

**Response to the Coroner's findings into
the death of Caitlin Harrick and the
Coroner's Report on Police Pursuits –
Policy Recommendations**



**Queensland
Government**

CONTENTS

Executive Summary	1
Background	2
Actions Taken in Relation to the QPS Officers	2
Review of the QPS Safe Driving (Pursuits) Policy	3
Recommendation 1	5
Recommendation 2	6
Recommendation 3	7
Recommendation 4	8
Recommendation 5	9
Recommendation 6	10
Recommendation 7	10
Recommendation 8	11
Recommendation 9	11
Recommendation 10	12
Recommendation 11	13
Recommendation 12	14
Recommendation 13	14
Road Safety Measures for Redcliffe State High School	15
Road Safety Measures for Other Qld Split Campus Schools	15
DTMR Review Of School Environment Safety Guidelines	16
DTMR Trial of Installing School Zones on Multi-Lane Roads	17
DET Road Safety Actions	17
Conclusion	19
Attachment 1 - List of 23 Split Campus Schools	

Executive Summary

Caitlin Hanrick's tragic death has touched the lives of many Queenslanders and resulted in unimaginable grief and sadness for her family and her friends. Likewise, other deaths associated with police pursuits have also resulted in similar circumstances for all involved.

The Queensland Government extends our deepest sympathies to those who knew and loved Caitlin and others that have died as a result of police pursuits.

While we know nothing can bring these people back, we must learn from these incidents to ensure, as far as possible, such tragedies never happen again.

While the Coroner concluded the direct cause of Caitlin's death was the dangerous driving of the young woman whose vehicle struck her, it was also clear from the Coroner's report that there was more the Queensland Government could do to ensure Queensland students are safe on our roads. The *Coroner's Report on Police Pursuits – Policy Recommendations* also provided recommendations for further improvements to what the Coroner and others widely acknowledge as a particularly difficult area of policy.

A number of safety improvements have already been implemented, particularly with regard to split-campus schools and improvements in Queensland Police Service pursuit-related training. This response provides a clear plan for continued improvements to policy and training, with significant resources to be allocated by the Queensland Police Service over the next 12 months to achieve these changes.

There should be no doubt that police will act to ensure public safety and where public safety requires it, police will continue to pursue offenders.

However, the tragic death of individuals as a result of police pursuits has resulted in understandable grief and sadness for all involved, particularly family and friends. The initiatives outlined in this response leave a legacy of improved safety for the community.

Background

On 17 July 2009, State Coroner Michael Barnes released his findings into Caitlin's death after she was struck by a pursued stolen Holden Commodore on a pedestrian crossing that bisects the Redcliffe school grounds.

The Coroner found that the direct cause of Caitlin's death was the dangerous criminal behaviour of the offender. He stated it was the combined effect of this and QPS officers' failure to comply with the police pursuit policy that resulted in her death.

On 30 November 2009 and 1 December 2009 the Coroner conducted an inquest specifically to examine the current police pursuits policy. The QPS provided a comprehensive submission about the development and future direction of the policy. The QPS recognises police pursuits as one of the most dangerous and challenging functions that a police officer is asked to undertake.

The importance of the Coroner's inquest to the QPS was displayed by the Police Commissioner giving evidence at this hearing. The Coroner reported his findings and recommendations on Wednesday, 31 March, 2010.

This response addresses the Coroner's findings and details actions taken in relation to the QPS officers, how the QPS is working to improve its Safe Driving Policy and the road safety measures undertaken by the Department of Transport and Main Roads (DTMR) and Department of Education and Training (DET).

Actions taken in relation to the QPS officers

In his findings, the Coroner did not make any recommendation for disciplinary action against police, nor did he refer the matter to the Director of Public Prosecutions, the Crime and Misconduct Commission (CMC) or the QPS. Despite this, the QPS Ethical Standards Command (ESC) conducted a re-examination of the pursuit, the actions of the officers involved and the evidence given by them during the inquest. The ESC concluded on the evidence available that managerial guidance should be provided to each of the officers involved.

Section 11 of the *Police Service (Discipline) Regulation 1990* sets out that a superior officer can chastise or correct, by way of guidance, inappropriate acts, omissions or failures in the performance of a subordinate officer's duty. It is a process aimed at affecting behavioural change in officers. While managerial guidance is not a formal disciplinary sanction, it is recognised as a formal process designed to correct the behaviour.

The ESC specifically considered the serious nature of the Coroner's conclusion that the officers, when giving evidence under oath, sought to conceal their failure to comply with the QPS pursuit policy. The ESC investigated this statement further and determined that there were insufficient grounds for further action on this issue.

