

Australia: Coroner exonerates police over fatal Macquarie Fields car chase

By Mike Head
2 November 2007

Last week a coroner ruled that a high-speed police pursuit that resulted in the deaths of two teenagers in the Sydney suburb of Macquarie Fields in February 2005—was “reasonable”. The verdict not only clears police of all responsibility for the deaths but effectively gives a green light for dangerous car chases to continue.

Matthew Robertson, 19, and a 17-year-old young man, whose name has been suppressed by the coroner, were killed when their car crashed into a tree outside a house in Eucalyptus Drive, a busy residential street. Their deaths sparked four days of protests by local youth and residents, driven by outrage at the wanton destruction of two young lives.

Police had no need to chase the allegedly stolen car in the first place. The boys involved had been under close surveillance for days beforehand and could have been charged or arrested at any time for their alleged offence.

New South Wales Deputy State Coroner Carl Milovanovich, however, said the decision to begin the pursuit was reasonable in the circumstances. He declared that their actions did not breach police “safe driving policy” guidelines, despite the chase occurring at speeds of up to 140 kph through at least eight intersections in a densely-populated area. Milovanovich ruled there was no evidence of danger to pedestrians or residents, even though a “Blue Light” disco had just finished and many teenagers were on nearby streets.

The coroner insisted that the driver of the wanted car, Jessie Kelly, 22, was solely responsible for the deaths. Kelly was charged with dangerous driving causing death, and is currently serving an eight-year jail sentence. Milovanovich also blamed the two victims for their own deaths. “Had Matthew and [the 17-year-old] not been in the car that night we would not be here today,” he said.

For the parents and relatives of the two young men, who were in the courtroom for the verdict, the coroner’s remarks were a bitter blow. Outside the court, the father

of the 17-year-old victim expressed dismay that the police “have got away with it” and that the coroner made no findings that would prevent high-risk chases in the future.

The coroner’s own report confirmed that the police chase was entirely unnecessary. The boys were living in a house which had been “subjected to electronic and video surveillance” for 11 days, and the previous night a large police contingent, including the Highway Patrol, a helicopter and the Dog Squad, had tailed the wanted car for five hours in an unsuccessful operation to catch the young men in a criminal activity. Following that failure, a high-level decision was made, involving an Assistant Commissioner, to intercept the car at the next opportunity, even though it was known that a potentially dangerous pursuit was likely to occur.

Coroner Milovanovich made no recommendations to limit police chases, despite a 2004 report that found that 54 people had died in NSW police chases during the previous decade. Further deaths are inevitable. Already, in March this year, another 13-year-old boy from Macquarie Fields was killed in a high-speed chase. The police responded by expressing satisfaction that, on this occasion, no protests occurred, attributing this to a series of new “community policing” programs in the area.

In his findings, the coroner ruled that the police car had not struck the stolen car. He said wrongful rumours of such a collision had fuelled riots “by people hostile to police” and had hindered an examination of the crash scene.

In fact, the violent clashes revealed the depth of anger over constant police harassment of young people in working class communities. The first conflict between police and local residents broke out within hours of the car crash. Grief-stricken family and friends gathered at the site and denounced the police for causing the deaths.

Over the following three days, the state Labor government mobilised hundreds of police, including

heavily-armed riot squads, in a series of attacks that ignited nights of street clashes. As the Socialist Equality Party said in its March 2005 statement, “Macquarie Fields—the political issues,” the suburb became “a testing ground for new methods of suppressing social unrest. Police cordoned off the suburb, while riot units confronted and taunted youth on the streets. Police wielding machine guns stormed houses, police dogs were set upon demonstrators, and helicopters buzzed overhead, spotlighting homes and individuals.”

The clashes, in one of Sydney’s poorest and most disadvantaged neighborhoods, provided a graphic picture of the class tensions that have built up as a result of the deepening social inequality produced by decades of free-market policies implemented by Labor and Liberal governments alike.

For all the official claims of years of economic prosperity, Macquarie Fields, like similar suburbs throughout western Sydney and across Australia is home to large public housing estates where less than half the adults have jobs, and where houses, schools, health services and social facilities are severely run-down after years of funding cuts.

These areas have born the heaviest brunt of the relentless assault on jobs, conditions, living standards and welfare entitlements of working class people in order to meet the demands of global corporations and investment houses for lower tax rates, cheaper labour and greater profits. Privatisation and outsourcing of public services such as child care, education, health and “welfare to work” job training has only intensified the levels of disadvantage.

The NSW Labor government made great play of denying the social roots of the crisis and, in the process, repudiating any conception that changing social conditions would change social life. Premier Bob Carr declared: “I’m not going to have it said that this behaviour is caused by social disadvantage.” He ruled out any new spending commitments as a “knee-jerk government response to anti-social and criminal behaviour”.

A subsequent parliamentary inquiry, conducted by the Standing Committee on Social Issues, which included representatives of the Liberal Party and Australian Democrats, as well as Labor, essentially echoed this position. Its long-delayed June 2006 report, while paying lip service to concerns about “social disadvantage”, recommended no new social spending, simply backing an existing “Community Action Plan” that provided no extra

state or federal funding.

The report’s main thrust was to back the boosting of police numbers, resources and equipment, together with police programs to “develop and strengthen relationships with local young people”. These programs include Camp IMPACT, a series of boot camps for teenagers deemed to be “at risk of offending”, and the establishment of close liaison with prominent local figures in order to prevent further disturbances. The purpose of these “pro-active” and “community” programs is to strengthen the police surveillance and monitoring of ordinary people.

In the two and half years since the 2005 events, the powers of the police have been expanded further. Just last week, Bob Carr’s successor, Morris Iemma, announced the “biggest-ever shake-up of surveillance laws in NSW law enforcement history”. Police will be able to use listening and tracking devices and hidden cameras to secretly spy on people for up to three months at a time, and for up to five days without a judicial warrant.

In response to the Cronulla riots in December 2005, the riot squad was deployed against Middle Eastern and Islamic youth. Again, in 2006, it was used against residents opposing the closure of their public housing estate in the rural city of Dubbo.

In September the state Labor government, in collaboration with the Howard government, organised a massive police mobilisation to block protests at the APEC summit. This was followed by the use of riot police against sacked workers at McArthur Express in Seven Hills, in Sydney’s west. These events demonstrate that the principal target of the new police powers is not “terrorism”, but political opposition and social unrest, fuelled by militarism and war, ever-widening social inequality, and the escalating assault on democratic and civil rights.

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