or have health problems.<sup>27</sup> It was said that such people may comprise 'physically vulnerable populations', as may pregnant women, children, the elderly and people with implanted electrical devices. The Queensland Crime and Misconduct Commission went on to say:

However, very little research has been carried out on the effects if Tasers on these different groups.<sup>28</sup>

Other issues in the debate relate to police training, procedures, policies and accountability. The underlying concern in this last respect is that police may use Tasers inappropriately or excessively.<sup>29</sup> Over-reliance on Tasers is one issue. Reference is made to 'Taser creep' – the risk that, over time, Tasers begin to be used in situations beyond their intended use.<sup>30</sup>

More specifically, the **operational and related issues** include:

- do police receive adequate training, both in relation to

Tasers and on such things as mental health and addiction issues?

- do police have an Early Intervention System in place, designed to identify and manage certain behaviour indicating possible future misconduct by individual police officers?<sup>31</sup>
- are police policies and guidelines on the use of Tasers sufficiently clear and adequate?
- in particular, what threshold should apply? Should Tasers be used on subjects displaying non-compliance with police directions, or should they be restricted to where a subject is displaying violent behaviour which is or is likely to immediately cause bodily harm to others?
- should subjects who are uncooperative or non-compliant (but not violent or aggressive) be dealt with by less forceful means?
- should Tasers be used in circumstances of potential self-harm?<sup>32</sup>
- should limits be placed on the repeated or prolonged application of Tasers?
- should the use of Tasers be subject to mandatory reporting?
- should police annual reports to Parliament detail: the number and nature of incidents involving Taser gun use? the type of use? the injuries related to its use? and the number of serious injuries or deaths (if any) associated with Taser gun use?<sup>33</sup>

On the issue of **accountability**, the NSW Ombudsman noted that:

Tasers have inbuilt accountability measures so that their use can be monitored and reviewed. For example, they store information about each time the Taser has been used, which can be downloaded onto a computer. In addition, they release confetti like tags when discharged, so the serial number of the Taser cartridge can be identified. Further, an audio-visual recording device 'Taser Cam' can be attached to the X26 Taser (the model predominantly used by NSW Police) to record footage prior to, during and after the use of a Taser.<sup>34</sup>

In respect to NSW, the Police Association comments that:

Stringent accountability measures for the Taser include the recording of audio and visual data for each use, via Tascam, which will then be reviewed by the Deputy Commissioner of Police.<sup>35</sup>

The Minister for Police has also said that:

The standard operating procedures of the New South Wales Police Force for the use of Tasers do not need changing. They are very stringent and the Police Force will continue to monitor their operation.<sup>36</sup>

## 8 NSW Ombudsman report

Discussion of this report - [\*The use of Taser weapons by New South Wales Police Force\*](#) - and other reports is confined to noting key findings and recommendations.

Basically, the use of Tasers by the NSW Police Force met with the Ombudsman's qualified approval. Specialist units were found to have managed high risk incidents 'reasonably well' and Tasers were found to have been a 'useful option' for these officers to 'achieve effective

resolution of dangerous and high risk matters'.<sup>37</sup>

Between May 2002 and December 2007, Tasers were used on 48 occasions, involving 50 subjects in total. Of these 48 incidents, 18 (38%) involved armed and dangerous people, 17 (35%) involved intervening in suicide attempts, 5 (10%) were sieges, and 3 (6%) were drug-related. During the 48 incidents, Tasers were used at least 67 times. This included 10 incidents where a person was subjected to two Taser applications, and four incidents where a person was subjected to three Taser applications.

Of the 46 incidents, where the mode of Taser application was known, in 26 incidents (57%) the Taser was used in probe mode only (fired from a distance), in 13 incidents (28%) the Taser was used in drive-stun mode only (applied directly to the skin or clothing), and in 7 incidents (15%) the Taser was used in both probe and drive-stun mode.

However, the Ombudsman expressed concerns, particularly in light of the intended rollout of Tasers to general duties officers. These concerns related to education, training and the use (or non-use) made by NSW Police of accountability mechanisms. It was argued that a single set of Standard Operating Procedures should be in place to regulate Taser use by all officers. Improved reporting and recording mechanisms were also recommended, including that: all Taser dataport download records be downloaded and audited on a regular basis; the NSW Police report annually about police use of Tasers; and that, as resources permit, Taser Cam audio-visual recording devices be fitted to all Tasers used by NSW Police.