The ESC conclusions were communicated to the CMC in September 2009 to determine if they concurred with those findings. The CMC advised the QPS on 14 September 2009 that they had considered the Coroner's findings and concluded the provision of managerial guidance to the officers was an acceptable outcome.

The Commissioner of Police was concerned that the CMC's response was not clear about whether the CMC had specifically turned their minds to the allegation that the officers had sought to conceal their failure to comply with the policy when giving evidence under oath. Given the significance of this allegation, the QPS wrote again to the CMC, asking them to confirm they had considered this aspect of the Coroner's findings. In response, on 3 March 2010, the CMC wrote to the QPS to confirm they had considered the Coroner's findings in their entirety in reaching this conclusion.

Following confirmation by the CMC that managerial guidance was appropriate, at the end of September 2009, three officers involved in the pursuit that resulted in Caitlin's death were provided with managerial guidance by a senior QPS officer (a Chief Superintendent at the North Coast Region).

The managerial guidance provided to the officers included advice, guidance and instruction concerning: determination of category of a pursuit; determination of category of pursuits permitted within the policy; notification of pursuits to the local police communications centre; and, very importantly, ongoing risk assessments in determining whether to continue or abandon a police pursuit.

The guidance was formally recorded, and each officer received a formal notice to reflect the nature of the guidance. That an officer has undergone managerial guidance for a particular action can be taken into account in future disciplinary action against that officer, if it is relevant.

The QPS has used the Coroner's observations from recent inquests to inform pursuit-related training undertaken in 2009 and 2010. This has included an examination of specific issues raised at the inquest into Caitlin's tragic death. These sessions have been conducted for operational police officers in conjunction with the Queensland Police Union of Employees.

Review of the QPS Safe Driving (Pursuits) Policy

On 31 March 2010 the State Coroner delivered his findings via his *Report on Police Pursuits – Policy Recommendations* (the State Coroner's report), which made 13 recommendations for change.

Between June 2005 and July 2008, 10 people died in Queensland while police were attempting to intercept a vehicle or directly engaged in a pursuit, or soon after a police pursuit was abandoned. On 1 January 2008 the QPS introduced a more restrictive policy. After implementation of the policy police pursuits in Queensland have reduced by over 45 percent. The Coroner's report recognises the good work done by the QPS in reducing police pursuits. In 2009 there were 285 police pursuits in Queensland. At present only 1 in 10,000 vehicles intercepted by police flees.

The current QPS policy was designed with three categories with a view to change over time as evidence was collected to judge the impact on public safety and offending behaviour. It was always the QPS intention to move to a more restrictive policy if evidence over time suggested that on balance this was appropriate. The Coroner suggests that the QPS should move to an even more restrictive policy now (e.g. by removing one category of allowable pursuits under the current policy).

The QPS allocated significant resources to effect the 2008 policy change. Importantly, an offence of 'evade police' (*section 754 of the Police Powers and Responsibilities Act 2000*) was introduced with this policy to ensure that those persons who were not pursued because of safety risks were deterred from fleeing. The 'evade police' offence is currently being reviewed by the CMC. Possible options for strengthening the 'evade police' offence that have been recommended by the State Coroner include mandatory licence disqualification and more flexible vehicle impoundment provisions.

The State Coroner's recommendations call for a revision of the current policy to an even more restrictive position. The area of police pursuits is one of, if not the most difficult operational risks facing police. Given this, the QPS will support all of the recommendations contained in the State Coroner's report by implementing an even more restrictive QPS police pursuits policy and associated training by the end of 2011 based on the following principles:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- *will create an imminent threat to life; or*
- *has or may commit an act of unlawful homicide or attempt to murder; or*
- *has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- *has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

Current policy provides that pursuits should only be commenced or continued where the benefit to the community of apprehending the offender outweighs the risks. The new policy principles reiterate this intention more clearly by stating that *the imminent need to apprehend the person is considered justifiable given the risks of pursuing*. This test will be applied in every case.

Careful consideration will need to be given to the following issues: the public expectation that police will enforce the law; ongoing evaluation of policy change on offending; implementation risks; development of carefully structured policy and training that reflects the intent of the Coroner's recommendations; and any outcomes of the CMC's review of the 'evade police' offence if available.

The QPS will implement this revised policy and training by the end of 2011. This will involve over 10,300 officers being provided a full day's training. This is a significant commitment of resources (over 82,000 hours of police time) but the QPS sees this as an investment in public safety. Given the effects of such a large resource commitment to improving safe driving, the QPS will develop detailed plans so that every officer across the breadth of the State can be trained.

