

Police Pursuits in Queensland Resulting in Death or Injury

April 1998

Research Division

Abbreviations used in this paper

CJC	Criminal Justice Commission
OPM	QPS <i>Operational Procedures Manual</i>
QPS	Queensland Police Service

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Criminal Justice Commission
557 Coronation Drive
Toowong Qld 4066
Australia

PO Box 137
Brisbane Albert Street
Qld 4002 Australia

Tel.: (07) 3360 6060
Fax: (07) 3360 6333
E-mail: mailbox@www.cjc.qld.gov.au

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David Brereton
Director
Research Division
Criminal Justice Commission

Executive summary

Since January 1992, the *Operational Procedures Manual* (OPM) of the Queensland Police Service (QPS) has required that all police pursuits ending in death or serious injury be reported to the Criminal Justice Commission (CJC). This paper provides a detailed analysis of police pursuits recorded by the CJC for the five years from 1992–93 to 1996–97 and discusses how the risks and costs associated with police pursuits in Queensland can be reduced.

Key findings

- ❖ Between 1992–93 and 1996–97, 13 people died in Queensland as a result of police pursuits and 90 sustained injuries. This is much higher than the number killed or injured over the same period through the discharge of firearms by police officers.
- ❖ The number of pursuits per year resulting in injury or death in Queensland has decreased over the last five years.
- ❖ Queensland and Western Australia recorded similar fatality rates from police pursuits (expressed as a rate per 1,000 officers) with Victoria recording a slightly lower rate.
- ❖ People most likely to be killed or injured as a result of a police pursuit were the occupants of the pursued vehicle. No police officers were killed in the five years examined, but three civilians not involved in the pursuit were.
- ❖ The driver of the pursued vehicle was usually a young male.
- ❖ Most drivers were unlicensed and about a quarter were affected by alcohol. These factors, plus the fact that the vehicle was often stolen, may have influenced the driver's decision not to pull over when instructed to by police.
- ❖ The most common reasons for police attention to the vehicle related to the manner in which it was being driven or because it was known, or thought, to be stolen. Few drivers were known or suspected to have been involved in the commission of other criminal offences.
- ❖ Around one-third of the pursued vehicles were motorbikes.
- ❖ The most likely outcome of pursuits that ended in death or injury was for the pursued vehicle to crash in a single-vehicle accident and for the driver to be apprehended.
- ❖ Few incidents were terminated by the police driver who initiated the pursuit, and none was terminated by the officer's superiors, or those monitoring the pursuit from Communications Centres. However, this study only examined pursuits ending in death or injury and, therefore, by definition, most were not terminated.
- ❖ Pursuits that do not result in death or injury may not be formally recorded by the QPS.
- ❖ Most pursuits occurred on a Friday or Saturday between 6.00 p.m. and 6.00 a.m.
- ❖ The police officers who initiated pursuits were mainly of junior rank. This reflects the organisational structure of the QPS where operational duties are performed mainly by junior officers. However, inexperience may also have been a factor in some cases.
- ❖ Male officers were more likely to be involved in pursuits than female officers.
- ❖ Most pursuits involved only one or two police vehicles.
- ❖ In four of the incidents examined, police officers used firearms in an attempt to stop a vehicle.

- ❖ In most cases, QPS and CJC investigations did not uncover any evidence of impropriety by the officers who initiated the pursuit, or of noncompliance with the requirements of the OPM. However, this may partly be a consequence of the lack of specificity of the OPM guidelines.

Policy implications

The preparedness of police to initiate pursuits may act as a deterrent in some cases, but this must be balanced against the broader duty of police to protect life and property. The high risks and costs associated with police pursuits in Queensland highlights the need for a thorough examination of existing QPS policies and practices.

Clarification and tightening of official policy

The current OPM criteria for initiating and terminating pursuits should be reviewed and tightened. In particular, there needs to be a clear statement as to what constitutes a ‘serious’ offence, and what circumstances, if any, justify pursuits when an offence is ‘not serious’. The current lack of clarity in the OPM provisions means that much depends on the officer’s subjective judgment as to the gravity of the suspected offence. Tighter rules that limit the discretion of officers may help reduce the likelihood of pursuits ending badly.

Implementation of policy

Changing official policy alone will not modify police behaviour. To foster commitment to, and compliance with, OPM requirements, operational police must understand the policy and its rationale. This requires:

Education. A concerted effort is required to inform and clearly communicate to police officers at all levels their respective responsibilities and accountabilities. Officers must be provided with well-researched information about pursuits in order to challenge typical erroneous assumptions such as the belief that most people who flee from the police do so because they are hiding something serious.

Supervision. The role of supervisors in monitoring and, if necessary, terminating pursuits needs to be emphasised, along with proper training. Supervisors are better equipped to make rational decisions as they are removed from the adrenaline ‘rush’ experienced during pursuits and are not subject to the peer pressure felt by officers to remain in pursuit (Murray 1989). Further, operational police must be made fully aware of the OPM requirements to ‘call in’ all pursuits to the radio operator, with disciplinary action taken against officers who fail to comply with the OPM requirements.

Driver training. The psychological and emotional factors faced by police in a pursuit should be emphasised in training, not merely technical skills. Officers need to be taught how to make rational and impersonal decisions about the initiation and termination of pursuits.

Discipline. Educative and organisational strategies, rather than the threat of sanctions, should be the primary means by which to promote behavioural change. However, disciplinary action is required when a clear breach of policy occurs. Other police should also be informed of any breach and the disciplinary consequences.

Monitoring compliance

Effective recording procedures are integral to a police organisation’s ability to monitor compliance with pursuit policies. The QPS does not have such systems at present. Recording when, and under what circumstances, pursuits have taken place will allow the frequency and locality of pursuits to be known, and will also aid in the detection of noncompliance. A standard form should be developed to record the occurrence and details of *all* police pursuits in Queensland. Police and supervisors should also be educated about the importance of ‘calling in’ pursuits, and disciplinary action should be taken against those who fail to comply. A debriefing of the officers involved in pursuits would also

assist the QPS to gather the necessary information to monitor policy effectiveness and compliance, as well as the adequacy of training programs.

Other issues

The research in this paper has highlighted some additional factors that need to be considered as part of a comprehensive strategy for improving pursuit practices.

Rostering practices

The research shows that junior male officers are most likely to take part in pursuits. It is therefore possible that improved rostering and more ‘in field’ supervision will help reduce the incidence of pursuits over the longer term.

Female police officers

The research also shows that female police officers are less likely than their male counterparts to become involved in pursuits. It is not possible to determine whether this reflects differences in policing styles, or rostering and driving practices. However, it does lend further support to initiatives aimed at increasing the recruitment of women and their deployment to operational duties.

Safety practices

Regular inspections and proper maintenance of police vehicles, and the uniform installation of airbags, can help minimise the risk of injury to police officers.

Technological innovations

As part of the comprehensive review of pursuit policy and practices, consideration needs to be given to technological innovations, such as aerial patrols, tyre deflating devices, engine immobilisers and vehicle tagging systems. However, it would be a mistake to presume that technology can provide an answer to the ethical and practical issues raised by police pursuits.

Future directions

The CJC intends to work with the QPS to:

- revise, clarify and substantially tighten existing OPM guidelines
- develop and implement strategies for communicating these new policies, and the rationale for them, to operational police
- strengthen supervisory arrangements
- improve monitoring arrangements, including developing a system for routinely recording details of all pursuits conducted in Queensland.

Introduction

Since 1992, the Criminal Justice Commission (CJC) has overviewed all police-related incidents in Queensland — including those involving off-duty police officers — that result in death or serious injury or damage to police property. The Queensland Police Service (QPS) *Operational Procedures Manual* (OPM) requires the QPS to report all such incidents to the CJC regardless of whether there is a suspicion of misconduct.¹ Police pursuits that result in death or injury fall within this category.²

This paper presents the results of an analysis of all pursuit notifications received by the CJC between 1992–93 and 1996–97. The research was undertaken primarily to assist in the development of policies to reduce the risks and costs associated with police pursuits.

The research also addresses one of the concerns of the Royal Commission into Aboriginal Deaths in Custody (1991). The Royal Commission expanded the definition of a ‘death in custody’ to include deaths that occur ‘in the process of police or prison officers attempting to detain that person’ (Recommendation 41, p. 190). As such, deaths that result from custody-related police operations, such as the pursuit of alleged offenders, fall within the definition of a death in custody.

Why study police pursuits?

The Australian Institute of Criminology, which is responsible for the collation of deaths-in-custody statistics, recently reported the serious consequences of police pursuits and the need to address the issue:

During 1996, 11 people died from injuries received in a motorcycle or motor vehicle crash in the course of, or immediately following, a police pursuit ... the need exists for some police services to address procedures relating to situations such as police pursuits and sieges where police are in the process of detaining, or attempting to detain, the individuals who died. (Dalton 1997, p. 31)

There are high safety risks associated with police pursuits. The number of people killed or injured as the result of a police pursuit — most frequently drivers or passengers in pursued cars — far outnumber those caused by the discharge of a police firearm. A study by Homel (1990, p. 43) of police pursuits in Perth found that an accident was the most common outcome, occurring in approximately one-quarter of the cases examined.

Police pursuits also result in serious financial loss to police organisations and the community. A 1989 New South Wales study of police pursuits and urgent duty driving³ that ended in accidents found that the costs to the community and the New South Wales Police Service amounted to approximately \$14 million (Donohue 1990, p. 24–27). This estimate comprised property and vehicle damage (\$0.5–1.0 million), police personnel costs (\$1.9 million, including workers compensation, sick leave, restricted duties, the impact on productivity of fellow officers of police fatalities, and the costs of replacing and re-training officers), and a community cost of approximately \$11.2 million (based on factors such as medical, legal and administrative costs, the pain and suffering endured by the victim, foregone income, and family losses). There were also additional costs which were difficult to calculate, such as the suffering of relatives and the damaging effects of negative media coverage on the police organisation.

1 See appendix A, p. 24. These instructions were originally issued in 1992 by a Commissioner’s Circular (11/92). In 1995 the instructions were incorporated into the OPM at section 2.6.10.

2 This notification provision also relates to such incidents as the discharge of a firearm, or the suicide (including attempts) of a prisoner/detainee.

3 ‘Urgent duty’ is defined as a response to a circumstance or combination of circumstances which demand immediate action in order to preserve life or property.

A Western Australian study of police pursuits estimated that the cost of damage to police vehicles as a result of a pursuit averaged \$1,240. The cost to the community was estimated to be more than \$1,000 for every pursuit conducted (Homel 1990, pp. 50–51).