After surveying the relevant safety, accountability and operational issues, the NSW Ombudsman called for a further review of Police use of Tasers. He concluded:

In addition, we are of the view that the NSW Police Force should refrain from further extending Taser use by officers, for a period of at least two years. Until that time, when more will be known about how, why and how often officers use Tasers in an operational setting the risks of further extending use of the weapons would be too great.<sup>38</sup>

## 9 Queensland Police report

This review of the staged rollout trial of Tasers to Queensland Police officers was undertaken in consultation with the Crime and Misconduct Commission. During the conduct of the trial the Queensland Government decided to extend the availability of Tasers to all operational State police.<sup>39</sup>

The report's central conclusion reads:

Overall the trial indicated Tasers can provide an important, alternative use of force option for police and has highlighted the importance of establishing rigorous reporting, monitoring and review processes to ensure ongoing appropriate use of Tasers.<sup>40</sup>

Between 1 July 2007 and 2 June 2008 there were 170 deployments of a Taser, with 70 incidents (41%) requiring only the threat of Taser use to successfully resolve the situation. There were 43 probe only activations (25%) and 49 drive stun only activations (29%). A further eight incidents (5%) involved the use of both probe and drive stun modes.

The report found that three quarters of subjects were unarmed when Tasers

were used against them. On the other hand, around two-thirds of incidents involved a subject exhibiting physical violence towards police or others, or in a quarter of incidents towards themselves.

The trial could not verify quantitatively whether Taser use reduced injury to officers or subjects (compared to the likelihood of injury if a Taser had not been deployed).

A number of strategies to manage and monitor officer behaviour were identified for implementation, including:

1. Taser dataport downloads (the chip that records date, time, length of activation) will be audited;
2. Tasers will be included in Ethical Standards Command (ESC) audits and inspections of stations;
3. a detailed station register of Taser equipment will provide an audit trail of officers' carriage of Tasers and cartridge use and activations including spark tests for each Taser;
4. Taser usage will continue to be recorded by officers on a Taser Usage Form developed as part of this trial. This will be a valuable research and monitoring tool; and
5. Implementation of a Significant Event Review Panel at each region and command to assess every deployment and provide a quick response to issues (e.g. policy, equipment, training improvements; use of force options used by individual officers and trends) if they are identified. These Taser Review Panels will be overviewed by the ESC.<sup>41</sup>

However, following the death of Mr Galeano (discussed in section 6), the rollout of Tasers to general duty police was suspended. The *Courier Mail* reported:

The incident has prompted a four-week review of Tasers in the

Queensland Police Service and temporarily halted the statewide rollout of the weapons.<sup>42</sup>

## 10 Victorian Office of Police Integrity report

On 13 July 2009 *The Australian* reported that a soon to be released report by the Victorian Office of Police Integrity (OPI) had rejected the rollout of Tasers to all frontline police. OPI director Michael Strong is quoted as saying Victoria Police 'is not in a space where it would be prudent to issue Tasers'.<sup>43</sup>

The report itself - [Review of the Use of Force by and Against Victorian Police](#) - was generally supportive of the limited use made of Tasers by the Specialist Support Department, noting 'It is clear the specialist training of these police contributes to their prudent use of Tasers'.<sup>44</sup> However, 'room for improvement' was also discussed, notably in relation to Victoria Police's 'accountability frameworks'.<sup>45</sup> The introduction of Taser Web Cams was specifically recommended.<sup>46</sup>

But if the report was not especially critical about the current limited use of Tasers by Victoria Police, the same cannot be said of the report's broader discussion about Victoria Police's use of force. The report stated:

This OPI Review has found Victoria Police senior managers have not demonstrated a commitment to building a culture that is based on safety first and measuring success by avoiding or minimising the use of force...While there are systems in place for monitoring and evaluating use of force, they are not currently being used properly. Use of force data collection and analysis systems are inflexible, antiquated and under-resourced. Under-reporting of use of force is largely unchallenged.<sup>47</sup>

On the subject of Tasers, the OPI report concluded on this cautious note:

The Chief Commissioner has announced Victoria Police does not currently propose to extend the use of Tasers, but it is unlikely that the calls for their introduction will go away. Victoria Police must be in a position to monitor and report on the effectiveness of their new training regime. If the aim is to improve safety for police and others, introducing any new operational safety tactic needs to be evaluated to determine whether or not it is effective in avoiding or reducing the use of force associated with policing. It is also important to ensure there are no unintended consequences.<sup>48</sup>