The QPS will also continue to evaluate policy effects on community confidence and offending behaviour. There should be no doubt that police will act to ensure public safety and where public safety requires it, police will continue to pursue offenders.

The following details how the QPS will implement each of the Coroner's recommendations.

Recommendation 1

The current pursuit policy stipulates safety is paramount but then directs officers to balance the safety risks of pursuing against the benefits to the community of apprehending the suspect, whether or not those benefits involve prevention of personal injury. I recommend the policy be recast to ensure it is only the danger to the safety of others posed by not immediately apprehending the suspect that is factored into the risk assessment process.

The recommendation will be supported by implementation of a policy based on the following principles:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- will create an imminent threat to life; or*
- has or may commit an act of unlawful homicide or attempt to murder; or*
- has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

Current policy provides that pursuits should only be commenced or continued where the benefit to the community of apprehending the offender outweighs the risks. The new policy principles reiterate this intention more clearly by stating that *the imminent need to apprehend the person is considered justifiable given the risks of pursuing*. This test will be applied in every case.

In practical terms this will necessarily involve an assessment of the driving behaviour of the suspect, associated circumstances and the overall conditions at the time. The current policy already stipulates that safety is paramount. Injury to persons is the most obvious possible adverse consequence of any pursuit. Not all pursuits involve suspects driving dangerously.

Possible consequences of continued offending include a danger to the safety of others. For example, there were 319 pursuits commenced for unlawful use of a motor vehicle (UUMV) in Queensland from 1 January 2007 to 31 December 2009. This involved 214 persons being apprehended as a result of the pursuit and being charged with an offence. Over 85% of these offenders (188 of the 214) had five or more previous charges, and on average over 5 other offences were solved as a result of their arrest. Over 90% of these offenders (197 of the 214) continued to be charged with additional offences post an UUMV pursuit, with 70% of these offenders (156 of the 214) being charged with more than five further offences, post the pursuit occurrence. Over the 2005 – 2009 period, about 84% of the over 38,000 recorded UUMV occurrences had one or more offences linked to it. Crime codes under offences against property are the most commonly linked offences (e.g. motor vehicle theft and unlawful entry with intent). In 2009, there were about 8,478 UUMV offences reported in Queensland. About 724 offences of unlawful entry with intent (or break and enter) were linked to UUMV. In 2009 a total of 5246 offences were linked to the 8,478 UUMV offences reported to police. Clearly, continued offending by those that commit UUMV offences can have a direct impact on public safety.

In practical terms officers will be required to assess whether the consequences of offending are likely to pose such a significant and imminent risk to the safety of others that engaging or continuing a pursuit is justified given the danger to the safety of others that may occur.

Recommendation 2

The prohibition on commencing a pursuit when there is no evidence that a motorist who has failed to stop has committed another offence and the suspicion that the motorist may have committed other offences is based only on that failure and/or the intercepting officer's instincts should be moved from "Non pursuit matters" to "Pursuit policy principles."

Pursuits will only be permitted if the following principles apply:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- *will create an imminent threat to life; or*
- *has or may commit an act of unlawful homicide or attempt to murder; or*
- *has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- *has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

Recommendation 2 calls for the current prohibition of pursuing to become a policy principle. Recommendation 2 will be implemented by revised policy which requires officers to commence a pursuit where they have a reasonable belief that a person has committed an indictable offence prior to attempting to intercept the person and the imminent need to apprehend the person is considered justifiable given the risks of pursuing. New policy will have an express statement within the policy principles that pursuits are not permitted “when there is no evidence that a motorist who has failed to stop has committed another offence and the suspicion that the motorist may have committed other offences is based only on that failure and/or the intercepting officer’s instincts”. Training will support this important principle.

Recommendation 3

In view of the practical difficulties involved in assessing the level of impairment of a drug or alcohol affected driver, and the likelihood that chasing them will significantly increase the likelihood of such drivers crashing, I recommend that all of these offences be included in the non pursuit category.

At present officers can pursue for the offences of drink or drug driving where the driver of the vehicle is reasonably suspected of driving under the influence of liquor or drugs to such a degree the suspected impairment has or will create circumstances that pose an imminent, significant risk to public safety (e.g. the suspect’s ability to control the vehicle is such that if not intercepted or pursued the danger posed to the public is as great or greater than that of engaging in a pursuit).