The role of the CJC

This paper has been prepared in accordance with section 23(g) of the *Criminal Justice Act 1989*, which requires the CJC to monitor the performance of the QPS to ensure that the most appropriate policing methods are being used, and section 23(h), which states that the CJC's responsibilities include:

providing the Commissioner of the police service with policy directives based on the Commission's research, investigation and analysis, including with respect to law enforcement priorities, education and training of police, revised methods of police operation, and the optimum use of law enforcement resources.⁴

Structure of paper

The paper is divided into two main sections:

- 1 an in-depth analysis of police pursuits recorded by the CJC that ended in death or injury for the five-year period 1992–93 to 1996–97
- 2 a discussion of the policy implications of the research, particularly how police pursuit practices in Queensland can be improved.

A review of the research literature on police pursuits and the findings of previous studies can be found in appendix B.

⁴ The CJC has interpreted the term 'policy directives' to include the making of recommendations and the provision of advice.

1 Police pursuits in Queensland resulting in death or injury

This chapter presents the results of an analysis of all police pursuits reported to the CJC between 1992–93 and 1996–97. The discussion is organised under the following headings:

- Consequences of police pursuits — deaths and injuries
- Pursuit details
- Characteristics of pursued drivers
- Reasons for not stopping
- Police details
- How pursuits ended
- Investigation of pursuits.

To provide a context for this discussion, the chapter first outlines current QPS policy on police pursuits and describes the data on which the study is based.

Current QPS policy

Police pursuits by QPS officers are regulated by section 1.7.4 of the OPM, which outlines official policy, orders and procedures (see appendix A). A police pursuit is defined as occurring when:

an attempt is made to apprehend the driver of a motor vehicle and the driver resists apprehension by maintaining or increasing their speed or by ignoring the police officer's attempt to stop the vehicle.

The policy requires officers, when deciding to pursue a vehicle, to 'use sound professional judgment' and weigh up the following factors:

- all of the circumstances including the seriousness of the offence
- all of the consequences
- most importantly, the safety of all persons (including the officers).

The stated intention of these provisions is to ensure that the benefits of pursuing a fleeing vehicle outweigh the threat to public safety.

The OPM further states that pursuits are to be discontinued when the member conducting the pursuit is ordered to do so by the officer responsible for the control of the pursuit or:

- (i) the member exposes the public or police to high risk or unnecessary danger;
- (ii) continuing the pursuit is futile;
- (iii) the offence is not serious and the identity of the offender is known; or
- (iv) the pursuing member knows or believes that the pursued vehicle is being driven by a juvenile and the offence is not serious.

There is no definition in the OPM as to what constitutes a serious offence for the purposes of determining whether a pursuit should be initiated or terminated.

The OPM also details various procedures relating to the notification and conduct of pursuits, including:

- a requirement that all pursuits be notified to the radio operator 'as soon as possible' and that a senior officer take control of the conduct of the pursuit

- a direction that no more than two cars can normally be involved in a pursuit, and a prohibition on other cars joining in a pursuit unless ordered to do so
- limitations on pursuits by unmarked vehicles and motor bikes
- prohibitions on the use of practices such as barricading the roadway with vehicles, or ‘boxing in’ or ‘heading off’ the offender’s vehicle, and on the use of firearms, except in very limited circumstances.

Data issues

Sources

This study is concerned with police pursuits in Queensland that resulted in death or injury. As pointed out in a recent Michigan study, there is more confidence that these types of incidents will be reported because of their seriousness and the ensuing publicity (Payne & Fenske 1997, p. 359). Further, as discussed earlier (p. 1), in Queensland there is a mandatory reporting requirement for pursuits that result in a serious injury or death (OPM: section 2.6.10).

All police pursuits recorded by the CJC for the period 1992–93 to 1996–97 that resulted in death or injury were examined and coded for analysis. There were 57 pursuit files held by the CJC that categorised a formal notification in accordance with section 2.6.10 of the OPM. Although the notification requirement applies to serious injuries, a small number of the pursuits in this study involved only minor injuries. A wider search of the CJC files also revealed a further six pursuits categorised in other complaint allegation fields such as ‘discharge of firearm’ and ‘manner of use of vehicle’. In total, 63 pursuits ending in death or injury that had been recorded by the CJC over the five-year period were examined.

It should be emphasised that pursuits that result in death or serious injury represent only a very small proportion of the total number of police pursuits in Queensland each year, and so the results reported in this study are not to be considered as representative of all police pursuits that occur in Queensland.

Presentation of statistical data

In this paper, only the ‘valid’ percentages are referred to — that is, the statistical analysis is based on the number of pursuits where the relevant information was available. The letter ‘n’ in tables indicates the number of valid cases on which the analysis was based. The figures reported in the tables have been rounded to the nearest decimal place and those in the text rounded to the nearest whole number.

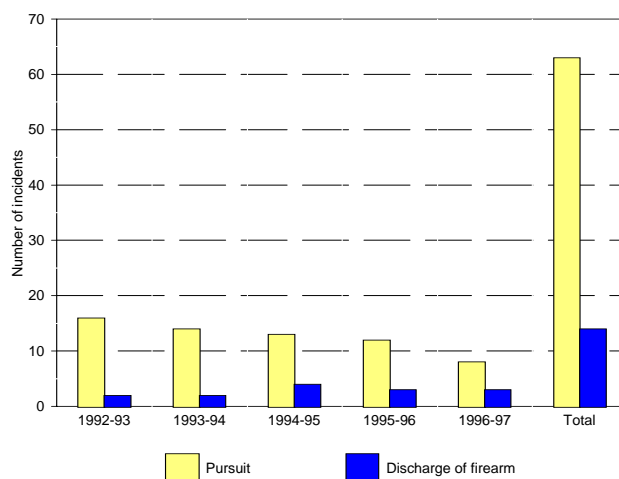
Consequences of police pursuits — deaths and injuries

Number of pursuits resulting in death or injury

The potentially serious consequences of police pursuits in Queensland are highlighted in figure 1, which compares the number of police pursuits resulting in deaths or injuries with the number of police firearm discharges resulting in deaths or injuries. As the figure shows, deaths or injuries resulting from police pursuits far outnumber those caused by firearm discharges (4.5:1).

Figure 1 also indicates that, over the five-year period examined, the number of police pursuits resulting in death or injury has declined, despite increases in police numbers and the general population. (Table 3 on page 6, which presents data on the number of people killed or injured, reveals a similar picture.)

Factors that *may* account for the decrease in pursuits ending in death or injury include greater compliance with pursuit policy and procedures, improved safety measures in motor vehicles, and a decrease in the number of drivers who fail to stop when directed. However, insufficient information is available to assess the contribution, if any, of these different factors.

Figure 1 — Number of police pursuits and firearm discharges resulting in death and/or injury reported to the CJC

Interstate comparisons

Table 1 compares the average annual number of police pursuits ending in injury or death in Western Australia, Victoria and Queensland. Table 2 compares the average number and rate of fatalities that have occurred over the five-year period in each of the three jurisdictions. The rate per 1,000 officers is also shown, in order to control for differences in the size of these three jurisdictions. Of the three States, Queensland has the lowest rate of incidents resulting in injury or death, and Western Australia has by far the highest. However, the differences are most probably largely due to different approaches to the recording of non-fatal incidents.

**Table 1 — Police pursuits resulting in death/injury:
Western Australia, Victoria and Queensland
1992-93 to 1996-97**

State	Average annual number of incidents	Rate per 1,000 police officers
Western Australia	57.2	12.7
Victoria	42.2	4.6
Queensland	12.6	2.2

**Table 2 — Police pursuit fatalities: Western Australia, Victoria and Queensland
1992-93 to 1996-97**

State	FATALITIES	
	Average annual number	Rate per 1,000 police officers
Western Australia	1.8	0.4
Victoria	2.5	0.3
Queensland	2.6	0.4

Notes to tables 1 and 2:

1. Statistics for Victoria based on four years data only (1993-94 to 1996-97).
2. In July 1996, the reporting criteria, collection and collation procedures for police pursuits in Victoria were altered to record only damage or injury resulting from a collision. Post-pursuit injuries are now recorded separately. Caution is therefore required when comparing pre and post 1 July 1996 statistics for Victoria.
3. Injury statistics for Western Australia and Victoria are based on all types of injuries whereas Queensland statistics are restricted mainly to serious injuries.
4. Rate per 1,000 police officers based on the number of police officers in the 'operational' ranks of Constable to Sergeant as at 30 June 1997. (Western Australia does not differentiate between Sergeant and Senior Sergeant.)

Sources: Number of police officers: Western Australia Police Service 1997, 1997 Annual Report; Victoria Police 1997, 1996-1997 Annual Report; Queensland Police Service 1997, Queensland Police Service Statistical Review 1996-97.

Number of pursuit incidents: Information provided by Western Australia Police Service, Victoria Police, and the CJC.

In contrast to the marked differences in table 1, table 2 shows that Western Australia and Queensland have the same fatality rate, although Victoria's is slightly lower. This finding supports the argument that the differences shown in table 1 reflect different practices in the recording of pursuits that result in only minor injuries.

Who is the victim?

Fatalities. Of the 63 pursuits analysed for this report, 13 (21%) resulted in death (see table 3).⁵ There were seven cases (11%) where the pursuit resulted in both a death and injury or injuries to persons. Drivers of the pursued vehicle accounted for 62 per cent of those killed and passengers in the pursued vehicle for 15 per cent. The safety risk to the pursued driver is noted in the literature (see Oechsli 1992). Further, statistics supplied by the Australian Institute of Criminology indicate that from January 1990 to June 1997, 43 people whom police attempted to detain were killed as the result of a police pursuit in Australia.⁶

There were no police officers killed in the 63 incidents analysed for this report. However, in the five-year period examined, three people who were not directly involved in a police pursuit were killed — two pedestrians and the driver of a third-party vehicle.

Injuries. Of the 90 people injured (see table 3), the most likely victim was the pursued driver (40% of those injured) or his passenger (30%).⁷ Nineteen police officers were also injured — 12 as the driver or passenger in the police vehicle that initiated the pursuit. Of the remaining eight people injured, six were the driver or passenger in a third-party vehicle, and two were pedestrians. The greatest number of people injured in any pursuit was five.

Table 3 — Persons killed or injured in police pursuits and firearm discharges reported to the CJC

Incident	1992–93		1993–94		1994–95		1995–96		1996–97		TOTAL	
	Killed	Injd	Killed	Injd	Killed	Injd	Killed	Injd	Killed	Injd	Killed	Injd
Pursuit	2	25	4	19	1	19	4	16	2	11	13	90
Discharge of firearm	–	2	–	2	2	4	–	3	1	2	3	13

Pursuit details

Type of vehicle pursued

Pursuits mainly involved motor cars (57%), but there was also a relatively high proportion involving motorcycles, including trail bikes (32%). In the remaining 11 per cent of cases, heavier vehicles such as utility vans and four-wheel drive vehicles were pursued. The large proportion of motorcycles may be partly because the study is only concerned with pursuits resulting in injury or death— this mode of transport offers less protection and hence has a higher risk of injury.