## 11 Canada

Concerns about the way in which Tasers may be used by police have been especially prominent in Canada. A number of reports have recommended that the use of Tasers be restricted following a high-profile Taser-related death.<sup>49</sup>

The Canadian House of Commons Select Committee report explained that on October 14, 2007, Robert Dziekanski died at Vancouver International Airport several minutes after receiving two electrical shocks from a Taser<sub>1</sub> gun administered by Royal Canadian Mounted Police (RCMP) officers summoned to the scene following a complaint about a man behaving in an agitated manner. The first shock was administered less than a minute after the officers arrived on the scene.<sup>50</sup> The incident marked the 18<sup>th</sup> Taser-related death in Canada since 2003, which was followed by two more deaths a month later.<sup>51</sup>

The Canadian House of Commons Select Committee recommended that

Tasers be reclassified as an 'impact weapon' (rather than as an 'intermediate weapon') and be restricted to situations where a subject is displaying 'assaultive behaviour or presents a threat of death or grievous bodily harm to the police, himself or the public'.<sup>52</sup> It was further recommended that 'this restriction should not be lifted before independent research has indicated that use of the Taser gun poses no unreasonable risk for the subject'. If this restriction was not implemented by 15 December 2008, the Committee also agreed to introduce a motion in the House of Commons calling for an immediate moratorium on the use of Tasers by the RCMP.<sup>53</sup>

Arising from the same incident, in June 2009 the [Phase 1 Report](#) of British Columbia's Braidwood Inquiry was released.<sup>54</sup> Nineteen recommendations were made, including on reporting and accountability measures and on police training. Justice Braidwood did not agree with the RCMP's new threshold of a 'threat to officer or public safety', nor with the 'assaultive behaviour threshold recommended in other reports. This was because these thresholds 'justify use of the weapon when there has been only an attempted common assault, and even when no criminal offence has been committed'. Instead, Justice Braidwood concluded:

that the subject behaviour threshold should be met when the subject is causing bodily harm or the officer is satisfied, on reasonable grounds, that the subject's behaviour will imminently cause bodily harm. Even then, an officer should not deploy the weapon unless satisfied, on reasonable grounds, that no lesser force option would be effective, and de-escalation and/or crisis intervention techniques would not be



effective. That is particularly important when dealing with an emotionally disturbed subject.<sup>55</sup>

It was also recommended that officers 'should be required to stop after the first five-second deployment and reassess the situation'.

## 12 United Kingdom

The UK [Home Office website](#) reports that:

In 2004, following a trial in five forces, it was agreed to allow chief officers of all police forces in England and Wales to make Taser available to authorised firearms officers.

From 20 July 2007 authorised police firearms officers in England and Wales were permitted to use Tasers in a greater set of circumstances. This includes in operations or incidents where the use of firearms is not authorised, but where police are facing violence or threats of violence of such severity that they would need to use force to protect the public, themselves or the subject.

It was also announced in July 2007 that the deployment of Tasers by specially trained police units who are not firearms officers, but who are facing similar threats of violence, would be trialled in ten police forces. The 12-month trial commenced on 1 September 2007. Further to this, [the Home Secretary agreed on 24 November 2008](#) to allow Chief Officers of all forces in England and Wales, from 1 December 2008, to extend Taser use to specially trained units in accordance with current Association of Chief Police Officers policy and guidance. This sets out that Taser can only be used where officers are facing violence or threats of violence of such severity that they would need to use

force to protect the public, themselves and/or the subject(s).

The Home Office website provides a [link to the latest figures](#) on Taser use.<sup>56</sup> Links are also provided to independent medical advice on Tasers, plus other Taser reports conducted by the Home Office Scientific Development Branch. The [announcement](#) of funding for 10,000 extra Tasers and provision for the rollout of 6,000 of these is noted. By way of general comment, the Home Office states:

The police use of Taser in England and Wales has shown that it provides an additional and less lethal option for police when dealing with violent or threatening situations.

