



Children, Education and Home Affairs Scrutiny Panel

Change to deployment of Taser by the States of Jersey Police

Witness: The Minister for Home Affairs

Thursday, 1st October 2020

Panel:

Deputy R.J. Ward of St. Helier (Chair)

Deputy T. Pointon of St. John

Deputy M.R. Higgins of St. Helier

Witnesses:

Connétable L. Norman of St. Clement, The Minister for Home Affairs

Deputy G.C. Guida of St. Lawrence, Assistant Minister for Home Affairs

Mr. R. Smith, Chief of Police

Mr. M. Haffey, Acting Chief Inspector

[14:36]

Deputy R.J. Ward of St. Helier (Chair):

Welcome to the hearing regards the changes to the use of tasers that is proposed for the Assembly, so the Children, Education and Home Affairs Scrutiny Panel are undertaking a rapid review before it comes to the Assembly . I would just like to say thank you to the Minister, the chief of police and the Assistant Minister for their time this afternoon. If we perhaps just introduce ourselves quickly, and I will start. I am Deputy Robert Ward and I chair the Children, Education and Home Affairs panel. Do the rest of the panel want to introduce themselves quickly?

Deputy T. Pointon of St. John:

I am Deputy Trevor Pointon, Deputy of St. John. I am a member of the panel.

Deputy M.R. Higgins of St. Helier:

Deputy Mike Higgins. I am also a member of the panel.

The Minister for Home Affairs:

Len Norman, Minister for Home Affairs.

Assistant Minister for Home Affairs:

I am Gregory Guida, Assistant Minister for Home Affairs.

Chief of Police:

Good afternoon. Robin Smith, chief of police.

Acting Chief Inspector:

Good afternoon. Mark Haffey, acting chief inspector.

Deputy R.J. Ward:

Is there anyone else or shall we start?

The Minister for Home Affairs:

No, that is fine.

Deputy R.J. Ward:

Thank you very much. Let us start then. We will start with some of the evidence and the rationale behind the change which, for people watching, is to give tasers all police officers in a given time. The first question, I suppose, is the obvious one: what is the evidence to suggest that you need more officers with tasers on the Island of Jersey?

The Minister for Home Affairs:

I will get Robin to answer that, that is very much an operational issue. You said there for all officers to carry tasers. That is not the case. We have something like over 200 officers now currently and we have 15 tasers and not expected to increase that number. It will only be those who have been through and have passed a course on the use of tasers at the same level as firearms officers. The objective is to keep people safe, to save lives and to preserve life. But I will ask the police chief if he would kindly ...

Deputy R.J. Ward:

Just before you do that, just to confirm that. Would you be training all officers in order to have the facility to carry one of the 15 tasers or would it be a proportion of your officers that would be trained to carry the 15 tasers? I suppose that is the key question.

Chief of Police:

It is a key question and it is a really good question. We will not be proposing to train all of our officers. As the Minister has made clear, I, as the police chief, am not looking to provide tasers for all of my officers because I do not think it necessarily warrants it. As some members of the panel may know, there are police chiefs in England who are looking to extend tasers to every single police officer. That is not the case here. Indeed, our proposal is that we will only ever have 15 tasers in totality and, as the Minister has said, we have approaching now 210 police officers, given the recent recruitment. Only a tiny fraction of those will ever deploy with tasers and I think that that is appropriate.

Deputy R.J. Ward:

Just to check on that, and obviously the process of Scrutiny requires us to ask difficult questions at times. But one of the issues, I suppose, is that we may only have 15 tasers now but if we do gradually train all police officers and there is a change in opinion, that facilitates the use of many more in the long term. So when you say there will only ever be 15 tasers, is that something that you can guarantee? Or is that something that would be a current wish but not necessarily something into the future? We are just thinking about some of the concerns that have been raised with us from our review, i.e. it is the beginning of a process that will inevitably end with all police officers trained and having a facility to have tasers once you have bought them all.

Chief of Police:

I think it is a good question and I would summarise that by saying is this the thin end of the wedge?

Deputy R.J. Ward:

I tried to be politer than that.

Chief of Police:

It is probably easier for me to say than you. I recall back maybe 10 years or so ago now, maybe slightly less, when I was a police officer in England and someone suggested that we would have this thing called a taser. I remember the police service was quite nervous about tasers, as were the public. Over that time tasers have been seen as a really good tactical option because alternatively sometimes the only other option we would have fired a gun as opposed to using a taser. However, to answer your question specifically about the thin end of the wedge. I do not think you would ever

expect me, as your police chief, to say never. Because that would always depend on what the threat and risk is to the Island. At the moment, and I have no reason to think that this will change anywhere in the near future, I think the deployment of a maximum of 15 tasers is appropriate. That would ordinarily mean that on any given shift at any given time we could have between 4 or 6 people carrying a taser out of a cohort of 200 police officers. So a really limited but I think proportionate - and I think that is the key word here - use. My final part to that question is this: is if, and I do not envisage it at all currently, and in line with the 2014 proposition where the commitment was always - hence the reason why we are here - that any changes to taser, given the public interest, public concern and indeed your interest and your concern, if there were to be any changes my commitment - and I am confident the Minister would feel this way too - is of course we would come back and explain that. I do not envisage any changes to what we have currently proposed into the near future.

The Minister for Home Affairs:

The police and the Home Affairs Department and the Minister for Home Affairs are always subject to scrutiny and questioning from your panel and other States Members, and that is very important. It is also important to me, and I am sure to your panel as well, the police response to any incident or, of course, scenario or situation has to be proportionate. The Police Authority as well will also be of that view. But it is important that the police do have all the tactical equipment that they need to deal with any potential incident, and that is what really this is all about.

Deputy R.J. Ward:

I think that leads us on to the next question I was going to ask about what has fundamentally changed over the last 6 years to require this extension of use. If we refer to it as an extension of use then rather than all officers, what has changed fundamentally to require this in your opinion?

The Minister for Home Affairs:

I think what we have seen is an increase in 2 areas. Jersey is a very safe place, let us make that absolutely clear, but that does not mean that incidents and unfortunate incidents and dangerous incidents do not occur, because they do. We have seen a significant rise in knife crime in the United Kingdom, which has been well-publicised. Sadly, some of that is transferring to us. It is bound to.

[14:45]

People see the sort of thing that is going on there and they try to imitate it. The police have had to deal with an increasing amount of knife crime. We have also seen a significant increase of mental health issues that the police have had to deal with to prevent people from self-harming, to prevent people from committing suicide, and they have been successful on a number of occasions in that

area, and if you wanted to I am sure the officers here could tell you more about it. But also, there has been an increase in violent crime and the police have a duty to respond to that, to keep us safe.

