

BRAIDWOOD INQUIRY

Thomas R. Braidwood, QC, Commissions of Inquiry

COMMISSIONER'S COMMENTS ON PHASE ONE REPORT OF BRAIDWOOD INQUIRY INTO TASER USE IN BRITISH COLUMBIA

July 23, 2009

VANCOUVER – Retired British Columbia Appeal Court Justice Thomas R. Braidwood, QC, has made 19 recommendations to the provincial government regarding the appropriate use of conducted energy weapons (tasers) by law enforcement agencies in the province.

Speaking at a media conference in Vancouver today following the tabling in the B.C. Legislature of the report of the first phase of the Braidwood Inquiry into taser use in B.C., Mr. Braidwood said his report “bluntly states” that the provincial government has abdicated its responsibility to establish province-wide standards for the use of tasers.

“In my view, it is the province’s responsibility to set the rules about conducted energy weapon use and officer training. It is the duty of law enforcement agencies to train their officers and deploy the weapon in accordance with those policies,” he said.

The centrepiece of the report is that government should authorize policing agencies to continue to use conducted energy weapons, but the threshold for use should be significantly revised from “active resistance” to the much higher standard of “causing bodily harm.”

While Mr. Braidwood was specifically directed to exclude the RCMP from the first phase of the inquiry because the provincial government does not have jurisdiction over the force, he said today that his recommendations should also apply to the RCMP as a pre-condition for the B.C. government entering into new policing agreements with the RCMP in 2012.

“Seventy per cent of British Columbians live in communities policed by the RCMP. If the government accepts and implements my recommendations, it would be incongruous that the recommendations not apply in most areas of the province,” he said.

Mr. Braidwood was appointed in February 2008 by former B.C. Attorney General Wally Oppal to head two commissions of inquiry. The first was a “study” commission into the use of tasers in B.C. by police forces other than the RCMP. The second phase is a “hearing and study” commission into the death of Polish immigrant Robert Dziekanski at Vancouver International Airport in October 2007.

The report tabled today deals only with the first phase of the inquiry. A report into the second phase is expected to be delivered to the provincial government early next year.

Inquiry website: <http://www.braidwoodinquiry.ca/>

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