

Independence

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Review of Police Pursuits

October 2009



IPCA
Independent Police Conduct Authority
Whaia te pono, kia puawai ko te tika



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IPCA
Level 8
342 Lambton Quay
PO Box 5025,
Wellington 6145
Aotearoa New Zealand

0800 503 728
P +64 4 499 2050
F +64 4 499 2053
www.ipca.govt.nz



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Introduction

INDEPENDENT POLICE CONDUCT AUTHORITY

1. In August 2007, in response to public concern about the apparent frequency of pursuits involving fatality and serious injury, the Authority initiated a review of Police pursuits.
2. The key purpose of the review was to determine whether Police policy and General Instructions provide sufficient guidance for officers involved in pursuits, with a particular focus on reasons for commencing and continuing a pursuit.
3. In addition, the review has considered how workable the policy is, and whether it is being adhered to in practice.
4. The review comprised:
 - analysis of 137 pursuits involving death and serious injury which were referred to the Authority under section 13 of the Independent Police Conduct Authority Act 1988 during the period 19 December 2003 to 19 December 2008;
 - consideration of relevant New Zealand Police policies and procedures, and of three Police internal reviews of pursuit policy (2003, 2007 and 2008);
 - consideration of international pursuit policies and international research on pursuits;
 - consideration of common trends and issues in management of pursuits reported to the Authority under section 13 of the Independent Police Conduct Authority Act 1988.
5. The review contains recommendations for change to the current pursuit policy, in order to clarify the policy and to achieve what, in the Authority's view, would be a more appropriate balance between risks and benefits.
6. In making these recommendations, the Authority acknowledges the very significant efforts made by the Police in recent years to improve both policy on and management of pursuits.

7. The safety of pursuits is influenced by three key factors: the policy applying to pursuits; the extent to which officers conducting pursuits are independently overseen by staff at communications centres; and the level and quality of training of officers involved in pursuits. In all three areas, the Police have made significant progress in recent years. Of the three aspects, this review has focused on the guidance provided to police staff by the pursuit policy.
8. While it is the Authority's role to express views and make recommendations, the final responsibility for determining appropriate policy rests with the Commissioner.



Background

INDEPENDENT POLICE CONDUCT AUTHORITY

DEFINITION OF 'PURSUIT'

9. The Police Pursuit Policy gives the following definition of 'pursuit':

"A pursuit occurs when the driver of a vehicle has been signalled by Police to stop, fails to do so, attempts to evade apprehension, and Police take action to apprehend the offender."

10. For an event to be defined as a 'pursuit', therefore, three factors must be satisfied:

- i) Police signal for a vehicle to stop;
- ii) the driver of the vehicle fails to stop and attempts to evade apprehension;
- iii) Police take action to apprehend the offender.

11. Based on the above definition, an event is not a pursuit if a driver does not realise that the Police have signalled for him or her to stop.

THE LAW ON POLICE PURSUITS

Legislative authority to stop and pursue vehicles

12. The legislative mandate for pursuits is provided by section 114 of the Land Transport Act 1998 and sections 314B and 317A of the Crimes Act 1961. These sections empower a Police officer in uniform or in a vehicle displaying flashing lights and sounding a siren to stop the driver of a vehicle:

- for traffic enforcement purposes; or
- to conduct a statutory search; or

- if there are reasonable grounds to suspect that the vehicle contains a person who is unlawfully at large or has committed an offence which is punishable by imprisonment.
13. When such a driver is signalled to stop and refuses or knowingly fails to do so, a pursuit may be commenced.
 14. Section 39 of the Crimes Act 1961 provides for Police who are carrying out an arrest to use *“such force as may be necessary to overcome any force used in resisting”* the arrest. According to the Police Pursuit Policy, a pursuit *“may be a necessary use of force to arrest a person”*.

Defences for officers involved in pursuit driving

15. Clause 5.1(3) of the Land Transport (Road User Rule) 2004 provides a defence for Police who exceed the speed limit while undertaking urgent duty driving (including pursuits), if compliance with the speed limit would be likely to prevent the execution of the officer’s duty.
16. Clauses 11.18 and 11.19 provide that drivers of emergency vehicles (including Police vehicles) sounding sirens or displaying red and blue flashing lights will be deemed to have complied with road rules regarding red lights and stop/give way signs *“if the driver reduces speed so as not to exceed 20 km per hour and then proceeds, taking due care to avoid collision with pedestrians and other traffic”*.
17. The law does not provide blanket protection for Police staff involved in pursuits. A duty of care exists in all situations, and staff involved in pursuits may commit traffic offences or be liable to criminal or civil proceedings if the pursuit driving is not reasonable and necessary, or if proper care is not taken during the pursuit.

Health and safety of Police staff

18. NZ Police as an employer has obligations under health and safety legislation towards staff and others affected by Police activities.

Penalties for failing to stop

19. The current penalties for failing to stop are:
 - a maximum fine of \$10,000, under section 52 of the Land Transport Act 1998, for anyone who fails to remain stopped when required, or otherwise *“fails or refuses to comply with any lawful requirement, direction, notice, request, or prohibition given to or imposed on him or her under this Act by an enforcement officer”*;
 - a maximum fine of \$1000 for anyone who fails to stop when required under section 314B or 317A of the Crimes Act.

20. The maximum penalty for refusing to identify the driver of a vehicle that has failed to stop (as required under sections 113(2) and 118 of the Land Transport Act) is \$10,000.

DEVELOPMENTS IN PURSUIT POLICY AND MANAGEMENT SINCE 2003

21. Over the last six years, the Police have continually sought to improve the conduct and management of pursuits. Three reviews have been conducted, new policies have been adopted, new technology has been trialled and adopted, and steps have been taken to improve oversight by communications centres.

2003 review

22. In 2003, Police released a report entitled *Pursuits: The Case for Change*, which assessed pursuit policy and practice at the time in the wake of media and public concern over two pursuits that had ended in fatalities.
23. *Pursuits: The Case for Change* reviewed the law in relation to pursuits; the numbers and outcomes of pursuits from 1996 to 2002; developments in driver training, vehicle equipment and pursuit practice; management of pursuits; policy relating to drivers and vehicles; and international literature relating to Police pursuits.
24. *Pursuits: The Case for Change* noted the essential dilemma that confronts Police when they are deciding whether to commence a pursuit: on one hand, they are sworn to prevent and control crime, and on the other hand they have a responsibility to protect safety.
25. Overall, *Pursuits: The Case for Change* found that most pursuits were “short, essential and safe”. However, it also noted that the General Instructions applying at that time were unclear and inconsistent, and did not provide sufficient guidance for the various officers involved (such as drivers and communications centre staff). An urgent rewrite of the policy was recommended.
26. *Pursuits: The Case for Change* also emphasised the importance of training, and clear communication between pursuing vehicles and Police communications centres, and made recommendations for improved driver training and for trialling of new technology aimed at aiding communications centre staff overseeing pursuits.

2004 Pursuit Policy

27. In March 2004, following *Pursuits: The Case for Change*, the Police introduced a new pursuit policy.
28. The policy set out:
 - the circumstances in which a pursuit could be commenced;

- the responsibilities of the Police officer driving a pursuit vehicle, and of other staff including Police staff who are passengers in pursuit vehicles, dispatchers and pursuit controllers in Police communications centres, field supervisors and district commanders, and other Police staff in the vicinity of a pursuit;
- procedures for commencing, conducting and abandoning a pursuit, including use of aerial surveillance and tactical options such as tyre deflation devices;
- communications procedures.

Overriding principle

29. The policy stated that pursuit driving could place the safety of both the public and Police at risk, and that conduct and management of pursuits must balance the priorities of apprehending the offender and maintaining public safety.
30. It stated that the overriding principle for conduct and management of pursuits was:

“Public and staff safety takes precedence over the immediate apprehension of the offender.”

Commencement and continuation of pursuits

31. Under the policy, an officer who was considering whether to commence or continue a pursuit must consider the following risk factors:

*“**speed and other behaviour by the offending vehicle;***

weather conditions;

***occupant characteristics** such as identity (if known) and offences suspected or committed. If the identity of the offender(s) is known and apprehension can safely be effected later, a pursuit must not be commenced;*

***traffic conditions** such as speed and volume;*

***environment** such as road type, houses and pedestrians; and*

***officer capabilities**, such as experience, whether they are operating single-crewed, and the limitations of their vehicle (including whether it is marked – in a pursuit, an unmarked vehicle is to be replaced by a marked vehicle as soon as possible).”*

32. Considering these factors, the officer was required to determine *“whether the need to effect immediate apprehension of the offender is outweighed by the risks posed by a pursuit to the public, the occupants of the pursued vehicle, and Police”*.
33. Under the policy, a pursuit could be abandoned by the driver of the pursuit vehicle, by a Police passenger of higher rank than the driver, or by the pursuit controller (i.e. the shift

commander at the relevant Police communications centre). A driver's decision to not commence a pursuit, or to abandon a pursuit, could not be overridden.

Communication procedure

34. The policy also set out a communications procedure, under which:
- The driver (or passenger) of the pursuing vehicle advised the communications centre when a pursuit commenced, giving location and direction of travel, a description of the vehicle being pursued, and the reason for pursuit.
 - The dispatcher gave the safety reminder: *"If there is any unjustified risk to any person you are to abandon pursuit immediately. Acknowledge?"* The driver or passenger was then required to acknowledge this warning.
 - The dispatcher prompted the pursuit driver or passenger for information about: the offending driver's speed; road, traffic and weather conditions; the manner of the offender's driving; whether the offending driver's identity was known.
 - During the pursuit, the dispatcher asked for situation report ('sitrep') updates on the risk factors.
35. If any of the required details were not forthcoming, the Communications Centre could not conduct a robust risk assessment and therefore could not make an informed decision about whether to permit the continuation of the pursuit or direct that it be abandoned.

Driver and vehicle classification

36. The Police in 2004 also adopted separate policies on driver and vehicle classifications to coincide with the introduction of a new training programme known as the Police Professional Driver Programme (PPDP – see paragraph 53).
37. Under the driver classification policy, drivers trained to 'gold' classification may conduct pursuits, while those with 'silver' classifications may conduct pursuits only when supervised by an officer with 'gold' classification, or when exceptional circumstances apply. Drivers with 'bronze' classification may not undertake pursuits.
38. Police vehicles are classified A, B, C and D. Pursuits are permitted for category A vehicles (which include standard Police cars) and for category B vehicles (which include unmarked Police cars and Police motorcycles) but are not permitted except in life-threatening situations by category C vehicles (such as four-wheel drive vehicles) and category D vehicles.

Distinction between 'imperative' and 'elective' pursuits

39. Prior to 2004, the Police policy had distinguished between 'imperative' and 'elective' pursuits – an imperative pursuit being one *"in which a clear danger to the public has been identified"* and pursuit is necessary to remove that danger, and an elective pursuit being one in which *"a driver has been directed to stop, and knowingly fails or refuses to do so"* (NZ Police, 2003).
40. An earlier article in *The Police Chief* magazine in 1998, by senior officers Phil Wright and Les McCarthy, had noted that criticism of Police pursuits was generally associated with 'elective' pursuits in which the driver was *"apparently 'safe' until signalled to stop"*.
41. *Pursuits: The Case for Change* recommended that the distinction between 'imperative' and 'elective' pursuits should be removed, on grounds that it was confusing and *"appears to run counter to the paramount need for safety"*. In the 2004 policy, there was no distinction between 'imperative' and 'elective' pursuits, and safety was given priority over the immediate need to apprehend an offender (see paragraph 30).

2007 review

42. A further *Review of Pursuits April 2004-May 2007* was completed in 2007. It reviewed progress on the implementation of recommendations from *Pursuits: The Case for Change*, compared New Zealand and international pursuits policies, reviewed technology available for safely concluding pursuits (see paragraph 57), and analysed data on the number and characteristics of pursuits during the period under review.
43. That review found that a majority of pursuits commence for serious offences (see paragraph 93), but also noted that *"in some cases of, for example, 'fault on vehicle', minor traffic infringement', or the individual driving a Subaru, the risks to Police staff and the public associated with pursuit are higher than those of the initial offence category"* (NZ Police, 2007).
44. The review continued:

"Likewise, in the case of pursuits initiated after a routine traffic stop/failure to stop... it is again questionable whether a pursuit is justified. That is to say, it should not be assumed that those who fail to stop do so because of serious offending."

2007 policy amendment

45. In October 2007, the communication procedure was amended by introducing a requirement for pursuing officers to provide the communications centre with details of their driver and vehicle classifications (see paragraphs 36 to 38).