Chief of Police:

One of the key things we are looking to change is not about the extension, although that is something we can discuss in a moment, it is procedural. We currently have a procedure in an authority level, a governance arrangement, for want of a better phrase, in the States of Jersey Police; it does not exist anywhere in England and Wales. So for example, before someone can choose to use a taser, the officer who has already been trained to a very high standard needs an authority. As some members may know, and it predates my arrival, colleagues, experts from City of London Police visited the States of Jersey Police to do a review and one of their recommendations is that we are out of step with asking for an authority for the use of taser. For the use of firearms, that is a different matter. So it would go through a chain of command and authority would be given. But that authority is not required in England and Wales and the review identified that and questioned why that was indeed the case here. My professional opinion is that there is an unnecessary arrangement here. It is a governance arrangement that could delay the use of taser. It is not necessary because while often taser is seen as, if you like, an offensive use of force, taser is as much about public protection, as the Minister has already mentioned. Particularly in a mental health scenario where officers - and it is not a double negative - it is not an uncommon event where some of our Islanders who are suffering from a mental health crisis and want to commit suicide but are armed with a knife that the use of taser is a very effective way to ensure the safety of the member of the public. That has been used a number of times, even if it is just the red dot or the deployment. There was a deployment just the other day. So it is to keep the public safe. The second part, of course, is it is to keep the officer safe. It is seen increasingly as a piece of additional protective equipment. For example, we provide our officers with batons and P.A.V.A. (pelargonic acid vanillylamide) spray. This is an addition to that. Some might say that to be tasered is less traumatic, causes less injury than being hit by a baton. So I think it is important that I, as the police chief, am able to provide our police officers with the protective equipment they need but also be able to deploy that tactically and quickly in the interests of public safety.

Deputy R.J. Ward:

One of the submissions we received highlighted officers being placed in situations on their own without ... they referred to without adequate P.P.E. (personal protective equipment). Are officers being deployed alone and would it not be the case that tasers may lead to officers being deployed alone more often because they would perceive the protection of a taser? That is one of the concerns that has been raised with us.

Chief of Police:

So we have a number of what we call armed officers, A.F.O.s (authorised firearms officers). They operate in pairs. They also have firearms and tasers and they do not operate alone. There is every chance ... we do not deploy across the Island in conventionally always double-crewed cars, people patrol on their own in the town, and I am very keen to continue with that. As the Minister has already indicated, and I am sure we agree, we live in an incredibly safe environment. I do not think it is necessary to have all the time police officers paired up together. Not least of which they have the appropriate training and really good kit to provide protection both for themselves and to the public. There are occasions where we might seek to have, if you like, double-crewed cars at more challenging times of the week; so on a Friday and Saturday night. But I do not necessarily believe that as a result of officers operating on their own that it would generate a greater or lesser use of taser because the training would deal with that side of things.

Deputy R.J. Ward:

This is where I am losing a slight bit of understanding here because if it is ... of the 15 tasers you said 4 to 6 people carrying tasers, would we get to a situation where one of those lone crews, or whatever they are referred to as, would be one of the people carrying tasers and could that happen more often? Because there is a sense that they have this extra piece of protective equipment, as it is seen. You can see why we ask that question because I think people would want to know whether this is more likely to have officers on their own going into difficult situations because they are considered to have a piece of kit that could perhaps get them out of that situation, so to speak.

Chief of Police:

My instinct is no but it should be ... in many ways I would see that as a positive because if they have got equipment with which to deal with it, say, for example, somebody who is suffering from a mental health crisis, that they have got the equipment to solve the problem. That sounds to me to be a good thing. Of course as the panel will know, since 2016 we have looked at the numbers of times that we have deployed a taser, which of course you will know is different to firing the taser, it is 341 times in the last 6 years, which is frankly not many. The actual firing of the taser, because as the panel know it also has a red dot and just the deterrent effect that taser has is frankly remarkable. But it has been fired 8 times. So in 6 years, what does that tell me? That also tells me that we operate in a safe environment but it also gives me reassurance, and this is one of my key roles of course, that we are not indiscriminately using taser to use it in maybe a scenario that has just been suggested. I am confident our officers know how to use it, when to use it and indeed have used it very sparingly over the last 6 years.

The Minister for Home Affairs:

I think it is probably worth observing that the officers on the beat, as it were, do already carry 2 pieces of personal protection equipment to deal with the more violent situations and the situations

where you have a self-harming or suicide attempt. They have P.A.V.A. spray where they have got to get very close in firing into the eyes of the individual and it does usually take a bit of time to impact. So if you have got somebody with a knife, for example, a very difficult piece of equipment to use. The other thing they have is the baton, which is an expandable piece of metal, which is about 2 feet long, I think. It is much more injurious than a taser. If you get hit with one of those, I promise you, you stay hit, but again the officer would have to be very close to the person that they would need to control in that way. What we are talking about here is a much less lethal piece of kit and a much more flexible piece of kit than the police officers are able to carry at the moment.

Deputy R.J. Ward:

There are a few things that come from that, which we need to get our head round. In the proposition, the numbers you have given us today the tasers have been fired 3 more times than was mentioned in the proposition that you have submitted. So that means there has been 3 firings since then, it assumes, so it seems to be an increase. The second thing is, what we are getting at is to understand how the 15 tasers that you are talking about and how the training will be rolled out - although I know we have got some questions on that later - would lead ... I do not see how you can get the outcomes that you are suggesting without the whole of the force having that training. Or is it you directing the right officers to the right place at the right time, i.e. those holding tasers would go to hot spots that you are aware of at particular times; a Saturday night, you can choose your place? Is that what you are intending to do? Is that the sort of model we are looking at? I do not think we are clear on the policing model that you are referring to here given that there will be a few more officers with tasers, even though we do not fire them very often. My concern is that this will necessarily lead to all officers having to be trained with tasers in order to spread them thinly. I just do not quite get the model that you are looking at there or the way it will be used; forgive my ignorance of that. It is different, we are trying to understand in lay persons' terms.

Chief of Police:

I do not see the ignorance in that. I think it is a very valid question. The most tasers that could ever be deployed by States of Jersey Police at any one time is 15. I cannot see a time when we will ever deploy 15 because the current model, as you described, is that we will be providing training to certain key personnel on particular shifts and they will be the "taser officer" for that shift. That is the model that I have seen used in previous places that I have worked, so there would be nominated taser officers. Ordinarily 2 on a shift, maybe more, depending on the size of the shift. I do not propose that we need to go over and above that, bearing in mind that already, as the panel will know, our authorised firearms officers working in cars in pairs already have taser. So this relatively small number may be upwards of 2 per shift, we have 5 shift patterns. Let us put it this way, through a 24-hour period we could have anywhere between 4 and 6 maybe 7 people using taser at any given time in a 24-hour period, certainly not 15. That may fluctuate because it could mean that some of

our officers are not trained or whatever. I think the fact that we would have the ability, the tactical options to use it ... the predictability of this is not easy so there would not necessarily be hotspot locations or anything like that. although probably Friday and Saturday nights are busier but they do not necessarily mean tasered. The sorts of incidents that occur are spontaneous. They could occur any time of the day and any time of the week.

