

# Police Service of Northern Ireland

HQ Ref:

SP 06/08

## Service Procedure

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### POLICE SERVICE OF NORTHERN IRELAND GUIDELINES ON THE OPERATIONAL USE OF TASER

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#### 1. SERVICE PROCEDURE IDENTIFICATION

**SERVICE PROCEDURE TITLE:** Police Service of Northern Ireland Guidelines  
on the Operational Use of Taser

**PROCEDURAL OWNERSHIP:**

<b>DEPARTMENT BRANCH</b>	Operational Support Department Operations Branch Conflict Management Development Unit
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<b>AUTHOR</b>	Inspector CMDU
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**PROCEDURE APPROVED BY:**

<b>CCF REF/OTHER DATE OF APPROVAL</b>	
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**2. AIM OF SERVICE PROCEDURE**

- (1) The purpose of this Service Procedure is to outline the Police Service of Northern Ireland's (PSNI) Guidelines on the use of the Taser as a less lethal option by Specialist Firearms Officers. The guidance reflects National ACPO Guidelines and takes cognisance of the provisions of the Human Rights Act 1998, the UN Code of Conduct for Law Enforcement Officials and the UN Convention on the Rights of the Child<sup>1</sup>. This document should be read in conjunction with the Police Service of Northern Ireland Code of Ethics.
- (2) It is our aim to uphold and protect the human dignity and human rights of all persons as enshrined in the European Convention on Human Rights and other relevant international instruments. We will achieve this by providing a high quality, effective policing service in co-operation with, and with the aim of securing the support of the local community. Police officers shall carry out their duties with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all individuals and their traditions and beliefs.

**3. INTRODUCTION**

- (1) Police officers, in carrying out their duties, shall as far as possible apply non-violent methods before resorting to any use of force. They may use force only if other means remain ineffective or have no realistic chance of achieving the intended result.
- (2) Whenever it is necessary for police officers to resort to the lawful use of force or firearms they shall:
  - (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate object to be achieved;
  - (b) Minimise damage and injury, and respect and preserve human life;
  - (c) Ensure that assistance and medical aid are secured to any injured person at the earliest possible opportunity;
  - (d) Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible opportunity;
  - (e) Report the incident promptly to their supervisors;
  - (f) Comply with Police Service policy, procedure and guidance.

(Police Service of Northern Ireland Code of Ethics Article 4.1 – 4.3).

**4. LEGAL BASIS**

- (1) The police use of force is governed by:
  - (a) Section 3 Criminal Law Act (Northern Ireland) 1967;
  - (b) Common Law;
  - (c) Article 88 Police and Criminal Evidence (Northern Ireland) Order 1989;

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<sup>1</sup> Article 3 of the Convention on the Rights of the Child requires the best interests of children to be a primary consideration in all actions concerning children.

- (d) The Human Rights Act 1998;
  - (e) The PSNI Code of Ethics.
- (2) Policy Directive 12/08 Police Use of Firearms sets out in detail the legal position regarding the use of firearms in general and reference should be made to this Policy Directive as appropriate.

**5. POLICY LINKS**

- (1) This Service Procedure must be read in conjunction with the following:
- (a) Policy Directive 07/07 - Public Order and the Use of Force;
  - (b) Policy Directive 12/08 Police Use of Firearms
  - (d) Service Procedure No 59/2007, File Box D(a) - Positional Asphyxia/Excited Delirium;
  - (e) Policy Directive 03/06 – Post Incident Procedure Deployment of Post Incident Managers – Discharge of Firearms;
  - (f) ACPO Manual of Guidance on Police Use of Firearms;
  - (g) Article 4 Code of Ethics for the Police Service of Northern Ireland.

**6. CONSULTATION**

56 individual organisations were consulted as part of the screening process and a full Equality Impact Assessment has been conducted. Details in relation to the relevant organisations are held centrally.

**7. HUMAN RIGHTS/EQUALITY/INTEGRITY/FREEDOM OF INFORMATION**

- (1) In light of the Human Rights' Act the need for a range of 'less lethal' options, and personal safety tactical options in conflict management by police, has become an imperative for the service. Available less lethal technologies work in different ways and each may offer unique advantages in specific circumstances. The Association of Chief Police Officers (ACPO) believe that extending the range of options available is likely to provide the most appropriate response to any given situation. This will include the Conducted Energy Devices, HOSDB currently only authorise the Taser.
- (2) Taser technology has been subject to rigorous assessment and testing by the Home Office Scientific Development Branch (HOSDB) to determine how well it meets the operational requirement.
- (3) In addition, The Defence Science and Technology Laboratory (DSTL) have undertaken a thorough programme of medical assessment.
- (4) The results of these assessments have been considered by an independent body, the Defence Scientific Advisory Council's Sub-Committee on the Medical Implications of 'less lethal' technologies (DOMILL), who have issued medical statements. (See Appendix 'B' to the attached PSNI Operational Use of Taser, Notes for Guidance on Police Use).