2008 review

46. In 2008, the Police completed a further review, also known as *Review of Police Pursuits April 2004-May 2007*. This review updated and analysed in greater detail the data from the 2007 report of the same name. The 2008 review found that the number of pursuits had increased in recent years but that *“this has not had an adverse effect on the negative outcomes associated with those pursuits”*. It also noted that the pursuit policy did not specify ‘reason for stopping’ as one of the risk factors to be taken into account before commencing a pursuit:

“This means that staff are not given any formal/official guidance about the types of behaviour or factors where a pursuit may (or alternatively may not) be justified.”

47. The review recommended further improvements to Police data gathering about pursuits.

2009 policy amendments

48. In July 2009, the current Pursuit Policy came into force.
49. The policy updated or clarified guidance on the roles and responsibilities of staff involved in pursuits, communication procedures, abandonment and recommencement of pursuits, use of tyre deflation devices, and aerial surveillance. Whereas the 2004 policy had allowed ‘vehicle blocks’ under limited circumstances, the 2009 policy authorised trained members of the Armed Offenders Squad or Special Tactics Group to undertake a *“non-compliant vehicle stop”* in response to life-threatening situations involving armed offenders.
50. In respect of the threshold for commencing and continuing pursuits, the 2009 policy retained similar wording to the 2004 policy. The new policy stated that officers who are considering whether to commence or continue a pursuit must carry out a risk assessment based on the following factors:

Speed	<ul style="list-style-type: none"> • what is the speed limit? • what is the manner of driving of the offending vehicle?
Occupant characteristics	<ul style="list-style-type: none"> • is the offender known? • what offences have been committed or suspected of committing? • is it a stolen vehicle?
Weather conditions	<ul style="list-style-type: none"> • is it raining with slippery roads? • is it dawn or dusk and a chance of sun strike?

Environment	<ul style="list-style-type: none"> • what type of road is it? • is it a built up area?
Traffic conditions	<ul style="list-style-type: none"> • are there pedestrians around? • is it peak hour traffic?
Officer and vehicle capabilities	<ul style="list-style-type: none"> • experience of the Police officer? • type of Police vehicle? • is it a single-crewed vehicle?

51. After considering these factors, the officer must determine “*whether the need to immediately apprehend the offender is outweighed by the potential risks of a pursuit to:*
- *the public*
 - *the occupants of a pursued vehicle*
 - *Police.*”
52. The policy also states: “*If there is no need to immediately apprehend the driver or the risks are too great, a pursuit is not to be initiated.*”

Driver training

53. The Police Professional Driver Programme has been progressively implemented since early 2004. As noted above, under the programme, members receive a rating of gold, silver, or bronze depending on their knowledge of pursuit theory and policy.
54. The programme is based on workshops, along with a day of practical training in high-speed driving (though this does not cover hands-on training in driving at high speed while using the radio).
55. As at 5 May 2009, 6415 staff had been trained to gold standard, 643 to silver and 150 to bronze.
56. The Police Professional Driver Programme builds on a week-long practical driver training programme for Police recruits, which covers operational driving skills, risk management assessment, and pursuit management assessment.

Pursuit management technology

57. *Pursuits: The Case for Change* recommended Police trial a range of technology aimed at enhancing communications centre oversight of pursuits. This included hands-free

microphones, in-vehicle global positioning systems, and in-vehicle videos. In the period since:

- Auckland Police have trialled automatic vehicle location (AVL) systems which use GPS technology to provide Police vehicle position and speed data on a map on the communications centre dispatcher's computer screen, and this technology is now being rolled out district by district. AVL helps pursuit controllers to manage the vehicles involved in a pursuit, and provides data on location, speed, direction, distance travelled, and whether their lights and siren are on. The data is available for later analysis by Police or, when relevant, the Authority.
- Police have also trialled hands-free microphones, which allow officers in single-crewed vehicles to communicate with communications centres as they drive without having to hold a microphone. In May 2009 these were approved for installation nationwide as part of the operational vehicle fit-out for new vehicles.
- The rollout in recent years of a new digital radio network, mobile data terminals in Police vehicles, and the development of Secure Mobile Access and Reporting Technology (SMART), are all aimed at reducing radio traffic and ensuring that radio channels are free for urgent communications such as during pursuits.

58. Other technologies, such as devices that disable the electronics in a fleeing vehicle, have been developed overseas but are not yet considered practical for operational use. New Zealand Police are monitoring developments internationally in relation to these technologies.

Penalties for failing to stop

59. For several years, questions have been raised about whether the penalties for failing to stop are sufficiently severe to deter drivers from fleeing. Police in 2003 made submissions that failing to stop should be included in Section 128 of the Sentencing Act as an offence for which vehicles can be confiscated (NZ Police 2003), and *Pursuits: The Case for Change* (NZ Police, 2003) recommended that the offence of failing to stop should be punishable by imprisonment.

60. These changes did not proceed, in part because of a view that fleeing drivers could be charged with reckless or dangerous driving for which the penalty can include confiscation, and in part because it was felt that wider consideration of the penalties for failing to stop was needed.

61. However, the Land Transport (Enforcement Powers) Amendment Bill, introduced to Parliament in May 2009, will, if enacted in its current form, significantly strengthen the penalties for failing to stop. Specifically, the Bill proposes to:

- introduce a mandatory 3-month minimum driver licence disqualification for failing to stop when signalled to do so by an enforcement officer, if a repeat offence or if accompanied by excessive speed or dangerous driving;
- make failing to stop when directed by an enforcement officer an aggravating factor which must be taken into account at sentencing for dangerous and/or reckless driving offences;
- introduce a mandatory 12-month licence disqualification and a term of imprisonment not exceeding 3 months for a third or subsequent failure to stop offence.

2009 Review

62. The Police have indicated that they intend to undertake a further review of pursuits policy during the remainder of 2009. The aims of the review are to:
- Critically examine the current pursuit policy;
 - Assess policies from other jurisdictions, to identify their focus of risk and safety considerations; and
 - Recommend any enhancements as a result of the assessment.



Pursuits: New Zealand and International Data

INDEPENDENT POLICE CONDUCT AUTHORITY

63. Under section 13 of the Independent Police Conduct Authority Act 1988, the Police are required to notify the Authority of any incident in which a member of Police in the execution of his or her duty causes, or appears to have caused, death or serious bodily harm.
64. During the period 19 December 2003 to 19 December 2008, 137 pursuits were notified to the Authority under s13.¹ As part of this review, the Authority collated data about these pursuits from its investigation files. The information gathered included the locations, days and times at which they occurred, the durations and speeds reached, the initial reasons given by Police for signalling the offenders to stop, the offenders' reasons for fleeing, and the charges laid following the pursuits.
65. This data was considered alongside Police data and the results of international research to determine whether there are clear trends – in terms of the number of pursuits taking place, their outcomes, and the reasons they occur – which could inform discussion about the effectiveness of the current policy in guiding decisions about commencing and continuing pursuits.

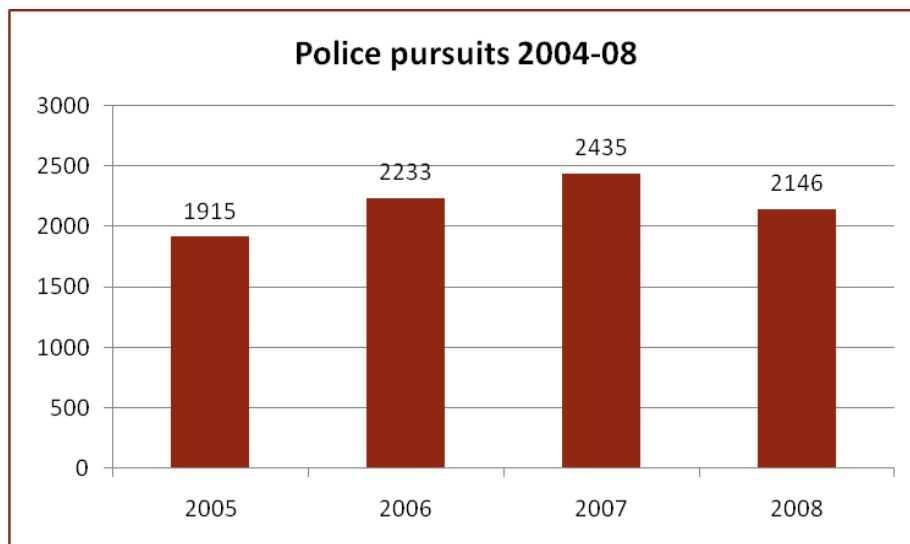
NUMBER OF PURSUITS IN NEW ZEALAND

66. Prior to 2004, Police did not systematically keep data on pursuits and there is therefore no reliable record of trends in numbers of pursuits over the last decade.
67. *Pursuits: The Case for Change* analysed data on recorded pursuits for the period 1 January 1996 to 31 December 2002 (NZ Police, 2003). Overall, 4076 pursuits were recorded during those seven years (an average of 582 pursuits per year). The number of

¹ While section 13 requires Police to notify the Authority of incidents involved death or serious bodily harm, prior to 2008 there was no agreed definition of what constituted "serious bodily harm".

recorded pursuits grew from 446 in 1996 to 785 in 2002 (an increase of 75 percent). It appears likely that a significant number of pursuits during this period went unreported.

68. During the 2005-2008 calendar years, the Police recorded a total of 8279 pursuits, an average of 182 a month.²



69. The growth in the number of recorded pursuits over the period 2005-07 may be due to an increase in the actual number of pursuits taking place, which – if it is occurring – might be attributable to any or all of: worsening driver behaviour; increased number of vehicles on the roads; or greater willingness by Police to pursue.³
70. The increase may also be due to improved reporting. Since 2004, all officers involved in pursuits have been required to report them using an online form. Improved training has also raised awareness of the requirement to report pursuits, and some Police districts have introduced policies to reinforce the requirement for accurate reporting.
71. Data from Police communications centres indicates that there may still be significant underreporting of pursuits. In the first 10 months of 2007, communications centres recorded 2773 pursuits, whereas officers subsequently reported 1968 for that period.
72. In March 2009, Police introduced a new database to further improve recording, monitoring and management of pursuits. The new system is based on pursuits recorded by Police communication centres.

² These figures based on the Police Lotus Notes system in which officers are required to record details of pursuits they are involved in. In March 2009, a new system was introduced for gathering data about pursuits.

³ The number of vehicles on New Zealand roads grew from 3.03 million in 2005 to 3.189 million in 2007 (calendar years). The number of injury crashes grew from 10,467 to 11,667. The number of breath and blood alcohol offenders detected by NZ Police grew from 27,394 in 2006 to 30,968 in 2007. Mean open road speeds, on the other hand, declined slightly from 2005 to 2007 (Ministry of Transport, 2008).

PURSUIT OUTCOMES

Crashes

73. According to the New Zealand Police *Review of Pursuits April 2004–May 2007*, in 23.5 percent of the pursuits recorded during that period the offender’s vehicle crashed, and in 3.9 percent of pursuits a Police vehicle crashed (NZ Police, 2008). Earlier Police research for the period 1996-2002 had found that the offender’s vehicle crashed in 34 percent of pursuits and the Police vehicle crashed in 6 percent (NZ Police, 2003).
74. International research suggests that about 25-40 percent of pursuits end in crashes.⁴
75. Some researchers have noted that accident rates may be questionable as, in many jurisdictions, pursuits that do not end in crashes may go unrecorded (Payne & Fenske, 1996). The lower recorded crash rate in New Zealand over the period 2004-07 as compared with 1996-2002 may be due to improvements in Police reporting of non-crash pursuits.

Death and serious injury

76. In the pursuits reported to the Authority under s13 during the period 19 December 2003 to 19 December 2008:
- 24 people died – 14 drivers of pursued vehicles, six passengers in pursued vehicles, three innocent members of the public, and one Police officer;
 - 91 people suffered serious injuries – 33 drivers of pursued vehicles, 40 passengers in pursued vehicles, and 18 innocent members of the public;
 - 122 people suffered minor injuries – 42 drivers of pursued vehicles, 47 passengers in pursued vehicles, 29 innocent members of the public, and four Police staff members.

⁴ For example, Alpert (1999) reported a Dade County, Florida study finding that 33 percent ended in crashes. The Commission for Public Complaints Against the Royal Canadian Mounted Police (1999) reported that 32 percent of pursuits ended in collisions over a five-year period. Cameron (2007) reported that 10 percent of pursuits in Australian Capital Territory over the period 1 April 2005-31 December 2006 ended in collisions (discounting one showing an 11 percent collision rate which was later found to be flawed). Payne & Fenske (1996) reported accident rates ranging from 24 to 42 percent from several US studies (discounting one showing an 11 percent collision rate and another finding a 70 percent collision rate, both of which were later found to be flawed). Hicks (2003) reported accident rates ranging from 11 to 43.5 percent from several studies. Other studies from the US, Australia and the UK also found that about one-quarter to one-third of pursuits end in collisions – for example, Crew & Hart (1999); Best (2003); IACP (2004); Hoffman (2003) and Pennsylvania (2007).