However, this latest rollout of Tasers does not seem to be progressing entirely smoothly. It appears that at least two forces – Sussex Police and the Metropolitan Police – ruled out extending Tasers to more officers:

It comes as separate figures show the expansion of Tasers will cost the equivalent of 60,000 police days and almost £10 million to train additional officers to use them.<sup>57</sup>

## 13 Conclusion

British Columbia's Braidwood Inquiry suggested that the debate about Tasers should be guided by the following principles:

- that the police are subject to civilian authority,
- that the police must be given appropriate tools to do their job,
- that the police should use the least force necessary to manage the risk, and
- that the use of force must be proportionate to the seriousness of the situation.<sup>58</sup>

This provides one framework for the ongoing debate about Tasers. Nonetheless, at some level disagreement is likely to continue. The NSW Ombudsman offered this cautious appraisal:

Police need to be extremely careful using Tasers. They are not a non-lethal weapon – they are just a less lethal weapon. Tasers should only be used to deal with extreme situations. The real danger is that they will be used in more commonplace situations to deal with minor acts of non-compliance.<sup>59</sup>

*Police News* commented:

Although Tasers have their critics, usually civil libertarians who fear they will be misused, the Police Association argues that they represent greater safety in the uncertain operational environment, for both cops and criminals.<sup>60</sup>

<sup>1</sup> Queensland Crime and Misconduct Commission, [Tasers: a brief overview of the research literature](#), November 2008, pp 1-2.

<sup>2</sup> NSW Ombudsman, [The use of Taser weapons by New South Wales Police Force](#), November 2008, p i and pp 8-9.

<sup>3</sup> Queensland Crime and Misconduct Commission, n 1, p 2.

<sup>4</sup> Queensland Crime and Misconduct Commission, n 1, p 3.

<sup>5</sup> NSW Ombudsman, n 2, p 9.

<sup>6</sup> [CPD, HR](#), 16 June 2009, p 6177.

<sup>7</sup> Premier of NSW, [News Release](#), 'Tasers for frontline police to be delivered in budget', 14 June 2009.

<sup>8</sup> Minister for Police, [News Release](#), '\$2.62 billion commitment to infrastructure and resources for NSW Police'.

<sup>9</sup> B O'Farrell and M Gallacher, [News Release](#), 'Labor finally adopts NSW Liberal/Nationals policy on taser gun rollout', 14 June 2009.

<sup>10</sup> B O'Farrell, [News Release](#), 'Frontline police must have tasers as alternative to lethal force', 12 December 2008.

<sup>11</sup> L Rhiannon, NSW Greens, [Media Release](#), '103 reasons to ban Police stun guns', 6 April 2005.

<sup>12</sup> [NSWPD](#), 4 June 2009, p 15742; 16 June 2009, p 15938; 23 June 2009, p 16444, p 16447 and p 16448.

<sup>13</sup> S Hale, NSW Greens, [Media Release](#), 'Taser oversight should be taken out of police hands', 15 June 2009.

<sup>14</sup> C Stewart, 'No Tasers for deadly police', [The Australian](#), 13 July 2009.

<sup>15</sup> Office of Police Integrity Victoria, [Review of the use of Force by and against Victorian police](#), p 29.

<sup>16</sup> For an overview see M McKenna, 'Pursuit of shock tactics', [The Australian](#), 13 January 2009.

<sup>17</sup> 'Fatal police shooting prompts Taser rethink', [ABC News](#), 13 December 2008.

<sup>18</sup> A Hohenboken and S Trad, 'Police shooting fuels taser debate', [The Australian](#), 22 December 2008.

<sup>19</sup> R Watson, 'Kelly stunned into action over Tasers', [The Daily Telegraph](#), 24 December 2008. The article states: 'The moves come as damning statistics reveal police are confronted by knives in one in every five searches they conduct on people...'

<sup>20</sup> A Drummond, 'Police need tasers in stand-offs: union', [AAP](#), 4 June 2009.

<sup>21</sup> 'Police investigate Taser use as victim sues', [The Australian](#), 14 June 2009.

<sup>22</sup> D Snow and D Welch, 'Police inquiry into stun gun shooting in city', [SMH](#), 15 June 2009.

<sup>23</sup> M McKenna, 'Taser victim died from heart attack', [The Australian](#), 19 June 2009.

<sup>24</sup> 'Man shot 28 times with Taser died of heart attack', [CourierMail](#), 19 June 2009.

