

# THE CLEA CODE

## Introduction

This code is proposed by the family of Clea Rose, with the help of Civil Liberties Australia. *Clea, 21, was killed during a police car chase in 2005 when sideswiped by the vehicle chased, driven by an under-age driver under the influence of drugs and alcohol.*

The current *AFP National Guideline: ACT Policing: Urgent Duty Driving and Pursuits* is technically and legally adequate, but still open to subjective interpretation by individual police officers, often in the heat of the moment. The *Clea code* is intended to direct all AFP officers on the implementation of the AFP Guideline, as required by the ACT Government, and through it, the ACT community.

## The Clea code

The ACT Government and the AFP acknowledge that a police pursuit is the application of potentially deadly force. Police pursuits involve serious safety risks to the participants and to innocent bystanders, as well as having potential for major economic impacts on the community.

The ACT Government and the AFP declare that the sworn duty of an AFP officer to protect life and property will always have primacy over the need to apprehend offenders, especially when the offence is relatively minor, or where there are safer options other than attempting immediate apprehension.

The ACT Government and the AFP declare that pursuit is a last resort; it is only to be used where the immediate risk to life and property is greater than the risk that the pursuit would present to the participants and the public.

Officers who choose not to commence a pursuit, or to abandon one in progress, will be fully supported by the AFP, even if this results in an offender escaping from immediate apprehension or from being prosecuted.

The ACT Government and the AFP require that, to the greatest extent possible, appropriate technology, rather than pursuit, should be employed.

## **Other matters**

### **1. A suggested inclusion in the Guideline**

An AFP officer's authorisation to engage in pursuits requires re-accreditation at intervals of not more than three years.

Essential competencies will include

- Managing risk;
- Making judgements and decisions under pressure
- The *Clea code*; and
- Recognising cultural and physiological responses to situations and using effective strategies to deal with them.

### **2. Use of technology**

- Immobilisers, supplied under a government program, to reduce the incidence of vehicle theft/joyriding;
- GPS in all police cars;
- Hands free radio operation in all police cars;
- Front/rear view video camera recorders in all police cars;
- Adoption of emerging technology, e.g:<sup>1</sup>
  - Pursuit management system, e.g: [www.starchase.org](http://www.starchase.org) , which uses a laser-guided, compressed air launcher to attach a GPS tracking device onto a fleeing vehicle.

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<sup>1</sup> These suggestions are not exhaustive; we are not experts and do not necessarily endorse any of them. We provide these suggestions as lay people, having done only a cursory survey. We expect that much more information on effective technologies would be available to the AFP

- Automatic licence plate recognition system. Identifies encountered vehicles of interest to the police in real time and reports to a police car. Many sites include:  
<http://www.licenseplaterecognition.com/>  
<http://www.youtube.com/watch?v=PXjZcFesCdE&NR=1>  
<http://www.ksl.com/?nid=148&sid=220992> ;  
<http://www.platerecognition.info/>
- A car-mounted electronic device that disrupts a target vehicle's ignition system:  
<http://www.guardian.co.uk/science/2004/jul/12/science/news.crime>  
<http://ieeexplore.ieee.org/Xplore/login.jsp?url=/iel5/6668/30675/01417991.pdf?temp=x>

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Civil Liberties Australia conceived the concept of a Clea Code, which was to be an extension of existing national guidelines and practices surrounding police car chases.

The family of Clea Rose – innocent victim of the pursued vehicle in a police chase – began to develop a code, as above.

Other elements required, in CLA's opinion, include:

- A minimum age at which a police officer is permitted to undergo mandatory car chase driver training: CLA proposes the age be 25.

- Mandatory original driver and passenger training, and qualification to an established high-quality standard on driving and judgement tests, before a police car chase can be started; if all parties in a police vehicle are not trained, no chase is permitted.
- Mandatory refresher training, similar to initial training and with formal qualification, every three years.
- Annual reporting to each trained officer individually of the number of chases, cost to police (deaths, injuries, time off work, medical expenses, etc), the chased person(s) and bystanders.

- Added by CLA on 12 July 2008, Bill Rowlings, CEO, CLA