Recommendation 3 will be implemented by the introduction of the pursuit principles outlined above, namely:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- *will create an imminent threat to life; or*
- *has or may commit an act of unlawful homicide or attempt to murder; or*
- *has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- *has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

In effect, unless an imminent threat to life exists or officers have a reasonable belief the offender has or is committing an indictable offence, a pursuit will be prohibited. Drink or drug driving are not indictable offences and these offences alone or without other behaviour (e.g. dangerous driving) will not amount to an imminent threat to life. As such, the revised policy will mean that drink or drug driving alone is a non-pursuit matter. However, the behaviour of the suspect or manner of driving could amount to an imminent threat to life and the new policy principles will allow officers to pursue in these circumstances.

Recommendation 4

Despite the minimal evidence that pursuing stolen cars has an impact on the prevalence or clear up of that offence, in view of the conviction of the Commissioner of the QPS that those responsible pose a safety risk more significant than the property crime aspects of the offence, I will refrain from recommending the unlawful use of a motor vehicle become a non pursuit matter. However, I encourage the QPS to continue to review and consider the justification for the current policy.

Recommendation 4 will be supported by the implementation of the following policy principles:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- *will create an imminent threat to life; or*
- *has or may commit an act of unlawful homicide or attempt to murder; or*
- *has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- *has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

This will mean that officers can pursue stolen cars if in all the circumstances such action is justifiable.

In practical terms this will require officers to assess whether they have a reasonable belief of an indictable offence, such as theft of a vehicle, and more importantly, assess whether the risk of pursuing is justifiable in the given circumstances. Officers will be required to assess the threat posed by the offender not being immediately detained for stealing the vehicle and the risk of commencing and continuing a pursuit. The response to Recommendation 1 above outlines links between stolen cars and other offending.

In practical terms officers might be required to weigh their knowledge of a suspect, offending behaviour in a particular location, the risks to safety of pursuing at a given location and any reasonable links of the unlawful use offending and other more serious crime. This is a difficult risk assessment given the number of variables that could be applied to any particular event. Training will reinforce the need for officers to have a reasonable belief with regard to offending behaviour and the risk of more serious offending occurring. At the same time, training will also focus on the need for officers to make an assessment of the risk to safety of all involved by pursuing.

The QPS has already commenced reviewing the offending behaviour of offenders who unlawfully use motor vehicles and their propensity to commit other offences, along with the risk or harm this continued offending creates.

Recommendation 5

The current policy requires an officer who has unsuccessfully attempted an interception and who is contemplating commencing a pursuit to weigh the evidence indicating a fleeing motorist may have committed an offence with sufficient precision to determine whether it is "known" he/she has committed an offence rather than just "reasonably suspected" that he/she might have. That is unreasonable and impracticable. I recommend the distinction be abolished by the deleting of category 3 from the policy.

Recommendation 5 will be implemented by the removal of category 3 from the policy. Training will reinforce the new policy principles which will require officers to have a reasonable belief of an indictable offence having been committed.

Recommendation 6

In the current policy each of the three pursuit categories refers to different offences and different levels of certainty that they may have been committed by a suspect who has failed to stop. In my view it is unreasonable and impracticable to require officers to make such fine judgments in the volatile and dynamic circumstances of an unsuccessful attempted interception. I also consider a mere suspicion is too low a threshold to justify an inherently dangerous activity such as a pursuit but that requiring an officer to know an offence has been committed is too restrictive. Accordingly I recommend category 2 be amended to require that an officer have a “reasonable belief” that a relevant offence may have been committed.

Recommendation 6 will be implemented by the adoption of a reasonable belief test for the officers prior to engaging in a pursuit. The Coroner outlined the nature of reasonable belief in his findings thus:

The usual test is: would a reasonable person have come to the same conclusion in the circumstances? There must be a factual foundation on which a reasonable belief is based but it is not to be equated with knowledge or proof beyond reasonable doubt.

This test will be part of the revised policy. The new pursuit principles outlined above refer. Training will reinforce this new policy to officers.

Recommendation 7

The policy stipulates that safety is paramount and then lists 11 other matters that should also be taken into account when determining whether to commence and/or continue a pursuit, only some of which relate to safety, with no guidance as to how they should be factored into decision making. I recommend this aspect of the policy be reviewed to ensure the intent that safety is the overriding consideration is made clearer. For example, officers should be encouraged to disregard those factors which do not add to the risk.

Recommendation 7 will be implemented by the removal of any factors in current policy that do not relate to safety and the adoption of the policy principles:

That pursuits will be permitted only where officers have a reasonable belief that a person:

- will create an imminent threat to life; or*
- has or may commit an act of unlawful homicide or attempt to murder; or*
- has issued threats to kill any person and has the apparent capacity to carry out the threat; or*
- has committed an indictable offence prior to an attempt by police to intercept the person;*

AND

the imminent need to apprehend the person is considered justifiable given the risks of pursuing.