- (5) Further Human Rights considerations on the use of Taser are contained within the 'PSNI Operational Use of Taser, Notes for Guidance on Police Use' attached to this Service Procedure.
- (6) These directions have been written in accordance with the Human Rights Act, Section 75 Northern Ireland Act and the PSNI's integrity standards.

**8. PROCEDURE AND / OR GUIDANCE**

**(1) Authority for Issue**

An officer of substantive Assistant Chief Constable rank or above, or an officer who has been appointed as Acting Assistant Chief Constable, may provide a standing authority to issue Taser to suitably trained officers for use as a less lethal option in firearms and non-public order situations.

**(2) Authority for Use**

- (a) In circumstances where officers have been deployed to a situation, the authorisation to utilise their firearm will also include the authority to use any other less lethal option or technology with which they have been issued including where appropriate Taser. In these situations it would be inappropriate for commanders of supervisory officers to attempt to restrict officers to a particular less lethal technology or use of force option.
- (b) In cases of extreme emergency where the life of any person is in immediate danger, an officer issued with Taser may self authorise deployment to counter that threat. Confirmation of this authority should be sought as soon as practicable.

**(3) Command**

The Command structure will be in accordance with current service instructions based on the Gold, Silver, Bronze system. It is recognised that incidents requiring a less lethal response may be spontaneous, therefore, it may be the case that the role of both Gold and Silver Commander will be performed by the Duty Inspector BRC initially.

**(4) Operational Procedures**

Full directions and considerations relating to the use of Taser by officers on the ground are contained in the PSNI Operational Use of Taser – Notes for Guidance on Police Use, attached to this Service Procedure.

**(5) Post Incident Procedures**

- (a) In any situations where the Taser is discharged, appropriate post incident procedures will be implemented depending on the nature of the injury or harm occasioned.
- (b) The term 'use of the Taser' will include any of the following actions carried out in an operational setting:
  - (i). Drawing of a device in circumstances where any person perceives the action as a use of force or threat of a use of force, whether or not this is accompanied by a verbal warning, sparking of the device or placing of the laser sight red dot onto a subject;
  - (ii). Firing of a device so that the barbs are discharged at a subject;

### APPENDIX 3

- (iii). Application and discharge of a device in 'drive stun mode' to a subject.
- (c) Below is the minimum standard **where possible** of post incident evidence recovery.

<b>Cartridge</b>	Including wires and probes to show complete and range used at. Not to be spooled.
<b>AFIDs</b>	Two or three to confirm serial number. These are spread randomly and will not show trajectory.
<b>Photographs</b>	Incident detail to show; scene, weapons involved/available to suspect, AFID/ officer location, suspect locations, injuries to police/suspect, barbs location. Intention to tell as much of the incident in photographic detail as possible.
<b>FMO Report</b>	Persons Tasered should be examined by FMO.
<b>Taser Evaluation Form</b>	Required for national records, forward to ACPO.
<b>Use of Force report</b>	Required for local and national records.
<b>Data-port Download</b>	Print out of Taser use record.

- (d) Further guidance in relation to post incident procedures can be found in PSNI Policy Directive 03/06 – Post Incident Procedures, Deployment of Post Incident Managers – Discharge of Firearms.

#### 9. MONITORING / REVIEW

- (1) The operational use of Taser will be monitored by the ACPO, HOSDB, DSTL and DOMILL.
- (2) Operational usage will be reviewed at regular intervals to ensure that emerging issues are properly reflected in training and operational guidance. Representatives of HOSDB, DSTL and DOMILL will be invited to contribute to the process.
- (3) Taser Evaluation Forms (TAS1 available on PoliceNet) will be completed on every occasion where Taser is used in a policing operation. (Specimen attached at Appendix 'H' to the attached PSNI Operational Use of Taser, Notes for Guidance on Police Use). This is a restricted document.
- (4) This Service Procedure will be subject to an annual review by Operational Support and any feedback should be forwarded to Chief Inspector, Conflict Management.