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LESS LETHAL?

The trial of Tasers as part of policing in New Zealand

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Less Lethal?

The trial of Tasers as part of policing in New Zealand

SUMMARY

The announcement by police,¹ in February of this year, that they would begin trialling the use of Taser stun guns has been met with criticism from a number of quarters.² Primary amongst the concerns raised, are the issues of safety and effectiveness of the weapons. Although promoted by police as a “less-lethal” weapon, others have contended that the potential for fatal consequences resulting from the use and misuse of the weapons is in fact very real. No one would seriously dispute that the job of a police officer is far from easy and carries with it the risk of death, or serious injury in the line of duty. Yet New Zealanders are proud of the fact that our police force is unarmed and are keen to preserve that status.

The purpose of this paper is to examine the issue from a legal perspective, keeping in mind the need for effective balancing between the Bill of Rights and effective policing. It highlights several areas of concern and makes specific recommendations in certain areas. In particular, it raises concerns about a lack of candour in the police reports on the trial, the erosion of the weapon’s “last resort” status through “laser painting”, the lack of guidelines of multiple use, and the risk of a casualness developing amongst police officers in their approach to the weapon and being tacitly endorsed through a lack of insistence on strict compliance with the guidelines.

¹ New Zealand Police, “Police to Trial Tasers” Press Release 8 February 2006, <http://www.police.govt.nz/news/release.html?id=2283> (2 October 2006)

² Cf. Derek Cheng, “Opponents fear abuse of stun gun” *The New Zealand Herald* 7 June 2006 <http://www.nzherald.co.nz/story.cfm?ObjectID=10385354> (9 October 2006)

What this paper recommends is a significant improvement in the auditing and reporting processes that follow the use – in any form – of a Taser. The definition of use also needs to be expanded to include “laser painting”. There is also an urgent need for increased consultation with members of the public as well as the legal and medical professions generally. Finally, the paper also urges that the final decision on implementation be entrusted to an independent body – perhaps the existing Royal Commission on police conduct – in order to ensure public confidence in the conclusions reached.

Less Lethal?

The trial of Tasers as part of policing in New Zealand

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Introduction

The announcement by police,¹ in February of this year, that they would begin trialling the use of Taser stun guns has been met with criticism from a number of quarters.² Primary amongst the concerns raised, are the issues of safety and effectiveness of the weapons. Although promoted by police as a “less-lethal” weapon, others have contended that the potential for fatal consequences resulting from the use and misuse of the weapons is in fact very real. No one would seriously dispute that the job of a police officer is far from easy and carries with it the risk of death, or serious injury in the line of duty. Yet New Zealanders are proud of the fact that our police force is unarmed and are keen to preserve that status.

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resort" status through "laser painting", the lack of guidelines of multiple use, and the risk of a casualness developing amongst police officers in their approach to the weapon and being tacitly endorsed through a lack of insistence on strict compliance with the guidelines.

What this paper recommends is a significant improvement in the auditing and reporting processes that follow the use – in any form – of a Taser. The definition of use also needs to be expanded to include "laser painting". There is also an urgent need for increased consultation with members of the public as well as the legal and medical professions generally. Finally, the paper also urges that the final decision on implementation be entrusted to an independent body – perhaps the existing Royal Commission on police conduct – in order to ensure public confidence in the conclusions reached.

Background

Taser weapons are manufactured by Arizona, USA, based *Taser International* which markets them heavily to law-enforcement agencies across the United States. The company promotes their product as being "less-lethal" and "a safer and more effective alternative to other traditional use of force tools and techniques."³ That said their use remains highly controversial.

Tasers operate by using a compressed gas charge to fire two barbed electrodes attached to conductive wires along which an electrical charge is delivered. In New Zealand, police have stated that this charge will be five watts, as opposed to the 26 watt charge delivered by older models mainly used in the United States.⁴ Tasers generate a high-voltage, low-amperage electrical charge – that is, a high pressure but low intensity charge.⁵ Their purpose is to disrupt the

³ Cf. "Facts about Taser", *Taser International* available online at http://www.taser.com/facts/safer_law.htm (9 October 2006)

⁴ Above, n 1.

