



**Australian Federal Police**  
— *To fight crime together and win* —

# **AFP National Guideline: ACT Policing: Urgent Duty Driving and Pursuits**

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# AFP National Guideline: ACT Policing: Urgent Duty Driving and Pursuits

## Part I - Preliminaries

### 1) Introduction

a) This National Guideline for ACT Policing is in accordance with the provisions of the '*AFP Practical Guide on the Governance Framework*' which seeks to balance accountability with empowerment and initiate, facilitate, and consolidate corporate and individual decision making processes in relation to the performance of Urgent Duty Driving and Pursuits.

b) AFP employees and special members must have regard to National Guidelines. Failure to do so could be a disciplinary offence under the *Australian Federal Police (Discipline) Regulations 1979*. An AFP employee or special member may, after having had regard to a National Guideline, depart from the provisions of the guideline, but must be able to demonstrate that the departure was reasonable and justified in the given circumstances. Unless prevented by circumstances, before departing from a National Guideline, an AFP employee or special member should discuss the proposed departure with his or her supervisor with a view to determining whether departure from a National Guideline is the appropriate course in the circumstances.

c) This National Guideline (ACT Policing) is based on rule 305 of the *Australian Road Rules* and sets out the considerations and procedures to be adopted by members performing duties that involve urgent duty driving, pursuits or cross border pursuits which may occur on roads, road related areas or any other place.

d) Members of ACT Policing are expected to comply with applicable road rules in the course of their duties. Departure from those rules is only permitted where it can be justified with reference to the duties being undertaken at the time.

e) The performance of urgent duty driving and pursuits can pose risks to the safety of both police and the community and as such, is subject to considerable public scrutiny.

f) The risks involved in these activities require the demonstration of a high standard of professionalism and care and do not justify placing police or the community at unreasonable risk.

g) The performance of urgent duty driving or pursuits will be in accordance with the provisions of this National Guideline.

### 2) Definitions

'*AFP Vehicle*' includes any Commonwealth owned, leased or hired vehicle and includes any vehicle currently in the possession of the AFP that is used by AFP Employees in the course of their duties.

'*Approved course*' means a course for members approved by the Chief Police Officer (CPO) ACT Policing.

'*Approved member*' means a member who has successfully completed an approved course.

**‘Cross border pursuit’** means where a police officer is engaged in a pursuit that moves from one jurisdiction into another jurisdiction and there is an intention to continue the pursuit.

**‘Member’** has the same meaning as is contained in the *Australian Federal Police Act 1979*.

**‘Police Pursuit Review Committee’** means a committee formed to review circumstances and results of all police pursuits, and will consist of the Superintendents of Traffic Operations, Prosecution and Judicial Support and Police Communications.

**‘Police vehicle’**, for the purposes of the *Australian Road Rules*, means any vehicle driven by a person who is a police officer and is driving the vehicle in the course of their duties as a police officer.

**‘Primary unit’** means the police vehicle that takes up a position immediately to the rear of the pursued vehicle. Usually this will be the vehicle initiating the pursuit.

**‘Pursuit’** means an attempt by a police officer driving a police vehicle to stop a person driving another motor vehicle who, by their actions, has indicated an intention to avoid interception. These actions can include high speed driving, evasive tactics, or wilfully disobeying a direction by a member to stop. This definition includes pursuits at all speeds and over any distance and does not necessarily involve speeds in excess of prescribed speed limits.

**‘Pursuit Controller’** means a member performing the duties of team leader, Police Communications at the time of notification of the pursuit.

**‘Routine Traffic Stop’** means the interception of a vehicle for the purpose of law enforcement, and includes the period from the time the suspect vehicle is first observed by the member who forms the intent to stop the vehicle, and ends when the suspect vehicle stops where and when requested by the member, or the situation escalates to a pursuit.

**‘Secondary Unit’** means a police vehicle assisting in a pursuit, usually by following to the rear of the primary unit.