77. To place these figures in context: in the 2006 calendar year the Authority recorded four deaths, 21 serious injuries, and 31 minor injuries associated with Police pursuits. In that year:
- a total of 2233 pursuits were recorded (NZ Police, 2009), meaning there were approximately two fatalities and 25 injuries for every thousand pursuits;
 - a total of 393 people died on New Zealand roads (Ministry of Transport, 2008), meaning that about one in 100 road deaths was pursuit-related.
78. International research suggests that, for every 1000 pursuits, between five and 30 will end in fatality and between 40 and 150 will end in injury.⁵

Abandonment

79. In the Authority's analysis of 137 pursuits resulting in death and serious injury, Police abandoned 28 (20 percent) of the pursuits. In 20 of those pursuits, the decision to abandon was made by the pursuing officer, while in the other eight it was made by the communications centre. Pursuing officers chose to abandon pursuits either because of the risk posed by the pursuit or because they had lost contact with the fleeing vehicle and were unwilling to try to catch up.
80. Of the 24 people who died in pursuits during the five-year period, nine died in pursuits that had been abandoned.
81. According to NZ Police data, during the 2005-08 calendar years 26 percent of pursuits were abandoned (NZ Police, 2009).
82. In international research, abandonment rates range widely from about 15 percent up to 50 percent.⁶ In one Australian study (Cameron, 2007) a very high abandonment rate corresponded with a very low rate of collision (10 percent).

Apprehension of offenders

⁵ For example, in an analysis of 11 United States studies, Hicks (2003) reported injury rates ranging from 4 percent to 17 percent and a fatality rate of 0.4 percent to 2.9 percent. Docking et al (2007) estimated that between one and 11 in every 1000 pursuits in England and Wales ends in fatality. The Commission for Public Complaints Against the Royal Canadian Mounted Police (1999) reported that 14 percent of pursuits over a five-year period ended in injury and 0.4 percent ended in death. Pennsylvania State Police reported that 11 percent of pursuits in 2007 ended in injury. Also see Alpert (1999 and 2003), Hoffman (2003), Hoffman & Mazerole (2005), McGrath (1990), and Payne & Fenske (1996), among others.

⁶ For example: Wales 2002-03 – 16 percent (Best & Eves 2003); Pennsylvania 2007 – 27 percent (Pennsylvania, 2007); Australian Capital Territory 2006-06 – 45 percent (Cameron, 2007); Queensland 2000-02 – 46 percent (Hoffman 2003).

83. According to NZ Police data, during the 2005-08 calendar years 70 percent of pursuits ended in the offender being apprehended. Studies in other countries have found that about 40 to 70 percent of pursuits result in apprehension of offenders.⁷

DURATION, SPEED AND TIMING OF PURSUITS

Duration

84. In the Authority's analysis of 137 pursuits resulting in death and serious injury, the duration of the pursuits ranged from a few seconds to 45 minutes. Just under half (49 percent) lasted less than two minutes, and 74 percent lasted less than five minutes. Eleven pursuits lasted for 10 minutes or more.
85. The *NZ Police Review of Pursuits April 2004-May 2007* found that 23.7 percent of pursuits last less than two minutes and 62.2 percent lasted less than five minutes (NZ Police, 2008). Overseas research has found that most pursuits last for no more than about 2-3 minutes.⁸

Speed

86. In the Authority's analysis of 137 pursuits resulting in death and serious injury, the estimated maximum speeds reached by the offending vehicles ranged from 60kph to 200kph. Of the 133 pursuits for which speeds were recorded, 57 did not exceed 100kph, 59 reached maximum speeds of 101-150kph, and 17 reached maximum speeds of 160-200kph.
87. While some of these speeds were recorded on radar, many were estimates by pursuing Police officers.

⁷ For example, Wales 2002-03 – 40 percent (Best & Eves 2003); Pennsylvania 2007 – 63 percent (Pennsylvania, 2007); Queensland 1997-2001 – 71 percent (Hoffman 2003).

⁸ For example, Alpert (1998), Docking et al (2007), International Association of Chiefs of Police (2004).

Exceeding the speed limit

88. For 76 of the 137 pursuits referred to the Authority under s13, the Authority collated data on the highest speed reached by the offender vehicle relative to the speed limit:⁹
- For the 52 pursuits that occurred within a 50kph speed limit, the estimated maximum speed reached by the offending vehicle ranged between 70kph and 150kph. For 29 of those, the maximum speed was estimated at 100kph or more, suggesting extreme risk-taking by the fleeing drivers.
 - For the 20 pursuits that occurred within 100kph speed limits, the estimated maximum speeds reached by the offender vehicles ranged between 120kph and 200kph. For 12 of those, the maximum speed was estimated at 150kph or more.
 - Four pursuits took place in areas where the speed limit was 60-80kph. For these, the maximum speeds reached by offender vehicles exceeded the speed limit by 20-90kph.
89. Where the Police maximum speeds were recorded, they were generally below the maximum speed reached by the pursuing vehicle. In one pursuit in a 50kph zone, for example, the offender vehicle reached speeds of up to 100kph while the Police vehicle did not exceed 70kph. In another, the offender vehicle reached speeds of up to 160kph in a 50kph zone, while the Police vehicle's maximum speed was 80kph. In some pursuits, however, pursuing Police also exceeded the speed limit by a considerable margin. For example, in one pursuit Police reached 100kph in a 50kph zone, and in another Police reached 200kph on a motorway.¹⁰

Time of day and day of week

90. In the Authority's analysis of 137 pursuits resulting in death and serious injury, incidence of pursuits was higher on Thursdays, Fridays and Saturdays than on other days of the week. Most pursuits took place at night-time – 26 percent between 8pm and 11.59pm, and 29 percent between midnight and 4am.
91. This is consistent with NZ Police data (NZ Police, 2003 and 2008) and international research.

⁹ Where pursuits started in 50kph zones and ended in 100kph zones, the Authority has counted the maximum speed reached in the 100kph zone.

¹⁰ IPCA public reports on the fatal pursuit of Lance Duff and two others, and on the fatal pursuit of Peter Kotsifakis (www.ipca.govt.nz).

REASONS FOR INITIALLY STOPPING THE OFFENDER

92. In the Authority's analysis of 137 pursuits resulting in death and serious injury:
- 31 pursuits (23 percent of the total) were initiated after Police signalled for the vehicle to stop because of known or suspected criminal offending.¹¹ The alleged offences were: car conversion (13 pursuits); theft (six pursuits); burglary (three pursuits); assault or family violence (three pursuits); robbery (two pursuits); trespass, escape from Police custody, aggravated robbery, and abduction (one each).
 - 40 pursuits (29 percent) were initiated after Police staff signalled for the vehicle to stop because of traffic offending for which the maximum penalty is a prison term.¹² Of these, 12 involved suspected excess breath or blood alcohol, 11 involved dangerous driving, 10 involved alleged 'boy racer' offences under section 22A of the Land Transport Act 1988, four involved driving while disqualified, and three involved vehicles that failed to stop after collisions.
 - 50 pursuits (36 percent) were initiated after Police signalled for the vehicle to stop because of traffic offending that is not punishable by imprisonment. Of these, 32 were for speeding and seven were for not having lights turned on. Other offences included careless or erratic driving (three), failure to stop at checkpoints (two), unwarranted or unsafe vehicle (two), not wearing a helmet, and failure to keep left.
 - 13 pursuits (9 percent) were initiated after Police initially signalled for the vehicle to stop without any specific reason (for example, turnovers (i.e. routine stops)) or 'suspicious behaviour'.¹³
93. The NZ Police *Review of Pursuits April 2004-May 2007* found that the main reasons for initially signalling for the driver to stop included: speeding (29.7 percent of pursuits); suspected of criminal offending (17 percent);¹⁴ dangerous/careless driving (16.6

¹¹ Offences under the Crimes Act 1961 or the Summary Offences Act 1981.

¹² Traffic offending refers to offences under the Land Transport Act 1998, Transport Act 1962, or related regulations and rules. Traffic offences for which the punishment can include imprisonment include reckless or dangerous driving (section 35 Land Transport Act), driving under the influence of a drink or a drug (section 58 Land Transport Act), exceeding the breath or blood alcohol level (section 56 Land Transport Act), and 'boy racer' offences such as burnouts or drag racing (section 22A Land Transport Act 1998).

¹³ Of the remaining three, the reason for initial contact was given as 'attempted suicide' in one, 'complaint' in another, and not recorded in another.

¹⁴ 'Criminal offending' was defined as the driver being "suspected of a known criminal offence and/or wanted for criminal offending" and included suspected and known vehicle theft, stolen plates, previous failure to stop or involvement in a previous pursuit or collision.

percent); suspicious vehicle/behaviour (7.7 percent); fault on vehicle (7.2 percent); road rules breach (6.9 percent); suspected drink driving (3.1 percent); avoiding checkpoint (2.8 percent); and random breath test (2.4 percent) (NZ Police, 2008).

94. International research also supports the view that most pursuits follow traffic/driving offending of varying levels of seriousness, but some begin over known or suspected crime (usually vehicle or property theft). For example:
- Research from England and Wales found that the main reasons for initiating pursuits included dangerous/erratic driving, speeding, or situations where the driver was known to police or there was general suspicion of the driver (Docking et al, 2007).
 - Research from Queensland found that about half of pursuits were commenced after traffic/driving violations, and about a quarter related to stolen vehicles (Hoffman and Mazerolle, 2005).
 - Annual statistics from Pennsylvania recorded that 48 percent of pursuits related to traffic offences such as speeding and going through stop signs, 15 percent related to stolen or suspected stolen vehicles, and 15 percent related to felony criminal offences (Pennsylvania State Police, 2007).¹⁵
95. In some respects these figures may be ambiguous or give an unclear picture – for example, where they do not distinguish between known and suspected vehicle theft, or between violent crime and property crime.
96. As noted in the Police review *Pursuits: The Case for Change*, irrespective of the reason for police signalling the vehicle to stop, it is the offender’s failure to stop that triggers a decision about pursuit.

THE PURSUED VEHICLE

Stolen vehicles

97. In the Authority’s analysis of 137 pursuits resulting in death and serious injury:
- 52 (38%) of the fleeing vehicles were stolen;
 - 77 (56%) were not stolen;
-

¹⁵ Also see Alpert (1997) Crew & Hart (1999), and International Association of Chiefs of Police (2004).

- the vehicle status was not recorded for the remaining pursuits.

98. Police were aware of the pursued vehicle's registration number either before or during 56 of the pursuits and, of those, 29 were stolen vehicles. On another 73 occasions, Police were not aware of the pursued vehicle's registration number.¹⁶
99. In the NZ Police *Review of Pursuits April 2004-May 2007*, 23.3 percent of the pursued vehicles were stolen (NZ Police 2008).

Type of vehicle

100. In the Authority's analysis of 137 pursuits, the pursued vehicles included 116 cars, 18 motorcycles, and three vans. Of the cars, 25 were Subarus, 22 were Nissans, 12 were Holdens and 12 were Mitsubishi's.
101. In the NZ Police *Review of Pursuits April 2004-May 2007*, more than 81 percent of pursued vehicles were cars, and just over 11 percent were motorcycles. Other vehicles pursued included vans (3 percent), utes (1.5 percent), mopeds (0.4 percent), light trucks (0.4 percent), quad bikes, heavy trucks, taxis and one mobile home (NZ Police, 2008).

Risks associated with motorcycles

102. For purposes of comparison, at 30 June 2007, New Zealand's on-road vehicle fleet comprises just over 3.2 million vehicles of which just under 64,000 (2 percent) are motorcycles (Land Transport New Zealand, 2008). Motorcyclists are, in other words, far more likely than other road users to be involved in pursuits.¹⁷
103. Motorcyclists are also involved in a disproportionate number of road crashes.¹⁸ This indicates that motorcyclists are, on average, more likely than other road users to take risks and to act in ways that bring themselves to Police attention.
104. It is not possible from the Authority's sample of 137 pursuits to determine whether it is more dangerous to pursue a motorcycle than another vehicle.¹⁹

¹⁶ For the remaining eight pursuits, this information was not recorded.

¹⁷ International research also suggests that motorcyclists are involved in a disproportionate number of pursuits (For example, Pennsylvania 2007, Hoffman 2003, Brewer & McGrath 1990).

¹⁸ Of the 16,013 people injured on New Zealand roads in 2007, 1336 (8.3 percent) were motorcyclists, and of the 422 people killed on New Zealand roads in that year 41 (9.8 percent) were motorcyclists (Ministry of Transport, 2008).

¹⁹ Of the 91 people who received serious injuries in the pursuits analysed by the Authority, 12 (13 percent) were motorcyclists. This is, however, a very small sample.

