



Cayman Islands Human Rights Commission

promoting, protecting and preserving human rights

Statement on the Use of a Taser on an Individual by the RCIPS

9 June 2016

The Human Rights Commission has seen footage being circulated on social media which captures an incident in which member of the RCIPS uses a taser on an individual.

The Commission has been asked in general terms about the Human Rights aspects of the use of force by police officers. The use of force by RCIPS officers is dealt with under sections 2 and 5 of the Bill of Rights in our Constitution.

Section 2 deals with the Right to Life. It provides that, where a person dies, the Constitution will not be contravened by a person lawfully using:

“...such force as is absolutely necessary –

- (a) for the defence of any person from violence;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- (c) for the purpose of suppressing a riot, insurrection or mutiny;

...”

Section 5 deals with Personal Liberty. It provides that a person may be deprived of their liberty, in accordance with the law:

“...

- (e) on reasonable suspicion that he or she has committed, is committing or is about to commit a criminal offence under any law

...”

The Constitution also makes provision, under sections 5 and 6, for the rights and treatment of those deprived of their liberty.

The Commission cannot make any comment on the specific incident which has been brought to our attention, first, because we have not seen all the evidence related to it and, second, because the matter is subject to on-going legal proceedings.

Ends.