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# Police Complaints Authority

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## **REPORT ON THE INVESTIGATION INTO THE DEATH OF JOHN DAVID BRYANT AT CHRISTCHURCH ON 9 AUGUST 2001 FOLLOWING ARREST BY POLICE**

On 9 August 2001 the Commissioner of Police notified the Authority pursuant to s.13 of the Police Complaints Authority Act 1988 that John David Bryant of Christchurch had died from injuries sustained in an accident in Colombo Street, Christchurch, soon after escaping from Police custody.

On the following day the Commissioner gave written notice pursuant to s.13 of the Police Complaints Authority Act 1988 setting out particulars of the incident in which the death was caused and advising the Authority that Police had commenced an investigation into the matter.

An officer of the Authority and an Inspector of Police from the Office of the Commissioner travelled to Christchurch on 15 August 2001 to make initial enquiries into the incident, visit the scene of the accident and meet with members of Mr Bryant's family.

### **CIRCUMSTANCES PRECEDING FATAL ACCIDENT**

Between 4.30 and 4.45pm on 9 August 2001 Mr Bryant was observed by security guards in the Big Fresh supermarket in Moorhouse Avenue. It was suspected that he had stolen some articles and the security guards followed him after he left the store on a bicycle. Mr Bryant was observed going into the New City Hotel at the southern end of the central business district in Colombo Street. The Police were called and two officers (Officer 1 and Officer 2) arrived to attend to the matter. Mr Bryant was identified to the Police officers by one of the security guards as the suspected offender. He was approached by Officer 1 in the bar of the hotel and asked to come outside. He was told what the enquiry was about. He denied stealing anything from the supermarket. He was arrested and was escorted by the officers towards the Police car which was parked behind the hotel in Bath Street. As they did so Mr

Bryant asked that his bicycle (which he had left at an entrance to the hotel) be taken with them.

Officer 2 carried Mr Bryant's backpack and pushed his bicycle as they walked towards the Police car. As they approached the car Officer 2 was about to open the boot with the remote key when Mr Bryant, who was not handcuffed, suddenly ran off through the car park and around the back of the hotel towards the Rebel Sport building. He then turned left down a narrow pedestrian access way beside the Rebel Sport building and ran across a footpath in front of a parked car on to Colombo Street into the path of an oncoming bus which braked heavily but was unable to avoid a collision. Mr Bryant collided with the front left corner of the bus and was thrown forward some metres by the force of the impact. As a result of the impact he suffered severe injuries from which he died a few hours later in Christchurch Hospital.

Officer 1 was only a few metres behind Mr Bryant when the accident occurred.

An ambulance was immediately summoned and action was taken to block the roadway to prevent Mr Bryant being run over by other vehicles before the ambulance arrived and to protect the scene.

#### **WITNESSES INTERVIEWED**

Police staff attended the scene and spoke to the bus driver and a number of eyewitnesses who had observed the incident from the street, or from the bus or from cars in the vicinity. A Senior Constable from the Serious Crash Unit, Christchurch, was assigned to attend the scene, take measurements and complete a report on the accident.

#### **POLICE REPORT TO CORONER**

Following completion of the Police investigation the results were reported to the Coroner who in August 2002 conducted an inquest into Mr Bryant's death.

#### **CORONER'S FINDING**

The Coroner, Mr R G McElrea, heard evidence on 8 August and issued his findings on 16 August 2002. He referred to the evidence of several eyewitnesses who had observed Mr Bryant running out of the accessway beside the Rebel Sport building and across the footpath on Colombo Street into the path of an approaching bus.

The speed of the bus was estimated by the Police Serious Crash Unit at 45km/h. The report concluded that the primary cause of the accident was the behaviour of Mr Bryant *"which has provided the bus driver with little chance of avoiding or reducing the effect of this collision"*.