THE PURSUED DRIVER

Age and gender

105. In the Authority's analysis of 137 pursuits resulting in death and serious injury, the driver's ages ranged from 13 to 47. Of the fleeing drivers:
- 52 (40%) were aged under 20 (including 10 aged 15 or under);
 - 40 (30%) were aged 20-29;
 - 29 (22%) were aged 30-39; and
 - 9 (7%) were aged 40 or over.
106. Ten of the drivers were female and the rest were male.
107. The NZ Police *Review of Pursuits April 2004-May 2007* also found that the vast majority of drivers were young males. Specifically, 50.4 percent of fleeing drivers were aged between 15 and 29, and only 2 percent were aged over 50 (NZ Police, 2008). This is consistent with international research.
108. It is notable that the age profile appears to be significantly younger for drivers involved in pursuits that lead to death or serious bodily harm, possibly indicating the effect of immaturity and inexperience.

Licence status

109. In the Authority's analysis of 137 pursuits resulting in death and serious injury:
- 72 involved drivers who were not licensed to drive any vehicle (of those, 29 were unlicensed, 40 disqualified, two forbidden and one suspended);
 - 22 involved drivers with learner or restricted licences, and in all of these cases the driver was in breach of the conditions of the licence;
 - 28 involved drivers who were licensed for the vehicle they were driving.
110. The NZ Police *Review of Pursuits April 2004-May 2007* found that: about one-third involved drivers who were not licensed to drive any vehicle (14.9 percent were disqualified, 7.4 percent were 'forbidden', 7 percent never licensed, and 3 percent had suspended licences); about one in five involved drivers on learner or restricted licences (11 percent were learner drivers, 9.8 percent were on restricted licences); and 16.9 percent involved drivers who were fully licensed. Others did not have licence details recorded. This data suggests that fleeing drivers in pursuits that led to death and serious

injury (paragraph 109) were far more likely than fleeing drivers in general to be unlicensed or disqualified.

111. While figures vary, international research also suggests that a high proportion of pursued drivers are not licensed for the vehicle they are driving. For example, one Australian study (Brewer & McGrath, 1990) found that only 44 percent of pursued drivers were licensed for the vehicles they were driving, and a United Kingdom study (Docking et al, 2007) found that 36 percent of pursued drivers were disqualified and 16 percent were unlicensed or had provisional licences.

History of offending

112. According to *Pursuits: The Case for Change* (NZ Police, 2003), just over 60 percent of fleeing drivers in a 1996-2002 sample had previous convictions. Of those, the number of previous convictions ranged from 1 to 267, with a median of 15. The most common past convictions were for burglary (12.9 percent), violence (10.4 percent), vehicle theft (10.0 percent), and cannabis (6.4 percent). Other past convictions included breaching periodic detention, using documents for pecuniary advantage, theft, theft from cars, wilful damage, and failure to answer bail conditions.
113. An Australian study (Brewer & McGrath, 1990) surveyed Police and Court records of a random sample of 38 drivers involved in pursuits and found that just over half (55 percent) had previous convictions, and about half of those had served a prison sentence or suspended sentence. Of those with prior convictions, the most common offences were: licence/registration offences (40 percent of those pursued); traffic offences (37 percent); property damage (32 percent); theft (29 percent); assault (29 percent); hindering/obstructing police (29 percent); alcohol/driving (26 percent); offensive behaviour (26 percent); and escaping bail or custody (26 percent). Brewer & McGrath concluded that pursued drivers fell into two categories: those with no prior convictions but high blood-alcohol content, and those with histories of “*aberrant driving behaviour and petty criminal offences*” who also had high blood alcohol content.
114. A UK study (Best, 2002) found that almost 80 percent of pursued drivers had previous convictions.

Use of drugs and alcohol

115. In the Authority’s analysis of 137 pursuits involving death and serious injury, 37 drivers subsequently faced excess breath-alcohol or related charges.
116. Overseas research also suggests that a significant proportion of fleeing drivers are impaired by drugs or alcohol. For example:

- One Australian study, based on three separate Queensland databases covering the period 1997-2002, reported that about one-quarter to one-third of fleeing drivers had consumed alcohol or drugs (Hoffman and Mazerolle, 2005).
- A United Kingdom study reported that 60 percent of fleeing drivers who were tested were found to be over the legal alcohol limit (Docking et al, 2007).

Reasons for not stopping

117. The Authority's analysis of 137 pursuits resulting in death and serious injury recorded reasons given by drivers and passengers in pursued vehicles for not stopping. In their interviews with Police, some of the drivers gave offence-related reasons for not wanting to get caught. These included:

- 13 who had committed crimes (one burglary, one petrol drive-off, four vehicle thefts, seven drug possessions and one possession of a weapon);
- 8 who said they had warrants out for their arrest or expected to be imprisoned if caught;
- 7 who said they had been drinking; and
- 5 who were not fully licensed or feared getting traffic tickets.

118. Many drivers gave reasons for fleeing that were not related to any specific offence. This included eight who deliberately drove dangerously in the hope that Police would give up the chase, seven who panicked, and nine who deliberately engaged Police in pursuit for reasons such as they "*enjoyed the chase*" or wanted to "*do something stupid*".

119. In seven of the pursuits, drivers or passengers said they didn't know they were being pursued. This means that these incidents did not strictly count as 'pursuits' under the definition in the pursuit policy (see paragraph 9); the incidents were nonetheless recorded in the Police database and reported to the Authority as pursuits.

120. In an often-quoted United States study (Dunham et al, 1998), researchers asked 146 prison inmates who had been involved in pursuits why they ran instead of stopping for Police:

- 32 percent said they were driving a stolen car;
- 27 percent said they had a suspended driver's licence;
- 27 percent said they were running from a crime scene or to avoid an arrest;
- 21 percent did not want to face the Police as they were under the influence of alcohol or drugs;

- 21 percent were afraid of being beaten (note that 57 percent of those interviewed said they *were* in fact beaten after they were apprehended);
- 20 percent were scared and wanted to avoid embarrassment;
- 17 percent were in possession of drugs;
- 13 percent gave ‘miscellaneous reasons’;
- 11 percent were in possession of a weapon;
- 2 percent were driving a car without permission.

121. The survey respondents were able to give more than one reason, so the numbers add to considerably more than 100 percent.

122. While it might appear significant that a quarter were ‘running from a crime scene’, it is notable that the research sample was from prison inmates and is therefore unlikely to be representative of all fleeing drivers.

Charges laid after the pursuit

123. The Authority’s analysis of 137 pursuits resulting in death and serious injury recorded information about charges laid against fleeing drivers. In all, the Authority’s files recorded 481 charges laid against drivers. This included:

- 152 charges relating to dangerous, reckless or careless driving (including causing death and injury charges);
- 134 charges relating to failing to stop (including failing to stop for police, failing to stop after a crash, failing to give name and address);²⁰
- 54 charges relating to driver licensing (such as driving while disqualified, unlicensed or without the appropriate licence) or vehicle licensing/safety;
- 48 property offences including 36 relating to vehicle theft;
- 44 charges for excess breath-alcohol or related offences;
- 16 drug offences (eight cannabis and two methamphetamine);

²⁰ Several drivers faced two or more of these charges.

- 13 weapons offences (including three related to possession of weapons and one to discharging a firearm);
 - nine violence charges including:
 - three charges of assaulting police and two relating to resisting or obstructing police (all associated with the pursuit or subsequent apprehension of the offender);
 - one charge each of kidnapping and injuring with intent (associated with events that triggered the decision to pursue); and
 - one charge each of unlawful sexual connection and male assaults female (related to events some weeks prior to the pursuit, which were not known to the officer who commenced the pursuit);
 - six charges of manslaughter, all arising from crashes that followed pursuits;
 - one charge of murder, also related to a crash following pursuit.
124. In United Kingdom research about fatal and serious injury pursuits (Docking et al, 2007), the main offences for which fleeing drivers were prosecuted were: no insurance (20 percent); dangerous driving (17 percent); driving while disqualified (12 percent); vehicle theft (9 percent); causing death by dangerous driving (8 percent); and failing to stop (8 percent).
125. The Pennsylvania Police Pursuits *Annual Report 2007* provides data about offending by fleeing drivers, broken down into pursuit-related offences and non-pursuit-related offences. ‘Non-pursuit-related offences’ were defined as those occurring before the pursuit, during initiation, or at the apprehension stage.
126. Non-pursuit-related vehicle violations were recorded in 75 percent of pursuits, non-pursuit-related crimes were recorded in 46 percent of pursuits, and drug offences were recorded in 19 percent of pursuits.
127. The most common non-pursuit-related vehicle violations were unlicensed driving, driving while licence was suspended or revoked, and driving under the influence of alcohol or drugs. Drug offences were almost all for possession.
128. The most common non-pursuit-related crimes were: 250 receiving stolen property; 151 theft by unlawful taking or disposition; 127 unauthorised use of automobiles and other vehicles; 120 resisting arrest and other law enforcement; 43 purchase, consumption or transportation of liquor; 34 simple assault; 163 other. The review does not make clear what proportion of assault charges related to events before the pursuit and what proportion related to events during arrest.

129. Two Queensland studies provided similar results:
- Brewer & McGrath (1990) recorded that, following pursuits in Queensland during the period April 1987 to February 1988, most drivers were convicted of traffic offences. Just under half were convicted of alcohol/driving offences, and 31 percent licence/registration offences. Smaller numbers (less than 14 percent) were convicted of illegal use/car theft and hindering/obstructing police, and 3.5 percent were convicted of assault.
 - Another Queensland study (Hoffman and Mazerolle, 2005) found that in about half of pursuits the driver was charged with an offence not directly related to the pursuit. The most common charges were drink-driving or unlicensed driving (14-18 percent) and unlawful use of a motor vehicle (9-15 percent). Other charges included breaking and entering (6 percent), receiving stolen property (3-5 percent), drug offences (2-6 percent), and armed robbery/robbery with violence (2-3 percent – i.e. one person in each of the study samples).
130. The Citizens' Police Review Board of Oakland, California reviewed pursuit policy in 2007 following public concern about pursuits that ended in death or serious injury after beginning because of non-violent offences (such as – in two cases cited – vehicle thefts and use of cannabis).
131. The review noted that many North American police agencies had adopted more restrictive policies during the 1990s, with a trend towards restricting pursuits to 'violent felons'. According to the Board:

*"Research suggests that both police officers and supervisors tend to believe that individuals who flee from the police have committed a serious offence for which they are attempting to avoid apprehension. However, empirical data does not support this proposition. In fact, evidence suggests that many individuals who flee the police have not committed any serious crime. Instead, these individuals flee because they are frightened and do not want to face the consequences of their actions, even if the charges are relatively minor."*²¹

²¹ Note that, in making this comment, Oakland's review relied on studies by Geoff Alpert, Professor of Criminology and Criminal Justice at the University of South Carolina. In New Zealand, *Pursuits: The Case for Change* also relied on studies by Alpert but drew a contrary conclusion – that pursuits "often result in evidence of more serious crime" and that most drivers who flee "have extensive records and have good reasons for wanting to evade apprehension".

THE PURSUING POLICE VEHICLES

132. In the Authority's analysis of 137 pursuits resulting in death and serious injury, 107 pursuits were undertaken by marked patrol vehicles, and 27 by unmarked vehicles. There were four files where the style of patrol vehicle was not stated.
133. Single-crewed vehicles were used in 62 of the pursuits. Another 74 vehicles were carrying two or more officers. For one file, the number of officers in the lead vehicle was not stated.

THE PURSUING MEMBERS OF POLICE

134. In the Authority's analysis of 137 pursuits resulting in death and serious injury, the Police drivers involved in the pursuits ranged in age from 21 to 51 years. Length of service (where known) ranged from one month to 33 years. The mean age was 35.1 years and the mean length of service was 7.8 years. By comparison, sworn staff are on average 39.0 years old and have a mean 11.5 years of service.
135. In eight of the pursuits, the Police drivers were women. In 125 pursuits, the drivers were men. The driver's gender was not recorded for the other five pursuits. Women represent 17.0 percent of all constabulary staff, but 6 percent of pursuing drivers.
136. Of the 137 pursuits reviewed, it was possible to determine the qualifications of Police drivers in 126. Of those, 104 had received pursuit training. Another 22 drivers were not trained. However, all but one of those pursuits took place prior to June 2006 (before driver training had been fully implemented) and in some of those the driver was accompanied by an officer who had received training. For the remainder of pursuits, information about the driver's training was not available.

POLICE ATTITUDES TO PURSUITS

137. A 1997 study for the United States National Institute of Justice (part of the Department of Justice) surveyed police officers in four jurisdictions about attitudes to pursuits (Alpert, 1997).
138. The level of support for pursuing increased in proportion to the seriousness of the offence. For example, in 'low-risk' conditions, 43 percent believed pursuits were justified for traffic violations, 65 percent for stolen vehicle, 70 percent for driving under the influence and 96 percent for violent felony involving death.