Importantly the test that will be applied is *“the imminent need to apprehend the person is considered justifiable given the risks of pursuing”*. Recommendation 1 is directly linked to this recommendation and the discussion above details how the new policy will require officers to assess safety.

In practical terms, training will be required to assist officers understand factors which should be considered, or disregarded in terms of assessing the risk associated with pursuits.

Recommendation 8

I recommend the policy be amended to explicitly acknowledge the likelihood that pursuing a motorist who has failed to stop is likely to result in the other car driving more dangerously and require an officer considering whether to commence or continue a pursuit to factor this into the risk assessment and the manner in which the police car is driven.

Recommendation 8 will be implemented by revised policy that explicitly acknowledges the likelihood that pursuing a motorist who has failed to stop may result in the other car driving more dangerously. Of course, the level to which offenders may drive more dangerously is unknowable at the time but officers will be required to factor the impact pursuing will probably have into their decision making process. The risk assessment in officer decision making, or the factors they are required to assess, is a central focus of both recommendation 7 and 8. The new policy will implement recommendations 7 and 8 by listing the factors detailed by the Coroner as part of the considerations officers must make. Like recommendation 7, recommendation 8 will be further supported by training which focuses on this aspect of pursuits.

Recommendation 9

For the reasons set out above, I recommend the QPS develop best practice guidelines that:

- *prohibit officers pursuing, other than in category 1 pursuits, unless radio contact can be maintained and the police car contains two officers or a hands free radio;*
- *require a pursuit to be terminated if nominated dangerous manoeuvres such as running red lights at speed etc occur;*
- *insist on compliance with school speed zones and other particularly sensitive road management requirements; and*
- *deem a pursuit to continue until the police car ceases to follow or otherwise maintain contact with the other vehicle.*

I leave it for the Service to determine whether these guidelines should form part of the policy or training materials.

Recommendation 9 will be implemented by the introduction of best practice guidelines within the pursuits training program. The current Safe Driving (Police Pursuits) policy is already 23 pages long. Developing specific policy for every conceivable variable will lead to an overly lengthy and complex policy. Balance is required for policy to be effectively understood and implemented. The adoption of key principles and the changes listed in this response along with implementation of best practice guidelines through training as recommended by the Coroner are designed to ensure QPS progress in improving safety through reduced and better managed police pursuits continues.

Recommendation 10

Having regard to the vagaries of the current definition of when a pursuit commences that have the potential to undermine the efficacy of the policy's intent to ensure pursuits are not undertaken in connection with minor matters, I recommend the relevant definition be amended to deem a pursuit to commence whenever a driver fails to comply with an officer's direction to stop, unless the officer has reasonable grounds for believing the driver is unaware of the direction having been given. I also recommend that if this definition is adopted, a corresponding amendment be made to the evade police offence if necessary.

The current policy defines a pursuit as commencing when officers have a reasonable belief that a person is attempting to evade police. The CMC is currently reviewing the evade police offence and is expected to provide a report to Parliament.

Recommendation 10 will be implemented by adoption of a definition that pursuits commence whenever a driver fails to comply with an officer's direction to stop, unless the officer has reasonable grounds for believing the driver is unaware of the direction having been given.

Police usually use lights and siren to indicate to a driver that they are being intercepted. In most cases (9,999 in 10,000) drivers directed to stop will eventually respond. Where drivers do not respond, an officer will determine the driver has 'failed to comply with a direction to stop'. In a practical sense, some overt act or period of time may be required for the officer to be able to reasonably argue that the driver has seen or understood a direction to stop. This might require continuation of the attempt to intercept or ongoing direction to the driver. It then becomes a point of focus as to whether this ongoing attempt to intercept constitutes a pursuit.

Under current legislation, drivers must give way to emergency vehicles conducting urgent duty driving [s.79 *Transport Operations (Road Use Management – Road Rules) Regulation, 2009*]. Urgent duty driving is demonstrated by the emergency vehicle activating lights and siren. In addition, other legislation permits police officers to stop vehicles for prescribed purposes, one of which is to 'enforce a Transport Act' (s.60 *Police Powers and Responsibilities Act 2000*).

The potential conflict between these two distinct operational activities is illustrated by the possibility of one driver interpreting the use of lights and sirens as a requirement to give way, as opposed to another driver who understands the use of lights and siren to imply a requirement to immediately stop for the purposes of interception.