In the course of his findings the Coroner made reference to Mr Bryant's history of drug use and the medical and scientific evidence about the effect of the level of morphine which he had in his system at the time of the accident. The Coroner concluded that there was no evidence to suggest that Mr Bryant's death was intentional, and there was nothing in the evidence to suggest that the Police acted other than appropriately in the execution of their duty. His finding on the cause of death was:

*"John David Bryant, late of 488 Tuam Street, Christchurch, unemployed, died on 9 August 2001 at Christchurch Hospital of the effects of high-energy impact injuries to head and abdominal organs, sustained some three hours previously when, while attempting to evade the Police in the lawful execution of their duty, he ran into the path of a northbound bus some 50 metres from the intersection of Colombo Street and Moorhouse Avenue, he having a morphine level in his blood of 0.08mg/litre which may have affected his judgment and his ability to react despite a history of opiate dependency, death being accidental and the bus driver having no opportunity to avoid the collision."*

## **POLICE INVESTIGATION OF THE CIRCUMSTANCES OF MR BRYANT'S ARREST**

It is reported that Mr Bryant had been observed by security staff on a surveillance camera at the Big Fresh shopping complex in Moorhouse Avenue appearing to act suspiciously. Two security guards followed Mr Bryant by car after he left the store on his bicycle, and reported the matter to Christchurch Police who dispatched a patrol car. Mr Bryant was seen to enter the public bar of the New City Hotel on Colombo Street. By the time the Police patrol arrived one of the guards had checked the bar and found that Mr Bryant had removed his beanie hat and polar fleece jacket. The guards reported the matter to the Police officers and identified Mr Bryant to them as the suspect. He was not known to either the security guards or the Police officers. Officer 1 then spoke to Mr Bryant in the bar and asked him to come outside where the allegation of theft from Big Fresh was put to him. He denied any knowledge of the alleged theft, and was arrested.

The arresting officer gave him the required caution and advice of rights and asked him to accompany the Police to the patrol car.

Officer 2 took possession of a red and black backpack which Mr Bryant was carrying, and the three of them then walked north along the Colombo Street frontage of the New City Hotel to the intersection with Bath Street where they turned left and walked along the Bath Street frontage to its western end. At a doorway of the hotel Mr Bryant was asked about a bicycle there which he said was his. He asked if the Police could take it with them which they agreed to do. Officer 2 walked with the backpack and pushed the bicycle towards the patrol car which had been parked just inside the Bath Street entrance to the Rebel Sport carpark.

## **ESCAPE FROM CUSTODY**

As the group had almost reached the patrol car Officer 2 stopped to take the car keys from his belt clip. As he operated the remote key to unlock the doors Officer 1 was to his left and slightly in front of him. At that point Mr Bryant suddenly ran off towards the front of the Rebel Sport building. Officer 1 followed by Officer 2 gave chase as Mr Bryant ran towards the Rebel Sport building and then turned left and continued running east through the carpark in front of the building and towards Colombo Street.

By the time Mr Bryant reached the footpath on the western side of Colombo Street Officer 1 was about 3-5 metres behind him. Officer 2 was then about 20-25 metres further back. One of the security guards had also joined the chase and was between the two Police officers and about 10-15 metres behind Mr Bryant.

As Officer 1 reached the footpath he observed Mr Bryant run past the front of a parked car on the western side of Colombo Street and into the path of an approaching bus travelling north on Colombo Street.

There was a loud bang as Mr Bryant collided with the left front corner of the bus, and was thrown forward several metres by the force of the impact on to the road. Officer 2 immediately called an ambulance and a Police supervisor. He tried to arrange for a blanket to be brought from the Hotel and directed traffic away from Mr Bryant until an Acting Sergeant arrived and parked so as to block southbound traffic on Colombo Street.

The Acting Sergeant then attended to Mr Bryant until the ambulance arrived shortly afterwards. Other Police staff arrived at the scene and obtained details of witnesses, including the bus driver, passengers on the bus and others on the street in the vicinity who had observed the incident.

Efforts were made to identify Mr Bryant so that next of kin could be notified. He had in his possession a Community Services card in the name of an unrelated third party. Police found

a piece of paper with the telephone number of Mr Bryant's father on it in a small black pocket book. Mr Bryant's father was notified soon after his son's identity had been established.

## **REASONS FOR ARREST OF MR BRYANT**

It is reported that the arresting officer and his fellow officer obtained sufficient information about the alleged offence and the suspected offender to enable them to form the view that there was reasonable cause to suspect that an offence punishable by imprisonment had been committed by the suspect identified by the security guards.

The officers' actions in approaching Mr Bryant in the hotel bar and asking him to come outside to speak with them about the alleged offence they were investigating was reasonable in the circumstances, to afford some privacy to the suspect and to obtain some security from other bar patrons. The officers took possession of the suspect's backpack to ensure his property was safe and that any exhibits it may have contained were secured.

