



# Report on a Police pursuit in Christchurch on 13 September 2005 resulting in the death of Rangī Wano

INDEPENDENT POLICE CONDUCT AUTHORITY

## INTRODUCTION

---

1. At approximately 9.45am on 13 September 2005 a Pontiac Le Mans car being pursued by Police in Christchurch crashed into a Subaru Legacy car. The force of the collision caused the Subaru to collide with a third vehicle, an Isuzu campervan.
2. The 16 year-old rear seat passenger in the Pontiac, Rangī Wano, died later that day from head injuries. The 17 year-old driver suffered abdominal injuries and serious injuries to both legs and an arm. The 17 year-old front seat passenger suffered a broken arm and multiple facial lacerations. The occupants of the other vehicles suffered injuries of varying severity.
3. As required under section 13 of the Independent Police Conduct Authority Act 1988, the Police notified the Authority of the pursuit, and the Authority conducted an independent investigation. This report sets out the results of that investigation and the Authority's findings.

## BACKGROUND

---

### Summary of events

4. On the morning of 13 September 2005 Officers A and B, attached to the Christchurch Youth Crime Unit,<sup>1</sup> were alerted to the fact that Rangī Wano had absconded from a Child, Youth and Family home in Christchurch the previous night.
5. Rangī Wano was known to Officer A who considered it was necessary to find and arrest him as soon as possible. He had escaped from custody on eight prior occasions

---

<sup>1</sup> The Youth Crime Unit is based at Christchurch Central Police Station and targets and monitors the offending of the top 30 recidivist youth offenders in Christchurch.

and was known to run from Police when approached. On 12 September 2005 he had appeared before the Youth Court for escaping from custody and was given a final warning by the Judge.

6. The officers, in an unmarked Police car, went to a house in Hereford Street where they suspected Rangji Wano might be. At 9.15am they parked within sight of the house and saw the Pontiac parked in the driveway.
7. Approximately 25 minutes later the officers saw the Pontiac leaving the driveway carrying three people, one of them believed to be Rangji Wano. They began following the vehicle.
8. As the Pontiac reached the intersection of England and Worcester Streets the rear seat passenger turned around and the officers were able to identify him as Rangji Wano. He ducked down as if to avoid detection. The officers decided to stop the vehicle to arrest him. Until this time the Pontiac had been driven in compliance with the road rules.
9. At the intersection of England and Gloucester Streets, Officer A activated the red and blue lights and the siren. The Pontiac driver pulled over 20 metres north of the intersection. The Police vehicle pulled in behind it and Officer B approached the Pontiac. The blue and red lights were still on but the siren had been turned off.
10. Before Officer B reached the Pontiac the driver accelerated and started a U-turn. Officer B attempted to return to his vehicle but Officer A was already executing a U-turn in an attempt to block the Pontiac – the Police car coming into contact with the back right side of it.
11. The Police car came to a stop and the Pontiac continued to accelerate hard, as it completed a spinning 360° turn, narrowly missing Officer B.
12. The Pontiac accelerated along England Street toward Linwood Avenue. Officer A decided to pursue it and not to stop to pick up Officer B. He reactivated the siren.
13. Officer B radioed the Police Southern Communications Centre (SouthComms) to report the pursuit. Officer A did not hear this radio communication and did not report the pursuit himself at that time. There are two sharp bends before the intersection of England and Armagh Streets and Officer A later said that he chose to focus on his driving rather than communicate with SouthComms.
14. The Pontiac went through the intersection of England and Armagh Streets on the wrong side of the road going at an estimated speed of 70 to 80kph. It then failed to stop at a stop sign at the England Street and Linwood Avenue intersection. At this point Officer A contacted SouthComms advising them of the pursuit. SouthComms acknowledged and asked for the speed.