⁵ Tom Harris "How Stun Guns Work" *How Stuff Works* available online at <http://electronics.howstuffworks.com/stun-gun2.htm> (10 October 2006)

bodies own electrical current, causing disorientation, spasms and, in some cases, paralysis. However, the actual effect is varied, dependent on a number of factors – including duration of the shock, the size of the subject, their determination and the level of charge used.⁶ Essentially, Tasers are a smaller, but more powerful, version of a cattle prod. The greatest advantage offered by Tasers is their ability to be used from a distance (typically five to seven metres) – unlike the Asp batons and OC spray currently used by police. Taser Corporation also claims that the charge can penetrate up to five centimetres of clothing.

The version being trialled by police also carries with it a number of recording features. Every time the weapon is fired, it makes a record of the date, time and duration of this. That information can then be downloaded into a computer for storage and record-keeping, which in turn provides for tracking of usage patterns, level and possible abuse. Additionally, with each firing, the weapon discharges a number of small tags marked with the serial number of the specific weapon used.⁷

According to the rules of engagement, police may only use Tasers in the following situations to:

- Defend themselves, or others, if they fear physical injury to themselves, or others, and they cannot reasonably protect themselves, or others, less forcefully.
- Arrest an offender if they believe on reasonable grounds he or she poses a threat of physical injury and the arrest cannot be effected less forcefully.
- Resolve an incident where a person is acting in a manner likely to physically injure themselves and the incident cannot be resolved less forcefully.
- Prevent the escape of an offender if they believe on reasonable grounds that he or she poses a threat of physical injury to any person, and the escape cannot be prevented less forcefully.
- Deter attacking animals.

These guidelines were drafted by the police without consultation from the public. To date, no opportunity has been provided for submissions to be made on the

⁶ Ibid.

⁷ http://www.taser.com/law/product_info/usb.html (10 October 2006)

protocols for the trial – something which is inconsistent with the principles of openness and public consultation.⁸ Accordingly, those responsible for the co-ordination and oversight of the Taser trial are strongly urged to engage with the public on the protocols for this trial.

Safety Concerns

However, these features can obviously not provide any assurance as to the safety of the weapons. It is important to note that the potential effects arising from the use of the weapon can be severe and, in some cases, lethal. Potential health issues identified by *Taser* include: strain-type injuries caused by muscle contractions, severe exhaustion and / or over exertion caused by drug intoxication or pre-existing medical and / or psychological conditions, and breathing difficulties. Further, blindness can result if a Taser probe becomes imbedded in a subject's eye.⁹ Other conditions such as pregnancy, heart problems and epilepsy may also be affected by Taser use. Finally, it is recommended that the barbs be removed only by a medical professional.

A report produced by the American Civil Liberties Union of Northern California cites a number of cases where subjects under the influence of drugs died after Tasers were used on them.¹⁰ Such cases pose a problem for police in a number of ways. Firstly, it is exactly these type of subjects ("drug crazed") that Tasers are intended to be used on. Secondly, there is no way of determining what effect the combination of drug-use and Taser shocking will have on an individual – this is something that cannot be determined through laboratory testing! Similarly, testing of Tasers cannot be done on those with known heart

⁸ A stark (if not somewhat ironic) contrast can be drawn between the absence of consultation here, and the wide-ranging and well publicised consultation on the review of the Police Act.

⁹ "Product Warnings – Law Enforcement" *Taser International*, March 20 2006, available online at <http://www.taser.com/documents/LG-INST-LEWARN-001%20REV%20F.pdf> (10 October 2006)

¹⁰ Mark Schlosberg "Stun Gun Fallacy" *American Civil Liberties Union of Northern California*, September 2005. Available online at: http://www.aclunc.org/issues/criminal_justice/police_practices/asset_upload_file710_3131.pdf (30 September 2006)

conditions, although the ACLU report has noted concerns from medical professions about the potential for disruption of the heart's internal rhythm by the Taser's electrical current.¹¹

Legal Status

Several sections of the Crimes Act 1961 provide the police with a justification for the use of force.¹² However, those provisions are not lacking in limitations. The force used by police in any case must be in response to force used against them and, where possible, the purpose must be unable to be achieved by reasonable means in a less violent manner. Put simply, the use of force is available but that power is by no means unchecked. The right to use force in self defence is also available to the police – as for all New Zealanders. Such force must however be reasonable in the circumstances and proportionate to the threat faced. Where the limits of those justifications are exceeded, those authorised to use force are also criminally responsible for any excess use of force.¹³