**‘Siren’**, for the purposes of the *Australian Road Rules*, means an alarm.

**‘Stop Sticks’** means the type of tyre deflation device in use by ACT Policing.

**‘Terminate’** means to immediately cease the activity and, in the case of a pursuit, cease the pursuit and stop following the offending vehicle and return to the legal speed limit, stopping the police vehicle and turning off all warning devices as soon as possible and safe to do so. This applies to all police vehicles whether directly or indirectly involved in the incident.

**‘Tyre deflation device’** means a device approved for use by the CPO, which causes the deflation of tyres of a vehicle when driven over.

**‘Urgent duty driving’** means driving a police vehicle in response to a specific incident or emergency that would ordinarily constitute an offence against the *Australian Road Rules* in that jurisdiction.

**‘Warning Device’** means approved flashing blue and/or red lights and/or sirens fitted to a police vehicle.

### 3) Exemptions – Australian Road Rules

*Rule 305 – Exemption for Drivers of Police Vehicles.*

*(1) “A provision of the Australian Road Rules does not apply to the driver of a police vehicle if:*

*(a) in the circumstances:*

*(i) the driver is taking reasonable care; and*

*(ii) it is reasonable that the provision should not apply; and*

*(b) if the vehicle is a motor vehicle that is moving — the vehicle is displaying a blue or red flashing light or sounding an alarm.*

*(2) Sub rule (1) (b) does not apply to the driver if, in the circumstances, it is reasonable:*

*(a) not to display the light or sound the alarm; or*

*(b) for the vehicle not to be fitted or equipped with a blue or red flashing light or an alarm.”*

The laws relating to exemptions for police vehicles are found in the *Australian Road Rules*. It should be noted that these exemptions only apply to the *Australian Road Rules*.

*a) Drivers of police vehicles are **NOT** exempt from prosecution under Acts such as the Road Transport (Safety and Traffic Management) Act 1999, for offences such as driving in a manner/speed dangerous to the public, negligent driving, or from civil litigation.*

*b) Drivers of police vehicles are **NOT** exempt from prosecution for offences of culpable driving and manslaughter under the provisions of the Crimes Act 1900.*

### 4) Vehicle Classification

*Category 1: Most suitable for PURSUIT and URGENT DUTY driving.*

*Category 2: Suitable for PURSUIT and URGENT DUTY driving.*

*Category 3: Least suitable for PURSUIT but suitable for URGENT DUTY driving.*

*Category 4: **NOT** suitable for PURSUIT but may be used for URGENT DUTY driving where such response is justifiable.*

*Category 5: **NOT** suitable for PURSUIT or URGENT DUTY driving. A category 5 vehicle will NOT exceed a posted speed limit.*

**Note: All vehicles which are permitted to be used for urgent duty driving or pursuits will be marked with their classification.**

### 5) Category Classification

*In all cases, a 4 wheel vehicle will take precedence over a motor cycle and a fully marked vehicle will take precedence over an unmarked vehicle of that classification.*

### **Category 1 Vehicles**

a) A motor vehicle approved for use as a Traffic Operations pursuit vehicle by the CPO or a delegate which is:

i) a pursuit vehicle, permanently marked as a police vehicle, fitted with fixed warning devices, and driven by a qualified pursuit driver.

(1) When driven by a member who is not a qualified pursuit driver this vehicle will be downgraded to category 3.

b) A category 1 vehicle will take precedence over category 2 vehicles.

### **Category 2 Vehicles**

c) A car or motorcycle approved for use as a pursuit vehicle by Traffic Operations by the CPO or a delegate which is:

i) a pursuit motorcycle, permanently marked as a police motor cycle, fitted with fixed warning devices; or

ii) an unmarked pursuit vehicle, fitted with an approved warning devices (which includes a portable roof light or covert warning lights) which will be deployed for the duration of the urgent duty driving or pursuit, and driven by a qualified pursuit driver.