Deputy R.J. Ward:

I am conscious that we are going to be talking about some of those topics a little bit later, so I just want to finish off a couple of things before I move on. I am also conscious of time because I have taken up nearly a third of the time already. One of the things that we would like to ask about is the number of times that an officer has been placed at unacceptable risk and no alternative but to self-deploy one of the pepper sprays or one of the long-handled batons, and one of those for a serious incident, but did not attract a firearms authority or even a taser, i.e. how many times has that authority been refused at an incident, which means that we need to remove that asking for authority? If it is never refused, so to speak, what is the overall purpose of removing the need for that authority?

Chief of Police:

Are we talking about a firearms authority or a taser authority?

Deputy R.J. Ward:

It seems to me you need the taser authority at the moment but you will not need it with this change.

Chief of Police:

That is correct.

Deputy R.J. Ward:

That is what I am talking about, the taser.

Chief of Police:

If one of our officers finds themselves in a difficult situation and does not have a taser they will deploy, for argument's sake, the baton or the P.A.V.A. spray. The panel understand that there are no authority levels required for that. They have received the appropriate training.

[15:00]

They react quickly, as they need to do, they do not feel the need and they do not have the need to get on to the radio, speak to our commander control, speak to a more senior person and say: "Can I be authorised to use this bit of kit?" That would be nonsensical, as I hope you would agree,

because they could be finding themselves in a difficult situation. Unlike anywhere else we have said that you need to do the same for taser so before you can use it you need to seek authority to use it. To my mind that is not sensible, it is not practical, and I think it risks public safety. So the proposal therefore is that in line with other personal protection equipment, like P.A.V.A. and like baton, the taser should have the same level of authority. In other words, the ability for the officers appropriately trained to use that without seeking authority. That is the proposal.

Deputy R.J. Ward:

I understand the proposal. I think the question, perhaps I should have worded it better, what I am trying to get at is we currently need that authority to use taser. We have had that for a few years now. How many times has that authority be refused if it has been asked for, for the use of taser? Do we have data on that? Do we know how many times that authority has been refused?

Chief of Police:

I am just going to look to some of my colleagues in the room and see if we have that data. My guess is we probably do not but I will just look.

Deputy R.J. Ward:

One of the things as well, while you are doing that, why I am asking that question so that you know ahead, of the data that is collected about the deployment of tasers in what type of situations, whether there is information collected in terms of groups within our society B.A.M.E.(black, Asian, and minority ethnic) groups, et cetera, and if we do not have that data how we know that there is not a skewed use of this equipment. Because obviously if it is extended we would need to know that type of data.

Assistant Minister for Home Affairs:

Sorry, I would like to intervene. I think there is a small misunderstanding. We are talking about 2 very different situations. We are talking about one situation where there needs to be an absolute instant reaction and another situation where you can negotiate the reaction. I would be extremely surprised if the use of tasers was ever refused in Jersey.

Deputy R.J. Ward:

Can I just interrupt you there because that is really key? I think what you have done is you have got the point that I want to make. We currently have that need to ... so how many times has it been refused or has it never been refused?

Assistant Minister for Home Affairs:

My guess is that it has never been refused, however we can get figures on this. But the most important thing is that because it requires this negotiation it is therefore not a tool that can be used in any circumstance that has a time limit on it. If somebody is running at you with a knife you cannot use a taser. There is no time to request for the authorisation to say: "Should I use the taser or should I use the P.A.V.A. spray?" There is no time so I think that is the essence of it, is that you are asking about a delay, which means that you are in a very, very specific situation where there is a drawn-out conversation with somebody that is trying to harm themselves ...

Deputy R.J. Ward:

I think we understand that situation. We understand that that is the reason why this wants to be extended. That was not quite the question. It was about the data on when it has ... Deputy of St. John, do you have a question that you want to ask on that because you are in the chat, let us have a question?

The Deputy of St. John:

Just to qualify with the Assistant Minister what he considers the numbers of people who have been in distress and have had to be dealt with by other means where the officer considers he might have better used taser?

The Minister for Home Affairs:

Just to go back to the chairman's earlier question. On firearms use, about 22 per cent of requests have been refused for this year.

The Deputy of St. John:

Minister, we are not talking about firearms, we are talking about taser.

The Minister for Home Affairs:

Yes, but currently they come under the firearms regime.

The Deputy of St. John:

Agreed, but they are different things, and I appreciate that because I am a firearms officer and I understand firearms. I understand also what taser is capable of doing. But they are completely different things, they just happen to be deployed with firearms officers at present. We are talking about now the incidents of usage in the Island and the numbers of situations that have arisen in which an officer has not used taser because he has not had a taser and used alternative means. You must surely have the statistics for that.

The Minister for Home Affairs:

I do not have them in front of me. Do we have those statistics?

Chief of Police:

We do not have them in front of us but we will endeavour to try and see if we have that data for the panel.

Deputy R.J. Ward:

Deputy Higgins, you had a question as well. Do you want to go in here?

Deputy M.R. Higgins:

I would like to just follow up on the Minister's statement. How many times did you say firearms had been requested and how many times a firearms had been refused in the Island, this year?

The Minister for Home Affairs:

On 22 per cent of occasions this year firearms requests have been requested but declined. Eighty-three were requested and authorised and 26 were declined.

Deputy R.J. Ward:

Can I just ask you, Minister, of those numbers, are they firearms in terms of firing bullets as opposed to firearms including tasers? Because we know tasers are included in the firearms process. So of those 83 were the refusals of taser or were they refusal to use a rifle or whatever?

The Minister for Home Affairs:

Tasers are currently considered as firearms so that includes all firearms, from the Glock pistols to the M4 sniper rifles and the tasers.

Deputy R.J. Ward:

Would you have that specific breakdown? You may not have it in front of you now but it would be useful if the panel could have some sort of information. That would be very useful. I think that is what Deputy Pointon was getting at as well.

The Minister for Home Affairs:

Yes, officers would request the use of the firearms officers so it would be a matter of what the particular situation was whether the firearms officer was going to ... which weapon the firearms officer thought would be the most appropriate. I would hope, in virtually all the cases, that it would be a taser because they are the less lethal option and even less lethal than the metal baton.

Deputy R.J. Ward:

There is an overriding question. Mike, do you have another question specifically on that before I ...

Deputy M.R. Higgins:

It also comes down to if we have had 83 requested use of firearms how many violent crimes have we had in the Island in that time period and what were the nature of the incidents which required them to request firearms?

Chief of Police:

Certainly, I do not have the data in front of me about the amount of violent crimes. Of course violent crimes could be something recorded as a fight between 2 children compared to something much more violent in terms of 2 people fighting. If 2 people are fighting we would not seek to deploy firearms, for the reasons you would understand. Firearms are deployed, as has already been identified in the last sort of answers to some of the questions, what we are tending to do is talk about firearms and tasers. I think I would like a separation, which is the reason why we are coming to you to say there should be a separation. As indeed, one of the panel members just said, which I totally agree, they are completely different things, and they are indeed completely different things. But we are choosing to authorise them in a similar way. That, I do not think, is appropriate. But of course violent crime, yes, there might be a connection between violent crime and the use of firearms in the same way there might be the usage of knives, and the Minister has already mentioned that we have seen an increase in the use of knives. But it is not just that. We would not record a mental health incident and a mental health problem as a violent crime but we would deploy and could easily deploy, and indeed have deployed recently, officers with a firearms authority to someone armed with a knife who was threatening to kill themselves, and that is quite appropriate but it would not be linked to a violent crime.