15. The Pontiac mounted a raised area before turning right at the intersection of England Street and Woodham Road. Vehicles were forced to take action to avoid the Pontiac. Officer A slowed before entering the intersection, provided SouthComms with the speed of the Pontiac, and reported that the traffic was light and the road conditions dry. He was then given the required warning by the dispatcher: *"If there is any unjustified risk to any person, you are to abandon the pursuit immediately, do you understand?"*. Officer A acknowledged this warning.
16. The Pontiac went through a red light at the intersection of Woodham Road and Gloucester Street at a speed of approximately 100kph then slowed to negotiate a roundabout at the intersection with Kerrs Road. Officer A also slowed at the same roundabout. The driver of the Pontiac was on the wrong side of Woodham Road as the vehicle turned into Pages/Buckleys Road. He lost control and it slid up against the footpath near a parked car. Officer A positioned his vehicle to the right of the Pontiac in order to block its progress. He then radioed SouthComms and advised that the pursuit had finished.
17. Despite Officer A's effort to block the Pontiac, it was driven along the footpath. Officer A drove his vehicle into the right side of the Pontiac in an attempt to stop it. The Pontiac hit a low concrete block wall and concrete fence post but was still able to be driven along Buckleys Road towards Linwood Avenue and across a grass and concrete median strip onto the wrong side of the road; half the Pontiac was on the median strip and the other half was on the road. It almost collided with a vehicle heading in the opposite direction. Seeing little oncoming traffic, Officer A followed. The Pontiac was driven about 25 metres in the oncoming lane before crossing back at a break in the median strip. Officer A advised SouthComms that he had recommenced the pursuit.
18. The Pontiac continued along Buckleys Road toward Eastgate Mall. Officer A reduced his speed as he was aware of a busy intersection ahead. The Pontiac's speed was estimated by Officer A and a number of witnesses to be approximately 100kph in this 60kph area. As the Pontiac approached the Russell Street intersection, where the speed limit reduced to 50kph, the driver slowed and used two lanes to manoeuvre around other traffic, some of which had to take evasive action.
19. The front seat passenger of the Pontiac later told Police that he had begged the driver to stop during the course of the pursuit.
20. As the Pontiac was going through the Buckleys Road and Russell Street intersection on a green light, it moved into the left-hand lane. Once through the intersection, it moved into the lane closest to the median strip. It was then driven onto the median strip, hitting and snapping an aluminium light pole. The car then launched off the median strip and hit the Subaru head on. Upon impact, the Subaru spun around and collided with the Isuzu.

21. Rangī Wano was not wearing a seatbelt. He died later that day from head injuries.
22. The pursuit commenced at 9.42:35am, terminated at 9.44:40am and covered a distance of 3.1 kilometres.
23. Among other charges, the driver of the Pontiac pleaded guilty to manslaughter, six charges of reckless driving causing death or injury and driving while disqualified. He was sentenced to four years and eight months imprisonment and disqualified from driving for six years.

### Vehicle

24. The Pontiac was unlicensed, had not been warranted since 2002 and was not of warrantable standard. The right front tyre was bald and delaminating into the second layer of rubber.

### Pursued driver's driving history

25. At the time of the pursuit the driver of the Pontiac was disqualified from holding or obtaining a driver licence.
26. On 3 September 2005 he was involved in an incident during which he drove at, and shunted, a Police vehicle. There were two outstanding warrants for his arrest between 3 September and 13 September 2005.
27. He also had a number of outstanding driving-related offences as at 13 September, including charges of careless driving causing injury and failing to stop to ascertain injury, in relation to an incident on 29 November 2004.

### Environment

28. The roads were dry and the speed limit was 50kph for most of the pursuit route. In the early stages of the pursuit traffic was light but it became heavier as the vehicles headed towards Eastgate Mall.

### Cause of death

29. A post-mortem examination of Rangī Wano concluded that his death was the result of head injuries caused by the crash.
30. A hearing took place on 5 and 6 November 2008 in Christchurch and Coroner McElrea released his findings on 12 June 2009.
31. Coroner McElrea ruled that Rangī Wano died as a result of "*high energy impact injuries to his brain*".

32. The Coroner did not accept Officer A's view that the dangerous driving of the pursued vehicle was apparent only with the benefit of hindsight. He concluded that Officer A *"has not exercised appropriate judgement in instituting this police pursuit without the benefit of a second officer in the vehicle, and continuing with the pursuit in the face of flagrantly dangerous driving"*.
33. Coroner McElrea also noted that the pursuit controller did not become involved until the second half of the pursuit and he would have abandoned the pursuit had he known about the dangerous driving up to that point.
34. The Coroner stated that *"This case brings into question the effectiveness of police pursuit policy to protect public safety"*.