Assuming that police use of lights and siren implies an immediate direction to stop may be inaccurate and is counter to the experience of many police. In addition, the driver may not see or hear the lights or siren due to in-car music systems, glare proof mirrors, or air-conditioning masking the sights and sounds. Recent focus groups with police officers as part of ongoing research confirms this problem indicating that there is a considerable number of drivers who are distracted or unable to quickly notice officers attempts for them to stop as a result of failing to immediately see, hear or understand lights and sirens.

This recommendation will be further supported by training to officers that will assist them determine what reasonable grounds for believing a driver is unaware of a direction being given might be. This training will be designed so that officers are assisted with the practical difficulties of determining when a pursuit commences.

Recommendation 11

In view of the important role of the pursuit controller and the difficulties that can arise when the officer discharging the role is junior to the officers in the primary pursuit car, I recommend the QPS develop a training package specially for pursuit controllers.

I also recommend the project team consider whether training should be targeted at officers with in excess of 10 years service.

The QPS has already commenced implementation of recommendation 11 by the development and implementation of a Pursuit Controllers Course for officers attached to Police Communications Centres. Officers attached to Police Communications Centres are the most likely officers to have the responsibility of a pursuit controller.

The training has been undertaken at the Gold Coast and Sunshine Coast Districts in early December 2010, with further training to be conducted state-wide between January and June 2011.

As part of the implementation of the entire response to the Coroner's recommendations, all officers will be trained in the new pursuits policy from July to December 2011. This will include training on the role and responsibilities of a pursuit controller. As all officers will be trained, officers with more than 10 years service will be trained.

Recommendation 12

I recommend that as part of its review of the “evade police” offence, the CMC consider recommending mandatory licence disqualification upon conviction and more flexible vehicle impounding arrangements to bolster the deterrence effect of the offence.

The QPS implemented a more restrictive police pursuits policy statewide on 1 January 2008. The Government supported this policy by introducing the evade police offence to deter those that might wish to evade police by causing a pursuit. The CMC is currently reviewing the evade police offence. The QPS is assisting the CMC by facilitating access to focus groups, data and information. The CMC is expected to report to Parliament in 2011.

Recommendation 13

I encourage the QPS to continue to explore developments in technology that will reduce the need for and the risk of police pursuits.

The QPS is continuing to explore developments in technology that will reduce the need for and risks associated with police pursuits. The QPS submission to the Resumption Inquest identified technologies that may assist in reducing the need for and risks associated with police pursuits in Queensland. Work continues in this area and includes an examination of emerging technologies, such as: remote immobilisation; vehicle security and tracking abilities; in-car camera systems; the application of automatic vehicle location technology; and the potential application of unmanned aerial vehicle technology. The Coroner considered the introduction of a police helicopter would not make any significant contribution to pursuit management (2010, p 32).

The QPS In-Car Camera project conducted an evaluation from November 2009 to April 2010, concluding the technology would have a significantly positive effect on the decisions and actions of police officers in pursuit situations. The In-Car Camera project is now examining possibilities around procurement, evaluation and selection. Further work will then be completed as part of a holistic QPS Mobile Data Strategy.

The QPS continues to assess automatic vehicle location technology. This technology presents significant benefits for pursuits, including location, duration and direction of travel; vehicle speed; and capacity to present real time mapping at a communications centre.

The QPS is also examining more cost-effective, state-wide methods for driver simulator training, specifically for improving and assessing high-risk decisions. Other training options, such as online training, instructor led courses, manuals and visual aids vary in potential impact and are difficult to evaluate. However, simulated training provides hands-on experiences that can be practised within safe, risk-free environments. This examination will be linked to the potential benefits simulator training may offer in other areas of police training.

Road safety measures for Redcliffe State High School

The Coroner commented that for a number of years prior to Caitlin Hanrick's death, the Redcliffe State High School community had been raising concerns with various authorities in relation to road safety and the need for improvement of road safety infrastructure around the school.

The Coroner noted that approaches to the then Department of Transport and local authorities in 2005 and 2006 resulted in pedestrian fencing being installed and minor upgrades being made to the crossing of Oxley Avenue. A right turn lane and arrow was also installed at the Klinger Road/Oxley Avenue intersection as requested and the sequencing of lights at that intersection and the crossing was checked by departmental staff.

Subsequent to Caitlin's death, significant improvements have been made to road safety infrastructure at Redcliffe State High School by the construction of a pedestrian overpass, opened in 2008, and the employment of crossing monitors while the overpass was being built.

The school has maintained its Safe School Transport (SafeST) Committee as an ongoing management mechanism to ensure road safety matters are jointly addressed with DTMR. In addition, Redcliffe State High School has continued to implement rigorous student training programs, which include the induction of year 8 students in safely using the overpass, regularly discussing road safety at school assembly, disciplinary action against students who are not following road safety procedures and supervision by teachers on playground duty.