139. Support for pursuit declined if the risks were higher, especially for less serious offences. For example, in 'high risk' conditions, only 10 percent believed pursuits were justified for traffic violations, 37 percent for stolen vehicle, and 43 percent for driving under the influence – but 95 percent believed a pursuit was still justified for violent felony involving death. Levels of risk were defined by traffic congestion, weather conditions, type of road (e.g. street or highway), area of pursuit (for example, residential, commercial or rural).

PUBLIC ATTITUDES TO PURSUITS

140. A handful of US studies have considered public attitudes to pursuits, with varying results (MacDonald & Alpert, 1998). The range of results may depend partly on how the questions are framed and how much emphasis is placed on risk.
141. In one study, 76 percent of respondents felt that police officers used good judgment in deciding whether to engage in a high speed pursuit, but 60 percent reported that the police should be allowed to engage in a high speed pursuit only to prevent the escape of someone known to be a dangerous criminal (Homant & Kennedy, 1994). While these results appear ambiguous, after further research the authors felt that *"...about one third of the sample could be described as favoring significant restrictions on pursuit, about one-third are law enforcement/pursuit oriented, and about one-third take a moderate or compromise position"*.
142. Another study (MacDonald & Alpert, 1988) covering three US cities found that public support for pursuits varied considerably depending on risks. For example, in high risk conditions, 96 percent of respondents in one of the cities supported pursuit for violent offences but only 13 percent supported pursuit for traffic offences. In low-risk conditions, 47 percent supported pursuit for traffic offences. The authors concluded that *"the public overwhelmingly supports pursuits for serious criminal offences"* but *"the public's support for pursuits diminishes with the seriousness of the offence for which the pursuit was initiated"*.
143. There is no comparable New Zealand research.

DETERRENCE AND RISK

Do pursuits increase risk?

144. Some United States research suggests that the act of pursuing increases the dangers presented by the driver who has failed to stop. Specifically, in the United States study of prison inmates (Dunham et al, 1998), 53 percent were willing to run from Police at all

costs, while 70 percent said they would have slowed down when they felt “safe” (i.e. safe from apprehension).

145. Research by the United Kingdom Police Complaints Authority (Best, 2003) also suggests that initiation of a pursuit increases risk-taking behaviour by drivers. Comparing driver behaviour before and after pursuits (based on police reports), Best suggested that after a pursuit commenced there was “clear... escalation of risk-taking behaviour”, including increased speeding, erratic or dangerous driving, running lights, and driving on the wrong side of the road.

Do pursuits provide a deterrent effect?

146. It is sometimes suggested that the act of pursuing will deter drivers from fleeing. The research on this subject is very limited and the evidence unclear.
147. In one United States study, 15 percent of respondents asked if they would be tempted to elude police at traffic stops if they knew police were not allowed to pursue. Of those who answered, 4 percent strongly agreed (that they would be tempted to flee), 11 percent agreed, and 78 percent disagreed (Homant & Kennedy, 2004).
148. In the United States study of prison inmates (Dunham et al, 1988):
- drivers who had been previously chased and caught were seven times more likely to flee;
 - drivers who thought about the punishment they might receive were five times more likely to flee;
 - drivers who were concerned for their own safety were twice as likely to flee (the study’s authors suggested that concern at being beaten after a pursuit outweighed concern over safety during the pursuit); and
 - drivers who were under the influence of alcohol or drugs were 1.75 times more likely to flee (Dunham et al, 1998).
149. These results suggest that the threat of pursuit will deter some drivers from fleeing, but this effect will be reduced for the most serious offenders or those whose judgment is impaired.
150. As explained in more detail in paragraphs 169 to 178, US jurisdictions that have adopted more restrictive pursuit policies have not experienced an increase in crime rates or rates of failure to stop.

Are some pursuits safer than others?

151. Several overseas studies have attempted to determine whether some methods of managing pursuits are safer than others. After considering pursuits in Wales during 2002-03, for example, Best (2003) suggested a link between pursuit speed and distance, collision rate, and rate of arrest – in other words, the slower the pursuit and the more distance between the pursuing police vehicle and the fleeing vehicle, the less likely there was to be a collision and the less likely there was to be an arrest. Best suggested that this meant *“greater police engagement increases the likelihood of both positive and negative outcomes”*.
152. A United States study (Alpert, 1997) reported that pursuits were more likely to result in injury if more police vehicles were involved, if speeds were higher, and if the pursuit took place in a residential area. However, the study also reported that the more cars involved the more likely a pursuit was to result in apprehension.
153. The study of prison inmates by Dunham et al (1998) found that those who ran because they were under the influence of drugs or alcohol were less likely to be caught (presumably because they took greater risks to get away).
154. Another US study (Senese & Lucadamo, 1996) also suggested that accidents were more likely in pursuits: involving several police vehicles; in non-clear weather conditions; initiated because of a criminal event; and in a location other than an expressway. Pursuits that crossed from one jurisdiction into another were also more likely to end in accidents. There was no correlation between the accident rate and the pursuing officer’s age and length of service. Nor was there any correlation with pursuit duration or speed.

THE PSYCHOLOGY OF PURSUIT

155. The functions of NZ Police include keeping the peace, maintaining public safety, enforcing the law, preventing crime, and providing community support and reassurance (Policing Act 2008). Police officers, in their oath of office, swear to *“keep the peace and prevent offences”*.
156. Drivers who fail to stop for Police are not only committing offences and putting themselves and others in danger, they are also challenging Police authority and ability to enforce the law.

157. This challenge can create a situation in which officers become personally involved and their judgment is clouded.²² As one US study (Homant and Kennedy, 1994, p116, in MacDonald & Alpert, 1998) put it:

“All too often, an officer becomes so personally involved in the capture of a suspect that the safety of others is forgotten. The chase then becomes a matter of professional pride in driving skill: the officer concentrates only on winning.”

158. Other research (Falcone, Wells & Charles, 1992) has suggested that officers can find it difficult to call off a pursuit once they become involved.

“Not only did they report that the chase often became a personal challenge requiring them to win over the violator, but they frequently admitted to a high state of excitement that often shaded their good judgement.”

159. This phenomenon is sometimes referred to as ‘red mist’.
160. In addition, physiological factors such as the adrenalin rush associated with ‘fight or flight’ situations may affect officers’ judgement.
161. In addition, United States research has found a correlation between ‘risk-taking’ or ‘sensation-seeking’ personalities and willingness to pursue, and suggested that personality testing might make officers and their supervisors aware of a predisposition to pursue, and therefore guard against that predisposition (Homant, Kennedy & Howton, 2001).
162. Physiological and psychological factors such as ‘red mist’ and a ‘fight or flight’ response are, of course, likely to have significant impacts on the behaviour of fleeing drivers, who, as noted previously, are likely to be young and may have been drinking and/or taking drugs.

²² This is one of the reasons why the NZ Police pursuit policy requires oversight by a pursuit controller at the relevant Police communications centre.



International Pursuit Policies

INDEPENDENT POLICE CONDUCT AUTHORITY

163. New Zealand is not alone in facing a difficult balance of risks and benefits in its management of pursuits.
164. As part of this review, the Authority has also considered other policies from the United States, Canada, Australia and the United Kingdom, along with international research about pursuit policies and findings from the three Police reviews of pursuits (2003, 2007 and 2008).
165. In common with New Zealand, many overseas policies express a requirement that safety takes precedence over apprehension of offenders. Many also have similar chains of command and similar requirements in terms of: communication; use of sirens and lights; the need to undertake risk assessments before and during a pursuit; restrictions on the numbers and types of vehicles that can be used in a pursuit; and classification of drivers who may lead a pursuit. Most policies reviewed also share a definition of pursuit that is similar to New Zealand's, in that three factors are involved: police signal a driver to stop; the driver fails to stop and consciously takes action to evade police; and police take action to apprehend the driver.
166. However, there are also differences between jurisdictions in terminology, responsibilities, the threshold for beginning a pursuit, the risk factors that must be weighed up before and during a pursuit, and the level of emphasis on strategies for bringing pursuits to a safe conclusion.

THRESHOLD FOR COMMENCING PURSUIT

167. The most significant issue that arises from consideration of overseas policies is the threshold for commencing pursuit. International policies take three approaches to defining this threshold:
 - a 'judgemental' or 'discretionary' policy – allowing officers to make all major decisions on initiating, managing and terminating pursuits;

- a ‘restrictive’ policy – placing restrictions on officers’ judgments over when and how to pursue;
 - a ‘discouraging’ policy – strongly discouraging pursuit except for serious crime (Alpert, 1989).
168. The policy introduced in New Zealand in 2004 can fairly be described as a ‘restrictive’ policy. It requires risk assessment before commencement and continuation of pursuit, restricts pursuit tactics, requires information to be provided to Police communications centres, and gives pursuit controllers – not drivers – overall responsibility for coordinating pursuits. In these respects, New Zealand’s policy is within the mainstream of international pursuits policies.
169. In North America, the trend over the past two decades has been towards making pursuit policies more restrictive, and some jurisdictions have gone considerably further than New Zealand in adopting ‘discouraging’ policies (Oakland Police Review Board, 2007).
170. As one example, Police in Victoria, Canada in 2007 adopted a policy restricting pursuits to situations where there were reasonable grounds to believe the driver or passenger of a vehicle *“has committed, or is about to commit a serious criminal offence involving the imminent the threat of grievous bodily harm or death to any person”*. The policy explicitly prohibited pursuits when the offence was solely a traffic or property crime. The policy change reflected views expressed by the British Columbia Supreme Court and Court of Appeal, and was expected to reduce the number of pursuits by more than 90 percent.
171. Several United States jurisdictions also restrict pursuits to very serious and/or violent offending.²³
172. Another approach is to restrict pursuits to situations where the driver presents a serious and immediate threat to public safety. For example, the Boston, Massachusetts policy allows pursuit where a vehicle is being operated *“in an erratic or dangerous manner that poses threat or harm”*. Long Beach, California allows pursuits only when the driver is so impaired he or she may cause death or serious injury; both also allow pursuits for violent offences (Hoffman, 2003). The Ontario, Canada policy allows pursuit where there is *“an immediate need to identify the driver or the vehicle or stop the driver from harming the public that outweighs the risk to public safety from the chase”*. Oakland, California allows pursuits when the driver presents an *“unreasonable threat”* to the

²³ For example: Austin, Texas; Long Beach, California; Orange County, California; Salt Lake City, Utah; San Francisco, California; Phoenix, Arizona; and Philadelphia, Pennsylvania (Hoffman 2003; Cabrera 2004).

public or police. It is notable that there are differences between these policies over the level of threat to safety that justifies pursuit.

173. Still another approach is to restrict pursuits to situations that relate to a specific, known offence (as opposed to an assumption that a driver who flees must have something to hide). Queensland has such a policy, but doubts have been expressed about compliance, precisely because officers believe that fleeing drivers “*could be hiding something more serious*” (Hoffman and Mazerolle, 2005).

The impact of more restrictive policies

174. North American research suggests that, when ‘violent offender only’ policies are introduced, there is a dramatic fall in the number of pursuits and pursuit-related injuries and fatalities, but no corresponding increase in crime or vehicle offending rates (for example, Alpert, 1997; Oakland Police Review Board, 2004; Homel, 1994).
175. The most often-quoted example is Miami-Dade County in Miami, Florida, which adopted a violent offenders only pursuit policy in 1992. Before the policy was introduced, Miami-Dade police were conducting about 350 pursuits a year. In 1993, the first full year of the new policy, the number dropped to 51 and remained relatively stable thereafter. The proportion of pursuits ending in crashes remained relatively stable at about 35 percent of all pursuits. However, as Alpert (1999) reported:

“Many of the crashes prior to 1993 were for traffic and other minor offenses compared to the violent felonies that prompted the more recent pursuit-related crashes.”

176. Furthermore, Alpert reported that the more restrictive policy had not contributed to any increase in criminal offending. In contrast:

“The crime rate and criminal offenses have also declined in Miami-Dade’s jurisdiction over the years, which follows the national trend. Additionally, police commanders report that there has been no change in crime because of the change in pursuit policy and that there has not been a significant change in the number of suspects who attempt to flee.”

177. Alpert also reported that vehicle theft numbers had declined in Miami-Dade.
178. The Los Angeles Police Department reported a significant drop in pursuit numbers after a ‘violent offenders only’ policy as introduced (Thompson, 2005), and the Oakland, California Citizens’ Police Review Board (2007) reported lower pursuit numbers and no increase in overall crime after ‘violent offenders only’ policies were adopted in Phoenix, Arizona and Dallas, Texas.