Due to their use of compressed gas – as opposed to an explosive charge – Tasers would likely be classified as airguns for the purposes of New Zealand law.¹⁴ As such, any person over the age of 18 could legally possess one,¹⁵ although it is unclear whether there are any restrictions on the importation of such weapons by civilians. Inappropriate use would be difficult to classify in a criminal sense given that Tasers do not normally cause significant bodily harm (there are of course exceptions), nor do they leave highly visible signs of use. This means that on prosecution for misuse a charge of anything greater than assault with intent to injure may well be difficult to prove. In the absence of actual harm, prosecutors may find it difficult to find a charge to fit the offending.

¹¹ At p 4.

¹² Cf. e.g.: ss 39 (Force used in executing process or in arrest); 40 (Preventing escape or rescue); 41 (Prevention of suicide or certain offences).

¹³ Cf. s 62 Crimes Act 1961.

¹⁴ Cf. s 2 Arms Act 1983.

¹⁵ *Ibid*, s 21.

That said a prosecution under the Crimes Act 1961 for assault with a weapon would be one possible avenue. Section 202C of that Act reads as follows:

202C. Assault with weapon—

(1) Every one is liable to imprisonment for a term not exceeding 5 years who,—

(a) In assaulting any person, uses any thing as a weapon;

Misuse could also amount to a breach of the right not to be subjected to torture and cruel treatment in s 9 of the New Zealand Bill of Rights Act 1990.¹⁶ This in turn, could lead those against whom a Taser is wrongfully used to seek damages against the police for breach of this right.

An Alternative to What?

Tasers are often promoted as a “less-lethal” alternative. However, it is important to ascertain to what exactly they are intended to be an alternative. As the ACLU report notes, there are many instances where they are used as an alternative to firearms. New Zealand police do not generally carry firearms in the course of their normal duties, and the idea of an alternative weapon being used as commonly as firearms are in other jurisdictions would probably be considered alarming by most New Zealanders. This ties in with one of the major concerns highlighted in the ACLU report, namely that the use of Tasers remains largely unregulated in many jurisdictions.

There is a pressing need for detailed guidelines on when, in what circumstances and by whom Tasers can be used. In particular, clear guidelines on multiple or repeat usage are essential. There are clear rules pertaining to the use of firearms by police and thus, if Tasers are to be considered an alternative to the use of firearms, there must equally be guidelines for their usage too. If Tasers are to be considered an alternative to OC (capsicum) spray then the requirements for

¹⁶ It is arguable that, used properly and with appropriate restraint, Tasers would be a justifiable limitation on this right per s 5 of the Act.

reporting incidents of deployment must be significantly increased. Ideally, their use should be confined to situations similar to those where the use of firearms would be considered appropriate. To this end, there needs to be an effective and ongoing public consultation process – something noticeably absent from the present trial. If the conclusions to be drawn from the current trial are to be justifiable, engagement with key stakeholders – such as the legal and medical professions generally¹⁷ – are needed as a matter of urgency. There must also be a requirement on the police to report publicly each time a Taser is engaged, regardless of whether or not it is actually fired.¹⁸ This aspect is discussed in more detail later in this paper.

Laser Painting

Much more frequently, the tactic of “laser painting” has been used. In essence, this is the threatened use of a Taser by drawing the weapon and aiming the targeting laser at a suspect. From the reports to date of incidents where “laser painting” was used however, it would seem that there is no commonality of approach amongst the officers who have drawn the weapons. What stands out however, is that Tasers are drawn far more frequently than firearms, and in less threatening situations. For example, a Taser was drawn by police when confronting a man fleeing a burglary who was armed with a screwdriver. From the available details, the nature of that incident does not appear to have been at the level of seriousness which would warrant the use of a Taser. Yet, the weapon was nevertheless drawn and the targeting laser activated – albeit without the final step of firing it being taken. If it had been a firearm which had been drawn the public response would be predictable.

¹⁷ An external medical advisory group are engaged in the evaluation process. Their role is confined to reviewing medical examination reports related to Taser discharges. See: “Taser Trial Details” *New Zealand Police* available online at <<http://www.police.govt.nz/resources/2006/taser-trial/detail.html>> (13 November 2006).