Reason for police attention to vehicle

As table 4 indicates, the most common reason for deciding to pull over a driver was that the vehicle was identified as being stolen (29%).

⁵ In each pursuit where there was loss of life, only one death occurred.

⁶ These statistics do not include the deaths of bystanders, pedestrians, people in third-party vehicles or people in the pursued vehicle whom the police were not attempting to detain.

⁷ All of the pursued drivers in the study were male (see also p. 9).

Table 4 — Reason for police attention to vehicle

Reason for the pursuit	Percentage ¹ (n=63)
Vehicle reported as stolen	28.6
Vehicle driven in dangerous manner/without due care	20.6
Vehicle speeding	20.6
Suspect vehicle ²	14.3
Traffic breach	12.7
Known/suspected offender	11.1
Motorcyclist not wearing a helmet	6.3
Driver reported for failing to pay for petrol	3.2
Driver failed to stop for random breath test	3.2
Vehicle without number plates	3.2
Driver not wearing a seat belt	1.6

Notes:

1. Percentages add up to over 100 percent because up to two reasons per pursuit could be recorded.
2. A 'suspect' vehicle is where the vehicle or its occupants are considered by the police to have been involved in a crime but this suspicion is unable to be confirmed immediately, e.g. vehicle assumed to be stolen but has not been reported as such.

Another important factor that drew the attention of police to the vehicle was the manner in which it was driven — in 21 per cent of pursuits, the police officer considered that the vehicle was being driven dangerously or without due care, and in a further 21 per cent of pursuits the driver was noted to be speeding. This finding is supported by the work of Homel (1990) who conducted a review of all of the empirical studies relating to pursuits and found that a traffic offence was the most likely reason for police to pursue a vehicle.

Only seven drivers (11%) were identified as known, or suspected, to have previously committed criminal offences. The most serious offence related to the pursuit of a driver who was alleged to have deliberately run over a child. One pursuit involved a person suspected of having committed break-and-enter offences; in another case, those pursued were suspected of armed robbery.

In one case, police decided to pull over a motorcyclist seen driving in the wrong direction in a one-way street, and then exceeding the speed limit. A pursuit commenced and the motorcyclist collided with another vehicle. The rider was killed and an occupant in a third-party vehicle injured.

The pursuit of a vehicle observed by the police to be a 'suspect vehicle' also ended in tragedy when the driver lost control of the vehicle, which mounted a footpath and hit several pedestrians. One pedestrian was killed and another critically injured. The passenger in the pursued vehicle was also injured. The vehicle was later discovered to be stolen.

In another case, police commenced a pursuit after witnessing a motorcyclist speeding. However, the police vehicle had only travelled about 100 metres when it struck and killed an alcohol- and drug-affected pedestrian crossing the road. The motorcyclist was not detained.

Use of firearms

Police used firearms in an attempt to stop pursued vehicles in four cases. Section 1.7.4 of the OPM states that firearms should only be used in 'extreme circumstances' during motor vehicle pursuits, and lists several safety factors to be taken into account, such as:

- the dangers of the pursued vehicle going out of control and injuring bystanders
- the safety of the occupants in the pursued vehicle
- the possibility of a member of the public being injured or killed if struck by a projectile.

In one case, the police officer pointed a firearm at the pursued vehicle and instructed the driver to stop. The driver continued to accelerate, striking the officer's vehicle and causing the firearm to discharge accidentally, hitting the police car. The initial reasons for police interest in the vehicle were dangerous driving and suspicion about the vehicle and its occupants.

In two cases, officers deliberately shot at a vehicle. One was a stolen vehicle whose driver attempted to run over the officers. The driver of the second vehicle was reported to have driven over a child. Police shot at the tyres of the vehicle to stop the driver. Two other children were in the vehicle.

In one pursuit, an officer intentionally shot at a driver as he attempted to drive away, while another officer, still holding on to the car's door, started to slide under the vehicle. The driver was injured in the leg and lower abdomen. It was known before the pursuit that the vehicle also contained three passengers, including a two-year-old child. The initial reason for police wanting to question the driver related to a report of a parking offence outside a tavern. The vehicle in question was not stolen but the driver was unlicensed.

Speeds

Information was available about the speed at which the pursued vehicle was travelling in 47 cases. In 36 pursuits (77%), the vehicle exceeded 100 kilometres an hour, with 24 pursuits reaching speeds over 130 kilometres an hour. The highest speed recorded in CJC files was 200 kilometres an hour.

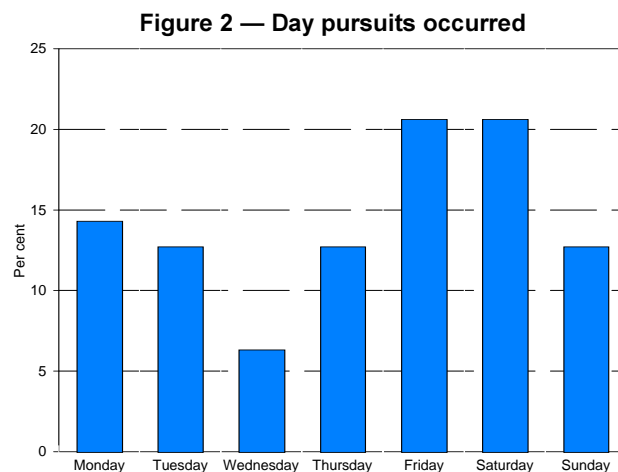
Data from other studies indicate that it is misleading to always associate police pursuits and their potential danger with high speed (see also California Highway Patrol 1983; Alpert & Dunham 1990). In accordance with this finding, there were at least six pursuits (13%) in the present study, where the speeds did not exceed 80 kilometres per hour. For instance, in one case the suspect vehicle was estimated to be travelling at only 60 kilometres per hour, but the results were still tragic with one pedestrian killed and two persons injured. The pursued driver in this case was driving while under the influence of alcohol.

Duration

Information on the duration of the pursuit was available in 43 cases. About half (51%) lasted for five minutes or less. In 14 cases (32%) the pursuit exceeded 10 minutes, including six (14%) that continued for more than 20 minutes. The longest pursuit recorded lasted for approximately 51 minutes and was initiated for failure to stop at a random breath test. Up to five police vehicles pursued the driver, with the maximum speed attained by the vehicle reaching 140 kilometres per hour. The pursuit began soon after midnight and resulted in the pursued vehicle colliding with a police vehicle and the pursued driver fracturing a hip.

Day and time of occurrence

Three-quarters (75%) of pursuits occurred between 6.00 p.m. and 6.00 a.m.⁸ As illustrated in figure 2, most pursuits occurred on Fridays and Saturdays (each of these days account for 21% of pursuits). Mondays were also busy days for pursuits. The fewest pursuits were recorded on Wednesdays. This pattern broadly reflects the overall workload of police in the QPS as measured by data on calls for service.



⁸ The time was taken from when the pursuit ended.

Characteristics of pursued drivers

Gender and age

In all but one case, the pursued driver was male. The over-representation of male drivers in police pursuits has been noted in several studies (Brewer & McGrath 1991; Alpert 1997).

As table 5 shows, drivers of pursued vehicles were relatively young, with 65 per cent in the 18 to 25 years age bracket. The oldest driver was aged 47 years. Some 16 per cent of pursued drivers were 17 years old or less, with the youngest being only 14 years.

It is specified policy in the OPM that:

a member should discontinue a pursuit when the pursuing member knows or believes that the pursued vehicle is being driven by a juvenile and the offence is not serious.

However, in at least two cases the pursuit continued even though it was clear from the file that police were aware at the time that the driver of the pursued vehicle was a juvenile. One case involved pursuing a car driven by a 14-year-old which contained two passengers. The initial reason for the police decision to pull over the vehicle was that it was reported as stolen. There were four police officers in the police car, the most senior being a Sergeant. The driver of the pursued vehicle lost control of the vehicle soon after the pursuit and crashed, causing the death of a 14-year-old passenger, serious injuries to a 12-year-old passenger, and minor injuries to the driver. Although the pursuit was short, the pursued vehicle reached speeds of approximately 130 kilometres per hour and was seen swerving from side to side on the road, indicating a lack of control by the young driver.

In the eight cases where drivers aged 17 years or less were pursued, the reasons for wanting to pull over the vehicle were, arguably, relatively minor. These reasons (up to two could be coded per pursuit) consisted of:

- stolen vehicle (3)
- driving dangerously or without due care (3)
- speeding (2)
- creating a disturbance on a motorbike (1)
- suspect vehicle (1)
- not wearing a seat belt (1)
- not wearing a helmet (1).

The QPS does not support the classification of dangerous driving as a minor crime arguing it is ‘as much a danger to public safety as major crime’. However, it could equally be argued that the pursuit of a person who is driving dangerously or recklessly is more likely to exacerbate the situation and lead to more harm and safety risks than the initial offence.

Table 5 — Age of pursued driver

Age group	Percentage (n=49)
17 years or less	16.3
18 to 25 years	65.3
26 to 35 years	16.3
over 35 years	2.0

Note: Due to rounding, percentages may not add up to 100.

Aboriginality

The race of the pursued driver could be determined in only 24 per cent of the 63 pursuits. Only five drivers were identified as of Aboriginal or Torres Strait Islander descent and 10 as Caucasian. While this is insufficient data on which to base conclusions, it does give some indication of the over-representation of Aboriginal or Torres Strait Islander people in police pursuits.

Other studies have shown that the relationship between aboriginality and police pursuits is of serious concern. For example, in Western Australia, Aboriginal youths (aged 10–19 years) were found to be over-represented in pursuits by as much as 10 to 1 (Homel 1990, p. 54). Recent research by Amnesty International found that Aboriginals in Western Australia were more than seven times likely than others to die as a result of police pursuits (1997, p. 17).

Reasons for not stopping

Unlicensed driving

Being unlicensed may be an important influence on a driver's decision to disobey the initial police direction to stop, perhaps as a result of panic (see Brewer & McGrath 1991). The files show that most of the drivers were found to be unlicensed and only six (10%) could be specifically identified as licensed. As discussed earlier, about 16 per cent of the drivers were actually under the age at which a licence could be obtained. It was also noted in some files that the driver was driving while disqualified.

Unlawful use of motor vehicle

In 29 per cent of incidents, the pursuit was initiated by police because the vehicle had been reported as stolen. However, after the pursuits were over, it was found that 48 per cent of all vehicles pursued were being driven unlawfully. The driving of stolen vehicles may be another important factor in the refusal of the driver to stop when directed.