(1) When driven by a member who is not a qualified pursuit driver this vehicle will be downgraded to category 3.

d) A motor vehicle (not including Category 3, 4 and 5 vehicles) approved for use as a patrol vehicle by the CPO or a delegate which is:

i) a police patrol sedan or station wagon, permanently marked as a police vehicle, fitted with fixed warning devices.

e) Category 2 vehicles will take precedence over category 3 vehicles.

### **Category 3 Vehicles**

f) A motor vehicle, including a two-wheel drive station sedan, approved for use as a patrol vehicle by the CPO or a delegate which is:

i) an unmarked sedan or station wagon fitted with approved warning devices (which includes a portable roof light or fixed covert warning lights) which will be activated for the duration of the urgent duty driving or pursuit.

g) Category 3 vehicles will take precedence over category 4 vehicles.

### **Category 4 Vehicles**

h) A van, passenger van or light rigid approved for use as a Traffic Operations vehicle by the CPO or a delegate which is:



- i) permanently marked as a police vehicle, fitted with fixed warning devices.
- i) A van, passenger van or light rigid approved for use as a patrol vehicle by the CPO or a delegate which is:
  - i) permanently marked as a police vehicle, fitted with fixed warning devices.
  - j) A caged vehicle permanently marked as a police vehicle and fitted with fixed warning devices. (Mazda Bravo caged vehicles not to exceed posted speed limit under any circumstances)
  - k) A four wheel drive vehicle (not approved as a pursuit vehicle under Category 1 or 2), and fitted with fixed warning devices, whether permanently marked as a police vehicle or unmarked.
  - l) A medium or heavy rigid fitted with an approved warning devices (which include a portable roof light or covert warning lights).
  - m) An unmarked vehicle not fitted with warning devices;
  - n) A motorcycle designed for use as a trail bike; and
  - o) A vehicle not displaying a classification label.

## **Category 5 Vehicles**

- p) a bus;
- q) a vehicle towing a caravan or trailer, or carrying a load, whether it be internal or external to the vehicle.

## **6) Vehicle Inspections**

The team leader of any member involved in an urgent duty driving or pursuit incident where:

- a) the vehicle drove at high speed for an extended period;
- b) heavy braking occurred during the pursuit; or
- c) rough or irregular road surfaces were traversed,

will consider a mechanical inspection prior to the vehicle being returned to service.

## **7) Vehicle Crash/Injury**

Where, as a result of an urgent duty driving or pursuit incident, a vehicle (police vehicle or otherwise) is damaged or a person is injured, the provisions of the following AFP Governance documents will be applied:

- a) AFP National Guideline – Use of Prohibited Drugs, Attachment ‘C’;
- b) ACT Policing Practical Guides:

- i) Deaths;
- ii) Management of Major Incidents;
- iii) Notification Requirements On Call Duty Superintendent and On Call DCPO;
- iv) Persons in Custody; and
- v) Vehicles Crashes, Reports and Investigation.

## **Part II - Urgent Duty Driving**

### **8) Urgent Duty Driving**

a) Members will not undertake urgent duty driving unless they possess a current AFP Driving Permit that includes either the classification of 'urgent duty driving', 'advanced motorcycle' or 'advanced motor vehicle'.

b) Urgent duty driving may only be undertaken:

- i) in response to a specific incident or emergency which justifies prompt action; and
- ii) when the circumstances of the incident are sufficiently serious to make that conduct reasonable,

the performance of which will be notified to Police Communications (with the exception of that associated with a routine traffic stop) at the first available opportunity.

c) Members involved in urgent duty driving will use warning devices unless it is reasonable not to do so, in accordance with Rule 305 of the *Australian Road Rules*.

d) Members involved in an urgent duty driving incident will, when approaching any intersection, slow their vehicle and only enter the intersection when it is safe to do so. Where an intersection is controlled by traffic lights and a red light is displayed facing the driver, the driver will bring the police vehicle to a stop before entering the intersection.

e) Drivers of police vehicles are not to engage in *urgent duty driving* if there are persons, and in particular persons in custody, other than police officers travelling in the police vehicle unless:

- i) those persons are able to safely exit the vehicle;
- ii) the safety of those persons is not compromised; or
- iii) there is no other reasonable alternative in the circumstances.

