

National inquiry into taser guns needed

By Greg Barns

Back on 4 September 2009, I wrote a piece for *Crikey* on the dangers of Taser guns, and in light of the tragic death of a young man shot by New South Wales Police in March this year, it is timely to quote from it.

The *Crikey* piece was written after the Queensland CJC and Queensland Police review into the death of 39-year-old Antonio Galeano, who was shot 28 times by police with a Taser gun and who subsequently died of a heart attack. The CJC/Police review noted that the 'possibility of Taser use causing or contributing to death is possible and cannot be ruled out'.

I wrote in *Crikey* that 'such a finding is not earth-shattering in itself; Amnesty International released a report in December last year that linked almost 350 deaths in the US to the use of Taser guns, but it is the first official statement in any Australian jurisdiction about the lethal capacity of Taser guns.

Taser guns are used more often than the media and law enforcement agencies report. They are, for example, used in prison systems around Australia. I am personally aware of their use in the Tasmanian prison system, and they are also used in Western Australian prisons.'

Three years on, and Taser guns are still being used by police around Australia and still nothing is done to assess whether these lethal weapons should be used by law enforcement officials.

This is not just a state and territory issue, but a national one. Back in November 2007, the UN Committee Against Torture said: 'The use of TaserX.6 weapons, provoking extreme

pain, constituted a form of torture and that in certain cases it could also cause death, as shown by several reliable studies and by certain cases that had happened after practical use.'

In 1989, Australia became a signatory to the UN Convention Against Torture and, in July of 2008, the Rudd government signed the Optional Protocol that allows for UN inspections of prisons and detention centres. In other words, Canberra ought to be taking the words and findings of the UN Committee Against Torture seriously.

This means holding a national judicial inquiry into Taser gun usage. The ALA issued a media release on 19 March calling for such an inquiry, and the ALA's call was widely publicised through the electronic and print media.

We think that the fact that there have been deaths and severe injuries caused to people in every jurisdiction in Australia in which Taser guns are used is something that should concern the Gillard government and opposition MPs. It is not enough to simply say that police and coroners are the appropriate people to hold investigations whenever a death or serious injury occurs. What we are talking about here is victims and their families suffering because of the actions of the state in allowing law enforcement officials to use lethal weaponry. That's a matter which requires a national approach.

The House of Commons in Canada has looked at the use of Taser gun technologies and, in British Columbia, an extensive inquiry headed by a former judge, Thomas Braidwood, looked at the medical evidence around the safety of Taser guns. Braidwood



reported in 2010, 'I am persuaded, from the information before me, that a conducted energy weapon is capable of triggering cardiac capture, and that the risk increases in the case of subjects with pre-existing cardiovascular disease.'

In other words, Taser guns can and do kill. The problem is that police do not know if a person has a pre-existing heart condition when they pull the trigger, and there is also the fact that because the police think that Taser guns are not lethal, or less lethal than hand guns, they use them more frequently, which increases the risk of deaths occurring.

We should never trust the police and other law enforcement officials to use lethal weaponry in a way that does not lead to death. Police services and other agencies such as correctional services must be held accountable and given strict protocols, the breach of which has real sanctions attached to it. That is why we need a national judicial inquiry into Taser guns to set those rules. ■

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