#### LAWS AND POLICIES

---

35. Under the Land Transport Act 1988, the Police are empowered to stop vehicles for traffic enforcement purposes. Under the Crimes Act 1961, the Police are empowered to stop vehicles in order to conduct a statutory search or when there are reasonable grounds to believe that an occupant of the vehicle is unlawfully at large or has committed an offence punishable by imprisonment. Where such a vehicle fails to stop, the Police may begin a pursuit.
36. Under the Police pursuit policy, an officer who commences a pursuit must undertake a risk assessment, which involves consideration of a range of factors including speed and other behaviour of the pursued vehicle, traffic and weather conditions, the identity and other characteristics of the people in the pursued vehicle, the environment, and the capabilities of the Police driver and vehicle. The officer must then determine whether *"the immediate 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, or police"*.
37. The policy also sets out requirements for information to be provided to the nearest Police communications centre, roles and responsibilities of all staff involved, tactics which may be used, and procedures for abandoning and restarting pursuits.
38. Throughout a pursuit, Police must continue to assess the risks involved and they must abandon it if the risks to safety outweigh the immediate need to apprehend the offender.

## THE AUTHORITY'S FINDINGS

---

### Commencement of pursuit

39. The pursuit began after the driver of the Pontiac had been signaled to stop under section 317A of the Crimes Act 1961, Police believing on reasonable grounds that one of the occupants, Rangi Wano, was unlawfully at large.
40. The identity of the driver was unknown to Officer A during the course of the pursuit.
41. Officer A said that he conducted a risk assessment, which included factors such as speed, traffic and weather conditions, and considered there was an acceptable risk.
42. The pursuit controller assumed responsibility at the time Officer A was given the required warning and there was insufficient time before the crash for him to determine that Officer A had conducted the appropriate risk assessment during the initiation phase of the pursuit and that the risk was acceptable.
43. As Coroner McElrea noted, the pursuit controller's involvement commenced one minute and ten seconds into the pursuit, after the Pontiac had run a red light. He was unaware of that incident and other dangerous driving prior to it. His oversight therefore only related to the latter half of the pursuit.

#### FINDING

Officer A complied with section 317A of the Crimes Act 1961 and with the Police pursuit policy when commencing the pursuit.

### Continuation of the pursuit

44. As the pursuit continued there were additional risks that should have been considered as part of an on-going assessment. Those risks included the dangerous and aggressive driving of the pursued driver and the involvement of a single crewed and unmarked Police vehicle. The Police pursuit policy requires an unmarked Police vehicle in a pursuit to be replaced by a marked vehicle as soon as possible. When conducting a risk assessment one of the matters to be considered in terms of an officer's capabilities is whether they are operating a single crewed vehicle.
45. As the pursuit continued, the driving became more dangerous and aggressive. The risk to the public and those involved in the pursuit began to escalate. As part of the overall risk assessment Officer A should have considered whether the seriousness of the offending and need to immediately apprehend outweighed the risks to the public and the police. The initial reason for the commencement of the pursuit was to apprehend a 16 year old who had absconded from a Child, Youth and Family home.

## FINDING

Officer A did not give sufficient consideration to the risks involved in continuing the pursuit and should have abandoned it given the less than serious nature of the offending and the escalating risks.

**Communication by Officer A**

46. There was a 30 second delay in Officer A advising SouthComms of the pursuit because, as he explained, he had to negotiate two sharp bends before the intersection of England and Armagh Streets.
47. Accepting that the pursuit was of short duration, Officer A did not then provide sufficient information to allow SouthComms staff to make a satisfactory assessment of the situation as it developed. He did advise SouthComms that the pursued vehicle had crashed although no additional of specific information about the extent of the crash was provided. Officer A did not advise SouthComms that the Police vehicle had been damaged; the Pontiac driver had lost control at the Pages/Buckleys Roads intersection and the vehicle had come to a stop; that the pursued driver had successfully evaded a blocking attempt; that the Pontiac had been driven along the footpath; that it had crossed the median strip; and that he had followed. The information he did provide was limited to direction and speed. Officer A advised that his attempts to perform a vehicle block in an effort to stop the pursued vehicle prevented him from further communication with SouthComms. This was critical information that should have been communicated to allow for the necessary and ongoing risk assessment by the communications controller and it reinforces the limitations of single crewed vehicle pursuits.
48. Officer A said that he did not stop to pick up Officer B before starting to pursue because he felt he would lose sight of the Pontiac. That decision meant that his ability to communicate safely with SouthComms was compromised.
49. Once the Pontiac's driver lost control at the Pages/Buckleys Roads intersection and came to a stop, Officer A believed the pursuit had ended and notified SouthComms. He did not report the collision between the Pontiac and the Police vehicle. When the Pontiac suddenly accelerated Officer A advised SouthComms and recommenced the pursuit.
50. On Woodham Road Officer A had considered abandoning the pursuit when the Pontiac crossed to the right side of the road and was heading toward oncoming traffic. He said that he would have done so had that driving continued. He said that he later considered abandonment again, being aware that the Pontiac was heading toward an area of greater traffic volume.