Deputy M.R. Higgins:

In terms of statistics, assaults on a police officer so far this year it was 32. The previous year it was 23, it has been 33, it has been 34, 59 in 2016. I think we are going to have to have a look at a lot of the statistics around this because I must admit I am concerned about so many firearms authorisations. Okay, you say some of them may well be tasers but we have also got some figures for tasers. We need to reconcile these figures. If you would supply them to the panel as soon as possible, it would be appreciated.

Chief of Police:

Of course we can do that. That number of around 83 does not necessarily strike me as disproportionate. That is an entire calendar year, we are already in October. That does not sound like a large number to me probably because contextually I would compare it to other places. We are in a very safe environment, as we have already seen by the deployments and the use of taser.

So while authorities may be given appropriately to keep people safe, that does not necessarily mean to say of course that even - and it will be the case - weapons are pointed at individuals. It is just the authority that is given.

Deputy R.J. Ward:

A question arises, I think it is a theme that runs through the issue over tasers, which I think we may come back to a few times in this hearing. I will ask it now, and then there is something else that came from something that was said about children, but one of the concerns, I suppose, is that the move to more use of tasers or the more availability of tasers, may change the public's perception of the relationship with policing. This is a safe place, and I mean from my own position, I am quite pleased that I still am very wary when I go to an airport and see police with guns and if I see a policeman with a gun here thankfully I am still shocked by that and I hope I remain that way. But will it change the perception of policing and what will you do to ensure that it does not because obviously relationships in policing, just as in any other service, are so important? What is your opinion on that? Is that a concern that you have, and if it is, probably for the Minister more than anyone I suppose because it is slightly political as well, that relationship with the police and perhaps the chief officer as well may have an opinion?

The Minister for Home Affairs:

I am sure both of us have an opinion.

Deputy R.J. Ward:

I am sure you do, yes.

The Minister for Home Affairs:

But my opinion is this: I think the public should be reassured that our police force are equipped and trained with all the personal protection equipment to protect the public. You say will it change the reaction of people? Our arms officers are normal police officers. They patrol the streets, they patrol St. Helier, they patrol out of town and they will carry a sidearm, which will be perfectly obvious. That does not seem to bother people. In fact, I suggest it reassures people to know that our police force are out there to keep them safe. Now tasers will be much more discreet. They are in a holster, which is part of the equipment that the police carry, and I do not know how much weight they carry around with them. People would not even notice that a taser is being carried. They do notice the Glock but the impression I have got, they are reassured. I understand what you are saying about when you go to an airport but why they are carrying these weapons is to keep you, me and the rest of the public safe. I hope you will be coming to the demonstration on 15th October, you could not come to the last one we did for you, but I hope you can come and you can see how this piece of equipment is deployed and how discreet it is.

Deputy R.J. Ward:

I still will say, Minister, I think the assumption that that carrying of a firearm does not change the relationship; I am not entirely sure what that is based on. It is clear you have a view on that.

[15:15]

The Minister for Home Affairs:

Our firearms unit already carry firearms. They carry guns, which are lethal, which can kill people. What we are saying is we want this piece of equipment to protect the public without shooting them. We already have the tasers, they have been very, very successful. They have been responsibly used, all the figures show that. There have been no complaints ... I think one complaint in the 6 years about the use of this equipment. What this shows is how responsible the States of Jersey Police have been during that time with this piece of personal protection equipment and how well trained and how responsible, how reactive - properly reactive - they are to the needs of the Island.

Deputy R.J. Ward:

I do not think the question was anything about whether they are trained or how reactive, it was about the relationship with policing.

The Minister for Home Affairs:

But that is important, is it not? That is important. The response of the public will be the way the police have responded to the personal equipment that they carry and use. If the public are unhappy about it ... and we are not talking about introducing tasers. Tasers are already used. Tasers have saved lives over here and what we are saying is the police need to improve their ability to keep the public safe. That is what we are talking about. Every survey we do, what we think of the States of Jersey Police, they are always way up there. The public have got great faith in the police and I am very proud of that and the police should be ...

Deputy R.J. Ward:

That is exactly the reason I asked the question about the possible change in relationship. Deputy Pointon, do you want to chip in on that? Did you have something that was related to that?

The Deputy of St. John:

I was going to "hear hear" to what the Minister is saying but, quite frankly, we are living in a rather different society to the group of people from the City of London police force who came and assessed our situation. Could you give us some idea of what the similarities and/or differences are between

the environment that they operate in, the City of London, and the Jersey environment, which we are all agreed is a very much safer environment?

The Minister for Home Affairs:

I am sure Robin, who has worked in different parts of the United Kingdom, including London, will be able to give a view on that. But as I said at the very beginning, and you are absolutely right, Deputy Pointon, Jersey is a very safe place. That does not mean that bad things do not happen. It does not mean that some people attempt to commit suicide. It does not mean that other people attack others with knives and other pieces of nasty equipment. The States of Jersey Police need to have the ability and the equipment to deal with situations like that to keep people secure from themselves and to keep people secure from the bad people who would do us harm.

The Deputy of St. John:

It does concern me, Minister, that ...

The Minister for Home Affairs:

Can Robin tell you between the difference between here and London?

Chief of Police:

Just if I could add to the comments around the reassurance and worry, and then I will talk about the difference. The relationship between the police service and its local community, particularly here in Jersey where I have seen a few, this is as good as I have seen. I think we saw a lot of that during the pandemic; how the police and communities work together. It is something that I cherish and something we should continue to cherish. We are all, after all - and some members may have heard me say this before - only citizens in uniform, who have been asked by its local community to keep them safe. When the introduction of P.A.V.A. came in 20 years ago I remember the same conversations. What does that look like to the public where you have got something else on a belt that you could spray in people's faces? There was concern about that and over time that is seen as a piece of equipment that can keep people safe and deal with other issues as well. Then we have seen the onset of various other bits of equipment because of course other bits of protective equipment are handcuffs as well. People are very familiar with handcuffs and there is not an issue with that. We are now in the place of taser, and of course back in 2014 it was agreed that taser was the appropriate piece of kit to keep people safe. I think that the public now see things as taser as the norm. But of course over that whole period of time the threat, and I am talking about the national threat or the international threat, has changed. That is without doubt. Going back to the comparisons with London and with Jersey, there are not any. There are not. We are so fortunate to be operating in the place that we operate in and that is not the issue. The issue is not City of London and comparing City of London with Jersey and vice versa. It is firearms experts, it could

have been in Scotland, it could have been in any other place, coming and doing what we should do is asking for an assessment of how we deploy and how we keep people safe. Their view, it is not a comparison with the City and London and Jersey of how we deploy, and how we currently deploy puts in a level of bureaucracy that does not exist anywhere else and, in my view, does not keep the public safe. That was the main proposition and that is why we invited them to Jersey shortly before I arrived. Is that right?