¹⁸ Currently there is a requirement for police officers to file a report each time a Taser is fired. However these reports remain in house and, other than through an Official Information Act or Privacy Act request, are not available to the public.

Opponents have criticised police as being too eager to use the Taser. To date that claim has not been borne out by the actual usage (when it is actually fired). That said there is a very fine line between the tactic of “laser painting” and actually firing the weapon. Most of these cases have reportedly involved “weapons or suspected weapons” but the mere presence of a weapon (which can in law be anything) is, in itself, insufficient to justify firing a Taser. In some cases, the mere “intimidation” factor associated with “laser painting” has proved to be sufficient to resolve an incident without injury to anyone involved. Nevertheless, there remains the risk of the “last resort” status of the Taser being eroded, and police drawing the weapons less conscientiously than was intended or indeed would be expected. This could in turn lead to the weapons being fired more frequently and in the face of less serious incidents. Again, the public reaction to police drawing firearm in the same manner would be predictable. For this reason, the same rules that apply for firing Tasers must also be rigorously applied to their drawing. These rules must include a requirement on officers to file a report each time they draw the weapon, in addition to the requirements to report when it is actually fired.

Misuse

As with any law enforcement tool, the potential for misuse of Tasers is inevitably present. However, a Taser’s more debilitating nature makes misuse more frightening. According to a study by the *Indianapolis Star* newspaper:¹⁹

A pregnant woman, a man in a wheelchair and a 13-year-old girl fleeing police after a rock-throwing incident were shocked with Tasers during a 19-month period that ended in July, according to an Indianapolis Star review of reports on more than 1,100 instances of Taser use.

Instances of misuse such as those cited above may well be rare but they are anything but tolerable let alone acceptable. Unfortunately, recent news reports

¹⁹ Richard D. Walton and Mark Nichols, “50,000 volts of controversy” *Indiana Star*, 23 June 2006. Available online at: <http://www.indystar.com/apps/pbcs.dll/article?AID=/20060623/NEWS01/306230005/-1/ZONES04> (12 October 2006).

detail two situations similar to those described as being prevalent in Indianapolis. Overuse is equally as deplorable as misuse – yet in the short time for which Tasers have been being trialled incidents of both have been reported. In the first incident, a man was shocked with a Taser twice during a single incident – the basis for second shock being due to his reported resistance while police were trying to handcuff him.²⁰ In the second incident, a police officer fired a Taser five times at a suspect in an unsuccessful attempt at apprehension, shocking himself in the process.²¹ During the course of the incident, the suspect's 16 year-old son was accidentally hit with the Taser and, after the officer reverted to pepper spray, also hit the suspect's daughter. Only the second incident is referred to in the third Taser Trial Update issued by police, the first incident occurring after the last update. No mention is made however of the number of times that the Taser was fired or of innocent bystanders being hit.

The basis of concern over these incidents is the issue of adherence by police to their own guidelines. The use of a Taser simply to subdue resistance or facilitate arrest is simply unacceptable. A suspect who is on the ground can in no way be considered to be posing a direct threat of physical injury to such an extent as to warrant the use of assaultive force in the form of a Taser. Similarly concerning is the use of multiple shocks – something which a police spokesman was dismissive of, describing it as not “relevant”. Yet even Taser International warns on their website that “extensive repeated, prolonged, or continuous applications” can “contribute to... medial risks”. The ACLU report is less subtle in its approach to this point, citing acceptable use policies from two different police departments which both consider multiple usage to be unacceptable. One of these states unequivocally that: “[if] *the Taser does not gain control or is ineffective, repeated deployments shall not be done.*” The absence of any direction on this point in the New Zealand guidelines is something that clearly needs addressing urgently.

²⁰ “Man Tells of pain after stun gun shooting” *The Dominion Post* (15 November 2006).

²¹ Patrick Gower “Constable zaps himself and innocent teen with Taser” *The New Zealand Herald* 18 November 2006 p A1. Available online at <http://www.nzherald.co.nz/story.cfm?objectid=10411372> (18 November 2006)

Also of concern is the lack of openness and candour on the part of the police in disclosing detail relating to Taser incidents – as illustrated by the above examples. This is discussed further later in this paper.