## FINDING

Notwithstanding the short duration of the pursuit, there was inadequate communication by Officer A with SouthComms. Officer A did not fully comply with the pursuit policy communication requirements.

Officer A's decision not to pick up Officer B before starting to pursue compromised his ability to communicate as required by the pursuit policy.

### Oversight of the pursuit by SouthComms

51. During the early stages of the pursuit Officer A communicated with a dispatcher at SouthComms. The pursuit controller did not assume responsibility for the control of it immediately. He joined the dispatcher at the time the pursuit warning was given and as a consequence, did not know about the driving behaviour to that point. He was not informed of other driving behaviours that would have assisted the ongoing risk assessment.
52. The dispatcher was aware of the circumstances prompting the decision to pursue and provided Officer A with the standard warning that the pursuit must be abandoned if there was unjustified risk, and Officer A acknowledged that warning.
53. Thereafter, not only did Officer A not provide the required information, he in turn received limited prompting and direction by the dispatcher and the pursuit controller.
54. The pursuit controller said that he considered ordering that the pursuit be abandoned as the vehicles approached the intersection of Buckleys Road and Russell Street when they were travelling at 90 to 100kph and heading toward an area of greater traffic volume. However, when Officer A advised that both he and the Pontiac were reducing speed, the pursuit controller allowed the pursuit to continue. The controller has said that, had he been aware of all of the dangerous driving, his risk assessment would have been quite different and would have resulted in complete abandonment.

### FINDING

The pursuit should have been abandoned given the dangerous driving involved and the fact it was heading toward a built-up area on a weekday morning. The pursuit controller acknowledges he would have abandoned the pursuit had he possessed all the information available. Without critical information, his ability to properly assess the risks was limited.



### Speed and manner of driving

55. Officer A was gold certified for Police driving. During the early stages of the pursuit his driving complied with the pursuit policy.
56. Officer A used the Police car to block the Pontiac – once at the intersection of England and Gloucester Streets and twice at the intersection of Pages/Buckley Roads. He stated that his speed during the latter incident was 30kph.
57. Officer A said that he followed the Pontiac onto the right side of the road in order to warn oncoming vehicles.
58. When approaching Eastgate Mall Officer A's stated speed was 90 to 100kph. The speed limit in this area is 60kph.

#### FINDING

Officer A did not comply with the pursuit policy in respect of his manner of driving in the latter stages of the pursuit.

### CONCLUSION

59. Officer A's manner of driving in the latter stages of the pursuit was contrary to the Police pursuit policy and he did not provide adequate information to SouthComms.
60. Officer A's actions were undesirable, unjustified and bordering on misconduct. I note that he was required to undergo driver retraining.
61. Officer A was not breath tested following the pursuit. While he was not involved in the crash, it is the Authority's view that following a fatal pursuit it is desirable for the officers involved to be breath tested.

A handwritten signature in black ink, appearing to read "L.P. Goddard".

Hon Justice L P Goddard

Chair

Independent Police Conduct Authority

August 2009

# About the Authority

## WHO IS THE INDEPENDENT POLICE CONDUCT AUTHORITY?

---

The Independent Police Conduct Authority is an independent body set up by Parliament to provide civilian oversight of Police conduct.

It is not part of the Police – the law requires it to be fully independent. The Authority is chaired by a High Court Judge and has two other members.

Being independent means that the Authority makes its own findings based on the facts and the law. It does not answer to the Police, the Government or anyone else over those findings. In this way, its independence is similar to that of a Court.

The Authority has two investigating teams, made up of highly experienced investigators who have worked in a range of law enforcement roles in New Zealand and overseas.

## WHAT ARE THE AUTHORITY'S FUNCTIONS?

---

Under the Independent Police Conduct Authority Act 1988, the Authority:

- receives complaints alleging misconduct or neglect of duty by Police, or complaints about Police practices, policies and procedures affecting the complainant;
- investigates, where there are reasonable grounds in the public interest, incidents in which Police actions have caused or appear to have caused death or serious bodily harm.

On completion of an investigation, the Authority can make findings and recommendations about Police conduct.





**IPCA**

Independent Police Conduct Authority  
Whaia te pono, kía puawai ko te tika

PO Box 5025, Wellington 6145  
Freephone 0800 503 728  
[www.ipca.govt.nz](http://www.ipca.govt.nz)