Drink-driving

The pursued driver was apprehended in 50 pursuits (79%). In 26 per cent of these cases, the driver was charged with driving while under the influence of alcohol. In a further three cases (6%), the driver was charged with being under the influence of alcohol or drugs. Being affected by drugs or alcohol may have been a factor in the driver's decision to attempt to evade the police (see Brewer & McGrath 1991). The impaired condition of the pursued driver also contributes to the already dangerous conditions under which pursuits are conducted.

Police details

Rank of police driver and partner

Not surprisingly, most police pursuits involved relatively junior officers (see table 6). This reflects the fact that such officers tend to be assigned to general duties, which involve patrol work. A large majority (65%) of police drivers who initiated the pursuit were of the rank of Constable, which is also the rank that contains the largest proportion of officers in the QPS.⁹ Almost one-quarter of the officers who initiated the pursuit were of the rank of Senior Constable, and the remaining 11 per cent were of the rank of Sergeant.

In 11 cases, there was only one police officer in the vehicle that initiated the pursuit. In 82 per cent of single-officer pursuits, the driver was below the rank of Sergeant. For those pursuits where the police driver was accompanied, the police partner was also generally of junior rank — Constables (71%) and Senior Constables (20%).

⁹ First Year Constables are included in the rank of Constable.

Table 6 — Rank of police driver who initiated pursuit

Rank of police driver	Percentage (n=63)	Proportion of sworn QPS officers (n=6,566)
Constable	65.1	36.6
Senior Constable	23.8	28.7
Sergeant	11.1	23.9

Source: QPS sworn officers: QPS 1997, *Statistical Review 1996–97*.

Note: Proportion of sworn QPS officers calculated as at 30 June 1997.

Gender of police driver and partner

In 91 per cent of cases where the officers' gender could be identified, the police driver of the first car in pursuit was a male officer. Of the 11 single-officer pursuits, only one involved a female officer. The gender of the officers involved in a pursuit where there were at least two officers in the police vehicle was known in only 43 cases. The majority (74%) of these partnerships consisted of male officers only. Where there was a mixed-gender partnership, male officers (64%) were more likely than female officers (36%) to have been driving when the pursuit was initiated.

Females currently make up 15 per cent of QPS officers at the ranks of Sergeant or below,¹⁰ indicating that males were over-represented among police drivers involved in pursuits. This finding is consistent with the results of a survey of the physical requirements of policing administered by the CJC and QPS in early 1997, which found that proportionally more male officers reported being involved as drivers in a pursuit (CJC 1998, p. 16).¹¹ However, with the information available, it is not possible to determine whether the over-representation of males was the result of male officers taking on more driving duties than females or males being more likely than females to initiate a pursuit when they are driving.

Station of police driver and partner

Pursuits occurred at localities around the State. Townsville was the most prominent, accounting for six (10%) of the pursuits initiated. Other prominent locations included Beenleigh (four), Coomera (four) and Upper Mount Gravatt (four). It would appear that most officers involved in these pursuits were general duties officers; in only 11 per cent of cases were the police officers who initiated the pursuit were stationed at traffic branches.

Number of police vehicles

The OPM states that a maximum of two police units may take part in a pursuit, unless otherwise directed by the controlling officer (section 1.7.4). In accordance with the policy, most pursuits involved one (56%) or two (29%) police vehicles. However, in 16 per cent of cases, three or more police vehicles were involved. In one case, six vehicles were involved, although not simultaneously.

Reporting of pursuits

The OPM requires police officers in a pursuit to report the details to the Duty Inspector at the Police Communications Centre or the officer in charge of the station where radio contact is available. Once the pursuit is reported, the responsibility for continuing or terminating rests with the officer who has received the report.

¹⁰ Source: QPS 1997, *Statistical Review 1996–97*.

¹¹ The gender difference was statistically significant ($p < .01$).

There were only nine cases where the files clearly indicated that the pursuit had not been called in. However, the incidents examined for this study were probably more likely to be reported because of their seriousness. Most of the pursuits that were notified were reported to the Communications Centre or Operations Room (77%), with the remaining 23 per cent being reported to a police station or over the police radio.

How pursuits ended

Termination of pursuits

None of the cases examined in this study was terminated by a direction from the officer or officers who monitored the pursuit. In 84 per cent of cases, police remained in pursuit of the vehicle until the chase ended. In 10 per cent of cases police adopted a 'follow only' stance. There were only four instances (6%) where the police driver chose to abandon the pursuit. In each of these cases, the pursued vehicle was later involved in a single-vehicle accident. Again, however, the cases examined for this study are unlikely to be typical of all police pursuits — where a pursuit is called off or discontinued, the likelihood of an accident occurring will probably be lower.

One vehicle was pursued for approximately 25 minutes, with the pursued vehicle reaching speeds of up to 180 kilometres per hour. This pursuit was reported to the Operations Room and was monitored by a Senior Sergeant (acting) as well as an Inspector. The initial reason for police attention to the vehicle was that the driver had not paid for petrol, with the vehicle then being identified as stolen. There were five passengers in the vehicle, some of whom were known by the police to be juveniles. The pursuit progressed and involved three police vehicles. It occurred during the morning peak hour where traffic flow was described as 'constant to extremely heavy'. Throughout the pursuit, the pursued vehicle drove dangerously, driving through red lights and on the wrong side of the road for about two kilometres at one point. At no time was a decision made to terminate the pursuit. The chase ended when the pursued vehicle crashed into a third-party vehicle and then into a police vehicle. The vehicle had also previously hit a police officer who was directing the vehicle to stop. Two people were injured as a result of the pursuit.

Accident data

As shown by table 7, the majority of pursuits in this study ended with the pursued driver being involved in a single-vehicle accident (57%) or colliding with a police vehicle (19%).¹² About 14 per cent of pursuits culminated in an accident between the pursued vehicle and a third-party vehicle. In one case, the pursued vehicle collided with pedestrians.

Table 7 — Final outcome of pursuits

Outcome	Percentage (n=63)
Pursued vehicle involved in single-vehicle accident	57.1
Police vehicle and pursued vehicle collided	19.0
Pursued vehicle collided with third-party vehicle	14.3
Police vehicle involved in single-vehicle accident	4.8
Police vehicle collided with pedestrian	3.2
Pursued vehicle collided with pedestrian	1.6

¹² In some pursuits, other outcomes may have preceded the final outcome and up to three outcomes may have been recorded. Table 7 shows only the final or last outcome of pursuits.

Property damage

Approximately 36 per cent of pursuits resulted in property damage other than to the vehicles directly involved in the pursuit, usually to fences and power poles. In one pursuit, the pursued vehicle collided with a house after crashing through the front yard of the property.

Apprehension of pursued driver

The pursued driver managed to evade the police in only 10 per cent of cases. The driver of the pursued vehicle was apprehended at the end of most pursuits (73%) or at a later date (6%). In a further seven pursuits (11%), the driver was killed. Again, it is important to note that all of the cases examined in this report ended in a collision that resulted in a death, injury or both, making it easier to apprehend the driver.

Investigation of pursuits

The investigation of the propriety of the actions of police officers in pursuits notified to the CJC is the responsibility of the QPS, unless the CJC suspects at the outset that the behaviour may have constituted misconduct. However, the CJC overviews the QPS investigation and the findings. The QPS was responsible for the investigation of 58 pursuits in this study — five pursuits were not investigated at all by either the QPS or CJC.¹³

At the time of coding the CJC files for this study, QPS investigations had not been finalised in four cases. In 94 per cent of the 54 pursuits investigated, the QPS did not find any impropriety on the part of the officers who initiated the pursuit.¹⁴ There were only three cases (6%) where the QPS investigation indicated that the action of the officer(s) who initiated the pursuit was contrary to official policy and warranted some form of discipline.

As noted earlier, pursuit details were reported according to policy in most cases (71%). In four of the nine incidents where it was known that police did not report the pursuit, attempts were made to report the details, but were unsuccessful. In another four cases, the pursuit ended too quickly for the officers to report; in one case, an explanation for the failure to report was not provided.¹⁵ The procedure of activating police lights and sirens appears to have been followed in all but one case. In that incident, the pursuit had just begun when the pursued motorcycle collided with a parked vehicle. The officer's attention was raised in this case because neither the driver nor the passenger was wearing a helmet, and the motorbike's lights were not in use.

In 92 per cent of cases overviewed by the CJC, the CJC upheld the QPS's finding that there was no evidence of impropriety. The CJC disagreed in the remaining four cases and considered that disciplinary action was appropriate. In one of the three cases where the QPS investigation found that officer(s) should be disciplined, the CJC disagreed and found that the actions were justified. Overall, in 87 per cent of cases investigated, the QPS and the CJC concurred in their finding that pursuits were conducted according to the requirements of the OPM. However, this may be partly because of the lack of specificity of OPM requirements, which makes it difficult to prove that there was any breach of policy.

13 Two pursuits were coded as discharge of firearm incident only; one pursuit was coded as both a discharge of firearm and a pursuit incident but only the firearm incident was investigated; in one pursuit the CJC advised the QPS that it proposed to take no further action and had no requirements of the QPS; and the last case was contained within another pursuit allegation and was not examined by either organisation.

14 For the purposes of this study, only the appropriateness of the conduct of the police officer(s) who initiated the pursuit was considered and coded.

15 This case was referred to in the file by the QPS as a 'traffic incident' rather than a pursuit. However, it is noted as a pursuit in the CJC allegation code.