The current practice at Redcliffe State High School is for the Year Level Coordinators, the Deputy Principal and the Principal to regularly reinforce the road safety message both on weekly parades and through the student notices. The message is not given every parade but regularly throughout the year and when road safety concerns arise. Reminders are also intermittently placed in the parent newsletter to seek parental support in reinforcing this message. A teacher is also on playground duty on the overpass at lunchbreaks.

Road safety measures for other Queensland split campus schools

The Coroner commented that Caitlin's death also prompted a review of the 27 split campus schools in Queensland.

Four of the schools, including Redcliffe State High School, have had overpasses or underpasses constructed. An overpass has been constructed across Paradise Road at Mabel Park State High School (Slacks Creek) and across the Bruce Highway at Emmaus College (Rockhampton). An underpass has been constructed under the Cunningham Highway at Saint Mary's School (Warwick).

DTMR reviewed the 23 schools that did not meet the criteria for overpasses and underpasses. The review found a number had infrastructure work impending and a number had SafeST committees working with DTMR to action identified road safety issues. Given there had been no site casualties, other factors or complaints it was considered no additional action was required. A list of the 23 schools is attached.

Since this DTMR review, an overpass has been constructed at one of the 23 schools. Brisbane State High School received an overpass across Cordelia Street as a result of the development of the Hale Street Bridge by the Brisbane City Council.

DTMR commissioned consultants, the ARRB Group Ltd, to conduct a review of schools with split campuses to determine whether any further measures are worth consideration to improve road safety.

The consultant reviewed practices used across Australia to address road safety issues at split campus schools and found that there were no specific policies or practices in relation to split campuses in any other jurisdiction. However a number of innovative treatments at normal schools were identified for consideration for use in the Queensland context.

The consultant recommended that specific emphasis be given to split campus sites in the School Environment Safety Guidelines (SESG).

A new section within the guidelines has been drafted to specifically address split campus schools and is currently with DET and the Local Government Association of Queensland for comment and feedback. This amendment to the SESG will be in place by early 2011 and will provide guidelines for road authorities to re-assess the remaining split campus schools. Local Governments and DTMR will be able to use the SESG to identify road safety issues and determine the most appropriate actions to take, such as installing appropriate signage and constructing pedestrian crossing facilities.

DTMR and DET have developed a Memorandum of Understanding (MOU) to improve the transport planning for new and existing public schools. The MOU is in the final stages of being formalised and will ensure the departments' ongoing cooperative relationship and establish a joint policy platform.

DTMR review of School Environment Safety Guidelines

The Coroner commented that the SESG and DTMR's application of them had regard only to injury-causing accidents and no attempt has been made to gather qualitative data to allow a more accurate assessment of risk to road safety around schools.

An updated School Environment Safety Guideline is being finalised and will include more specific guidelines to address road safety issues at split campus schools.

Although the Coroner commented that no attempt was made to gather qualitative data that may have allowed a more accurate assessment of the risk to road safety around schools, DTMR have advised that the current DTMR Road Crash Database does not record “near misses” and crashes where no injury occurred.

However, DTMR will continue to monitor community attitudes regarding road safety around schools through the annual Road Safety Attitude and Perception Tracking (RSPAT) survey. The RSPAT survey is an annual tracking survey which gathers qualitative information on behaviours, perceptions and attitudes across a range of road safety topics, including impaired driving, speed, motorbikes, bicycles and pedestrians and awareness of new road safety initiatives. The survey has been conducted for over 10 years which allows trend information to be developed and analysed and for survey results to inform the development of road safety policy. Questions in the survey include driver awareness and recognition of school zone signage including times, zones and how awareness of school zones may be improved.

Road safety issues, including issues within school zones, are also generally discussed and addressed at local Traffic Advisory Committees comprised of representatives of the relevant local government, DTMR, QPS and other key stakeholders.

DTMR trial of installing school zones on multi-lane roads

A further DTMR initiative as referred to by the Coroner is a trial of installing school zones on multi-lane roads. This 12 month trial commenced at the start of the 2010 school term and the results will be used to amend the SESG in early 2011. The objectives are to determine the effectiveness of school zones on multi-lane roads and the effectiveness of four different signage types.

There are eight trial sites and eight control sites. Five trial sites are in South East Queensland, two are in Cairns and one site is in Townsville. The effectiveness of the signs will be determined by measuring vehicle speeds at each of the trial and control sites. Speed data loggers will be installed at each site to measure the speed of vehicles in each lane.