To guard against this, there needs to be clear reporting and recording systems in place. The Tasers themselves already record a considerable amount of information – as discussed above – and it is important that this information is made publicly available through Official Information Act and / or disclosure requests. Finally, intentional misuse or overuse by police officers must be met with a firm response including disciplinary action and, where appropriate, criminal prosecution. Victims themselves may also be able to take civil action for exemplary damages against the officer as an individual, or against the police as a whole.

Protection of rights

At the outset of this section, it is imperative to emphasise that rights and the entitlements and protections they afford are not limited by a person's conduct, social status or lack of lawfulness. Indeed, those on the fringes, or outside, of the law are often most in need of protection. Simply because a person is a suspect, or is in police custody, does not in any way disentitle them to the same protections afforded any other person. If anything, given their increased vulnerability by virtue of the circumstances they are in (deprivation of their liberty) their entitlement to protection is greater than most. The provisions of the New Zealand Bill of Rights Act apply to *everyone* – not just some at the expense of others. The most relevant of those provisions in this context are s 23(5):

Everyone deprived of liberty shall be treated with humanity and with respect for the inherent dignity of the person.

And s 9:

Everyone has the right not to be subjected to torture or to cruel, degrading, or disproportionately severe treatment or punishment.

There are also common law rights to protection from use of excessive force – for example, an officer is not in execution of duty if she uses excessive force and can even be criminally liable in such circumstances.²²

As noted early on in this paper, a balance of course needs to be drawn between effective policing and prevention of crime on the one hand, and the rights and liberties of suspects on the other. Police officers too are of course entitled to protection from the injury notwithstanding the fact that their job carries with it the inherent risk of such harm.

As a result, any tactic, technique or approach which minimises the risk of harm to all involved must obviously be welcomed. Tasers do have the potential to do this when used as an alternative to deadly force, or when used to prevent serious harm to members of the police or public. At the same time however, there is a risk of a comfort zone being established, where the use of Tasers becomes more prevalent than was originally intended – as has been seen in other jurisdictions. When this happens, what results is an imbalance contrary to civil rights. This concern is perhaps best addressed by clear guidelines covering not just when Tasers should be used (as have already been published) but also extending them to include when it is permissible to draw a Taser for the purposes of deterrence by “laser painting” or similar tactics. Accordingly to police tactical guidelines for the use of force, Tasers are to be used as an “assaultive” force option. That is, one step below lethal force or grievous bodily harm, and at the uppermost level of the intermediate level of tactical options. This is illustrated in the tactical options card appended to this paper.

When deadly force is used by a police officer in the execution of their duty, they are required to justify its use – and rightly so. Requirements to report also exist

²² Cf. Section 62 Crimes Act 1961.

in relation to the use of force (of any kind), and on the deployment of OC Spray. Similar requirements should also be put in place for Tasers – requiring police to justify not just the actual use of them, but also the threatened use. Where the use, or threatened use, of Tasers falls outside of the guidelines, then appropriate measures should follow. These measures will likely range from retraining, to reprimands, all the way up to prosecution where warranted – as has been the case where OC spray has been wrongfully deployed.²³ In all cases where Tasers are used or drawn, a Police Complaints Authority investigation should also be conducted. The imposition of such requirements will also enable police to monitor individual officer’s patterns of use, allowing for early identification of any issues.

Reporting and Freedom of Information

One of the key difficulties identified to date is the availability of information relating to the use of Tasers by police – including instances of “laser painting”. The only information publicly available is that released by the Office of the Commissioner of Police. Such information is general in terms of its level of detail and is disseminated in the form of media releases. It is not suggested that there is any intention on the part of the police to mislead the public as to the status, of the trial. However, the fact that the police have a direct vested interest in the outcome of this trial – and have essentially already made clear their preferred outcome – cannot be ignored.

Currently, it would by no means be an understatement to conclude that less than one percent of the information collected by police on Taser usage has been made available to the public. Information such as usage data – including date, time and duration of discharge – downloaded from the weapon itself should be made freely available. Absent the availability of such information, there will almost inevitably be a growing perception on the part of the general public that

²³ See: “Policeman guilty of pepper-spray assault” *New Zealand Herald* 27 October 2006 online <<http://www.nzherald.co.nz/story.cfm?objectid=10407901>> (27 October 2006).

the information gathering exercise that is supposed to form the basis for this trial is simply not happening. This in turn will lead people to conclude that the outcome of the trial has already been decided. Such perceptions, once ingrained, will be difficult to dislodge and will have the effect of undermining public confidence in the police.