Deputy R.J. Ward:

Can I just ask before Deputy Higgins, there was something I was going to ask earlier, was why you did not work first on removing the need for firearms verification for tasers alone, as we are now, as opposed to doing that at the same time as increasing the numbers available? Would it not have been a smaller step to say that the tasers will be treated differently from firearms, and you will not need the firearms clearance if you are using taser in the same way?

Chief of Police:

I get your question. I do not know what happened before me and therefore I do not want to second guess my predecessors or whatever, but certainly in my experience, back in 2014 if we were ... and indeed I was involved in the deployment of tasers in a previous organisation, this discussion was never had. This was not something that was ever discussed because it was not seen as a firearm deployment. I cannot comment on what was discussed before. Maybe other colleagues can. But if we were saying today we were talking about introducing taser, I would not be bringing in any of the current authorisations that are currently now existing because they are not necessary.

Deputy M.R. Higgins:

I would like to ask a question first of all before the main topic I am coming on, is the number of times pepper sprays have been used and how many times they have been used inappropriately.

Chief of Police:

We would not keep figures on how many times we have used pepper spray inappropriately. I suppose we could look at whether there are any complaints about the use of pepper spray. I am not aware of any issues whatsoever with the use of pepper spray, P.A.V.A. or whatever, as far as S.O.J.P. (States of Jersey Police) are concerned. I am sure we could find out the complaints but it is not something that has even come close to hitting my desk since I have been here.

Deputy M.R. Higgins:

If I can just say in the past, before you came here, on one occasion a long time in the past, I was caught inadvertently in an incident where a pepper spray was used and I got some of the spray, and the police officers were going out of their way to try and talk me out of bringing a complaint. That is

one example. I am aware of another example where a person was in a police van handcuffed, with handcuffs behind their back, and one of your officers was proposing to taser the individual. So there are examples. I do get concerned when I hear these examples and I say from my own personal experience, I do wonder if we start moving into tasers. I do have concerns about that. I must also say I have concerns as well, as someone who lived in North America for 9 years and saw police officers with firearms and rather than run after someone they shot them, that really gives me concerns and I do wonder about an escalation of some of these things. I believe police officers should be protected but I am concerned about the psychology, the mental state of the officers concerned, and I am also concerned about the level of training, and that is something I am going to come on to now. Could I ask you then ...

Chief of Police:

Just before you do. Minister, you go first.

The Minister for Home Affairs:

Some of those comments really distress me. I would like to know and I would like to find out the last time that in Jersey a member of the public was shot by a police officer with a lethal weapon. I intend to find that out if that is the sort of accusation you are making.

Deputy M.R. Higgins:

I have to say it was based on experience ...

The Minister for Home Affairs:

That someone will be tasered, even threatened with a taser when he is under arrest, wearing handcuffs, you cannot be talking about the States of Jersey Police, not the States of Jersey Police that I am aware. If there are complaints of that sort of nature ... Mike, you are very good at making wild accusations and then not following up. I would like to know more detail about those accusations rather than just making them in public and then running away and hiding from them.

Deputy M.R. Higgins:

In answer to that, Minister, I can provide evidence of the case involving the pepper spray and someone in the back of a police vehicle with handcuffs behind their back.

The Minister for Home Affairs:

Please do so because myself and the police chief and the senior management team at States of Jersey Police would really like to know about them, if they are true.

Deputy M.R. Higgins:

Okay, offline I will give them the details. What I will also say is I was not saying in Jersey anyone has been shot. I am talking about ... I lived in North America for 9 years and I must admit, going back to Deputy Ward's comments about public reaction to armed police and so on, yes, I do believe that they are here in Britain for our safety but over there, where all officers were issued with weapons, there were some appalling things happened. So, yes, we are not talking about equipping all officers with guns but that could be the next stage if you say the world is a dangerous place. But in terms of taser I do have concerns. Let me come on to my questions anyway.

Chief of Police:

Can I just add, because I think it is important mainly because I am the police chief and some of the things you have said? I do not share your concerns, Deputy Higgins, but what we are talking about is about the changing of an authority level in taser in Jersey and you are making a number of references to other places. I think if there is one thing we are all agreed on is Jersey is a genuinely safe place. My job is to make sure that we keep it that way both in keeping the public safe and indeed keeping police officers safe. So references to other places sort of distracts me away from what I think is the main issue for today. But please feel free and ask me another question.

Deputy R.J. Ward:

Can I ask us to get back on to the question?

The Minister for Home Affairs:

Can I just say one thing which reminds me, and I am sure we all remember this, the only record of a shooting of someone running away was a chap called de Menezes, many years ago at a tube station in South London. That was after the London bombings. That is the only record of anything like that happening in the United Kingdom, as far as I am aware.

Deputy M.R. Higgins:

de Menezes was an innocent person who was shot by armed police. It was mistaken identity.

The Minister for Home Affairs:

That is absolutely correct. It is the only record. I mean you are making a big thing about this, Deputy Higgins. I quite understand that because that is your nature. But this is the only record of such an incident happening in the whole of the British Isles.

Deputy R.J. Ward:

I am conscious that we have a limited time and we want to try and get through as much as possible. Deputy Higgins, you want to ask some questions about training and then I will take over afterwards.

Deputy M.R. Higgins:

The power of my computer is going to go in a second so you may have to anyway. Can you tell us in terms of any psychological tests that police officers are going to be issued with tasers, or in fact the existing officers, what tests they go through? Whether they will have to go through tests and what training they will have to go through before they can operate tasers?

Chief of Police:

What I am going to do is hand over to one of my colleagues, who you may know, is Chief Inspector Mark Haffey. He offered the opportunity, and I think we have got another one coming up for panel members to come and view the training. For those of you that have not been able to do that I urge you to do that because I think you will find out how thorough the training is. But I will just pass over to Mark and he will give you the information that you need.

Acting Chief Inspector:

Locally and nationally we run a 5-day taser training package. That is a pass or fail course.

[15:30]

Throughout that course officers are constantly assessed around the national decision-making model, the psychological aspects of dealing with violent people, carrying a taser and considering the firing of a taser, assessed throughout that 5 days. That is a 5-day course, that is a national package. We are very lucky in Jersey in that we have 3 firearms instructors who are able to deliver that training. So they have been to the U.K. (United Kingdom) and they have received the training package on how to instruct officers to use taser. So that is what we would do locally. Indeed the officers that would seek to carry taser would all be volunteers for the role, so it would be those officers that would consider themselves appropriate for the role and then we would then look at previous records here; so any sort of complaints that they might have and the attitude is like and that stuff. We would make an assessment as to whether we feel that they are appropriate to carry taser.

Deputy M.R. Higgins:

If I can ask Deputy Ward, if you can carry on, I am going to have to go find a plug.