A pre-trial survey was conducted in November 2009 and two other speed surveys were conducted in 2010. This data will be compared to data collected during the trial. The trial will be evaluated by an external consultant and the report will be used to determine future policy regarding the installation of school zones on multi-lane roads in Queensland. The government expects to receive this report in March 2011.

DET road safety actions

The Coroner commented that although DET obviously has a duty of care to its students, it had a limited capacity to discharge its obligation so far as it related to road safety.

Although DET has no procedural policy dedicated to road safety, it has a substantive policy in place, the *Student Health and Wellbeing Curriculum Framework*, that provides guidelines for addressing major health issues, including road safety, within the curriculum. The purpose of the Framework is to provide a coordinated approach in which a range of health issues, including road safety, can be addressed in the context of the Queensland P-12 curriculum. The Framework focuses on developing education programs that have a skills-based approach, rather than teaching health as various separate topics. It highlights the links between health issues and student health and wellbeing through the development of a common set of personal and interpersonal skills, including decision-making, communication, assertiveness and self-esteem that underpin health behaviours in a range of contexts. The Framework provides:

- overarching principles for implementing a coordinated approach to student health and wellbeing across the whole school;
- a description of student health and wellbeing knowledge, skills, attitudes and values for each of the four phases of learning;
- information about developing personal and interpersonal skills that promote student health and wellbeing;
- guidelines for addressing major health issues: nutrition and physical activity; skin cancer and sun safety; mental health; drug education; road safety; sexual health; and
- links to curriculum resources that support student health and wellbeing.

Four key elements are identified in the Road Safety section of the Framework: road use; personal and group road safety; challenge and risk; and, rules and laws. Examples of effective practice and practices to be avoided are also included.

As well as working with DTMR on transport planning issues, DET and DTMR have also developed the *Road Safety Matters* program that includes curriculum modules that focus on Road Safety from Prep to Year 9. The program is based upon the *Principles of Best Practice in Road Safety Education* developed by School Drug Education and Road Awareness in Western Australia. The program consists of five modules:

- Prep–Year 1: focusing on pedestrian safety;
- Year 2–3: focusing on bus safety;
- Year 4–5: focusing on pedestrian safety while crossing the road;
- Year 6–7: focusing on travel using a variety of different modes of transport; and

- Year 8-9: focusing on what influences the decisions adolescents make about their road safety behaviours.

Each module comprises a unit planner, assessment task and guide to making judgments and have been designed to support teachers to develop and deliver curriculum in the area of road safety education.

DET is ensuring principals at split campus schools embed road safety education in their school-based curriculum and regularly undertake induction programs with students.

DET is also developing an interim policy position on Road Safety In and Around Schools, for use until such time as the joint policy platform between DTMR and DET has been developed. This interim policy will confirm that schools are not to be bisected by a public road, and that the department will not construct any further split campus schools. The interim policy also encompasses the *Student Health and Wellbeing Curriculum Framework* policy, and greater collaboration with DTMR to address road safety issues by using the School Environment Safety Guidelines and Safe School Transport (SafeST) committee mechanisms.

The SafeST committees can be established by any school experiencing road safety issues, and schools are actively encouraged to establish these committees. Further, schools with split campuses are required to annually review road safety issues with their Parents and Citizens Association, and ensure any issues are addressed through their SafeST committee.

Conclusion

There should be no doubt that police will act to ensure public safety and where public safety requires it, police will continue to pursue offenders.

However, the tragic death of individuals as a result of police pursuits has resulted in understandable grief and sadness for all involved, particularly family and friends. The initiatives outlined in this response leave a legacy of improved safety for the community as well as contributing to enhanced pursuits policy and training for officers in the Queensland Police Service.

Attachment 1 List of 23 split campus schools

State schools
Stretton State College, Calamvale
Brisbane State High School, South Brisbane
Gympie State High School, Gympie
Warwick State High School, Warwick
Toowoomba State High School, North Toowoomba
Bli Bli State High School, Bli Bli
Mackay West State High School, West Mackay
Private schools
The Glennie School, Toowoomba
St Patrick's College, Gympie
The Toowoomba Preparatory School, Toowoomba
Townsville Grammar School, North Ward
The Scots PGC College, Warwick
Good Counsel Primary School, Innisfail
Good Counsel College, Innisfail
Saint Augustine's College, Cairns
Anglican Church Grammar School, East Brisbane
Guardian Angels' Primary School, Wynnum
Iona College, Wynnum
Padua College, Kedron
Sacred Heart School, Booval
Southern Cross Catholic College, Scarborough
St Aidan's Anglican Girls' School, Corinda
St Joseph's College, Gregory Terrace, Spring Hill