After Mr Bryant denied the alleged theft he was arrested and given the appropriate cautions and was then escorted by the officers to their patrol car. Mr Bryant told the officers he understood the caution and by accompanying them he acknowledged that he had been arrested.

The officers made an assessment of the suspect they had arrested and, without having any prior knowledge of Mr Bryant's history or background, believed that they had no cause for concern that he might present any danger to himself or to them. There was nothing in his demeanour or behaviour to indicate that he might attempt to escape from their custody, and they took care to ensure the safety of his property (his backpack and bicycle). The alleged offence for which they were arresting him was relatively minor, and the officers saw no need to handcuff or otherwise restrain him. He walked with them some 80 metres from the door of the public bar of the New City Hotel to the vicinity of the patrol car without giving the officers any cause for concern.

## **THE ESCAPE**

When Mr Bryant suddenly ran away from the officers it is clear that he intended to escape from their custody and that he made a determined effort to do so. His intention to escape was demonstrated by his sudden sprinting away from the officers, discarding his beanie hat and throwing his spectacles into the path of the officer immediately pursuing him. He continued to run fast towards Colombo Street knowing that he was being pursued by the uniformed officers. His actions then involved taking an extreme risk by running on to

Colombo Street, one of the busiest streets in Christchurch during the rush hour (1716 hours), across the footpath and into the path of an approaching bus.

## **INVESTIGATOR'S CONCLUSION**

The investigating officer reports that in his view Mr Bryant's death occurred after he had escaped from Police custody, and was the result of injuries received when he failed to take sufficient care when attempting to cross Colombo Street in the face of oncoming traffic while fleeing from Police.

The investigator concluded that there was no criminal or disciplinary liability on the part of the officers concerned as their actions in speaking to Mr Bryant and arresting him after being properly cautioned were in accordance with proper Police practice, the requirements of the New Zealand Bill of Rights Act and the General Instructions of the New Zealand Police.

He also found that there was no liability on the part of the bus driver who was driving in accordance with the requirements of the traffic laws and was unable to avoid the collision with Mr Bryant.

## **ISSUES FOR CONSIDERATION BY AUTHORITY**

The principal role of the Authority is to consider whether there has been misconduct or neglect of duty by any member of the Police.

In the present case notification, pursuant to s.13 of the Police Complaints Authority Act, was given promptly to the Authority. An officer of the Authority travelled to Christchurch on 15 August 2001, met with family members to explain the role of the Authority, and visited the scene of the accident.

The Authority decided to defer further action until receiving a report from the Commissioner on the Police investigation of the incident which was already in hand. In accordance with the Authority's established practice my review of the matter was also deferred until the completion of the inquest into the death of Mr Bryant.

The issues which fall for consideration by the Authority are:

- was the decision of the officers concerned to arrest Mr Bryant justified;
- was the decision not to handcuff Mr Bryant following his arrest reasonable in the circumstances;

- were the officers who pursued Mr Bryant acting in the lawful execution of their duty;
- did the officers act in accordance with Police practice, policy and procedure governing the arrest of a suspected offender;
- was appropriate action taken to provide medical attention for Mr Bryant following the accident.

## **AUTHORITY TO ARREST**

The alleged offence reported to the attending Police officers was theft, being a crime defined in s.220 of the Crimes Act 1961. S.227(d) of that Act provides that everyone who commits theft is liable to imprisonment for a term not exceeding three months if the theft is one for which no other punishment is prescribed by the Act, and if the object stolen does not exceed in value the sum of \$100.

S.315(2) of the Act provides that any Constable may arrest and take into custody without a warrant:

*“(b) Any person whom he has good cause to suspect of having committed a breach of the peace or any offence punishable by imprisonment.”*

From the information available to me I find that Officer 1 had good cause to suspect that Mr Bryant had committed an offence punishable by imprisonment and was therefore lawfully authorised to arrest him. The circumstances were not such as to offer any reasonable alternative to arrest.