**NOTE:** The provisions of (e) above do not relate to a *pursuit*, which is referred to at paragraph 16.

### **9) Driver Responsibilities**

The driver of a police vehicle undertaking urgent duty driving will, prior to commencement and during an urgent duty driving incident, consider whether Rule 305 of the *Australian Road Rules* apply. If the driver can justify urgent duty driving, the following will be taken into account:

- a) the classification of the police vehicle in accordance with this National Guideline;
- b) the proximity of the police vehicle to the incident;
- c) the risks (risk assessment) associated with the activity;
- d) the real or potential danger to police, members of the public or people in the subject vehicle;
- e) the volume of road and pedestrian traffic in the area;
- f) the performance capabilities of the police vehicle;
- g) the experience, competency and AFP licence classification of the driver;
- h) the nature and seriousness of the event precipitating the need for urgent duty driving; and
- i) weather and road surface conditions and features of the locality.

## **10) Passenger Responsibilities**

A member who is a passenger in a police vehicle undertaking urgent duty driving will, where possible:

- a) assist with the risk assessment and notify the driver of perceived/identified risks to the safety of the occupants of the police vehicle or members of the public;
- b) assist with radio communication as required; and
- c) may, when senior in rank or experience to the driver, direct termination of the urgent duty driving when the purpose for the driving is outweighed by one or more of the criteria referred to in paragraph 9 above.

## **11) Police Communications Responsibilities**

The Police Communications team leader and dispatcher will, during an urgent duty driving incident which has been brought to their attention:

- a) monitor the urgent duty driving;
- b) report all relevant information to the driver's team leader;
- c) actively consider initiatives which will lead to a termination of the urgent duty driving at the earliest opportunity;
- d) record full details of any occurrence where urgent duty driving is undertaken;
- e) where the purpose of the urgent duty driving is outweighed by any one or more of the criteria referred to in paragraph 9 above, direct the termination of the urgent duty

driving; and

f) ensure a response to any direction to terminate any urgent duty driving incident is recorded in the relevant CAD log.

## **12) Termination/Modification of Urgent Duty Driving**

a) Where the purpose for urgent duty driving is outweighed by any one or more of the criteria referred to in paragraph 9 above, the member who is the driver of the vehicle involved in the urgent duty driving incident will terminate/modify that manner of driving.

b) A direction to terminate an urgent duty driving situation may be given by any one of the following members who are aware of the incident:

i) a member in the police vehicle who is senior in rank or experience to the driver;

ii) the team leader of the driver of a vehicle involved in an urgent duty driving incident;

iii) a member performing the duties of a Superintendent or above; or

iv) the team leader of Police Communications who is monitoring and overseeing the incident.

c) If any member considers that the urgent driving incident should be continued and the team leader of Police Communications monitoring the incident disagrees as to continuation, the team leader Police Communications has the authority to direct that the urgent duty driving be terminated.

d) A member who is directed to terminate urgent duty driving will acknowledge the direction, cease the activity immediately, and return to driving within the provisions of the *Australian Road Rules*.

## **Part III - Pursuits**

### **13) Pursuit Management and Coordination**

a) The responsibility for pursuit policy rests with the CPO. The responsibility for the control and coordination of pursuits rests with the Pursuit Controller.

b) The primary responsibility for the initiation, continuation and conduct of a pursuit rests with the member driving the police vehicle. That member will:

i) drive in a manner that prioritises the safety of the police and public;

ii) comply with any directions of the Pursuit Controller; and

iii) subject to this National Guideline, comply with the directions of a senior member.