<sup>25</sup> J Sapienza, 'Outspoken academic slams Taser use', [SMH](#), 22 July 2009. The WA Police Commissioner commented the policy on Tasers would not change and that the circumstances could have been 'far more grave' if a gun had been used - 'Taser set petrol sniffer ablaze: police', [SMH](#), 21 July 2009.

<sup>26</sup> Queensland Crime and Misconduct Commission, n 1, p 6.

<sup>27</sup> Particular reference is made to a report published by Amnesty International in 2006 on the use of Tasers by law enforcement agencies in the United States – Amnesty International, [USA: Amnesty International's continuing concerns about Taser use](#), 2006. See also Amnesty International, [Canada: inappropriate and excessive use of Tasers](#), 2007.

<sup>28</sup> Queensland Crime and Misconduct Commission, n 1, p 7.

29 Queensland Crime and Misconduct Commission, n 1, p 8.

30 Queensland Police, [Review of the Queensland Police Service Taser Trial](#), July 2009, p 2.

31 This is discussed in - Parliament of NSW, Committee on the Office of the Ombudsman and the Police Integrity Commission, [Report on an inquiry into early intervention systems in the NSW police force](#), March 2009.

32 British Columbia, Braidwood Inquiry, [Phase 1 Report](#), p 20.

33 Canadian House of Commons, Report of the Standing Committee on Public Safety and National Security, [Study of the Conductive Energy Weapon-Taser](#), June 2008, pp 27-30.

34 NSW Ombudsman, n 2, p i.

35 'Shocking news...for crims', *Police News*, August 2009, p 13.

36 [NSWPD](#), 4 June 2009, p 15742.

37 NSW Ombudsman, n 2, p iii.

38 NSW Ombudsman, n 2, p v.

39 Queensland Police, n 30, p 40.

40 Queensland Police, n 30, p 3.

41 Queensland Police, n 30, p 43.

42 R Ironside, 'Queensland police probe their own Taser complaints', [Couriermail.com.au](#), 20 June 2009.

43 C Stewart, n 14.

44 Office of Police Integrity Victoria, [Review of the use of Force by and against Victorian police](#), p 31. Tasers were used 15 times in 2005, twice in 2006, and 6 and 8 times in 2007 and 2008 respectively.

45 Agreement with Senior Management had already been reached on this issue.

46 Office of Police Integrity Victoria, n 44, p 34.

47 Office of Police Integrity Victoria, n 44, p 12.

48 Office of Police Integrity Victoria, n 44, p 12.

49 Queensland Crime and Misconduct Commission, n 1, p 8.

50 Report of the Standing Committee on Public Safety and National Security, n 33, p 1.

51 Queensland Crime and Misconduct Commission, n 1, p 8.

52 See also - Commission for Public Complaints Against the RCMP, [RCMP use of the conducted energy weapon \(CEW\)](#), June 2008, Recommendation 1 - that the CEW 'be classified as an "impact weapon" and use be allowed only in situations where an individual is "combative" or posing a risk of "death or grievous bodily harm" to the

member, the individual or the general public'. For updated information on the implementation of these recommendations see the [RCMP](#) website.

53 Report of the Standing Committee on Public Safety and National Security, n 33, Recommendation 1.

54 For background comment see - 'Braidwood Inquiry', [Wikipedia](#).

55 Braidwood Inquiry, [Phase 1 Report](#), p 17. Recommendations 1 and 2.

56 For a comment see - A Travis, 'Tasers being used more often by police, figures show', [Guardian.co.uk](#), 5 August 2009.

57 T Whitehead, 'Taser roll-out snubbed by police', [Telegraph.co.uk](#), 22 June 2009. The same report adds - 'The use of stun guns was questioned this month when video footage in Nottingham appeared to show an officer shock a man at least twice while he was lying on the floor'. See also - 'Police reject plans to extend Tasers use', [SkyNews](#), 23 June 2009.

58 Braidwood Inquiry, [Phase 1 Report](#), p 16.

59 NSW Ombudsman, 'Ombudsman calls for better Taser safeguards', [Press Release](#), 19 November 2008.

59 'Shocking news...for crims', *Police News*, August 2009, p 13. One critical perspective, expressed by Associate Professor Julian Bondy of RMIT University, argues that Tasers are 'dangerous instruments' and that their rollout exemplifies 'an infatuation' in Australia 'with the use of force to resolve disputes' - J Sapienza, n 25.

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