Deputy R.J. Ward:

No problem at all. We were going to ask about the national standards course referred to in the proposition. Briefly, can you talk us through where the course takes place, who is responsible for it, the length of the course and the accreditation officers receive so we have a clear picture of that?

Assistant Chief Inspector:

I have the chief firearms instructor with me, so I may look at him for some answers but effectively it is a College of Policing standard course. So the course is accredited by the governing body, if you like, for policing in the U.K. That is the College of Policing. Chris, where did you take the course?

Chief Firearms Instructor:

I am a lead firearms instructor or lead taser instructor and they can train us. They can only be one level away so we have one lead trainer and the other 2 ...

Assistant Chief Inspector:

Where is that course held?

Chief Firearms Instructor:

That is held at the college. There are 2 college approved locations.

Assistant Chief Inspector:

Okay, so there are 2 college approved locations and we have had our guys attend those locations. Then they are able to bring that package that and then we can deliver that locally. So locally we use the T.A. (Territorial Army) centre and hopefully if you are able to come in October to the demo that we want to show you, then we use a programme called Centronics which is a virtual screen. You will see on that occasion how we can put officers through a virtual scenario. So there might be a scenario with a standard piece of information; as an example you are sent to a ... there is a report of a domestic incident or there has been a report of a male with a knife in a pub. Hopefully in October you will then see those officers walk through that scenario. The scenario might only last a minute but the debrief for that scenario that they dealt with can last half an hour because the instructors will really put those officers under the cosh around what was the information, what was the intelligence, what powers did they have, what did they see, were they tunnel-visioned, were they looking at all aspects of what was going on? It is real in-depth training and I think when you come you will be really impressed with the detail that we go into there.

Deputy R.J. Ward:

Is that a 5-day course that you are talking about?

Acting Chief Inspector:

That is a 5-day pass or fail course, yes.

Deputy R.J. Ward:

I was just thinking the first aid courses are 5 days and I would not want to go straight out and apply my skills but for those officers undertaking the taser that may well be the case, so would there be a period of back-up training and perhaps shadowing, mentoring, that sort of thing, before officers are deployed with tasers?

Acting Chief Inspector:

There is always going to be an annual refresher where officers would come back, as we do with first aid. So all of our first aid training here, all of our officer safety training. Our officer safety training is a day, I think our first aid training annually is about 4 hours. So there will always be a day of training per year where those officers who have passed the taser course would come back for that refresher. Then again they would be put through their paces.

The Minister for Home Affairs:

I think it is worth mentioning that this course for the use of tasers is exactly the same course that authorised firearm officers have as well for the use of tasers. It is not simply for officers who are not currently firearms officers but includes those who are. So it is the same standard course.

Deputy R.J. Ward:

If that is not refreshed do officers lose their certification regards the use of tasers in that way?

Acting Chief Inspector:

Yes, very much so. As I say, those officers would come in for their annual refresher. There would probably be some form of input around the national decision model from the instructor and then whatever that one day training package looks like in compliance with exactly what the national model is, then we would follow that and absolutely that would be a pass or fail.

Deputy R.J. Ward:

One submission suggested that it would be more palatable if - and that is the word used - body-worn cameras were on at all times where a taser is used, and video footage should be logged at the same time as the use of form reports. Is that something that will happen as a reassurance, particularly at the beginning of this process where there should be relatively small numbers - 6 as you said - on any one shift? Would that not be a reassurance for the public?

Acting Chief Inspector:

Yes, we have used very effectively now body-worn cameras for some time and officers on response are very, very used to using a body-worn camera. In fact they have come to like using body-worn cameras now. As an example, some officers if they are out on patrol in a vehicle and are sent to an incident, and possibly it is a grade one response, some officers will activate their body-worn then

which shows them driving to the incident and then dealing with the incident. There may on an occasion be an incident where an officer is on patrol and he comes across something and it is so dynamic that he or she needs to react that quickly to deal with the incident. However, what I think I can safely say is that on 95 per cent of occasions, if not more, any officer who is detailed to an incident and they consider using taser the first thing they do is activate their body-worn. On all the occasions that we have used taser so far, certainly on all the occasions where we have used a red dot and indeed fired the taser, all those incidents have been captured on body-worn. We absolutely have it built into our policy that officers will activate the body-worn. It is almost built in now that it is one of the first things that they do. Officers like body-worn because it protects them ultimately as well.

Deputy R.J. Ward:

I am conscious of time. Deputy Pointon, do you want to take on some of the questions regards mental health submissions and vulnerable people that we had because of the time note? We should be finished at 4.00 and I think we all have another hearing.

The Deputy of St. John:

We have had representation from the Children's Commissioner, of course. We tend to ask people like the Children's Commissioner about children but the proposition, as put to the Assembly, why does it only make one reference to vulnerable adults and young people?

Chief of Police:

Certainly I have also spoken to the Children's Commissioner, as indeed has Chief Inspector Haffey, to speak to her about whether or not we deploy taser to young people. Of course, again I think one thing we would all be agreed on was we really do not want to do that. But in my police experience using the word "never" is not a sensible word because I am sure we could think of a scenario in the interests of a young person who may be armed with a knife whereby we may need to use it. But our premise would be that we would really not want to ever use it but accepting that we sometimes do. The other issue, of course, is around mental health. We are seeing increased incidents of people suffering from a mental health crisis. We are not alone here in Jersey with that. That provides very difficult challenges, not just for police but also for the ambulance service as well, particularly if they are armed with any form of weapon. We would need to be able to have, as we have had, and I did not have when I first joined the police service, a tactical option to deal with that and this is a very sensible use for that. I am not sure about the one reference but certainly it provides us with the best opportunity to be able to tackle something that is a really difficult challenging policing incident, particularly involving mental health.

The Deputy of St. John:

How do we square with the recommendations of the U.N. (United Nations) Committee on the Rights of the Child that says the use of taser on children should be prohibited because of its impact on children's physical and mental health? The latest data points strongly to a marked increase in the use of taser against young people and children in the U.K. A briefing recommends the introduction of guidance and improved training for police in relation to the use of force with children.

Chief of Police:

I do not disagree with any of that. I think it should be prohibitive but there could always be a scenario whereby there may be a 16 year-old boy is armed with a knife and may be going through some form of crisis and we would want to be able to deal with it in the safest possible way in the interests of that young person. So prohibitive, yes. But what I would not say is never because that then means that I have officers having to use other tactics, which may not be the best tactics in the interests of the young person. So prohibitive I can agree with but I would not suggest never.

The Minister for Home Affairs:

The presumption is it is not to be used or any form of force is to be used. That is not only children of course, that is all people. Force would only be used when absolutely essential. No police officer wants to use force. To protect the public and to protect themselves occasionally it is necessary.

The Deputy of St. John:

Minister, we are signatories to the U.N. Committee on the Rights of Children and yet we are contemplating tasing children. If we were to establish that a child is a person under the age of 18 and we were to put an amendment to this proposition that asks the Assembly to prohibit police officers from using taser on children how would that affect the use of tasers? How would it affect the philosophy behind the use and the force?