### **14) Pursuit Driving**

a) Members involved in a pursuit will use warning devices for the duration of the pursuit.

b) Members involved in pursuit will, when approaching any intersection, slow their vehicle and only enter the intersection when it is safe to do so. Where an intersection is controlled by traffic lights and red light is displayed facing the driver, the driver will bring the police vehicle to a stop before entering the intersection.

## **15) Roles and Responsibilities**

### **Pursuit Controller**

a) The Pursuit Controller will immediately assume a control and coordination role for the duration of a pursuit and any subsequent deployment of a tyre deflation device. In particular, the Pursuit Controller will undertake the following:

i) an immediate assessment of the dangers involved in allowing the pursuit to continue;

ii) regular assessments and evaluation of issues that may impact on the pursuit and any consequences as a result of it;

iii) ascertain if pursuit qualified Traffic Operations members are available and direct those members to become the primary unit as soon as practicable. Members under such direction will drive in accordance with the provisions relating to urgent duty driving until they take over the pursuit;

iv) re-affirm the primary pursuit vehicle and advise other members not to specifically engage in the pursuit;

v) where a decision is taken to deploy a device, other patrols should be utilised to direct traffic away from the deployment site;

vi) authorise an approved member as the deployment officer;

vii) advise all members of the authorisation for the use of a tyre deflation device;

viii) continue co-ordination of the pursuit; and

ix) advise other emergency service organisations of the tyre deflation device deployment site.

b) At the conclusion of a pursuit the Pursuit Controller will ensure that the PROMIS and CAD recording responsibilities, as outlined at paragraph 19, are completed prior to ceasing duty.

### **Police Communications**

c) A dispatcher who is made aware of a pursuit will immediately:

i) notify the Pursuit Controller; and

ii) broadcast a safety reminder in the form of:

*“If there is unjustified risk to any person you are to terminate the pursuit*

*immediately. Do you understand?"*

d) A dispatcher will provide the Pursuit Controller with all relevant information surrounding the pursuit, which will include those details referred to in paragraph 15(i).

e) Police Communications, in consultation with the Pursuit Controller, may approve and assign additional backup or support vehicles to assist the primary and secondary pursuit vehicles based upon an analysis of:

- i) the nature of the offence for which the pursuit was commenced;
- ii) the number of offenders and any known propensity for violence;
- iii) the number of members in primary and secondary pursuit vehicles;
- iv) any damage or injuries to the primary or secondary pursuit vehicles or members;
- v) the number of members necessary to safely effect an arrest at the conclusion of the pursuit; and
- vi) any other facts that would justify adding more than the primary and secondary pursuit vehicles.

f) Only members of Police Communications will arrange for other patrols to assist with a pursuit. g) Police Communications will stand down all other members on the relevant channel unless the communication is urgent.

## **Primary Vehicle**

h) Prior to commencing, and during a pursuit, members will assess, and continue to re-assess the risks associated with the situation which include, but are not limited to:

- i) the classification of the police vehicle in accordance with this National Guideline;
- ii) the real or potential danger to police, members of the public or people in the subject vehicle (for example, overtaking into oncoming traffic, disobeying traffic signals, crossing intersections at speed);
- iii) the speed of the vehicles involved;
- iv) the volume of road and pedestrian traffic in the area;
- v) the performance capabilities of the police vehicle;
- vi) the experience/competency of the driver;
- vii) the weather and road surface conditions, and features of the particular locality of the pursuit;
- viii) the nature and comparative seriousness of the offence/matter;
- ix) whether there are other reasonable means available for police to identify or apprehend the relevant people;