Summary of findings

The results of this study were broadly consistent with those of previous research, although it must be emphasised that this study examined only pursuits recorded by the CJC that involved injury or death. The key findings were as follows:

- The description by Alpert and Anderson (1986, cited in Shuman & Kennedy 1989) of the police car as the ‘deadliest weapon in the police arsenal’ was supported by our findings, which illustrated that a much larger number of people are injured or killed as the result of police pursuits than through discharge of firearms by police officers. However, although deaths as a result of pursuits continue to exceed the number of deaths caused by firearms, there has been some decrease in Queensland over the last five years in the number of incidents that end in injury or death.
- Queensland and Western Australia recorded similar fatality rates from pursuits (expressed in terms of the number of deaths per 1,000 officers), with Victoria recording a slightly lower rate.
- Supporting the findings of previous research, those most likely to be killed or injured as a result of a police pursuit are the occupants in the pursued vehicle, whose driver is usually a relatively young male.
- The most common reasons for police attention to the vehicle were that it breached the traffic laws or had been reported as stolen. Few drivers were identified at the time as being known, or suspected, to have committed other criminal offences.
- A number of factors may have influenced the driver’s decision not to pull over when instructed, such as being unlicensed, driving a stolen vehicle, or being under the influence of alcohol. These factors have also been noted in other studies.
- In four pursuits, police officers used firearms in an attempt to stop a vehicle.
- Few incidents were terminated by the police driver who initiated the pursuit, and none was terminated by the officer’s superiors, or those monitoring the incident from Communications Centres. However, it should be noted that this study only examined pursuits that ended in disaster and, therefore, the likelihood of termination was low.
- The most likely outcome in pursuits involving death or injury was for the pursued vehicle to be involved in a single-vehicle accident and for the driver to be apprehended.
- Most pursuits occurred on a Friday or Saturday between 6.00 p.m. and 6.00 a.m., which are generally the busiest hours for police.
- Police who initiated pursuits were mainly of junior rank. This finding is primarily a reflection of the organisational structure of police services where operational duties are performed mainly by junior officers. However, inexperience may also have been a factor in some cases.
- Male police officers were more likely than female officers to be involved in pursuits. This conclusion was also supported by the CJC–QPS physical requirements survey administered in early 1997, which found significant gender differences in officer involvement in pursuits. Further study is required to determine the reasons for this imbalance.
- Most pursuits in this study involved only one or two police vehicles, but three or more vehicles were involved in 16 per cent of incidents. The OPM allows for a maximum of two police vehicles to be directly involved in the pursuit of a fleeing motorist, unless otherwise directed by the officer controlling the pursuit.
- In the great majority of pursuits, QPS and CJC investigations did not uncover any evidence of impropriety or noncompliance with the requirements of the OPM by the officers who initiated

the pursuit. However, while this may indicate a high level of police compliance with the requirements of the OPM, it can also be argued that a breach of policy can be difficult to substantiate because of the lack of specificity of the instructions.

2 Policy implications

This study has shown that in Queensland, as in most jurisdictions, the number of people killed or seriously injured each year as a result of police pursuits is much greater than the number who are shot by police. Furthermore, as documented at the outset of this paper, research undertaken in other jurisdictions has shown the very substantial social and economic costs of accidents that arise from police pursuits.

These findings highlight the need for a thorough examination of existing QPS policies and practices. This final chapter states the case for imposing tighter controls over police pursuit practices in Queensland and identifies a number of specific strategies to reduce the incidence of pursuits and minimise the risks to public and police officer safety.

The case for tighter control

It will never be possible to eliminate entirely the adverse consequences of police pursuits, short of imposing a blanket ban on police conducting pursuits. However, this does not absolve police organisations from attempting to improve their performance. The aim must be to minimise costs and risks, not just to hold them at some supposedly ‘acceptable’ or tolerable level.

A concern sometimes raised by police is that undue restrictions on their power to conduct pursuits will adversely affect the enforcement of, and respect for, the law. According to this argument, many drivers who are pulled over by police are deterred from driving away by the knowledge that, if they do so, they will be pursued. Likewise, it is said to be important that those who do attempt to flee are caught, so that they learn not to do it again.

Such arguments tend to overstate the deterrent benefits of the threat of being pursued. In most cases, police are able to record the vehicle registration number, so if a person does drive away he or she can generally be apprehended at a later stage. This is obviously not of much assistance where the vehicle has been stolen; however, in such instances there is already a reasonable likelihood that the driver will try to evade apprehension (as evidenced by the high proportion of cases where the pursued vehicle had been stolen).

More importantly, to focus solely on the deterrent value of pursuits is to misunderstand the nature of the police role. The duty of police is not just to prevent crime, but to protect life and property. This is explicitly recognised in the Mission Statement of the QPS, which includes a pledge by the organisation to:

serve the people in Queensland by protecting life, property, preserving peace and safety, preventing crime and upholding the law in a manner which has regard to the public good and the rights of the individual. (Department of Police 1997, p. 11)

In seeking to balance these responsibilities, police organisations have to be alert to the dangers and substantial costs associated with pursuits. As one writer observed:

Pursuit driving operations will almost certainly remain a tool of law enforcement as we attempt to maintain some semblance of order in society. However it is no longer a tool which can be used indiscriminately or without regard to the consequences they produce ... If the paramount goal of law enforcement operations is the protection of the public, then anything else would constitute a dereliction of duty. (Auten 1994 cited in Parliament of NSW Joint Standing Committee on Road Safety 1994, p. 142)

Another argument sometimes advanced is that drivers of pursued vehicles, rather than police, should be held responsible for adverse consequences of pursuits. This argument is rationalised by the view that it is the drivers who choose to defy the police by not stopping, and it is generally the vehicle that

they were driving — not a police car — which is the immediate cause of any collision or accident. However, arguments about who might have been to blame are of little assistance in developing effective strategies for reducing deaths and injuries resulting from pursuits. For practical reasons, it is very difficult to modify the behaviour of drivers who flee when they are approached by police. Our research confirms previous findings that ‘fleeing motorists typically are troubled young men with bad driving records whose ability to reason has been altered by drugs or alcohol’ (Skolnick & Fyfe 1993, p. 11). By contrast, as Fyfe (1989, p. 120) notes, police are at an advantage because they are usually ‘well-trained, well-rested and physically fit’ and equipped with a ‘heavy duty and/or high performance police vehicle’. Of all the groups involved in a pursuit, police are in the best position to recognise the risks involved and to minimise them.

Improving pursuit practices in the QPS

Improving pursuit practices in the QPS requires action on three fronts:

- tightening and clarifying official policy on the initiation and conduct of pursuits
- ensuring that this policy — and, most importantly, the rationale behind it — is communicated to and understood by operational police
- developing effective mechanisms for monitoring compliance with the policy.

Each of these aspects will be considered in turn in the following discussion. Some other possible strategies will also be discussed briefly under the heading of ‘other issues’.

Policy

Official policy, as expressed in documents such as operational procedural manuals and standing orders, helps to define what an organisation regards as acceptable behaviour, and provides a basis for disciplinary action against those who deliberately breach that policy.

In this context, there is a pressing need to review and clarify the current OPM instructions to Queensland police relating to the initiation and termination of pursuits. In particular, a clear statement of what constitutes a ‘serious’ offence is required.

Currently, there is no definition of what is meant by a ‘serious’ offence, even though officers are directed to have regard to the seriousness of the offence in determining whether to initiate or discontinue a pursuit — such as those involving juveniles — where the offence ‘is not serious’. For example, does this term encompass unlawful use of a motor vehicle, dangerous driving, or driving-off from a petrol station without paying? This lack of clarity means that much depends on the officer’s subjective judgment as to the gravity of the suspected offence. This, in turn, increases the risk that pursuits will be initiated in inappropriate circumstances and also substantially complicates the investigation of pursuit incidents.

Another issue that needs to be clarified concerns the circumstances, if any, under which pursuits should be permitted where the offence is deemed to be ‘not serious’. At present, pursuits are allowed in such circumstances unless the offender is known to the police or is a juvenile. However, given the potentially lethal consequences of pursuits, a strong case can be made that there should be very few, if any, instances where a pursuit for a ‘non-serious’ offence can be justified.

It has been argued that policy guidelines need to be kept fairly general because it is impossible to write rules to cover every situation where a pursuit might be warranted. However, this puts a heavy onus on the discretion of the officer on the scene, in circumstances where it can be very difficult for detached judgments to be made. This is also an area where it is better to err on the side of caution; tighter rules might prevent some ‘justified’ pursuits from taking place, but this must be weighed against the potentially substantial benefit of reducing the number of inappropriate pursuits, and the likelihood of people being killed or injured.

Policy implementation

Changing the official policy on pursuits will do little, *by itself*, to modify behaviour; the policy and its underpinning rationale must also be clearly communicated to, and understood by, operational police. As argued by Fyfe (1989, pp. 119–20):

... police officials should make certain that they recognize that the mere fact of a motorist's flight is likely to encourage officers to disregard everything they have been taught. Officials should also make certain that officers are given clear notice that violations of policy will not subsequently be excused as understandable responses to extreme provocations. Indeed, police pursuit policies exist for no other reasons than to influence officers' decisions and behaviour under extreme provocations, and such policies mean nothing if officers do not understand that they will be enforced.

Other studies have also emphasised that clear communication, consistent enforcement, supervision, and adequate training — including at the supervisory level — are essential to the successful implementation of any policies relating to the initiation of and conduct of pursuits (Homant & Kennedy 1994; Britz & Payne 1994; Crew 1992). In a related context, research by Fyfe on the use of deadly force, particularly police firearms, found that policy changes, in conjunction with in-service training, were successful in reducing the incidence of police shootings (1979, cited in Homant & Kennedy 1994, p. 93).

Specific strategies that need to be implemented in this regard are as follows:

- **Education.** Revision of the OPM should be accompanied by an education campaign to inform police officers at all levels about the policy changes, the responsibilities and accountabilities placed on police, and the rationale for the policy (Murray 1987, p. 6). Officers must be provided with information to challenge typical assumptions that dominate police opinion. For instance, many police think that drivers refuse to stop when directed because they are hiding something much more serious (Kleinig 1996, p. 120), even though most studies show that the pursued drivers are much more likely to be charged with traffic offences than serious criminal offences (Homel 1990; Donohue 1990). Britz and Payne (1994, p. 118) warn that the 'effectiveness of the most circumspect policy may be neutralized if the judgments and conclusions of the officers are at odds with the basic tenets of the policy'.
- **Supervision.** Supervisors who are removed from the adrenaline 'rush' experienced during pursuits and who are not subjected to the peer pressure felt by officers to remain in pursuit are better equipped to make rational decisions about such matters (Murray 1987, p. 48). The role of supervisors in monitoring and, if appropriate, terminating pursuits therefore needs to be emphasised to operational police, and the supervisors themselves need to be given proper training in the discharge of these responsibilities. Effective supervision in turn requires that police officers are fully aware of the OPM requirement that *all* pursuits be 'called in' to the radio operator, and that officers who fail to comply with this requirement are disciplined.
- **Driver training.** The emphasis in driver training is largely on imparting technical skills, but 'the skills actually required for safe driving, particularly in a pursuit situation, have more to do with attitudes, mental approach, and with the ability to make swift judgments and see the total situation' (Buckley 1987 in Homel, p. 64). In fact, Homel (1990) found that police trained in high-speed pursuit driving had higher rates of accidents, controlling for other risk factors, because they were less likely to discontinue pursuits. Training that concentrates on the psychological and emotional factors faced by police officers in a pursuit should therefore be emphasised. In particular, officers should be taught how to judge a situation rationally and impersonally in order to make a justifiable decision about initiating the pursuit in the first instance.
- **Discipline.** As much as possible, educative and organisational strategies, rather than the threat of sanctions, should be used to promote changes in behaviour. However, where clear breaches do occur, the officers concerned need to be disciplined appropriately and information about these cases disseminated to other police. As discussed above, one of the benefits of developing more

specific guidelines for initiating and conducting pursuits is that it should be much easier to identify deliberate breaches.