The Minister for Home Affairs:

If you are going to make it a criminal offence for a police officer not to fire on an under 18 year-old it would put the police in a very difficult position, I think, although the police chief will answer much better than I can, because how would they know? Take a scenario, a 16 year-old, 14 year-old, 20 year-old, 25 year-old, is in the middle of King Street precinct waving a samurai sword around, how do you want the police to deal with that? Do you want ...

The Deputy of St. John:

I wonder, Minister, if you could let us know what the incidents would be of ...

The Minister for Home Affairs:

... the police to come out with a Glock pistol or an M4 rifle and shoot that fellow dead? Of course you do not. You want them to use a proportionate sensible force to prevent injury to the public and to prevent injury to the police officer.

The Deputy of St. John:

You are again drawing comparisons with lethal firearms and the taser.

The Minister for Home Affairs:

Tell me, Deputy, how would you deal with that situation if you are not allowed to use a taser? How would you deal with it? You would not deal with it.

The Deputy of St. John:

No, you would not, and it has never happened in this Island. The example you give is an extreme example. We have not had incidents of that sort. It would have been reported and we would have heard about it.

The Minister for Home Affairs:

Never say never. Never say never, Deputy.

The Deputy of St. John:

I need to go on and continue this line of questioning. If we did put a proposition how would it affect your situation?

The Minister for Home Affairs:

Robin will answer in a second. The assumption is we do not use any force against children. The assumption also is that we do not use force against adults either unless it is absolutely essential.

Chief of Police:

Just to build on that. You would expect me to say, and indeed I know all my staff would say, indeed the Minister has said, we do not want to use any force on anybody; far from it. We are, as I have said repeatedly, citizens in uniform. But as citizens on the Island will know there are occasions when we have to use force to keep the public safe, as regrettable as that is.

[15:45]

I would have some deep concerns if what is being suggested, if I have got it right that is of course, Deputy, to put any tactical restrictions on officers in the use of taser for, in this case, young people because that will mean that they would only have other limited options, which could not be the best

options. If in the tragic case that we had using this scenario, which I appreciate it is useful to consider the what ifs because there have been incidents over the last few years which nobody would have ever envisaged but they happened, if we ended up in the awful event of ... you used the example of a samurai sword and someone was about to kill someone else and we could not use taser therefore we used a gun, I think that would put us in a difficult position because the question would be: "Why did you not deploy taser, a less lethal option?" So I would urge you not to do that.

Deputy R.J. Ward:

Can I just say we are getting a little theoretical here that at the moment if that situation arose there is a facility for armed officers to arrive with taser, get permission and use taser. So that could happen.

The Minister for Home Affairs:

No, Chairman.

Deputy R.J. Ward:

There are armed officers who happen to carry tasers.

The Minister for Home Affairs:

The Deputy of St. John said what would be the impact if you brought an amendment to outlaw the use of tasers on under 18 year-olds, and that is a question I am dealing with and the police chief has been dealing with. If you brought the amendment we would not be able to use it.

The Deputy of St. John:

Could I ask for some clarification because the discussion needs some facts. How many children have been tasered, that is young adults under the age of 18? How many vulnerable people with mental health problems have you needed to use a taser on over the last, say, 2 years?

Chief of Police:

My information is we have not used taser on any person under the age of 18. So we have not deployed tasers. We may have red dotted but we have not fired taser on anybody under the age of 18. The mental health side of things, I am sure of the 8 or so that we have deployed, there will be some where people were suffering from mental health issues and we can get those numbers to you. I am aware of one recently.

Deputy R.J. Ward:

We get to a situation of how we ascertain the age of somebody as well when a taser is being deployed. It is difficult to tell the age of young people, whether they are below 18 or above 18. So

that is one question. The second question is, if we are talking about scenarios of when somebody is going through a mental health crisis, particularly young people, they can be violent, they can be extremely challenging, do you really believe, Minister, that the taser may be the best thing at that time? Could it not be the scenario where if an officer has not been given the training to deal with those sorts of situations, because not every officer is trained to every level, but has been given taser training, it could become an option which is more likely to be deployed as opposed to other scenarios of talking down of other areas of dealing with those sorts of vulnerable situations?

The Minister for Home Affairs:

In any situation, the States of Jersey Police officer would try and talk to the individual involved before they used any type of force, whatever it might be. But there comes a time where sometimes force has got to be used. Whether it is P.A.V.A., taser or baton. I have been told recently - and I am sure one of the police officers here would tell you more - was the person who was determined to kill himself or herself, I do not know whether it was a man or a woman, and they were trying to talk this person out of it and they could see, they could make the judgment. The knuckles on the hand holding the knife went white. They knew what was going to happen if they did not act. That person was tasered and taken to hospital, and their life was saved. That is an example of where it can be used positively. A life was saved. Maybe they could have got close enough to use a baton and broken a few bones, that would not have been good.

Deputy R.J. Ward:

Minister, can I just say, we are trying to have a discussion here about scenarios in difficult situations, and I think you have made your point a number of times about ... which are quite dramatic points. I think we really need to try and move this question so we are getting some constructive answers. I understand what you are saying in your support of the police. We understand the scenarios of batons are not the best-case scenarios. But the fact of the matter is we are about to go to the Assembly with a proposition to introduce more tasers on the Island and change the nature of the use of those tasers because of the removal of the need for authorisation. I think it is important that we focus on that particular scenario and fit it into our society as we are now, with the mental health issues that exist, with our commitment to the U.N.C.R.C. (United Nations Convention on the Rights of the Child) for example, and I think that is the context that we are trying to question you around. I think we need to stay within that context. If we are not careful it will just become an oppositional discussion, which does not get us anyway.

The Minister for Home Affairs:

Not at all.

Deputy R.J. Ward:

What I think I am trying to say is, we have had submissions as well from people that we need to take account of when we are discussing with you. Scrutiny is an objective process and that is why we are bringing these arguments to you. We received a submission - Deputy Pointon, I hope you do not mind me stepping in to do this one because I think it is relevant - about the safety aspects of tasers and one of a balance between not using them and the risks involved in using more conventional methods of policing, which you have been talking about. Where the strict policing of only using them as a substitute for conventional firearms the number of cases is relatively small and a risk to individuals less, also balanced by the risk of being shot in a confrontational situation. But where that is relaxed and the taser becomes a weapon of choice for dealing with belligerent and perhaps not necessarily violent individuals, a greater number of cases will make fatalities more statistically likely, i.e. with the use of tasers, which are very rare. Can you reassure that where, if we are moving towards tasers becoming more a deterrent of choice for more officers, we will not inevitably have more use and therefore increase the likelihood of harm? Has that been addressed?