- x) the distance between the police vehicle and the other vehicle is so great that further pursuit is futile;
  - xi) whether it would be practicable to terminate the pursuit with the use of tyre deflation devices; and
  - xii) the provisions providing exemption for urgent duty driving within Rule 305 of the Australian Road Rules as outlined at paragraph 3;
- i) If a pursuit is commenced, a member in the vehicle will, as soon as is practicable notify Police Communications of:
- i) the reason for the pursuit;
  - ii) the vehicle description and registration number if available;
  - iii) the location and direction of the offending vehicle;
  - iv) the progress of the pursuit (at regular intervals);
  - v) the speed of the offending vehicle (at regular intervals);
  - vi) the relevant speed limit;
  - vii) traffic conditions;
  - viii) the category class of the member's vehicle; and
  - ix) the driving qualifications of the member.
- j) No more than two police vehicles (a primary unit and a secondary unit) will become actively involved in a pursuit, unless directed to do so by Police Communications.
- k) All vehicles involved in a pursuit will maintain a safe distance between each vehicle.
- l) Where a vehicle commences a pursuit, that vehicle will relinquish the primary response vehicle role immediately upon participation of a vehicle which falls into a higher vehicle classification.
- m) Following the conclusion of a pursuit the driver of the primary vehicle, or other nominated member, will ensure that the PROMIS recording responsibilities, as outlined at paragraph 19, are completed prior to ceasing duty.

### **Passenger (Primary Vehicle)**

- n) A member who is a passenger in a police vehicle in a pursuit will, where possible:
- i) assist with the risk assessment and notify the driver of perceived/identified risks to the safety of the occupants of the police vehicle or members of the public;
  - ii) assist with radio communication as required; and
  - iii) may, when senior in rank or experience to the driver, direct termination of

the pursuit when the purpose for the driving is outweighed by one or more of the criteria referred to in paragraph 7 above.

### **Secondary Vehicle (Driver and/or Passenger)**

- o) The driver and/or passenger of a secondary vehicle will:
- i) notify Police Communications they have taken up position as the secondary vehicle;
  - ii) maintain a position to the rear of the primary vehicle;
  - iii) if not provided by the primary unit, the speed, direction, environmental conditions, vehicle description and any other relevant information;
  - iv) continue the pursuit until replaced as the secondary vehicle, the vehicle is safely intercepted, or the pursuit is terminated or otherwise resolved;
  - v) continually assess the risks as outlined in paragraph 15(h);
  - vi) if at any time the risk outweighs the objective, recommend to the Pursuit Controller that the pursuit be terminated or direct the pursuit to be terminated;
  - vii) maintain constant radio Police Communications if the primary vehicle is unable to do so;
  - viii) maintain constant radio communications if requested to do so; and
  - ix) upon termination of the pursuit, acknowledge the directive and advise of the last known location, direction and any other identifying details of the offending vehicle being followed.

### **Team Leaders (Non Police Communications)**

- p) The team leader of a member/s involved in a pursuit will:
- i) continually monitor and assess the risks of the pursuit (regardless of where the pursuit commenced);
  - ii) if at any time the risks outweigh the objective, direct that the pursuit be terminated in accordance with paragraph 18;
  - iii) ensure the members involved comply with this National Guideline (including de-brief and reporting requirements);
  - iv) provide advice to the Pursuit Controller on any other matter relevant to the pursuit.

### **Non-involved Police Vehicles**

- q) Members not involved in a pursuit will:
- i) abstain from any non-pursuit related or non-urgent radio communication;



ii) if in the immediate area and able to assist, notify Police Communications and await instructions; and

iii) not become involved in the pursuit unless directed and follow any direction given by Police Communications.

## **16) Police Vehicle Occupants**

An AFP vehicle will not become involved in a pursuit where the vehicle contains a person who is not a sworn police member. Where there is a second member in the vehicle their responsibilities include assistance in the risk assessment process, radio communication and advice to the driver of environmental and other considerations relevant to the activity as outlined at paragraph 15(h).

