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Legal group calls for comprehensive independent review of teen shooting and extreme caution on Tasers

The Victorian Federation of Community Legal Centres today called for a comprehensive, impartial and independent investigation into the fatal shooting by police of a 15 year old boy in Northcote last night.

Federation Executive Officer, Hugh de Kretser, said “Our sincere condolences go to the boy’s family. The Victorian Human Rights Charter guarantees Victorians’ right to life. Police must not use fatal force unless it is absolutely necessary to protect the lives of others. If fatal force is used, the Charter requires a prompt, comprehensive, independent investigation. This must not be conducted by police themselves.”

Mr de Kretser said, “In 2005, the Office of Police Integrity released a review of 6 fatal shootings by police between 2003 and 2005. The review identified significant failures by police in applying their own operational safety principles. In particular, the review criticised failures to cordon and contain incidents as well as the use of capsicum spray which requires police to be in dangerous proximity to suspects, and which can escalate conflict. The review identified an urgent need to improve training to deal with people with mental illness.”

“It is too early to judge whether this shooting could have been avoided. At this stage, it is inappropriate for police command to say there was no other option but to shoot. Better application of the operational safety principles may or may not have prevented the shooting.”

“Calls for more police to be armed with Tasers need to be treated with extreme caution. A Taser may avert the need to shoot, but so may better training, better incident planning, better application of the cordon and contain principle and avoidance of the use of capsicum spray. If Taser usage is expanded, based on North American experience, this will lead to loss of lives, abuse and significant “usage creep” beyond the original purpose of introducing Tasers as an alternative to firearms. There have been over 300 deaths in North America following Taser use and widespread reports of Tasers routinely being used against citizens who were non-threatening or even restrained with handcuffs.”

“Tasers will disproportionately affect the mentally ill, who in turn will be at most risk of loss life through Taser use. A recent NSW Ombudsman’s review of Taser usage found that 68% of people subjected to a Taser by NSW police were identified as having mental health issues.”

“Currently, 2 specialist units in Victoria Police are armed with Tasers. In response to a freedom of information application by the Federation, Victoria Police refused to provide their operational guidelines around the use of Tasers. The Federation has commenced litigation to review this refusal.”

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