Legal liability for pursuits

179. In the United States and Canada, liability for the outcomes of police pursuits is a significant issue, with lawsuits costing police departments millions of dollars each year (Hicks, 2006). This may have encouraged the adoption of more restrictive policies in several states.
180. Though legal liabilities and pursuit policies are not directly comparable to New Zealand,²⁴ North American Court cases highlight the dilemmas involved in initiating and managing pursuits, and, in particular, the extent to which the decision to pursue can be seen as causing or contributing to subsequent death or injury.
181. In *Scott v Harris* (US Supreme Court, 2007) Police were found to be justified in ramming a fleeing driver's car even though this caused a crash which left the driver a quadriplegic. The pursuit had started after the driver was seen speeding, swerving around other cars, crossing the centre-line, forcing cars on to the shoulder to avoid being hit, running red lights, and travelling in the wrong lane. The Court determined that the decision to ram the fleeing driver's car was certain to eliminate the risk to innocent members of the public, whereas calling off the chase would not:

"First of all, there would have been no way to convey convincingly to [Harris] that the chase was off, and he was free to go..."

"Second, we are loath to lay down a rule requiring the police to allow fleeing suspects to get away whenever they drive so recklessly that they put other people's lives in danger." (Ashton, 2007)"

182. In other words, the pursuit was justified because the threat to public safety was so great.
183. In *Radke v M.S.* (British Columbia Court of Appeal, 2007), a police officer was found to be partially liable for injury to an innocent bystander after initiating a pursuit of a known stolen vehicle from the scene of a breaking and entering incident. Initially, the stolen car was travelling under the 50kph speed limit. However, when the officer turned on his lights and siren and initiated a pursuit, the stolen car sped up, drove through two stop signs, and collided with another vehicle, injuring its occupant (Mr Radke). The stolen car was moving at about 70kph when the collision took place. The entire pursuit took 46 seconds.

²⁴ In New Zealand, personal injury is covered by the Accident Compensation scheme, but there is civil liability for property damage.

184. A lower Court found that the police driver was negligent in that he had failed to properly balance the need to apprehend the offender (for an offence that was “*not a serious one*”) against the risks to public safety. The Judge commented:

“While I acknowledge [the fleeing driver] was not obeying traffic signs, it was not until the pursuit commenced that he began driving dangerously. His dangerous driving and the accident was a consequence of the police pursuit.”

185. The judgment was upheld in the British Columbia Court of Appeal, which found that the pursuit “*was a cause of the collision*”, consistent with a ‘but for’ test (i.e. the accident would not have happened ‘but for’ the decision to pursue).

RISK FACTORS AND SAFETY CONSIDERATIONS

Objective of pursuits

186. New Zealand’s policy does not define a specific objective of pursuits. Some policies do. Northern Ireland, for example, defines the strategic objective of any pursuit as being:

“... to protect life and property, preserve order, prevent the commission of offences and where an offence has been committed, to take measures to bring the offender to justice.”

Risk factors

187. Pursuit policies typically require officers to undertake a risk assessment before commencing a pursuit. The factors that must be taken into account under New Zealand’s policy – speed, occupant characteristics, weather, environment, traffic conditions, and officer and vehicle capabilities – are common to other policies. Some require additional factors to be taken into account or ‘frame’ the risk factors differently. For example:

- level of danger or risk-taking by the pursued driver (United Kingdom);
- reason for the initial attempt to stop the vehicle (UK);
- seriousness of the offence or suspected offence (UK);
- whether occupants of the vehicle are armed (UK);
- whether there are juveniles or other ‘vulnerable persons’ in the vehicle (UK, and Oakland, California);
- the type of vehicle being pursued (UK);

- availability of tactical options to bring the pursuit to a safe end (UK);
- likely outcome of the pursuit (Victoria, Australia);
- quality of radio communications (Oakland, California);
- availability of air or field support (Oakland, California);
- the safety of occupants of the fleeing vehicle (Oakland, California);
- the distance between the pursuit and the fleeing vehicles (Oakland, California);
- level of risk-taking by the pursued driver (UK).

188. The United Kingdom's Independent Police Complaints Commission has questioned whether, within time constraints involved in making decisions about whether or not to pursue, it is practical for police staff to complete a full, complex risk assessment. The Commission suggested prioritising the risk assessment criteria (Docking et al, 2006).

PURSUIT MANAGEMENT AND TACTICS

Use of Tactics

189. Some policies allow a wider range of tactics to end a pursuit than are allowed in New Zealand. For example, some allow for vehicle contact in some circumstances (e.g. Northern Ireland; Victoria, Canada; Oakland, California).
190. Northern Ireland's policy only allows pursuit when there are tactics readily available to ensure a safe conclusion:

*"It must be stressed that a tactical option MUST be available to officers to deal with pursuits... The underlying principle will be, **No Tactics, No Pursuit.**"*

Control of pursuits

191. The NZ Police *Review of Pursuits April 2004-May 2007* noted that, in some jurisdictions, the communications centre is directly in control of a pursuit, whereas the New Zealand policy shares control among the pursuing officer, pursuit controller, and/or senior sworn officer in the primary pursuit vehicle (albeit with the pursuit controller having overall control). The pursuing driver can, at any time, decide to abandon the pursuit and that decision cannot be overruled (NZ Police, 2008).

Distance from pursued vehicle

192. Northern Ireland's pursuit policy requires the police driver to stay an adequate distance away from the vehicle being pursued, and avoid any action that places *"additional*

pressure” on the driver who is being pursued. This is because “Research has shown that pursuing a vehicle too closely can significantly increase the pressure upon the driver being pursued and increase the likelihood of a collision.”

Involvement of other vehicles

193. Some policies are more explicit than New Zealand’s in restricting involvement of dog units, pursuit of motorcycles, and numbers of vehicles involved in a pursuit (e.g. Oakland, California). Some explicitly forbid ‘parallel pursuit’ (that is, two or more vehicles pursuing separately along parallel routes) and drawing level with the pursued vehicle except in extreme circumstances (for example, Australian Capital Territory; Oakland, California).

SUMMARY

194. New Zealand’s policy is within the mainstream of international pursuit policies.
195. Internationally, there has been a trend over the past 20 years towards adoption of more restrictive policies, and New Zealand has been part of that trend with the abandonment of ‘elective’ pursuits and adoption in 2004 of a policy that prioritises safety. Some jurisdictions have, however, gone considerably further than New Zealand by restricting pursuits to situations where the fleeing driver has committed or is about to commit a violent offence, and/or situations where public safety is perceptibly in immediate danger and the pursuit will reduce that danger.
196. New Zealand’s policy also differs from some overseas policies in the range of risk factors that must be considered before a pursuit commences, and in some aspects of pursuit management such as the tactics available for concluding pursuits. However, it is not clear that these differences are significant in terms of pursuit management and outcomes.



Conduct of Pursuits in New Zealand

INDEPENDENT POLICE CONDUCT AUTHORITY

197. Having considered data on pursuit outcomes, this section examines individual files to determine how the pursuit policy is applied in practice.

CASE STUDIES

198. The following brief case studies provide an insight into some of the issues Police officers face in deciding whether to pursue:
- i) A Police officer saw a driver travelling at excessive speed in an urban Auckland street. When the officer turned on his flashing lights and siren the driver sped up and turned a corner. The officer called in a pursuit but abandoned it almost immediately when the fleeing driver went through a red light at 110kph. About 20 seconds later, the fleeing driver crashed into another car; both drivers suffered minor injuries. The fleeing driver was convicted of careless driving causing injury, and driving while disqualified.
 - ii) Two Police officers were driving towards a known drug house when they saw a car pull up outside. They attempted to pull up to speak with the two men in the car, but the car sped away. The police driver turned on his lights and siren and called in a pursuit. The pursuit lasted 40 seconds before the fleeing driver went through a red light at about 70-80kph and hit another car, injuring that car's driver. The driver of the fleeing vehicle was later charged with vehicle theft and possession of class A drugs as well as offences related to the pursuit.
 - iii) A driver was seen travelling at speed on a suburban road shortly after 1am. Police signalled for the driver to stop but the driver instead sped up. The driver continued to flee even after Police used road spikes to puncture his car's tyres. The driver was eventually caught and charged with driving while disqualified, reckless driving and failing to stop.
 - iv) A Police patrol saw a motorcyclist driving erratically and followed it at a speed of about 80kph. The Police driver turned on his lights and siren to initiate a pursuit.

As the officer was calling in a pursuit the motorcyclist, who was heavily intoxicated and on a learner licence, sped up to 120kph-140kph, failed to take a corner and crashed, seriously injuring himself. The pursuit took seven seconds. The motorcyclist faced charges of excess blood alcohol, failing to stop, and dangerous driving.

- v) A motorcyclist was seen driving over the speed limit along a suburban road. An officer saw the motorcyclist, and turned on his lights and siren. The motorcyclist sped up. The officer called in a pursuit, which lasted for about four minutes and reached speeds of 100kph before the motorcyclist collided with a car, seriously injuring himself. The motorcyclist had consumed methamphetamine and cannabis, and was charged with drug offences and dangerous driving.
- vi) A Police officer in an unmarked car saw a motorcyclist doing a wheelstand and accelerating. The Police officer turned on his flashing lights and siren. The motorcyclist sped away and the officer commenced a pursuit. The Police car reached speeds of up to 145kph but remained 1km or more behind the motorcyclist, who was estimated to have reached speeds of 160-170kph before crashing. The motorcyclist later explained that he *"saw red and blue flashing lights and just went for it"*. He was convicted of careless driving and other driving offences.
- vii) Two Police officers in a patrol car saw a Subaru with two *"suspicious males"* inside. The officers planned to stop the Subaru and speak to the men. The Subaru didn't stop. The Police driver turned on his lights and siren and called in a pursuit. The fleeing car reached speeds of up to 100kph in a 50kph zone. At one point the car stopped and its passenger climbed out. One Police officer arrested the passenger while the other officer continued the pursuit. The fleeing driver collided with another car. No-one was seriously injured. The Subaru was later found to have been stolen. The driver pleaded guilty to charges of failing to stop, operating a motor vehicle recklessly, and unlawful taking of a motor vehicle.
- viii) A motorcyclist was seen driving erratically and, in particular, dangerously overtaking two other vehicles. Police began a pursuit, which ended less than a minute later when the motorcyclist crashed into a car stopped at a red light, breaking his leg. The motorcyclist was found to be in possession of a pistol and cannabis. He was subsequently charged with possession of a firearm, possession of an explosive, possession of cannabis, reckless driving and other driving offences related.
- ix) A driver was seen doing speeds in excess of 130kph on a rural highway. Police signalled for the driver to stop. When the driver refused to stop a pursuit was commenced. The pursuit lasted for just under 17 minutes. During that time the

pursuing officer held back his speed, leaving distances of 300-400 metres between himself and the fleeing driver. Another officer laid road spikes ahead of the fleeing driver. To avoid the spikes, the driver veered on to a grass verge and ran into a tree, seriously injuring himself. The driver was later found to be wanted for several serious domestic violence offences and for breach of bail. He later told Police he would not have stopped under any circumstances.

199. Most of the pursuits referred to above are typical, in that they commenced over traffic offending and followed a pattern in which Police signalled for the driver to stop, the driver instead accelerated away, and Police pursued. All were conducted according to the policy applying at the time they took place.
200. The following pursuits commenced over traffic offending and ended in fatality, while also complying with the policy:
- i) On Christmas Eve, 2006, Police stopped a car at a traffic light in central Auckland because it had been speeding and because one of the teenage passengers was standing up through the sunroof. The driver of the car sped off and around a corner. Police pursued, justifying the decision partly on the basis of suspicion that the teenagers in the fleeing car might have committed offences other than speeding and failing to stop. The pursuit reached speeds of about 200kph before the pursued car crashed, killing its three teenage occupants. Though the speed was higher than was justified by the circumstances, the pursuit was commenced and conducted according to policy.
 - ii) On 9 February 2008, Police in Timaru signalled for a car to stop, with the intention of breath testing the driver. The car sped off. Police pursued for 17 minutes over a distance of 26 kilometres, during which passengers in the car pleaded with the driver to stop. The pursuit ended when the car crashed on a rural road, killing a 17-year-old passenger. Though the pursuit had commenced only on general suspicion of drink driving, the required risk assessments were carried out and the pursuit was conducted according to policy.
 - iii) On 4 April 2004, a driver was signalled to stop after Police saw it on a road where – in order to combat illegal street racing – light vehicles were banned at night. The driver slowed but then sped off. Police pursued, and less than a minute later the driver collided with a tree and was killed instantly.
201. In the three pursuits referred to above, the decision to commence was based partly or wholly on *suspected* offending, as distinct from *known* offending. Although in each case the decision to commence was consistent with the pursuit policy, the Authority questions whether, in hindsight, it can be said that the need to effect immediate apprehension of the offender genuinely outweighed the risk to life.