## **GENERAL INSTRUCTIONS GOVERNING ASSESSMENT OF PERSONS IN POLICE CUSTODY**

The following provisions of General Instruction P100 apply to the initial assessment of persons in Police custody:

- “(1) All persons arrested or received into or held in Police custody are to be assessed or evaluated as to their health, safety or suicidal risk. This evaluation and assessment of an offender begins as soon as a person is in custody, whether this is at a scene of an incident, at a Police Station or at Court.*
- (2) Police have a responsibility to ensure the health, safety and security of all prisoners held by them. This relates to not only any*

*suicidal tendency or medical condition but also any risk from another source such as other prisoners.*

- (3) *All people received into or held in Police custody are to be assessed and monitored for:*
- (a) *their health, medical condition or suicide risk status; and*
  - (b) *their possible threat level to Police staff; and*
  - (c) *any other risk that may result from for example the nature of the charge against them, sexual orientation, affiliations, or vulnerability to intimidation."*

## **RESPONSIBILITY FOR SAFE CUSTODY OF PERSONS ARRESTED AND THEIR PROPERTY**

General Instruction P102 provides:

*"Arresting members are responsible for safe and secure custody of persons they arrest, and their associated property, until the prisoner is transferred to the custody of another member or agency."*

## **USE OF HANDCUFFS**

General Instruction A265 provides:

*"Handcuffs are for restraining persons in custody. The necessity to use handcuffs will always depend on the particular circumstances, including:*

- *the nature of the charge;*
- *the conduct and temperament of the person;*
- *the likelihood of the person attempting to escape;*
- *the safety of the Police and other persons involved."*

## **RELEVANT EVIDENCE**

Before determining whether the requirements of the law and the Police General Instructions governing the arrest of Mr Bryant were complied with, I propose to refer to the most relevant evidence on those issues.

Officer 1 states that after obtaining information about an alleged offender who had been identified by a security guard from the supermarket, he approached a male person (Mr Bryant) in the New City Hotel and asked him to come outside. He gives the following



account of the ensuing events:

*"Outside the hotel I informed him that the reason we had brought him out was to talk about some shoplifting that occurred in Big Fresh. He denied any shoplifting stating that he did not know what we were talking about. [Officer 2] told me to give the man his Bill of Rights and to arrest him as we had enough to charge him with theft. I agreed and I told the man that he was under arrest for shoplifting. I then informed him that he was not obliged to say anything and that anything he did say may be used in evidence, that he also had the right to consult and instruct a lawyer without delay and in private and that he had the right to refrain from making a statement and that a phone would be made available as soon as we had got back to the police station so he could talk with a lawyer.*

*My usual process in these circumstances is to get the person's details, ie his name, address, etc when we get back to the patrol car as opposed to getting them out on the street where it's noisy.*

*I asked him if he understood these rights and he answered me by saying 'I didn't shoplift, I don't know what you're talking about.'*

*I again asked him 'Do you understand the rights that I've just explained to you'. He said 'Yes' and nodded.*

*At this point [Officer 2] asked if a bike around the corner in Bath Street, in the entrance to the hotel was his. He said 'Yes' and [Officer 2] asked him if he wanted us to take the bike with us, to which he said 'Yes'.*

*[Officer 2] told the male that he would look after the man's bag. [Officer 2] picked it up off the footpath and we started walking on Colombo Street in a northerly direction towards Bath Street. We made a left hand turn down Bath Street and walked in a westerly direction until we got to the Bath Street entrance to the hotel.*

*The male didn't stop talking all the way to where his bike was, he kept saying he had not been shoplifting. He was talking quite calmly but repeatedly saying he couldn't understand why he had been arrested even*

*when I told him that we had video evidence and two witnesses who had seen him shoplifting.*

*At the Bath Street entrance to the hotel [Officer 2] grabbed his bike and we continued walking towards our patrol car which was parked about 30 metres down Bath Street in the first carpark of Rebel Sport carpark.*

*The three of us got to the passenger side of the patrol car. [Officer 2] walked slightly ahead of me and the male shoplifter, so he could open the boot of the car and put the bike in. We were standing about 3 metres away from the patrol vehicle and as I went to walk towards the patrol vehicle to open the door I saw the male shoplifter run off through the Rebel Sport carpark. He was at least 4-5 metres ahead of me when I took off running after him.*

*He threw off his hat as he ran past the patrol vehicle. He then threw off a pair of reading glasses back in my direction. He continued running towards the steps of Rebel Sport on Colombo Street. I was gaining on him but only slightly. He never said anything and did not throw any more items away.*

*He continued running at full pace as he got to the corner of Rebel Sport footpath. I expected him to slow down so that he could turn right and go in a southerly direction along the footpath outside Rebel Sport, in fact I started to slow down so I could take the corner. There are 2-3 steps from the carpark down to the footpath. He appeared to jump them. He did not slow down and ran across the footpath in front of a parked car and out on to Colombo Street.*

