



MEDIA RELEASE

Hon. John Hatzistergos MLC
Attorney General

Michael Daley MP
Minister

Thursday March 11, 2010

SUPPORT FOR CHANGES TO POLICE PURSUITS LAW

Attorney General John Hatzistergos today said the NSW Government has secured bipartisan support for changes to the *Crimes Amendment (Police Pursuits) Bill 2010*.

“The Government will introduce an amendment to the bill, recommended to us by the DPP and supported by the Opposition and the Police Association,” Mr Hatzistergos said.

“From the beginning, the creation of a police pursuit law in response to the tragic death of Skye Sassine has been above politics.

“In January, we met with the Opposition and the Police and discussed their ideas about what the law needed to include.

“That is why, we were more than happy to come back to the table when concerns were recently raised.”

Mr Hatzistergos said the Government did not support a proposal put forward by the Opposition, but worked constructively with them to come up with a practical solution.

The Government sought the legal advice from the DPP, Nicholas Cowdery QC, who advised it is important to retain the element of “knowledge”:

“proof of knowledge in an offender... is commonly required and done in the prosecution of many offences... I would not foresee a difficulty in proving the necessary state of mind in any police pursuit where the target vehicle was driven recklessly or dangerously.”

The DPP suggested a proposal to expand the element of knowledge contained in the Government’s bill so that, instead of:

The driver of a vehicle:

- (a) who **knows** that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle

the legislation will state:

The driver of a vehicle:

- (b) who **knows, ought reasonably to know or has reasonable grounds to suspect** that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle

Minister for Police, Michael Daley, said the Government had discussed the changes with the Police and the Police Association to ensure the new legislation would be effective on the ground.

“By working with senior police and the Association, we’ve been able to come up with a form of words that will protect both our frontline officers and the community,” he said.

“The NSW Government listened to the concerns raised by police and the community about this issue and acted accordingly,” Mr Daley said.