202. While the pursuits referred to in paragraphs 198 and 200 complied with the pursuit policy, the following did not:

- i) In December 2008, a Subaru car was 'clocked' travelling at 77kph in a 50kph area. Police commenced a pursuit, reaching speeds of up to 100kph near a hospital in a busy urban area. When the fleeing driver turned the wrong way up a one-way street, Police initially abandoned the pursuit, but then decided to "hang on" and, with lights and siren still activated, followed the Subaru up the one-way street against the traffic. The fleeing driver went through a red light and crashed into another car, seriously injuring himself and the car's two adult occupants. The pursued vehicle was later found to be stolen and the driver was charged with vehicle theft and driving offences. In the Authority's view, the risks involved in commencing and continuing this pursuit outweighed the need to apprehend the offender. The pursuing officer failed to inform the Police Communications Centre about the speed of the fleeing driver, and failed to seek authorisation to recommence the pursuit after it had been abandoned. Had the Communications Centre been properly informed, it would have called off the pursuit, potentially preventing a serious crash.
- ii) In September 2007, Police received a call about an intoxicated driver leaving a bar in a North Island town. A short time later, a Police officer saw the car on the highway north of the town and followed it at speeds in excess of 180kph, trying to catch up. The officer did not activate his vehicle's lights and siren until it caught up with the car as it slowed at another town. The pursuit then continued, first on the highway and then on a narrow, unlit rural road where the officer lost sight of the fleeing car but continued to follow at speeds of up to 160kph. The pursuit ended when the officer's vehicle failed to take a bend and crashed, causing minor injuries.

COMMON ISSUES WITH CONDUCT OF PURSUITS

203. The Authority is not aware of any evidence that officers systematically disregard the pursuit policy. On the contrary, it appears that the majority of pursuits are conducted in accordance with policy. However, some of the Authority's investigations have raised issues about how the policy is interpreted in practice, and about other aspects of pursuit management.

204. These issues include:

- **Speed** – As noted earlier in this report, pursuits sometimes reach very high speeds, in some cases double the speed limit. Under the NZ Police Pursuit policy, the acceptable speed depends on the balance between risk to safety and immediate

need to apprehend the offender, and very high speeds may be justified in some circumstances.

The Authority has, however, considered cases in which speeds are clearly excessive (some are referred to in the case studies above).

Though there are obvious reasons for not imposing a pre-determined upper limit on pursuit speed, the Authority has previously expressed the view in public reports that speeds around 200kph in 100kph areas cannot be justified except in exceptional circumstances. The Authority has, similarly, expressed concern about speeds of around 100kph in urban areas.

- **Number of vehicles involved** – The policy requires communications centres to ensure that no more than two vehicles take part in any pursuit unless using more vehicles is *“tactically appropriate”*.

The Authority is aware of pursuits in which many more vehicles have taken part for no evident tactical reason and without the approval of the communications centre.

- **Assumptions about reasons for fleeing** – The Authority’s files indicate that pursuits often commence because of an assumption that the fleeing driver may have committed serious offences, even though that view is not supported by evidence (see paragraphs 117 to 119, and the case studies in paragraph 201).

In one 2007 pursuit, a Police driver who was found to have breached the pursuit policy by continuing a pursuit at high speed subsequently defended his actions by arguing that officers would face criticism *“if we had pulled out of a pursuit and later found that the driver was fleeing from a murder scene”*. The fleeing driver had been signalled to stop for breaching the speed limit, and faced no charges other than those arising from the pursuit. Any supposition about serious offending was entirely speculative.

- **The Police oath of office** – Some officers have commented, when giving reasons for pursuit, that the Police oath (see paragraph 155) imposes an obligation to pursue vehicles in order to prevent offending.
- **Use of spikes** – Road spikes provide a tactical option for safely ending a pursuit, but in some circumstances can also increase danger to officers or others. Though both policy and training provide guidance on when it is safe to use road spikes, there are examples of officers placing themselves and others in serious danger by deploying spikes as a fleeing drivers are approaching at high speed, and in some pursuits (such as the rural pursuit referred to in paragraph 198.ix) fleeing drivers have crashed after swerving to avoid road spikes.

- **Drug and alcohol testing** – Officers involved in pursuits that end in death or serious injury are not routinely tested for drug and alcohol impairment. Routine testing in such circumstances is not simply a matter of accountability; it would also provide protection for officers from false allegations of impairment.
- **The presence of passengers in the pursued vehicle** – Though the policy requires officers to consider ‘occupant characteristics’ before commencing a pursuit, it is not clear that the potential for risk to the safety of passengers is always adequately considered.
- **Communication** – The Authority is aware of pursuits in which the pursuing driver fails to notify the communications centre that a pursuit has commenced, or does not respond fully to requests for information, or fails to follow instructions from pursuit controllers (for example, see the case study in paragraph 202.i). Communications Centre oversight is crucial to the safe conduct of pursuits. Proper communication allows pursuit controllers to assess the risks involved and form views about whether the pursuit should continue or be abandoned. It is important to ensure compliance with the communications requirements of the policy by taking remedial action against officers who fail to comply.
- **Radio channels** - The Authority is aware that the load on Police radio channels can result in a pursuit not being able to be called in as soon as it has commenced – by which time there may already have been a crash. It is acknowledged that the Police are taking steps to ensure that radio channels are free for urgent communication (see paragraph 57).



The Authority's Views

INDEPENDENT POLICE CONDUCT AUTHORITY

DECISIONS TO COMMENCE AND ABANDON PURSUITS

205. As soon as a pursuit commences, the danger to public safety is increased. From that point, an offending driver who refuses to stop is more likely to take risks, such as speeding and failing to slow at intersections, resulting in increased risk to vehicle occupants, Police, and members of the public. Of those pursuits that end in harm, many do so within a very short time. Therefore, of all issues relating to pursuit policy and management, by far the most important is the basis on which a pursuit may commence.

Does the pursuit policy provide sufficient guidance for Police officers on commencement and continuation of a pursuit?

206. A pursuit occurs when an officer has signalled for a driver to stop, *and* the driver has failed to stop and has taken action to evade the Police, *and* the Police take action to apprehend the offender. The crucial decision to commence a pursuit therefore occurs in those few seconds after the offending driver has failed to stop and has attempted to evade the Police. In that time, the officer is required to consider six distinct risk factors and determine *“whether the need to immediately apprehend the offender is outweighed by the potential risks of a pursuit”* to the public, the occupants of the pursued vehicle, or the police.

207. This decision is made rapidly, under pressure, and without full knowledge of the risks and benefits (since it cannot be known for any specific pursuit whether the decision to pursue will influence the fleeing driver to stop or to become more reckless, nor whether the pursuit will lead to detection or prevention of any offending other than the behaviour that first attracted Police attention).

208. The officer may have been influenced by training (which, prior to 2009, emphasised the possibility that a fleeing driver was likely to be running from a crime scene and/or had committed a serious offence), and by other factors such as the Police oath of office and that a fleeing driver is directly and personally challenging the officer's lawful authority.

209. The policy, as it was written in 2004, required consideration of risks but lacked specific guidance as to what circumstances created an “*immediate need to apprehend*”. It also contained no guidance on the weight to be given to the seriousness of the offending by the driver who had failed to stop (NZ Police, 2008); on whether general suspicion or a failure to stop in themselves could be judged to create an immediate need to apprehend; and on what constituted an “*unjustified*” risk to the safety of members of the public, Police and people in the pursued vehicle. The evidence suggests that Police staff applied the policy inconsistently, with some placing more weight than others on the seriousness of the offending in determining whether a pursuit is justified.
210. Furthermore, while the policy stated that public and staff safety must take precedence over apprehension, the risk assessment that officers were required to carry out places little weight on the *inherent* risks of pursuit (such as the fact that about one in four will end in a crash). Rather, it places weight only on factors that *increase* the risks involved in pursuit, such as weather and road conditions.
211. Though the 2004 pursuit policy was intended to provide clearer guidance and to restrict pursuits to circumstances in which they were clearly justified, in practice pursuits that complied with the policy were commenced in a very broad range of circumstances, from known crime scenes to minor traffic offending or just general suspicion. Some pursuits have commenced over general suspicion and ended in serious injury or death.

Conclusion

212. Overall, the 2004 policy left considerable discretion to individual officers to determine what circumstances justify pursuit. If an officer had conducted a risk assessment and made a judgment that the “*immediate need to apprehend*” the offender outweighed the risks, the pursuit would generally comply with policy. The standard that must be met before commencing a pursuit was, in other words, highly subjective.
213. Though the policy was amended in July 2009, the changes did not substantially alter the threshold required to commence a pursuit, nor did they directly address the issues described in paragraphs 209 to 211 above.

THE AUTHORITY’S VIEW

The pursuit policy does not provide sufficiently clear guidance for officers on commencement and continuation of pursuits. In particular, clearer guidance is needed on the circumstances that create an immediate need to apprehend, and/or the level of seriousness of offending and/or threat to public safety required to justify pursuit.

Does the policy achieve an appropriate balance between risks and benefits of pursuit?

214. Pursuit policy is, in essence, a balance between risks and benefits. The act of pursuit involves a decision that the opportunity to enforce the law and catch an offender outweighs the risk that the pursuit will end in a vehicle crash that causes injury or death.
215. In considering whether the New Zealand policy achieves an appropriate balance between risks and benefits, the following points – all noted earlier from New Zealand and international research – are relevant:
- i) **In New Zealand, about one in four recorded pursuits ends in a crash.** About one in 50 ends in serious injury, and about one in 500 ends in death. Each year during the period 19 December 2003 to 19 December 2008, at least three people died and more than 20 were seriously injured following pursuits.
 - ii) **Very few pursuits involve offenders who have committed or are intending to commit violent crimes.** Most involve people who have committed traffic offences such as speeding, drink-driving or careless driving. Offenders who flee from Police typically do so because they panic and fear the consequences of being caught for traffic, property or drug offending, rather than because they are covering up evidence of violent offences. The outcome of most pursuits is that the fleeing drivers are charged with traffic offences and/or offences arising from the pursuit itself.
 - iii) **The drivers who flee tend to be young men who have records of traffic and other offending, and have little respect for the law.** They may be unlicensed/disqualified and/or intoxicated. The threat of pursuit does not deter these drivers from fleeing the Police. On the contrary, the act of pursuit can lead these drivers to take increased risks in order to escape.
 - iv) **Where ‘violent offender only’ pursuit policies have been introduced, the number of pursuits – and therefore pursuit-related injuries and deaths – has fallen dramatically,** without any increase in overall crime rates or in rates of failing to stop. It can be argued that the evidence suggests that the more willing Police are to pursue, and the more aggressively they pursue, the greater the likelihood of both positive outcomes (apprehension of offenders) and negative outcomes (crashes, injuries, and deaths).
 - v) **The number of reported pursuits in New Zealand appears to the Authority to be high** despite the introduction in 2004 of a policy that was designed to provide clearer guidance and more discrimination.

vi) **United States research has found that “the public overwhelmingly supports pursuits for serious criminal offences” but “the public’s support for pursuits diminishes with the seriousness of the offence for which the pursuit was initiated”.**

vii) **The international trend over the last two decades has been towards more restrictive policies.**

216. Based on the above, the Authority questions the value of pursuits that begin over driving offences such as speeding, careless driving, or suspected drink driving without observable, immediate threat to public safety. That is not to downplay the seriousness of such offences, but rather to make the obvious point that there is little benefit to the public in Police taking action that is likely to make a potentially dangerous situation worse.

217. Similarly, the Authority questions the value of pursuits that begin over vehicle or property theft, when the effect of the pursuit is not only to increase danger to the public but also to risk harm to the property Police are seeking to recover.

218. It is furthermore very difficult to see a justification for pursuits that begin after a driver has been signalled to stop on general suspicion, without any offence being known to Police.

Conclusion

219. The current policy seeks to balance safety against the “*immediate need to apprehend*” (without, as noted above, stating what circumstances justify the need to apprehend). So long as the officers involved have considered the risks and formed the view that those are outweighed by the immediate need to apprehend, they may pursue.

220. In practice, this allows pursuit in circumstances that increase the risks of injury and death. In some circumstances, the pursuit may *create* those risks. When a driver who is signalled to stop for a minor traffic offence then panics and speeds up, committing far more serious traffic offences before crashing and causing injury, the benefits have not outweighed the risks.

221. In the Authority’s view, the “*immediate need to apprehend*” should be based solely on safety considerations, as it was in imperative pursuits prior to the introduction of the current policy in 2004 (see paragraph 39).

THE AUTHORITY’S VIEW

The current policy does not achieve an appropriate balance between risks and benefits. The risk to public safety from *not* stopping an offender should be the principal determining factor justifying the decision to commence and continue a pursuit.

PURSUIT OF MOTORCYCLES

222. As noted in paragraphs 102 to 104, motorcyclists appear to be more likely than other road users to engage in behaviour that attracts Police attention and leads to pursuit. Motorcyclists are more likely than other road users to be involved in injury crashes. It is, however, not possible from the available data to determine whether it is more dangerous to pursue a motorcycle than another vehicle.