*I noticed a big Red Bus driving in a northerly direction on Colombo Street as the male ran in front of the parked car. I thought it was all over and there was no way the male was going to avoid being hit by the bus. He was hit by the front left hand side of the bus."*

Officer 1 estimated that he was about 3-4 metres behind Mr Bryant when the latter ran across the footpath on to the road. He also stated:

*"I did not consider that he needed to be handcuffed or otherwise restrained when he was arrested because he was cooperative and obliging. It was only a minor offence and with two of us there I did not consider him to be a threat to us, himself or any other member of the public."*

Officer 2 gives the following account of events after Mr Bryant's arrest by Officer 1:

*"The offender was carrying a red and black backpack in his hand. I took it from him. I had him drop some small change into the pack."*

*We walked with the offender north on Colombo to Bath Street.*

*The offender accompanied us along Colombo Street, he wasn't handcuffed or restrained in any way.*

*We walked around and into Bath Street with him and stopped at the Bath Street entrance to the hotel.*

*I asked him if the bike that was situated in the Bath Street entrance was his, he said it was.*

*He asked if we could take his bike with us. We agreed.*

*I removed the bike from the entrance way and proceeded to walk the bike towards the patrol car, I still had his pack in my other hand.*

*The patrol vehicle had been parked in a convenient off street park west of the New City Hotel on Bath Street.*

*I was the driver of the patrol vehicle.*

*As we approached the vehicle and moved off the footpath towards the car park I removed the vehicle's keys from my belt clip.*

*In order to do this I stopped and rested the bike against my hip to access the keys.*

*At this time we were approaching the rear of the patrol vehicle as I had backed into the car parking space.*

*I had my right hand extended out and in the process of using the electronic opening system to open the boot.*

*At this time [Officer 1] was to my left and probably slightly forward of me. The offender was only a step in front of him.*

*Before I could unlock the boot my attention was drawn to him by a sudden movement by him, I saw him remove his black beanie hat from his head as he started running through the car park to Rebel Sport and away from [Officer 1].*

*[Officer 1] set off after him. I dropped the bike and started running as well but continued to hold his backpack.*

*He was chased across the Rebel Sport car park, turning left in front of the main store entrance area.*

*The offender continued to run east along the front of the store. [Officer 1] was gaining on him and I was further back.*

*The offender continued to run towards Colombo Street. When he got to the corner of Rebel Sport and the footpath of Colombo Street he went through a narrow pedestrian designated access way.*

*By this time [Officer 1] was three to five metres behind him. I was approximately twenty to twenty five metres further behind and to their left.*

*When [Officer 1] got to the pedestrian access way I had lost sight of the offender because I had assumed he had gone to the right.*

*From where I was my view through the pedestrian access way and out onto Colombo Street was obscured by a lamp post.*

*So as [Officer 1] got to the pedestrian access way I heard a very loud bang from Colombo Street in front of [Officer 1]."*

## **INDEPENDENT EYE WITNESSES**

An independent witness in a passing car, who had observed the two officers walking with a male to a carpark in the vicinity of the Rebel Sports building, gave the following account:

*"Very soon after I first saw them the man started to run. I didn't hear anything said by anyone. I saw the Policeman start to run as well. After we had seen the Policeman start to run our car went past the New City Hotel and we were unable to see what was happening ... After we had passed the New City we turned right on to Colombo Street to travel towards Moorhouse Avenue. As we approached the Colombo Street entrance to the Rebel Sport car park I saw the man again. I was surprised to see him still running....*

*I saw at least one Policeman behind him possibly 2 to 3 metres behind him. He ran quite quickly and ran out of the car park and veered slightly to his right. He then straightened up and ran on to the road."*

A witness in the same car (the driver) gave the following account:

*"I looked up to see a male run out on to Colombo Street from between the New City and Rebel Sport. He didn't look at all as he ran on to the road right in front of a Big Red Bus."*

This witness estimated the speed of the bus at 40-45km/h.

Several other witnesses who had been in the vicinity made statements giving similar descriptions of the accident.