## **17) Overtaking**

Unless extreme circumstances exist, police vehicles will not:

a) travel parallel to the pursuit on the same or adjacent streets; or

b) draw level with or attempt to overtake the pursued vehicle (this applies equally to primary, secondary and all other police vehicles).

## **18) Termination of Pursuit**

a) Where the value of apprehending an offender in a pursuit, is outweighed by any one or more of the following criteria, the member who is the driver of the vehicle involved in the pursuit will terminate that pursuit:

i) the real or potential danger to police, members of the public or people in the suspect vehicle;

ii) the nature and comparative seriousness of the offence/matter;

iii) the volume of road and/or pedestrian traffic in the area;

iv) the performance capabilities of the police vehicle;

v) the experience/competency of the police driver;

vi) weather and road surface conditions, and features of the particular locality of the pursuit;

vii) there are other reasonable means available for police to identify or apprehend the relevant people;

viii) the offenders identity is established to a point where later apprehension is likely and there is no immediate threat to public safety;

ix) the distance between the police vehicle and the other vehicle is so great that further pursuit is futile and/or dangerous;

x) the provisions providing exemption for urgent duty driving within Rule

305 of the *Australian Road Rules* no longer apply;

xi) where there are malfunctions with police equipment and/or serious damage to the police vehicle involved in a pursuit which makes the continued operation of the pursuit hazardous; or

xii) the vehicles in the pursuit lose direct radio contact with ACT Police Communications.

b) A direction to terminate a pursuit may be given by any one of the following members:

i) a member in the police vehicle who is senior in rank or experience to the driver;

ii) the team leader of the driver of a vehicle involved in pursuit;

iii) a member performing the duties of a Superintendent or above; or

iv) the Pursuit Controller.

c) If any member considers that the pursuit should be continued and the Pursuit Controller monitoring the pursuit disagrees as to continuation, the Pursuit Controller has the authority to direct the pursuit be terminated.

d) A pursuit will not be re-initiated by any other police vehicle unless approval is first granted by the Pursuit Controller. It should be noted that this approval will only be considered if pertinent information is received which would sufficiently alter the circumstances of the original response.

**Note:** 'Terminate' means to immediately cease the activity and, in the case of a pursuit, cease the pursuit and stop following the offending vehicle and return to the legal speed limit, stopping the police vehicle and turning off all warning devices as soon as possible and safe to do so. This applies to all police vehicles whether directly or indirectly involved in the incident.

### **Physical Termination of Pursuit**

e) Members engaged in a pursuit will not attempt to forcibly stop another vehicle, other than by the use of a tyre deflation device, unless immediate intervention is necessary to prevent imminent loss of life or serious injury.

f) Road blocks (with the exception of the deployment of tyre deflation devices) will not be used without the express permission of a member performing the duties of a Superintendent or above, and then only as a last resort to prevent loss of life or serious injury.

g) Members will not deploy tyre deflation devices without the authority of the Pursuit Controller or the relevant response team leader.

## **19) PROMIS and CAD / Recording of Incident**

a) At the commencement of a pursuit, Police Communications will create a 'CAD' field incident and allocate a primary unit.

- b) At the conclusion of a pursuit and in consultation with the relevant team leader, the Pursuit Controller will allocate the finalisation of the PROMIS incident to a member.
- c) The nominated member will complete a PROMIS entry which will include, but is not limited to:
- i) a completed '*Driver – Pursuit De-Brief Report*':
    - (1) Where sufficient detail is included in that report the relevant PROMIS case write off may be completed by inserting '*refer to Driver – De-Brief Report*' or similar.
  - ii) the circumstances of the pursuit;
  - iii) the outcome of the pursuit; and
  - iv) any damage caused to property as a result of the pursuit.
- d) '*Police Pursuit*' will be selected in the PROMIS 'special category' field in addition to the appropriate 'incident type'.
- e) The Pursuit Controller will complete a '*Pursuit Controller Pursuit De-Brief Report*' at the conclusion of a pursuit and ensure that:
- i) the de-brief report is loaded into the case log of the relevant PROMIS incident; and
  - ii) brought to the attention of the Superintendent Police Communications through a PROMIS tasking.