Monitoring compliance

For a police organisation to be able to monitor compliance with pursuit policies, it must have effective procedures for recording when and under what circumstances pursuits have taken place. Otherwise, it will not be possible to determine how often and where pursuits occur, or if they were conducted according to policy requirements. Inadequate recording systems also make it easier for officers who have breached policy to avoid detection.

In Queensland, current recording practices are deficient in two respects. First, there is no statewide system to record details of pursuits that are called in; this means that it is not possible to quantify the number or types of pursuits that are notified in the State each year, or to undertake regional comparisons.

Second, it would appear that a considerable number of pursuits are not called in at all. By way of illustration, according to the Police Communications Centre at Brisbane headquarters, in 1996–97 approximately 200 pursuits for the Metropolitan North and Metropolitan South Regions were ‘called-in’ to the Centre and 207 in the previous year.¹⁷ However, a survey of general duties police about the physical requirements of policing (conducted by the CJC and QPS in early 1997) indicated a much higher rate of pursuits in the two regions. The 135 constables and senior constables from the two regions who completed the survey reported being involved in about 260 high-speed pursuits (266 as a driver and 259 as a passenger) in the preceding 12 months. Given that as at March 1998 there were 1,186 Constables and Senior Constables working in the metropolitan regions,¹⁸ this finding would suggest a ‘real’ rate of pursuits several times higher than the official rate. It may be that some of the discrepancy was due to some respondents misunderstanding the question or to faulty recall, or to the pursuit being concluded before the officer had time to call it in, but it would be most surprising if these factors alone could account for the differences between the two estimates.

Under-reporting of pursuits has also been acknowledged as a problem in other studies. This has been attributed to difficulties experienced at the organisational level, such as a lack of uniform definition, the failure to enforce the mandatory reporting of pursuits, and obstacles at the officer level, such as the fear of discipline and litigation (Payne & Fenske 1997, p. 371; Payne & Corley 1994, cited in Payne & Fenske 1997, p. 359).

To facilitate monitoring of pursuit practices in the QPS, a standard format should be developed to record the occurrence and details of *all* police pursuits conducted across all regions. The reporting system should encompass very brief pursuits that are over before there is an opportunity to call in the pursuit at the time. The data-collection form used by the South Australian Police to record police pursuits is a good example of the types of information that should be recorded (see appendix C). This information should then be forwarded on a regular basis to some central point for analysis and to enable regional comparisons to be made. As discussed above, police and supervisors should also be educated about the importance of calling in pursuits and disciplinary action should be taken against police who fail to comply with this requirement.

In addition, there should be a debriefing of officers involved in pursuits, as is the practice in the Victoria Police. This would assist in gathering relevant information and enable the QPS to monitor the policy’s effectiveness, compliance with procedures, and the adequacy of training. The officers directly involved in the pursuit would also be able to receive valuable advice about their conduct and the appropriateness of their actions.

17 Source: Police Communications Centre, QPS.

18 Source: Human Resource Management, Planning and Development, QPS.

Other issues

The research reported in this paper has also highlighted some additional issues that need to be considered as part of a comprehensive strategy for improving pursuit practices. These relate to:

- **Rostering practices.** We found that junior male officers were over-represented among officers involved in pursuits. It is therefore possible that improved rostering and more ‘in field’ supervision will help reduce the incidence of pursuits over the longer term. Dunham and Alpert (1991) found that older male officers (40 years and over) conducted pursuits with fewer negative outcomes, such as accidents and injuries (p. 55). This was attributed to the greater experience of older officers. As documented in the CJC research report *Reducing Police–Civilian Conflict* (1997) greater use of experienced officers, particularly at high risk times, could also assist in reducing the number of assault complaints made against police.
- **Female police officers.** We also found that female police officers were less likely than their male counterparts to be involved in pursuits. It was not possible to tell from the data whether this reflected differences in policing styles, or was due to females being less likely to be drivers or to be rostered on at high-risk times. However, other studies have suggested that female police officers tend to display greater caution and reasonableness in potential and actual pursuits (Dunham & Alpert 1991, p. 59). Such findings lend further support to initiatives aimed at increasing the recruitment of females and their deployment to operational duties.
- **Safety practices.** While the safety of the vehicle driven by the pursued driver is not within the control of the police, the safety of the police vehicle is. Regular vehicle safety inspections, proper maintenance, and installation of airbags, can help minimise the risk of injury to police officers.
- **Technological Innovations.** Various technological alternatives to pursuits have been proposed in the literature, such as aerial patrols, tyre deflating devices, or engine immobilisers and vehicle tagging systems that use radio-frequency transmitters to locate vehicles (Parliament of NSW Joint Standing Committee on Road Safety 1994; Grabosky 1998). Consideration needs to be given to these options as part of any comprehensive review of pursuit policies and practices, but it would be a mistake to presume that technology can provide an answer to the ethical and practical issues raised by police pursuits.

Future directions

The above discussion has highlighted the need to revise existing QPS policies and practices in relation to police pursuits, and has identified a number of specific strategies for reducing the costs and risks associated with pursuits. Particular priorities should be to:

- revise, clarify and substantially tighten existing OPM guidelines
- develop and implement strategies for communicating these new policies and their rationale to operational police
- strengthen supervision arrangements
- improve monitoring arrangements, including developing a system for routinely recording details of all pursuits conducted in Queensland.

The QPS has established a joint working group, involving representatives from the QPS (including supervisors from operational areas) and the CJC, to address issues relating to police pursuits. This initiative resulted from a review undertaken by the Commissioner’s Inspectorate on the use of force in the QPS (Project Lighthouse). This group should provide an appropriate forum for dealing with the various matters canvassed in this report.

Appendix A: Section 1.7.4 and Section 2.6.10 of the OPM

Section 1.7.4: Pursuits

POLICY

The pursuit of offenders in motor vehicles by officers is a most dangerous activity. Consequently, officers are to only participate in pursuits under circumstances as outlined herein. While these contents mainly refer to pursuits in areas where radio contact can be maintained, officers driving police vehicles in other areas are to be guided by the applicable provisions outlined, both when deciding whether to commence the pursuit of a vehicle and while actually engaged in a pursuit.

The following factors should be taken into consideration prior to commencing or in continuing a pursuit, even though the continuance of a pursuit is finally dependent on the decision of the Duty Officer, Police Communications Centre or the officer in charge of the station from which the radio operator is transmitting.

- (i) Liabilities of police — Even though officers driving police vehicles may be engaged in the lawful performance of their duties, they are not relieved of their obligations to other road users and may be liable to criminal and civil action if involved in accidents where death, injury or property damage occurs.
- (ii) Justification for pursuit — A police pursuit begins when an attempt is made to apprehend the driver of a motor vehicle and the driver resists apprehension by maintaining or increasing their speed or by ignoring the police officer's attempt to stop the vehicle.

When deciding to pursue a vehicle an officer must carefully consider all the circumstances including the seriousness of the offence, all the possible consequences and, most importantly, the safety of all persons including themselves. An officer is expected to use sound professional judgement when deciding if the benefits in apprehending an offender outweigh the threat to public safety. All vehicle pursuits have the potential for threatening public safety.

Notification of pursuit

ORDER

When an officer initiates a pursuit in an area where radio contact can be maintained, that officer is to ensure that the radio operator is advised as soon as possible of the following:

- (i) identity of the police unit;
- (ii) description of pursued vehicle and occupant/s;
- (iii) location of pursuit;
- (iv) direction of travel;
- (v) reason for pursuit; and
- (vi) any other details which may enable other officers to assist.

PROCEDURE

Where there is an officer other than the driver in the police vehicle, that officer is responsible for maintaining radio contact and relaying as soon as possible all other relevant details to the radio operator including:

- (i) identity of the type of unit e.g. sedan, motor cycle, van;
- (ii) whether the unit is marked or unmarked; and
- (iii) the number and identity of occupants of the police unit.

ORDER

The radio operator, wherever possible, is to instruct all units not actually involved in the pursuit to maintain radio silence unless urgent.

Officer responsible for control of pursuit

ORDER

Immediately the radio operator is advised that a pursuit is in progress, that operator becomes responsible for the control of the pursuit.

In areas covered by the Police Communications Centre, Brisbane, the radio operator is to advise the Duty Officer, Police Communications Centre who will then be responsible for the control of the pursuit. Outside the area covered by the Police Communications Centre, Brisbane, this responsibility rests with the officer in charge of the station at the relevant time from where the radio operator is transmitting.

All members in a pursuing vehicle are to:

- (i) comply with any direction given by the officer responsible for the control of the pursuit;
- (ii) ensure that the emergency lights and sirens of the police vehicle, if fitted, are activated when appropriate during the pursuit; and
- (iii) ensure the radio operator is advised of the progress of the pursuit at regular intervals and when requested to do so by the radio operator.

Operational procedures

ORDER

Officers engaged in motor vehicle pursuits are to ensure that:

- (i) the initial pursuing vehicle continues the pursuit but relinquishes that position to another vehicle if the occupants are unable to keep the offender's vehicle in sight;
- (ii) if a motor cycle unit initiates the pursuit of a four wheel vehicle, that motor cycle unit discontinues the pursuit when advised by the radio operator that a four wheel police vehicle is in attendance. The motor cycle unit follows the four wheel police vehicle at a safe distance and at the conclusion of the pursuit initiates the investigation with respect to the offence for which the pursued vehicle was originally required to stop;
- (iii) the officer in control of the pursuit designates a second four wheel unit as a back-up unit. This unit is to maintain a safe distance behind the pursuing vehicle, but should be close enough to render assistance if and when required;
- (iv) if the initial pursuing unit contains only one member, the second or back up unit provides such details as street locations and information on the progress of the pursuit to the radio operator;
- (v) unless otherwise directed by the officer responsible for control of the pursuit, only two units pursue an offender's vehicle. If additional units are requested after the pursuit has ended to assist in detaining occupants of the pursued vehicle, the officer in control of the pursuit shall arrange accordingly;
- (vi) under no circumstances are other police units to join in the pursuit of an offending vehicle unless directed to do so by the officer in control of the pursuit;
- (vii) where an unmarked police vehicle which is not fitted with flashing lights initiates a pursuit, the officer in control of the pursuit is to be immediately advised. The officer in control of the pursuit is to then make arrangements for a marked police vehicle equipped with flashing lights to take over the pursuit of the offending vehicle. The unmarked vehicle is to then accompany the marked vehicle for the purpose of finalising the matter for which the offender was originally pursued; and
- (viii) pursuits by unmarked vehicles not fitted with flashing lights are only initiated in extreme circumstances and when a marked police unit is not available.

