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Ombudsman calls for better Taser safeguards

The NSW Ombudsman called for better safeguards for Taser use by police in a report tabled in Parliament today.

The report analyses the use of Tasers by specialist police units between 2002 and 2007. There were 48 uses during this 5 year period. It also outlines some of the risks posed by the recent roll-out of Tasers to senior officers in 80 commands across the State.

“Police need to be extremely careful using Tasers” the Ombudsman, Bruce Barbour said. **“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 Ombudsman said. **“The real danger is that they will be used in more commonplace situations to deal with minor acts of non-compliance.”**

“We found Tasers helped resolve a number of dangerous and high risk situations when used by highly trained officers in specialist units” the Ombudsman said. **“But even those officers did not rate as effective over 25% of firings. Tasers are not infallible and with their use come significant safety risks.”**

The Ombudsman is calling for a two year moratorium on any further roll out of Tasers to general duties police pending a further independent review. This would allow for a proper evaluation of their use by general duties officers, as well as any safety considerations for police and the public. It would also allow police time to upgrade their training, relevant policies and accountability measures.

“Current police standard operating procedures relating to Taser use are inadequate” said the Ombudsman. **“There are known risks with using Tasers, and police must receive clear, comprehensive and consistent guidance to ensure safe and effective use of this weapon.”**

Since the recent roll out, four of the first five uses were in stun mode, where the Taser is driven into the person’s body to inflict pain. **“This rings alarm bells for me, as we**

are already seeing a completely different type of use by general duties officers” the Ombudsman said. In the five years up to December last year, Tasers were only used in stun mode 13 times.

When preparing the report, the Ombudsman looked into national and international Taser use. **“We can and must learn from the experiences of others”** said the Ombudsman. **“Some jurisdictions are re-considering the use of Tasers due to health risks and the tendency for ‘mission creep.’”**

The report also notes the conflicting medical and scientific opinions around whether Tasers can cause irregular heart rhythms including ventricular fibrillation, which is life threatening. **“While it may be relatively safe to use a Taser on a healthy adult, the jury is still out on their use on a range of other people who police typically encounter in serious situations”** the Ombudsman said.

The Ombudsman found that those subjected to Taser use were typically:

- male
- Caucasian
- under the age of 40, and
- experiencing mental health issues.

The vast majority were armed or thought to be armed with one or more weapons, and over half were intoxicated at the time of the incident or had a history of drug or alcohol abuse.

The Ombudsman discovered one person had died of a heart attack twelve days after being subjected to a Taser application by NSW Police. The man had a number of health problems, including heart disease, so it is unclear what role, if any, the Taser application played in his death.

The Ombudsman has made 29 recommendations to improve the safety, effectiveness and accountability of Taser use. These include:

- providing that an officer who uses a Taser against a person who is not violently confronting or resisting police may be subject to management action
- providing greater guidance to officers about the risks Tasers may pose, as well as the factors to consider before using the weapon
- ensuring those subjected to Taser use are offered medical assessment, and
- improving accountability around Taser use through greater use of audio visual recording devices and better recording practices.

Further details of the review are contained in the report, which can be accessed at www.ombo.nsw.gov.au