

POLICE OFFICERS — TASER USE

5454. Hon Giz Watson to the Minister for Finance representing the Minister for Corrective Services

I refer to the report published by the Corruption and Crime Commission on 16 April 2012, 'Report on the Investigation of Alleged Public Sector Misconduct in Relation to the Use of Taser Weapons by Officers of Western Australia Police and the Department of Corrective Services', and I ask —

- (1) Will the Minister please table in full all written procedures relating to Taser use by the Department's officers?
- (2) If no to (1), why not?
- (3) Will the Minister be introducing a Bill to amend section 14(1) of the *Prisons Act 1981* insofar as it permits the department's officers to use Tasers for compliance purposes?
- (4) If no to (3), what is the policy reason for the department's officers using Tasers for compliance purposes?
- (5) Which class(es) of officers are authorised to use a Taser?
- (6) Regarding the answer given to (5) —
 - (a) what training is given regarding Taser use (please provide full details);
 - (b) how often is refresher training required; and
 - (c) can an officer's authority to use a Taser be revoked, and if so, in what circumstances?
- (7) Does the Taser weapon written procedure and/or training include avoidance or a restriction on Taser use where risks are evident, for example —
 - (a) subject with known/suspected/claimed heart condition;
 - (b) subject displaying signs of excited delirium;
 - (c) subject with known/suspected/claimed mental health issues;
 - (d) subject does not recover within a reasonable time;
 - (e) subject is female with known/suspected/claimed pregnancy;
 - (f) subject is elderly or infirm;
 - (g) subject is of small body build;
 - (h) subject is a child;
 - (i) subject is in a dangerous location e.g. at a risk of falling from a height, operating machinery;
 - (j) subject is restrained e.g. handcuffed;
 - (k) probes deployed into subject's chest, face and/or genital region; and
 - (l) multiple Taser use on the subject?
- (8) What, if any, extra scrutiny of Taser use is required to occur where such risks are evident?
- (9) What written procedure requires this?
- (10) What medical aftercare is required to occur after a Taser has been used on a subject —
 - (a) in any case;
 - (b) where the subject is known/suspected or claims to have a heart condition;
 - (c) where the subject is displaying signs of positional asphyxia;
 - (d) where the subject is displaying signs of excited delirium;
 - (e) where the subject has fallen and hit his/her head;
 - (f) where the subject is a woman who is known/suspected or claims to be pregnant;
 - (g) where the subject has mental health issues;
 - (h) where the subject does not recover in a reasonable time;
 - (i) where the subject asks for medical care;
 - (j) where the subject is reasonably suspected of suffering a medical condition;

- (k) where the probes are embedded in the subject's breasts, genitals, face or other sensitive body part; and
- (l) after multiple Taser use?
- (11) What written procedure requires this?
- (12) If a person is to be charged after being subjected to Taser use, is there a requirement that any relevant information required to be given is given after the person has recovered sufficiently to understand it?
- (13) What written procedure requires this?
- (14) Does the Taser weapon written procedure and/or training —
 - (a) acknowledge that Taser weapons have the capacity to cause death or serious injury;
 - (b) prefer Taser deployment in probe mode over drive stun mode;
 - (c) outline the risks involved in multiple deployments; and
 - (d) require that each deployment result from a new assessment of the circumstances and the need for use of force?
- (15) How many Tasers are available for use by the department's officers?
- (16) Over the past two years —
 - (a) on how many occasions have the department's officers used Tasers in a non-training context;
 - (b) of these, how many occasions were for compliance purposes;
 - (c) how many people were Tasered more than once in the same incident; and
 - (d) how many people required medical attention after being Tasered (please provide full details)?

Hon SIMON O'BRIEN replied:

- (1) No
- (2) The policies relating to 'Use of Force' are restricted to staff only and are security sensitive.
- (3) No
- (4) The Corruption and Crime Commission's report did not make any adverse findings in relation to the use of Taser by the Department of Corrective Services' (the Department's) staff. The term compliance in the Department's environment has a different connotation to the Western Australian Police. There is specific legislation that authorises staff to use force when necessary (Section 14 (1) (d) for the purposes of compliance and the use of a Taser, by specially trained staff in specific circumstances, is considered to be an appropriate use of non-lethal force.
- (5) Only members of the Department's Emergency Support Group (ESG) and Albany Regional Prison Security Unit (ASU) are authorised, trained and qualified in the use of Taser.
- (6)
 - (a) Officers receive an initial one day course conducted by a qualified Taser instructor. Training comprises of lessons on legislation, policy, technical details, practical and tactical use, after care treatment/medical response, awareness of excited delirium and positional asphyxia. All officers are required to be to be exposed to the Neuro Muscular Incapacitation effects of Taser (experience the effect of a Taser).
 - (b) Officers must requalify annually.
 - (c) Yes. The circumstances include an officer who is not in date qualified, an officer who is no longer a member of the ESG/ASU and an officer who has breached policy.
- (7) (a)–(l) Yes
- (8) All planned use of force entails a careful appreciation of the situation and circumstances before deployment.
- (9) The written procedures that require this include the Department's Operational Orders, Policy Directives, Superintendents Instructions and the Taser training manual.
- (10) (a)–(l) Medical aftercare required after a Taser has been used on a subject includes first aid to remove probes and a medical assessment by qualified medical personnel.
- (11) Please refer to (9).

- (12) If a prisoner is to be charged with a disciplinary offence, there is a requirement to inform the prisoner and provide details of the charge. Recovery from Taser exposure is almost immediate.
- (13) The written procedures that require this include the Prisons Act 1981, Prison Regulations 1982 and Departmental Policy Directives.
- (14) (a)–(d) Yes
- (15) 35
- (16) (a) Once
(b)–(c) One
(d) The prisoner was checked by nursing staff as per procedure and no injuries were recorded.