## **20) Cross Border Pursuits**

- a) Where there is likelihood that a pursuit will cross into New South Wales (NSW) police communications will make all reasonable attempts to notify the NSW Police Service and seek permission to continue the pursuit in that State until that State can resume or terminate the pursuit.
- b) At the time of notification the following information will be provided:
- i) the location and direction of travel of the pursuit;
  - ii) speed of suspect vehicle;
  - iii) prevailing speed limit;
  - iv) a description of the vehicle being pursued;
  - v) driver's police experience, rank, driving qualification and duty type, for example General Duties or Traffic Patrol;
  - vi) the classification of the police vehicle involved in the pursuit; and
  - vii) the reason for the pursuit.
- c) If permission cannot be obtained or permission to continue the pursuit is declined such pursuit will be terminated prior to entering NSW, or in any case immediately on receipt of notification to terminate.

- d) Where permission for a pursuit is given to continue into NSW, control of the pursuit will transfer to the NSW Police Service at the moment the first pursuing police vehicle enters NSW. An appropriate radio channel will be determined by the AFP Pursuit Controller.
- e) Where a pursuit continues into NSW no more than two AFP vehicles will continue the pursuit. When a suitable NSW Police vehicle joins the pursuit it will take primary vehicle responsibility and one AFP vehicle will remain as a secondary vehicle. When a second or subsequent NSW Police vehicle joins the pursuit, AFP members will terminate all pursuit response.
- f) The provisions of this section will similarly apply when NSW Police vehicles cross into the Australian Capital Territory (ACT) for the purposes of pursuit.
- g) NSW Police vehicles engaged in a pursuit into the ACT are expected to comply with the provisions of this National Guideline.
- h) The Pursuit Controller will report any cross border pursuit driving to the Superintendent, Police Communications or in their absence, the on call Duty Superintendent as soon as practicable.
- i) Members involved in pursuit driving will comply with both their home jurisdictions pursuit driving policy and that of the jurisdiction being entered. Where there is a conflict between those policies the policy of the jurisdiction being entered, and in which the pursuit is taking place, will take precedence.
- j) Where a collision occurs involving any vehicle or person involved in, or as a result of a cross border pursuit, an investigation will be conducted in accordance with jurisdictional requirements.

## **21) Police Pursuit Review Committee**

- a) The Police Pursuit Review Committee (PPRC) is responsible for:
  - i) the review of all police pursuit driving incidents;
  - ii) identifying any problems or patterns developing in AFP driver behaviour so appropriate strategies may be put in place;
  - iii) identifying any training requirements;
  - iv) recommending cancellation or suspension of a member's driving authority where driver development or assessment is required, regardless if any other action has been instituted; and
  - v) recommending amendments to ACT Policing pursuit policy.
- b) The PPRC will convene when required. Where a major incident has occurred, a formal meeting will be held as soon as practicable to enable formal consideration of the matter.
- c) Any recommendations made by the PPRC will be made to the Deputy Chief Police Officer – Response.

## References

### Legislation

[Australian Road Rules](#)

[Crimes Act 1900](#)

### AFP National Guidelines

[Use of Prohibited Drugs, Attachment 'C'](#)

[Traffic Infringement Notices to On Duty Members of the AFP](#)

### ACT Policing Practical Guides

[Deaths](#)

[Management of Major Incidents](#)

[Notification Requirements On Call Duty Superintendent and On Call DCPO](#)

[Persons in Custody](#)

[Use of Tyre Deflation Devices](#)

[Vehicles Crashes, Reports and Investigation](#)

### Proforma Documents

[Pursuit - Controller De-brief](#)

[Pursuit - Driver De-brief](#)

John A Davies APM OAM

Chief Police Officer for the ACT

8 April 2005