Chief of Police:

That would always be something. I am going to hand over to Mark in a moment. That would always be an issue that I think would be very important for the chief of police to carefully monitor. What we should, to turn this on its head slightly, and I agree that let us look at what the proposition is. It is not looking at the self-deployment of every single ... I feel like I need to repeat this. We have got, frankly, a very small number. In fact one of the questions the panel could ask me is: why do you want so few? I see these as public protection and officer protection. I think this is a sensible number. I think it illustrates as being proportionate against what we perceive as the low threat, thankfully, on our Island. Again, just to contextualise what is being proposed is, to my mind, really important. To answer the question, the facts, or the stats rather, back up any concerns or should reassure: 6 years, 341, and I think 8 deployments. I think they are quite startling numbers. I would have expected many, many more than that and in many ways it reassures me that we are being careful, proportionate and in the interests of Islanders. Mark, is there anything else you are wanting to say on that?

Acting Chief Inspector:

I think the police chief, in the main, has covered what I was going to say. I think your point earlier, Deputy, around officers choosing to use taser is a valid point. As we have said before, this is all about giving police officers some options. How first option will always be to communicate, to negotiate, to understand the points why that person finds themselves maybe where they are, and we have examples where we have negotiated with young people and indeed adults for many, many hours to try and come to a more, sort of, appropriate resolution. There are, on occasions though, times when officers need to act quite quickly and, as Mr. Norman hinted at before, we have some examples, which we have captured on body-worn, where without question people would have made

a really serious attempt on their life with a knife had taser not been deployed. As I say, our first point will always be to communicate, to negotiate and then work through the options that we have.

Deputy R.J. Ward:

I have got a really key question I want to get in. Sorry, I think it is relevant to what you are saying. The other members of the panel, I will ask the question that you are talking about here. We had a submission from Youthful Minds. I will summarise it quickly because there is quite a lot of detail in there. That people experiencing mental health crisis need to be listened to and heard and using a taser will not allow this and most likely stop someone from feeling comfortable about talking about how they are feeling. Another important point to consider, the perception of tasers is normally around punishment. I think that is the case. Therefore there is a barrier to that mental health crisis being dealt with perhaps as effectively as it should if there is a weapon being used, which is associated with punishment. This is complex and we understand it is complex, this is why we are asking the question. We understand also it would be very difficult to police and we are not negating any of those difficulties of the work that people have to do. But is that issue recognised in the training, for example, of the difference of a mental health crisis compared to perhaps other areas, somebody is assaulting somebody simply because there is a violent incident, for example?

Assistant Minister for Home Affairs:

I would like to answer this one, if you allow me, because we are sidestepping the subject a little bit. We are talking about the situation, something is happening. Very often there is a very large component of it that is unpredictable. The thing that is not realised until you start working with the police, for example, is how procedural everything is. Nothing is done out of instinct, out of your head at the moment. Everything is absolutely procedural and we have not mentioned this yet in the discussion is that the use of force is based on the level of risk. It is not based on: "That person is shouting his head off, I am going to taser him to calm him down instead of talking to him." It is the level of risk. If somebody is going to hurt somebody else, hurt themselves or hurt an officer, if there is an extremely strong likelihood of that happening then you will use necessary force and that force has to be proportional. You start with the event, you decide that there is a risk to somebody, yourself, the person involved, somebody else in the public, and it is only there that you start thinking about using force. It is the risk. You have to stop it. It is the job of the police to prevent that risk from not going into damage. Now you get down, and that is also very important because it is the crux of the subject, to proportionality. So we have a risk, it is extremely well-analysed after lots of training and lots of examples and practice and now you decide on what is going to be proportional force, to limit that risk without hurting anybody even more than what will have happened. Basically you can use fists, your legs, you can use a baton, we can use a pepper spray, we can use a taser, we can use a firearm. That is the 5 options that you have. I did not put them in order because the least dangerous of them all is the taser. If you use a taser you will have 100 per cent effective resolution with the

least risk to the person in front of you. P.A.V.A. spray does not work very efficiently. You need to be very close, so that is more risk. The baton carries more risk of injury.

Deputy R.J. Ward:

We genuinely understand what you are saying.

Assistant Minister for Home Affairs:

You have sidestepped the issue of risk. If somebody has a mental health incident and is screaming their head off, they are not going to apply any force.

[16:00]

Deputy R.J. Ward:

I really do not think we have sidestepped the issue of risk. It is very clear to us in where this fits in but there are a number of other questions that we asked around it. I am conscious of time that the time for the hearing is just about ending. Just to finish, and I do not want to go on too long with this, but the question was about whether a possible change in the nature of our policing with tasers would put people off looking for help because they feel they may have been punished. So it is not the level of risk in terms of the physical harm to somebody, and I understand that. It is the longer-term societal risk, I think that is what I am getting at, of this change. Do you understand that those concerns are there and could we say they need to be addressed as well?

Chief of Police:

I think the very fact that we all care frankly so passionately about the use of any equipment on Islanders is absolutely the right thing to do.

Deputy R.J. Ward:

I agree with you.

Chief of Police:

The scenarios that have been suggested of course we can do all of those things now. I dare say in 2014 we talked about the same things, because we would have done, but we have agreed that taser is now in use and it is in use and we know the stats already, which I have repeated before. What we are asking for in this proposition is not the continued use of taser; that we all understand. What we are asking for is an unnecessary level of authority that does not exist anywhere else, and I think does not keep the public safe, and rather than having just authorised firearms officers with taser, that we have got approximately 2, maybe 3 sometimes, I am not going to be precise on the numbers but it will never be anywhere near 15 because that is as many as we have got. So this is a very,

very small incremental increase, which I think is absolutely proportionate. My final point is this: what I think the panel have done very ably is they have illustrated once again how difficult policing is. We put our police officers in really difficult situations, properly trained, but people in mental health crisis or whatever, and we ask our officers to deal with that on behalf of Islanders, it is a really difficult job and my job, and indeed the Minister's job, is to make sure that Islanders are properly protected and police officers are protected. I think this small change goes some way to do that.

Deputy R.J. Ward:

I think that is about time really. I have another thing to go to and I think others do too. I am sure everybody is really busy. The week sitting last week knocked everything on. I will just finish off by saying thank you for your time. It has been a very interesting conversation and is always useful. If there is anything finally from Mike or Trevor just very briefly.

The Deputy of St. John:

Not from me.

Deputy R.J. Ward:

Then just to say thank you very much to the Minister and to the Assistant Minister, the 2 police officers. We will call the meeting to an end. Thank you very much.

The Minister for Home Affairs:

Thank you very much, Chairman. Can I just say I really appreciated this hearing? It has been very valuable. I just hope that you and colleagues will remember all this is about is maximising officer and public safety. I hope we will see you at the demonstration on 15th October.

The Deputy of St. John:

I have already indicated I will not be but then again I am shielding and I do not want to get into situations like that.

Deputy R.J. Ward:

The only thing that would stop that happening is genuinely the amount of meeting time that we have.

The Minister for Home Affairs:

This is very important, Chairman. Particularly bearing in mind your Scrutiny Panel, you are scrutinising this, it would be very helpful if you could see this.

Deputy R.J. Ward:

We can finish the hearing. Thank you very much.

[16:04]