Prohibited practices

ORDER

Where persons are known to have, or are suspected of having committed traffic offences or other minor offences, officers are not to attempt to apprehend such persons by:

- (i) barricading the roadway with any vehicle (police or private);

- (ii) attempting to force a pursued vehicle from the roadway by driving the police vehicle alongside it;
- (iii) 'boxing in' or 'heading off' the offender's vehicle;
- (iv) pursuing trail bikes with four wheel units other than on formed roads unless exceptional circumstances exist (Trail bikes may only be pursued in off-road situations by approved motor cyclists riding trail bikes); or
- (v) attempting to slow or stop the pursued vehicle by positioning the police vehicle directly in front of the pursued vehicle.

Permitted practices

POLICY

If an officer is attempting to apprehend:

- (i) persons wanted for violent crimes against the person (e.g. murder, robbery); or
- (ii) persons known to have, suspected of having committed, or about to commit other offences where there is danger to life or risk of continued serious property damage;

and all other reasonable means to stop or apprehend the wanted person/vehicle have failed, then it is permissible to:

- (i) barricade the roadway with a police or other vehicle; or
- (ii) attempt to slow or stop a pursued vehicle by driving alongside of it, driving in front of it, 'heading it off' or by positioning police vehicles immediately in front and behind the pursued vehicle.

ORDER

The approval of the officer responsible for the control of the pursuit is to be obtained by any officer intending to implement the above permitted practices.

Use of firearms

POLICY

Only in extreme circumstances should the use of firearms during motor vehicle pursuits be considered. Factors to be taken into account include:

- (i) the possibility of firing inaccurately at or from a moving vehicle;
- (ii) ricochets;
- (iii) the danger of the pursued vehicle going out of control and injuring bystanders;
- (iv) the safety of all occupants in the pursued vehicle; and
- (v) the possibility of a member of the public being injured or killed if struck by a projectile.

Refer to Chapter 13: 'Miscellaneous' of this Manual in relation to the use of firearms.

Discontinuing a pursuit

POLICY

A member should discontinue a pursuit when:

- (i) the member exposes the public or police to high risk or unnecessary danger;
- (ii) continuing the pursuit is futile;
- (iii) the offence is not serious and the identity of the offender is known; or
- (iv) the pursuing member knows or believes that the pursued vehicle is being driven by a juvenile and the offence is not serious.

ORDER

A member is to discontinue a pursuit when instructed to do so by the officer responsible for the control of the pursuit.

Conclusion of pursuit

ORDER

At the conclusion of a pursuit, the officer responsible for the control of the pursuit is to arrange for a commissioned officer or a commissioned officer's delegate to visit the scene immediately if there is property damage, injury or death.

In all cases, the officer responsible for the control of the pursuit is to arrange for the officer in charge of the district or commissioned officer in charge of the officer/s involved in the pursuit to be advised of the pursuit as soon as possible.

In appropriate circumstances, the provisions of s. 2.6 of Chapter 2: 'Investigative Process' of this Manual are to be followed.

Section 2.6.10: Fatalities or serious injuries resulting from incidents involving members (Police related incidents)

Definition

'Police related incidents' are incidents resulting in death or serious injury that:

- (i) involve an officer acting in the course of that officer's duty;
- (ii) involve an off duty officer;
- (iii) involve staff members or police recruits, whether whilst performing duty or otherwise; or
- (iv) involve Service property, e.g. Service firearms, vehicles, watchhouses, stations or establishments.

Coordination

ORDER

All police related incidents are to be investigated by or under the direction of the regional crime coordinator unless otherwise directed by the Professional Standards Unit or the Criminal Justice Commission.

Investigations of police related incidents are to be conducted expeditiously and impartially and the psychological welfare of individuals considered.

POLICY

When investigating police related incidents, a regional crime coordinator should conduct the investigation or appoint an independent senior investigator with sufficient criminal investigation background to carry out investigations. Considerations by regional crime coordinators in making any such appointments should include the gravity of the incident, the rank of the officers or the level of seniority of the members who are directly involved in the incident (as opposed to witnesses), and the establishment at which those officers or members directly involved in the incident are stationed.

In cases involving custody police related incidents, a regional crime coordinator should appoint an investigator from a police establishment other than from where the incident occurred, or where the officers or members directly involved in the incident are stationed.

Where the Criminal Justice Commission or Professional Standards Unit overviews an investigation of a police related incident, the regional crime coordinator retains responsibility for that investigation.

Where the Criminal Justice Commission considers it should assume control of an investigation, the senior police officer of the Criminal Justice Commission at the scene should confer with the regional crime coordinator and a senior representative of the Professional Standards Unit. When an officer from the Criminal Justice Commission assumes control of the investigation, the provisions of s. 18.4.6: 'Officer in charge of a region to assist the Criminal Justice Commission' of the Human Resource Management Manual apply.

Duties and responsibilities

In addition to any other actions and duties for which officers are responsible in accordance with the provisions of this manual and the Human Resource Management Manual, officers are also responsible for the following matters:

First response officer

ORDER

The first response officer is to:

- (i) assume command and control at the incident scene;
- (ii) make an immediate assessment of the situation and inquire as to the circumstances surrounding the incident;
- (iii) immediately notify the shift supervisor and the relevant regional duty officer in the region where the incident has occurred, and the appropriate police communications centre;
- (iv) contain and preserve the scene;
- (v) take possession of or safeguard exhibits;
- (vi) detain offenders;
- (vii) wherever practicable, ensure that members involved in the incident do not leave the scene; and
- (viii) wherever practicable, ensure that members who are involved in the incident, or who are witnesses to the incident, do not undertake, or continue to perform duties associated with the investigative process, or other duties at the scene.

Regional duty officer

ORDER

The regional duty officer who is notified or who becomes aware of such an incident is to:

- (i) attend the scene, make an immediate assessment of the situation and make brief inquiries with persons at the scene, including members directly involved in the incident or who may be witnesses to the incident, as to the circumstances surrounding the incident;
- (ii) assume command and control of the situation pending the arrival or involvement of the regional crime coordinator;
- (iii) ensure that the scene is secured;
- (iv) cause the following officers or units to be immediately notified:
 - (a) the regional crime coordinator;
 - (b) the district officer;
 - (c) the assistant commission in charge of the region in which the incident occurred;
 - (d) the Professional Standards Unit;
 - (e) the duty officer, Criminal Justice Commission;
 - (f) the Police Communications Centre, Brisbane;
 - (g) the Police Media and Public Relations Branch; and
 - (h) the Deputy Commissioner, Executive Director, Operations;
- (v) wherever practicable, ensure that members who are involved in the incident, or who are witnesses to the incident, do not undertake, or continue to perform duties associated with the investigative process, or other duties at the scene; and
- (vi) wherever practicable ensure that members involved in the incident or who are witnesses to the incident are available for interview by the regional crime coordinator, officers from the Criminal Justice Commission or the Professional Standards Unit as the circumstances require.

Regional crime coordinator

ORDER

A regional crime coordinator is to:

- (i) be directly responsible for the investigation of a police related incident, unless otherwise directed by the Deputy Commissioner, Executive Director, Operations, or unless responsibility for the investigation is assumed by the Professional Standards Unit or the Criminal Justice Commission;
- (ii) appoint investigators with sufficient criminal investigation background;
- (iii) liaise with officers from the Criminal Justice Commission and the Professional Standards Unit to facilitate a free flow of information between all parties concerned and to minimise duplication of investigations;
- (iv) ensure that the members directly involved in the incident or who are witnesses to the incident are interviewed as soon as practicable and it is highly desirable that interviews occur prior to any critical incident stress debriefing, including any defusing; and
- (v) in cases of deaths in custody as defined in s. 16.24.1: 'Investigation of death in custody' of this Manual, ensure that where necessary the provisions of ss. 16.24 to 16.24.5: 'Deaths in custody' are complied with.

Role of the Criminal Justice Commission

Sections 18.2.6: 'Responsibilities of the Criminal Justice Commission' and 18.4.6: 'Officer in Charge of a Region to assist the Criminal Justice Commission' of the Human Resource Management Manual outline the role of the Criminal Justice Commission in relation to police related incidents and investigatory roles.

Role of Professional Standards Unit

ORDER

The officer representing the Professional Standards Unit is to:

- (i) on being advised of a police related incident, liaise with the regional crime coordinator and officers from the Criminal Justice Commission;
- (ii) make an immediate assessment of the incident in conjunction with the regional crime coordinator and Criminal Justice Commission officers; and
- (iii) in conjunction with the Criminal Justice Commission officers, overview the investigation and provide appropriate advice and assistance to the regional crime coordinator.

POLICY

If, in the opinion of the officer representing the Professional Standards Unit, proper investigational or procedural matters are not being adhered to, or there are matters which may adversely effect an impartial investigation, that member should confer with the regional crime coordinator and officers from the Criminal Justice Commission in an endeavour to resolve the issue.

If an issue can not be resolved, the officer of the Professional Standards Unit is to advise the Chief Superintendent, Professional Standards Unit, who should, if necessary discuss the issues with the Deputy Commissioner, Executive Director, Operations. The Deputy Commissioner, Executive Director, Operations may consult with the Director of Operations, Criminal Justice Commission and the relevant regional assistant commissioner to resolve the issue.

The Deputy Commissioner, Executive Director, Operations may direct the Chief Superintendent, Professional Standards Unit to assume responsibility for the investigation of a police related incident. Following any such direction or as a result of the Professional Standards Unit assuming responsibility for an investigation, the regional crime coordinator and the appropriate assistant commissioner are to provide all reasonable assistance.

Integrity of investigation

POLICY

First response officers, regional duty officers and regional crime coordinators should ensure that the integrity of independent versions of members directly involved and members who are witnesses to a police related incident is preserved as far as practicable.

In this regard, members directly involved in the incident or who are witnesses to the incident should be interviewed separately and as soon as practicable following the incident. It is highly desirable that interviews occur prior to any critical incident stress debriefing, including any defusing. Members directly involved in the incident or who are witnesses to the incident should not discuss the incident amongst themselves prior to being interviewed.

Welfare

POLICY

Regional duty officers and regional crime coordinators should ensure that where necessary the provisions of s. 22.1.7: 'Critical Incident Stress Management' of the Human Resource Management Manual are instituted and complied with. In this respect, liaison should occur with the relevant human services officer and/or peer support officer to provide appropriate assistance.