THE AUTHORITY'S VIEW

As the new pursuit database is implemented, it would be beneficial for the Police to gather data about the outcomes of pursuits involving motorcycles in order to determine whether the risks are greater than pursuit of other vehicles. If the risks are greater, consideration could be given to providing specific guidance, either in the pursuit policy or through training, on the circumstances that justify pursuit of motorcycles.

PRESENCE OF PASSENGERS IN PURSUED VEHICLES

223. As noted, the risk assessment in some international policies requires explicit consideration of the presence of juveniles or other 'vulnerable persons' in the pursued vehicle. New Zealand's policy requires consideration of 'occupant characteristics' as part of the risk assessment, and requires consideration of whether the "*immediate need to apprehend*" outweighs risks to the safety of occupants of the pursued vehicle.
224. In practice, some pursuits end in death or injury to passengers of pursued vehicles who have had no part in the decision to flee Police and, indeed, may have been urging the offending driver to stop.

THE AUTHORITY'S VIEW

It would be appropriate to consider whether the risk assessment should require more explicit consideration of the presence of passengers, and the age of all occupants, in pursued vehicles.

PURSUIT REPORTING AND ACCOUNTABILITY

225. The number of pursuits, along with the reasons for commencement and outcomes, are matters of legitimate public interest. However, there is no formal mechanism for public accountability over conduct and management of pursuits.

THE AUTHORITY'S VIEW

If Police reported on pursuit numbers and outcomes as some United States jurisdictions do, this would enhance accountability and provide a mechanism for the public to express a view on the appropriateness of pursuit policy.

ALCOHOL AND DRUG TESTING

226. In previous reports, the Authority has recommended that officers involved in incidents of death or serious bodily harm be examined for the presence of alcohol or drugs.
227. The Authority acknowledges that breath testing is routine if a Police vehicle is directly involved in a collision.

THE AUTHORITY'S VIEW

Examination for the presence of alcohol or drugs would protect officers involved in such incidents against baseless allegations that they were impaired.

SPEED

228. As noted previously, some pursuits reach speeds that are well in excess of speed limits.
229. In the Authority's view, it is not appropriate to place a speed limit on pursuits. First, such a limit might encourage offending drivers to speed up in order to force Police to abandon. Second, there will be exceptional circumstances where high speeds are justified because of the seriousness of offending and the level of risk involved.
230. Nonetheless, the Authority has commented in previous reports that very high pursuit speeds cannot in general be justified.

PENALTIES FOR FAILING TO STOP

231. As noted earlier, the Police have in the past expressed concern about penalties for drivers who fail to stop. It is not for the Authority to make recommendations about statutory penalties. Nonetheless, it is important to recognise that failing to stop for the Police is far from a trivial offence. A driver who flees is not only committing an offence, but also directly challenging the authority of the law, and putting his or her own life and the lives of others at risk. When a pursuit ends tragically, the principal responsibility of course belongs to the fleeing driver.

Recommendations

INDEPENDENT POLICE CONDUCT AUTHORITY

232. The Authority recommends that:

- i) Police amend the pursuit policy to provide clearer guidance on the circumstances in which pursuits are justified, in particular the seriousness of offending and/or immediate threat to public safety required to justify the decision to pursue an offender who has failed to stop and attempted to evade Police. In this context, Police should consider:
 - (a) making the risk to public safety from *not* stopping an offender the principal determining factor justifying decisions to commence and continue pursuit;
 - (b) requiring that the decision to pursue is based on known facts, rather than general suspicion or speculation that a person who flees may have committed a more serious offence.
- ii) Police consider amending the risk assessment in the pursuit policy to require consideration of the presence of passengers, and age of the driver and passengers, in the pursued vehicle.
- iii) Police gather data on outcomes of pursuits involving motorcycles to determine whether the risks are greater than those involving other vehicles, and, in turn, to determine whether specific guidance about pursuit of motorcycles is needed in the pursuit policy or training.
- iv) Police collate and publish annual figures for the number of reported pursuits that have taken place throughout New Zealand, the reasons for pursuit, and the outcomes in terms of apprehension, abandonment, collision, injury and death. This data could also include charges laid following pursuits.



HON JUSTICE L P GODDARD, CHAIR, INDEPENDENT POLICE CONDUCT AUTHORITY

October 2009



References

INDEPENDENT POLICE CONDUCT AUTHORITY

Alpert GP (1997). *Police Pursuit: Policies and Training*. US Department of Justice, Washington.

Alpert GP (1989). Questioning Police Pursuits in Urban Areas, pp216-229 in Dunham, RG & Alpert GP, *Critical Issues in Policing* (first edition), Waveland Press, Illinois.

Alpert GP (1999). Policy and Training: The First Two Building Blocks of a Pursuit Plan for the Royal Canadian Mounted Police, in *Police Pursuits and Public Safety*, report of the Commission for Public Complaints Against the Royal Canadian Mounted Police, Surrey BC.

Alpert G (2003). Interview with www.pursuitwatch.org.

Ashton R (2007), P.U.R.S.U.E., in *The Police Chief*, August.

Becknell C, Mays GL & Giever DM (1999). Policy restrictiveness and police pursuits. in *Policing: An International Journal of Police Strategies and Management* 22:1 pp93-110.

Best, D (2003). *Investigation of Road Traffic Incidents (RTIs) involving police vehicles 1998-2001*. Police Complaints Authority, London.

Best D & Eves K (2004). *Police pursuits in Wales: The results from a one-year monitoring exercise in the four Welsh police forces, 2002-03*. Police Complaints Authority, London.

Best, D & Eves, K (2005). 'Why are there no lessons learned from road traffic incidents involving the police?' in *Criminal Justice* 5:37.

Brewer N & McGrath G (1990). *Progress Report on Urgent Duty Driving – High Speed Pursuits: Offender and Pursuit Characteristics*. National Police Research Unit, Payneham SA.

Cabrera G (2004). *Pursuit Policies in Other Jurisdictions*. San Francisco Board of Supervisors, San Francisco CA.

Cameron (2007). *Independent Review of the AFP Urgent Duty Driving and Police Pursuit Guideline Review 2007*. ACT Department of Justice and Community Safety, Canberra.

Commission for Public Complaints Against the Royal Canadian Mounted Police (1999). *Police Pursuits and Public Safety*, Surrey BC.

Corbett, C (2003). *Car Crime*. Willan Publishing, Devon.

Crew RE, Kessler DA & Fridell LA (1995). Compliance with Hot Pursuit Policy, in *Evaluation Review* 19:513.

- Crew RE & Hart RA Jr (1999). Assessing the value of police pursuit, in *Policing: An International Journal of Police Strategies & Management*, 22:1.
- Docking M, Bucke T, Grace K and Dady H (2006). *Police Road Traffic Incidents: A Study of Cases involving Serious and Fatal Injuries*. IPCC Research and Statistics Series: Paper 7. Independent Police Complaints Commission, London.
- Dunham, RG & Alpert GP (1989). *Critical Issues in Policing* (first edition). Waveland Press, Illinois, 1989.
- Dunham RG, Alpert GO, Kenny DJ & Cromwell P (1998). High-Speed Pursuit: The Offender's Perspective, in *Criminal Justice and Behavior* 25; 30.
- Dunham, RG & Alpert GP. *Critical Issues in Policing* (fifth edition). Waveland Press, Illinois, 2005.
- Fishel J, Gabiddon SL & Hummer D (2007). A Quantitative Analysis of Wrongful Death Lawsuits Involving Police Officers in the United States, 1995-2005, in *Police Quarterly* 10:455.
- Hicks WL (2003). Police Vehicular Pursuits: An Overview of Research and Legal Conceptualizations for Police Administrators, in *Criminal Justice Policy Review* 14; 75.
- Hicks WL (2006). Police vehicular pursuits: a descriptive analysis of state agencies' written policy, in *Policing: An International Journal of Police Strategies & Management*, 29:1.
- Hoffman G (2003). *Police Pursuits: A law enforcement and public safety issue for Queensland*. Crime and Misconduct Commission, Brisbane.
- Hoffman G & Mazerolle P (2005). Police pursuits in Queensland: research, review and reform, in *Policing: An International Journal of Police Strategies & Management*, 28:3.
- Homant RJ & Kennedy DB (1994). Citizen Preferences and Perceptions Concerning Police Pursuit Policies, in *Journal of Criminal Justice* 22:5, 425-435.
- Homant RJ, Kennedy DB & Howton JD (2001). Risk Taking and Police Pursuit, in *Journal of Social Psychology*, 134:2, 213-221.
- Homant RJ, Kennedy DB & Howton JD (2004). Sensation Seeking as a Factor in Police Pursuit, in *Criminal Justice and Behavior* 20; 293.
- Homel, R (1994). Can police prevent crime? In Bryett K & Lewis C (eds) *Unpeeling Tradition: Contemporary policing*. Macmillan, Sydney.
- Hutson HR, Rice PL, Chana JK, Kyraciou DN, Chang Y & Miller RM (2007). A Review of Police Pursuit Fatalities in the United States from 1982-2004, in *Prehospital Emergency Care* 11:3.
- International Association of Chiefs of Police (2004). Managing Police Pursuits: Findings from the IACP's Police Pursuit Database, in *Executive Brief* Winter 2004.
- Kenney DJ & Alpert GP (2004). A National Survey on Pursuits and the Use of Police Force, pp200-209 in Thurman QC & Zhao J, *Contemporary Policing: Controversies, Challenges and Solutions*. Roxbury Publishing, Los Angeles.
- Land Transport New Zealand (2008). *New Zealand Motor Vehicle Registrations Statistics 2008*. Land New Zealand Transport Agency, Wellington.
- McCarthy L & Wright P (1998). 'Why do we make pursuit policies?' *The Police Chief*, July, p52.

- MacDonald JM & Alpert GP (1998). Public Attitudes Toward Police Pursuit Driving, in *Journal of Criminal Justice* 26; pp185-194.
- McGrath (1990). *Urgent duty driving by Australian police: Facts and recommendations*. National Police Research Unit, Payneham SA.
- May, DA & Headley, JE. *Reasonable Use of Force by Police: Seizures, Firearms and High Speed Chases*. Peter Lang, New York, 2008.
- Ministry of Transport (2005). *Motor Vehicle Crashes in New Zealand 2005: Breath and Blood Alcohol Statistics*. Ministry of Transport, Wellington.
- Ministry of Transport (2008). *Motor Vehicle Crashes in New Zealand 2007*. Ministry of Transport, Wellington.
- New Zealand Police (2009). *New Zealand Crime Statistics 2008*. New Zealand Police, Wellington.
- New Zealand Police (2003). *Pursuits: The Case for Change*. Office of the Commissioner of Police, Wellington.
- New Zealand Police (2007). *Review of Pursuits April 2004-May 2007*. Wellington.
- New Zealand Police (2008). *Review of Pursuits April 2004-May 2007*. Wellington.
- New Zealand Police (2009). Pursuits data 2005-08 calendar years (correspondence with IPCA).
- New Zealand Police (2004). *Police Pursuit Training: Facilitator's Guide*. New Zealand Police, Porirua.
- Oakland California Citizens' Police Review Board (2004). *Policy Hearing on Police Pursuits*. Oakland CA.
- Payne DM & Fenske JC (1996). An Analysis of the Rates of Injury and Fatal Accidents in Michigan State Police Pursuits: A Michigan Emergency Response Study, in *American Journal of Police* XV: 4.
- Payne DM (1997). Michigan emergency Response Study Phase III: implications of failure to report pursuits and inaccurate accident reporting, in *Policing: An International Journal of Police Strategies and Management* 20:2.
- Pennsylvania State Police Bureau of Research and Development (2007). *Pennsylvania Police Pursuits 2007 Annual Report*. Pennsylvania State Police, Philadelphia.
- Pipes C & Pape D (2001). Police Pursuits and Civil Liability, in *FBI Law Enforcement Bulletin*, July 2001.
- Senese JD & Lucadomo T (1996). To pursue or not to pursue? That is the question: Modelling police vehicular pursuits, in *American Journal of Police*, XV:4.
- Statistics New Zealand (2009). Calendar Year Offence Statistics. Available from <http://www.stats.govt.nz/products-and-services/table-builder/crime-tables/default.htm>.
- Thompson, Corporal J (2005). Police Pursuits: Are No-Pursuit Policies the Answer? Bentonville Police Department, Bentonville AR.
- Wells LE & Falcone DN (1992). Organizational Variations in Vehicle Pursuits: The Impact of Policy on Practice, in *Criminal Justice and Policy Review* 1992.

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IPCA
Level 8
342 Lambton Quay
PO Box 5025,
Wellington 6145
Aotearoa New Zealand

0800 503 728
P +64 4 499 2050
F +64 4 499 2053
www.ipca.govt.nz