



MEDIA STATEMENT

Charges to be considered over tasering of Kevin Spratt

16.4.12

A Corruption and Crime Commission report has made a number of misconduct findings and recommended that the DPP consider whether charges should be laid against two Police officers who tasered Kevin Spratt at least 12 times in the Perth Watch House on 31 August 2008.

The report tabled in the Parliament today said the use of tasers by the Senior Constables, who had already been subject to internal police disciplinary action over the matter, was an undue and excessive use of force which was unreasonable and unjustified.

The investigation followed the 2010 release of a Commission research report on the Police use of tasers and included public hearings in 2010 and 2011 into the use of tasers on Kevin Spratt.

Acting Commissioner Mark Herron said any reasonable person viewing a video in which Police tasered Kevin Spratt nine times in a little over a minute is left with a feeling of considerable disquiet if not outrage.

He said the report also criticised a Police Internal Affairs Unit investigation into the matter.

“While the Commission found no misconduct, the internal investigation did not resolve inconsistencies between a Police summary of the facts around the incident, and other documentation and the video,” he said.

Kevin Spratt was also tasered 11 times on 6 September 2008 by Emergency Support Group officers from the Department of Corrective Services (DCS) while being removed from a cell in the Perth Watch House.

Seven of those uses were reasonable and while no finding was made in regard to the other four due to insufficient evidence, the report expressed concern about them.

Concern was also expressed about whether sufficient consideration was given to the use of negotiation and conflict resolution techniques.

Nine recommendations are made to improve procedures - four relate to Police and five to DCS.

The report acknowledges changes to policies and procedures made by Police and DCS as a result of the Commission's investigation and the 2010 report on the use of tasers.

However, the Commission will monitor action taken by Police and DCS to address issues highlighted in the report, and implementation of the recommendations.

The report concluded that the release of a controversial "Timeline" of Mr Spratt's contact with Police was not misconduct.

The Commission accepted evidence by the Commissioner of Police that it was released to preserve public confidence in the Police as there was a lot of misinformation in the public domain about the events surrounding Mr Spratt.

However, the report said inaccuracies in the "Timeline" should have been corrected before it was released.

The report is available at
<http://www.ccc.wa.gov.au/Publications/Reports/Pages/PublishedReports2012.aspx>

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