Appendix B: Findings from the literature

Generally, police pursuits are defined as:

an active attempt by a law enforcement officer operating a vehicle with emergency equipment to apprehend a suspected law violator in a motor vehicle, when the driver of the vehicle attempts to avoid apprehension¹

Issues relating to police pursuits have received little attention in the literature, and earlier studies in particular have been criticised for being ‘methodologically flawed’.² The reluctance by police services to document adequately the incidence and characteristics of police pursuits has contributed to the research problem. However, media and public pressure have created the impetus for more research, as well as encouraging some police organisations to record pursuit statistics systematically.³

Balancing law enforcement with safety

The central issue in the debate over police pursuits is clear — how to balance the police objective of law enforcement with the police mission of protecting lives and property:

There is an inherent paradox in the issue of pursuit, as in many other police duties. On the one hand, the police are sworn to protect and serve their community. At the same time, they are responsible for maintaining peace and order ... To preserve law and order sometimes requires officers to pursue offenders, while placing the public, whom they are sworn to protect, at some risk.⁴

The pursuit risk

The dangers involved in police pursuits have been documented in several studies. One study reported that pursuit driving was 65 times more likely to result in an accident than any other form of police driving.⁵ Another study, conducted in Michigan, found that injuries caused by police-pursuit accidents occurred at significantly higher rates than injuries in other vehicle accidents.⁶ Alpert and Anderson have referred to the police patrol car ‘not only as a form of deadly force, but also as the deadliest weapon in the police arsenal’.⁷

In 1968, the Physicians for Automotive Safety in the USA conducted one of the earliest studies of police pursuits.⁸ Their findings were alarming: seven out of ten pursuits ended in accidents; one in five ended in death; five out of ten ended in serious injuries; and pursuits caused more than 500 deaths each year. However, the data on which these findings were based were subject to much criticism. A review found that between 29 and 41 per cent of pursuits ended in accidents.⁹ The California Highway Patrol study concluded that 1 per cent of pursuits ended in a fatality and 11 per cent in an injury.¹⁰ The most likely people to be killed in pursuit accidents were the fleeing drivers and passengers or bystanders.¹¹ One study estimated that about 35 per cent of police pursuits resulted in at least property damage.¹²

Although different studies have produced varying estimates of the accident, injury and fatality rates of police pursuits, the potential danger remains undisputed. Even at the more conservative estimates, deaths resulting from police pursuits amount to more than what is typically attributed to police use of deadly force.¹³

In terms of countervailing law enforcement benefits, some studies have recorded high apprehension rates.¹⁴ This has led some police organisations to support pursuits because of the notion that ‘disallowing pursuits would encourage offenders to elude police officers, thereby causing a breakdown in the deterrence value of the law’.¹⁵

¹ Alpert 1987, p. 299.

² Alpert & Dunham 1990; McGue & Barker 1996.

³ Hogg 1988; Alpert & Dunham 1990.

⁴ Britz & Payne 1994, p. 114.

⁵ Alpert & Dunham 1989, cited in Senese & Lucadamo 1996, p. 60.

⁶ Payne & Fenske 1996, p. 111.

⁷ cited in Shuman & Kennedy 1989, p. 21.

⁸ cited in Alpert & Dunham 1990, p. 26.

⁹ Senese & Lucadamo 1996, p. 55.

¹⁰ 1983, cited in Charles & Falcone 1992, p. 72.

¹¹ Oechsli 1992 cited in Senese & Lucadamo, p. 58.

¹² Kennedy, Homant & Kennedy 1992, cited in Homant & Kennedy 1994, p. 92.

¹³ Homant & Kennedy 1994, p. 92.

¹⁴ 75% in Alpert & Dunham 1989; 77% in California Highway Patrol 1983.

¹⁵ Falcone 1994, p. 143.

Pursuit characteristics

Several studies have shown that pursuits generally involve one or two police vehicles, last for only a few minutes, and, despite common use of the term, usually do not involve 'high speed'.¹⁶ In all of the empirical studies, traffic offences have been found to be the most common events preceding a pursuit.¹⁷ In New South Wales, Donohue found that as much as 80 per cent of pursuits were initiated for traffic offences.¹⁸ A South Australian study reported that offenders were charged with a felony offence in only 5 per cent of cases.¹⁹ However, contrary results were reported in a study of a major metropolitan police department in Florida, where nearly half of the drivers were charged with serious felony offences unrelated to the pursuit, lending support to the argument that some drivers refuse to stop because of their involvement in more serious crimes.²⁰

Attempts to construct a profile of drivers who refuse to stop when directed by police indicate that the overwhelming majority are young males.²¹ An Australian study by Brewer and McGrath found a large proportion of drivers were unemployed (42%), unlicensed (55%), had a blood alcohol content higher than the legal limit (64%), and had prior convictions (21%). These findings led the authors to comment that:

... high-speed pursuits typically involved individuals who would be considered to represent high risks on the road under everyday driving conditions, let alone with the additional risks associated with a high-speed pursuit.²²

The often mundane reality of operational policing has been observed to influence the police decision to pursue, because of the opportunity it offers to relieve boredom.²³ Further, Reiner refers to the implications of the 'machismo syndrome' where male drivers tend to receive an adrenaline 'rush' and a sense of enjoyment when driving at fast speeds.²⁴ The over-representation of males, not only as pursued drivers but also as members of the police service, multiplies the effects of this syndrome. Kleinig points out the dangers involved when the adrenaline rush experienced during a pursuit is combined with the perceived threat to authority experienced by some police officers when confronted with a fleeing driver:

Police officers can easily feel that the flight of someone they wish to stop constitutes both an insult and a challenge, and an officer who is experiencing the rush of adrenalin that is associated with a pursuit is not necessarily the best judge of what risks are and are not appropriate.²⁵

Pursuit policy

One study noted that pursuit policies in the United States ranged from 'judgmental', which allows much officer discretion, to 'restrictive', where pursuits are discouraged or even prohibited unless the circumstances are extreme.²⁶ Areas with high population densities have usually adopted more restrictive policies,²⁷ but, generally, the following components were common in most policies:

- a distinction between an emergency response and a high-speed pursuit
- an outline of the appropriate statutes relating to the operation of emergency vehicles
- acknowledgement of the dangers of high-speed pursuits
- a reminder to officers to balance the seriousness of the crime against the risk involved to safety
- a prohibition of the use of motorcycles and unmarked vehicles as well as the use of roadblocks, boxing-in or ramming tactics
- a restriction on the number of police units permitted to be directly involved in a pursuit (usually limited to two)
- a direction to officers to refrain from discharging their firearm at the pursued vehicle unless in extreme circumstances
- provision for the officer(s) involved or supervisor to terminate a pursuit if the safety risks to any party become too high.²⁸

¹⁶ California Highway Patrol 1983; Alpert & Dunham 1990.

¹⁷ Homel 1990, p. 15.

¹⁸ 1990, p. 2.

¹⁹ Murray 1987, p. 37.

²⁰ Alpert & Dunham 1990, p. 60.

²¹ Brewer & McGrath 1991; Alpert 1997.

²² Brewer & McGrath, pp. 66–67.

²³ Benn & Worpole 1986 cited in Hogg 1988, p. 71.

²⁴ 1985, cited in Hogg, p. 73.

²⁵ 1996, p. 122.

²⁶ Fennessy et al. 1970, cited in Payne & Fenske 1996, p. 97.

²⁷ Kennedy et al. cited in Payne & Fenske 1996, p. 98.

²⁸ Shuman & Kennedy 1989, pp. 23–24.

Most police organisations have adopted formal pursuit policies,²⁹ but their implementation has been left largely in the hands of the operational police officer, who is the primary decision maker entrusted with significant autonomy and discretion.

Pursuit policies have not been immune to the effects of the police culture, which can be contrary to ‘official’ expectations. For instance, in the Australian context, Murray has observed that:

... the average patrol officer has a self-image of ‘crime-fighter’, which ... has the tendency to make the patrol officer pursue with undue vigour ... Where a policy is interpreted as being restrictive, it is likely to be circumvented and rationalised in terms of the necessity to ‘get the job done’.³⁰

In New South Wales, deaths resulting from police pursuits persisted despite the implementation of tighter guidelines, causing Hogg to speculate that:

... it may be that police practice in this area reflects a more general set of unarticulated priorities and attitudes that run deep in the NSW police force (and others as well) which are not necessarily shared by the higher level administrators or the public at large.³¹

In Illinois, interviews with sworn police personnel indicated that although officers across all ranks expressed considerable confusion about the contents of departmental pursuit policy, they still had a ‘working’ knowledge of how to conduct pursuits:

... officers could not cite the pursuit policy, but they did have an understanding of what was acceptable behavior in the field. They had also developed a unique understanding of how far they could push a pursuit and still avoid disciplinary action or legal difficulties. Experienced officers understood the need for structuring a pursuit incident to fit the perceived requirements and restrictions of the department. It appeared that pursuit policy was as much accepted custom as it was written policy.³²

Nelson and Brune found that police officers were also able to circumvent official policy considered to be restrictive through under-reporting or disguising techniques, such as defining the incident as ‘following’.³³ The under-reporting of pursuits is of serious concern, with the number of pursuits that are not reported being estimated as between five and 15 times the number of reported incidents.³⁴

Reforming the conduct of pursuits

Key areas of reform identified in the literature are:

- **Policies and procedures.** A common theme in the literature is that pursuit policies and procedures should be clear and restrictive with the mission of the organisation as the guiding principle. Involving ‘street-level’ police officers in the development of operational policy, thereby ‘legitimising’ the policy, has also been shown to increase the level of acceptance and adherence.³⁵
- **Training.** Pursuit-driver training should be expanded, both at the recruit and in-service level, and should encompass practical training, issues relating to safety and policy, and the attitudinal and emotional aspects involved in pursuits. Murray recommends a more educative approach to training, which focuses on communicating the rationale behind the policy to make it more meaningful.³⁶ Further, the efficient style of female and older male officers has been recognised as a useful model for training. It has been argued that the more aggressive nature of younger male officers has tended to escalate the driving tactics of the pursued driver.³⁷
- **Supervision and review.** Pursuits require close supervision, which must be reinforced by strict accountability measures both at the supervisor and officer level. Officers who fail to comply with policy requirements must be appropriately disciplined.³⁸ Continual monitoring and assessment of police pursuits can also help determine compliance with policy, increase the level of accountability, highlight training or policy deficiencies, and provide a bank of data for future information and research.³⁹

²⁹ Alpert 1987; McGue & Barker 1996.

³⁰ 1987, p. 5.

³¹ 1988, p. 63.

³² Charles & Falcone 1992, p. 78.

³³ 1991, cited in Charles & Falcone, p. 73.

³⁴ Falcone et al. 1992, cited in Payne & Fenske 1996, p. 96.

³⁵ Crew 1992; Murray 1987.

³⁶ 1987, p. 6.

³⁷ Dunham & Alpert 1991, p. 60.

³⁸ Charles & Falcone 1992; Alpert & Dunham 1990.

³⁹ Shuman & Kennedy 1989.

Appendix C: South Australian Police Data Recording Form for Police Pursuits

Appendix C is not available on the Internet version of this paper.

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