

Victorian coroner finds unjustified police pursuit resulted in death of Aboriginal man

Raymond Noel was 'made of pure love', his parents told the court, as coroner urges police pursuit policy changes to minimise trauma



Raymond Noel Lindsay Thomas's father speaks to the media outside the coroners court in July. An inquest into the 2017 death found the police pursuit was not justified.

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A Victorian coroner has found that a high-speed police pursuit which resulted in the death of an Aboriginal man was not justified and called for the rules to change back to the more restrictive settings that were in place before the Bourke Street tragedy.

Coroner John Olle handed down his findings on Monday into the death of Gunnai, Gunditjajara and Wiradjuri man Raymond Noel Lindsay Thomas.

Raymond Noel was “made of pure love,” his parents told the court, in statements Olle included in his findings. “He had a beautiful nature and was a very caring person, and was very protective of his family and friends.”

Olle found the decision by police to pursue the 30-year-old on 25 June 2017, was not justified on the letter of the pursuit policy as written, which requires police to assess whether the vehicle poses a serious risk to public health and safety before deciding to intercept.

But he said lawyers acting for the chief commissioner of police had made submissions to the inquest which interpreted that policy in a way that is “at odds with the written

word” so he could not hold the police officers directly involved in the pursuit responsible.

Victoria police changed its policy in 2015 to allow pursuits only when public safety was threatened or a serious offence was committed, in response to recommendations Olle made in a 2013 inquest. That version of the policy specifically prohibited pursuits in response to minor traffic offences and theft.

That prohibition was removed when the policy was updated in 2016, after a negative media campaign, and the policy was broadened again after the Bourke Street tragedy in January 2017.

Olle said that as a result of the “restrictive” 2015 policy, the number of pursuits reported a month dropped from 171 to seven and “pursuit related trauma was trending toward zero”.

“I consider that outcome a remarkable achievement which illustrated the absolute determination of the chief commissioner of police to reduce pursuit related trauma,” he said, noting that trauma from fatal pursuits affects not just the families of the deceased but police officers and the broader community.

When that clause was removed in the 2016 update of the policy, pursuit numbers increased “tenfold,” he said, but remain below pre-2015 levels.

Olle recommended the more restrictive requirement be reintroduced, saying police members would benefit from a more proscriptive policy which allowed “no scope for interpretation”.

“In my view, a pursuit policy should offer operational police the clearest opportunity to make sound decisions in these highly charged scenarios,” he said.

He recommended the policy be updated to say that a “serious risk to health or safety of a person must exist before the decision to intercept, that is before police involvement”.

Olle said there was an “alarming contradiction” in interpretations of the pursuit policy between senior police officers who gave evidence at the inquest.