Of additional concern are the reports discussed above involving consecutive use of Tasers , as well as their being used to facilitate the handcuffing of a suspect already on the ground. Such reports call into question the accuracy and reliability of the media releases and information on the Taser trial provided by police. This view has already been expressed by opposition Law and Order spokesman, Simon Power.²⁴ Mr Power further noted that no mention of the second incident referred to above was made by Police Commissioner Howard Broad during his appearance before the Law and Order Select Committee to discuss the Taser trial. This is another reason why the level of reporting and the detail of those reports must be increased substantially and should be outsourced to an independent agency. At the very least, significant auditing process must be implemented in order to give the public confidence in the reports. Without confidence in the reports, the public cannot be expected to have confidence in the trial itself.

Conclusion

Included amongst Sir Robert Peel's Nine Principles of Policing are the following:

- To recognise always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in securing the observance of laws.
- To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order; and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

²⁴ See above, n 21.

- The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it

These points form part of the foundations of our modern day police force and are as relevant today as they were when they were first proposed almost 200 years ago. New Zealanders react with strong emotions whenever a police officer is killed, or seriously injured, in the line of duty. Our reactions are equally as strong whenever a police officer wilfully abuses their powers to the detriment of others. Given this, the divisiveness brought about by the introduction of Tasers is perhaps understandable. That divisiveness sparked a perhaps predictable reaction to the suggestion by the Commissioner of Police, Howard Broad that, if the Taser trial were unsuccessful, there would be pressure from “strong forces” wanting police to carry guns.²⁵

Among the many issues raised and discussed in this paper, the one that must be of the most immediate concern is the lack of openness and disclosure of information in relation to the trial and use of the weapons. Those conducting the Taser trial, are the same as those who report on the use of the weapons, and are in turn the same as those will ultimately decide if Tasers are to become a permanent part of policing in New Zealand. If the “strong forces” referred to before are not to prevail, a greater degree of openness and independence is urgently required. To this end, full disclosure (within the limits required for privacy and the administration of justice) must be made available every time a Taser is deployed or used. This will enable the public to judge for themselves how the trial is progressing as well as the advantages and disadvantages of the Taser. The final decision as to implementation following the conclusion of the trial should be made by an independent body – possibly the current Commission of Enquiry into police conduct – with the public invited to make submissions.

²⁵ See: “Police Commissioner backs away from Taser comments” *New Zealand Herald* 26 October 2006 <<http://www.nzherald.co.nz/story.cfm?ObjectID=10407682>> (26 October 2006).

That Tasers have the potential to cause death or serious harm to those against whom they are used is indisputable. While such results will be rare, the fact remains that they are nonetheless possible and this is something that must not be overlooked. At the same time, Tasers also have the potential to prevent death or serious harm to the police, innocent bystanders, and even suspects themselves. In some cases, through the tactic of "laser painting", this will be possible to achieve without the need for any harm or force at all. Despite this, the ends must not be allowed to justify the means.

Above all, what must always be borne in mind, is that – notwithstanding its benefits – Tasers are a very powerful and, potentially, very harmful weapon. The risks associated with its use must therefore be reflected in its place in the hierarchy of police tactics. While its use will logically be more prevalent than that of firearms, it must not be allowed to become a commonplace means of dealing with disruptive, disorderly, drunken or otherwise unruly individuals. The guidelines for its usage must be strictly adhered to and must apply not only to the actual use of the weapons but also to their threatened use.

Absent such stringent requirements, there is a risk that casualness in attitude will develop amongst police in their use of Tasers. This in turn will heighten public concerns about the benefits of the weapons – ultimately to the detriment of the police themselves. Certainly, it is they who have the most to lose in this Taser trial, because it is the police who stand to gain the most direct benefits in terms of mitigation of the risk of harm to them. For this reason, all police would be wise to ensure that the guidelines for use of Tasers are stringently adhered to at all times, and that every use – or threatened use – of the weapons is justifiable in accordance with those guidelines.