### Bus Driver

The driver of the bus gave the following account:

*"As I got to the corner of the Rebel Sport shop building a guy came running out of the driveway, flat out and he was flat out. There was a car parked on the left hand side of the road just before the Rebel driveway*

*that this guy came out of. I thought he was going to turn right and run along the side of the bus on the outside of the car. As soon as I saw him I braked as hard as I could and also tried to steer my bus right I think, to avoid him....*

*I feel that there was no way at all I could have avoided hitting this guy. He was running flat out. I believe he was running so fast that he just couldn't stop. In the few seconds that I had between noticing him and hitting him, there was nothing else that I could have done to avoid him."*

## **INVESTIGATION AND REPORT BY THE SERIOUS CRASH UNIT**

A Senior Constable from the Serious Crash Unit attended the scene to mark the positions of relevant points on the road. He then conducted further investigations and prepared a report for the Coroner with detailed plans and calculations. He gave the following summary and conclusions:

*"This crash occurred on Thursday the 9<sup>th</sup> of August 2001 at 5.10pm, on Colombo Street, Christchurch between Bath St and Moorhouse Ave.*

*The crash involved a pedestrian running east from the carpark of the Rebel Sport building into the path of a northbound bus on Colombo Street.*

*Subsequently the pedestrian died from injuries received.*

*At the time of the crash, it was raining and dusk was falling.*

*Calculations place the speed of the northbound bus at between 40 & 50 kph, with the probable speed at impact of 45 kph.*

*These speeds are within acceptable limits for this area.*

*The pedestrian has suddenly entered the roadway after running from the carpark. He has travelled the 7.4m to the impact area in 2 seconds.*

*The parked vehicle he has run in front of is unlikely to have obscured him from the bus driver's view to any great extent.*

*Of the 2 seconds available to observe the approaching pedestrian, 1.5 – 2 seconds is required as perception/reaction time.*

*As such braking would occur at or immediately prior to impact, which it has.*

**Conclusions:**

*Based on my scene examination, the following conclusions have been drawn.*

- 1. The pedestrian has run out in front of an oncoming bus, away from normal pedestrian crossing areas, and from behind a solid walled building.*
- 2. The time for the driver to perceive and react to this has been minimal.*
- 3. The speed of the bus at impact is likely to be about 45kph.*
- 4. The bus has struck the pedestrian shortly after braking has occurred, therefore he has been struck at a high proportion of that vehicle's speed.*

*Therefore, the primary contributing factor in this crash has been the behaviour of the pedestrian, which has provided the bus driver with little chance of avoiding or reducing the effect of this collision."*

## **DISCUSSION**

Having independently reviewed the extensive Police files generated by the investigation of the incident resulting in the unfortunate death of Mr Bryant I am satisfied that all necessary enquiries were conducted in a thorough and professional manner.

The essential findings of fact are:

- Mr Bryant was arrested outside the New City Hotel for alleged theft of articles from a supermarket;
- Mr Bryant initially co-operated with the arresting officers by walking with them from the point of arrest to a patrol car parked in a carpark outside the Rebel Sport building;
- There was nothing in the demeanour or behaviour of Mr Bryant to indicate to the officers that he was a risk to them or himself;
- As they approached the patrol car Mr Bryant suddenly ran away in an attempt to escape from the officers, who gave chase;
- Before the officers could recapture Mr Bryant he ran out of the accessway beside the Rebel Sport building, across a footpath on Colombo Street and into the path of an approaching bus which braked but was unable to avoid a collision.

I have outlined above the evidence of the Police witnesses and the independent witnesses who observed the incident. I have had the advantage of reading the Coroner's findings on his inquest into the death of Mr Bryant and the detailed report of the Senior Constable for the Serious Crash Unit.

## **CONCLUSIONS**

I conclude that:

- The arresting officer was justified in arresting Mr Bryant for an alleged offence of theft;
- The decision not to handcuff Mr Bryant was reasonable given the nature of the alleged offence and the officers' assessment of Mr Bryant's demeanour and behaviour;
- The officers who pursued Mr Bryant on foot were acting in the lawful execution of their duty;
- The officers' actions complied with the requirements of Police General Instructions governing the arrest of a suspected offender;



- Appropriate action was taken to provide emergency medical attention for Mr Bryant following the accident.

As earlier noted, the principal role of the Authority in the consideration of an incident notified pursuant to s.13 of the Police Complaints Authority Act is to determine whether there has been misconduct or neglect of duty by any member of Police. I find no evidence of any such misconduct or neglect of duty in the present case.



**Judge I A Borrin**  
**POLICE COMPLAINTS AUTHORITY**

**11 December 2002**