

ANZSASI CONFERENCE ROTORUA

AIRCRAFT CRASH INVESTIGATION

“A POLICE PERSPECTIVE”

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INTRODUCTION

Presentation Outline

- Requirement for Police involvement (10)
- Scene management (10)
- Significant Issues (12)
- Conclusions (3)
- Questions (5)

“Key Message”

Investigations into aircraft crashes require a collegiate, cooperative approach



REQUIREMENT FOR POLICE INVOLVEMENT

- Police Act 2008, Section 9
Functions of Police
include....
 - Emergency management
 - Maintaining public safety
 - Law enforcement



REQUIREMENT FOR POLICE INVOLVEMENT /2

- Coroners Act 2006, Section 13 & 17
Deaths (such as aircraft fatalities) must be reported to Police
- Obligation on Commissioner to Investigate on behalf of Coroner



REQUIREMENT FOR POLICE INVOLVEMENT /3

- Coroners Act 2006, Section 57

Purpose of Coroners enquiry is to:

1. Establish:

- that a person has died
- the persons identity
- when & where the person died
- the cause & circumstances of death

2. Where appropriate; make recommendations or comment

3. To determine if public interest would be served by investigation from other investigatory authorities

REQUIREMENT FOR POLICE INVOLVEMENT /4

- **Crimes Act 1961 section 158 - Homicide defined**
- Homicide is the killing of a human being by another, directly or indirectly, by any means whatsoever.
- **Crimes Act 1961 Section 171 - Manslaughter**
- Except as provided in section [178](#) of this Act, culpable homicide not amounting to murder is manslaughter.

REQUIREMENT FOR POLICE INVOLVEMENT /5

- **Crimes Act section 160 - Culpable homicide**
- Homicide may be either culpable or not culpable.
- Homicide is culpable when it consists in the killing of any person—
 - By an unlawful act; or
 - By an omission without lawful excuse to perform or observe any legal duty; or
 - By both combined; or.....

POLICE INVOLVEMENT /6: ...NOT ONLY FATALITIES

- **Crimes Act 1961 Section 156**

Duty of persons in charge of dangerous things

Every one who has in his charge or under his control anything whatever, whether animate or inanimate, or who erects, makes, operates, or maintains anything whatever, which, in the absence of precaution or care, may endanger human life is under a legal duty to take reasonable precautions against and to use reasonable care to avoid such danger, and is criminally responsible for the consequences of omitting without lawful excuse to discharge that duty.

SCENE MANAGEMENT

REASONS FOR & PRINCIPLES REMAIN THE SAME



SCENE MANAGEMENT

TOOLS & TECHNIQUES HAVE DEVELOPED SOMEWHAT!



SCENE MANAGEMENT

- Integrity of scene is vital
- Ensure Safe: freeze, control, preserve
- Early photographs - often useful
- Use of scene guards
- DNA Evidence – Benefits / risks
- Scene log
- Chain of evidence - exhibits
- Document any scene interference/change

SCENE CONTROL



SIGNIFICANT ISSUES

- Sharing evidence
- Safety v enforcement (both important)
- Independent examinations
- Communication / Expectations
- Who's Scene is it?
- Who gets expert reports?
- Who will give evidence?
- Trying to find independent aviation experts

CONCLUSIONS

- Police have a statutory role in Aircraft crashes
- The scene integrity is critical
- Must be clear understanding between investigative bodies
- Must be independence in investigation
- Ongoing Communication is important

FINAL WORD

- *“Investigations into aircraft crashes require a collegiate, cooperative approach”*



QUESTIONS

