



New South Wales

**CORONER'S COURT
OF NEW SOUTH WALES**

Inquest: Inquest into the death of Kailan Quabba

Hearing dates: 29 May 2026

Date of Findings: 5 June 2026

Place of Findings: Coroner's Court of New South Wales, Lidcombe

Findings of: Judge Derek Lee, Deputy State Coroner

Catchwords: CORONIAL LAW – New South Wales Police Force pursuit, Safe Driving Policy, Safe Driving Response and Operations Guideline, catch up, closing distance, traffic stop, commencement of pursuit, termination of pursuit, urgent duty, code red response

File number: 2024/125173

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Findings:

Kailan James Quabba died on 1 April 2024 at Strathfield NSW 2140.

The cause of Kailan's death was multiple injuries.

Kailan was riding a motorcycle on a residential street when it collided with another vehicle. The collision occurred as the motorcycle was overtaking the vehicle on the left hand side and as the vehicle merged left in order to make way for an approaching New South Wales Police Force vehicle with its warning devices activated. The New South Wales Police Force vehicle was in pursuit of Kailan's motorcycle at the time after it had been detected travelling over the designated speed limit and ignored a direction to stop.

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1. Introduction

- 1.1 At around 2:22pm on 1 April 2024, Kailan Quabba, a 29-year-old man, was riding a motorcycle along the M4 motorway. Kailan rode past Senior Constable Phillip Dodd who had parked his New South Wales Police Force (**NSWPF**) vehicle near the exit to Centenary Drive/Homebush Bay Drive. Senior Constable Dodd was performing speed checks at the time and detected Kailan to be travelling in excess of the speed limit.
- 1.2 After Kailan rode past, Senior Constable Dodd got into his NSWPF vehicle, activated the vehicle's warning lights and drove after Kailan intending to perform a traffic stop. Senior Constable Dodd briefly lost sight of Kailan on Centenary Drive and deactivated his vehicle's warning lights. Senior Constable Dodd regained sight of Kailan shortly before the intersection with Arthur Street and reactivated his vehicle's warning lights.
- 1.3 Both Kailan and Senior Constable Dodd turned onto Arthur Street. As Senior Constable Dodd began broadcasting the start of the motorcycle's registration, Kailan increased speed and passed four vehicles on their left hand side. The driver of a vehicle on Arthur Street heard the warning devices from Senior Constable Dodd's vehicle and began to merge left. As this occurred, Kailan's motorcycle collided with the vehicle causing the motorcycle to impact with a power pole and Kailan to be ejected before landing on the road.
- 1.4 Emergency medical services were contacted and resuscitation efforts were commenced. However, Kailan could not be revived and was later tragically pronounced life extinct at the scene.

2. Why was an inquest held?

- 2.1 Pursuant to the *Coroners Act 2009* (**the Act**) a Coroner has the responsibility to investigate all reportable deaths. This investigation is conducted primarily so that a Coroner can answer questions that they are required to answer pursuant to the Act, namely: the identity of the person who died, when and where they died, and the cause and the manner of that person's death.
- 2.2 Certain deaths are reportable to a Coroner. Some examples of reportable deaths are where the cause of a person's death is not due to natural causes, or where the cause or manner of a person's death may not immediately be known. In Kailan's case an inquest was held to examine the manner of his death or, in other words, the circumstances leading up to his death. Relevantly, these circumstances involved the period of time between when Kailan was first seen by Senior Constable Dodd and the collision, and whether any actions taken during this period contributed to the collision and Kailan's death.
- 2.3 The inquest therefore sought to independently examine of the conduct of a NSWPF officer in discharging his duties and exercising the lawful powers available to him. Doing so serves a number of purposes, including ensuring that such powers are exercised appropriately and responsibly, and providing reassurance to the community.

2.4 In this context it should be recognised at the outset that the operation of the Act, and the coronial process in general, represents an intrusion by the coronial jurisdiction and inquest process into what is usually one of the most traumatic events in the lives of family members who have lost a loved one. At such times, it is reasonably expected that families will wish to attempt to cope with the consequences of such a traumatic event in private. The sense of loss experienced by family members does not diminish significantly over time. Therefore, it should be acknowledged that both the coronial process and an inquest by their very nature unfortunately compel a family to re-live distressing memories and to do so in a public forum.

3. Kailan's life

3.1 Inquests and the coronial process are as much about life as they are about death. A coronial system exists because we, as a community, recognise the fragility of human life and value enormously the preciousness of it. Understanding the impact that the death of a person has had on those closest to that person only comes from knowing something of that person's life. It is hoped that what is set out briefly below acknowledges Kailan's life in a meaningful way.

3.2 Kailan was born on 20 February 1995 to Ellen Roper and Frank Quabba. Kailan's mother is a descendent of the Gudjal people of Charters Towers in far north Queensland. Kailan was the youngest of six siblings with three older brothers and two older sisters. Kailan was raised in Ingham, a small country town in North Queensland. He was known affectionately to his family as Kai.

3.3 Kailan grew up in Hawkins Creek where he would spend most weekends going on adventures with children from other families in the local community. They called themselves the "Creek Boys" and spent many hours going fishing in the Herbert River, riding their bikes late at night, and staying up late to play video games and listen to music.

3.4 Kailan enjoyed farm life with his family. He could often be found in the front seat of a tractor with his Nonno riding around the farm. Growing up, Kailan enjoyed camping, fishing, motorbike riding, boxing and spending time with his many friends. He loved being outdoors and following his older siblings around.

3.5 Kailan's family have many happy memories of time spent together around the dinner table, enjoying good food and each other's company. Kailan enjoyed his food and was always the first to put in a request for his favourites, crumbed steak and ravioli.

3.6 Kailan attended Hawkins Creek State School and later Ingham State High School. With his open and easy going nature, Kailan made numerous close friendships and was a loyal and true friend to many. Kailan later found a job at a local hotel where he always served beer with a smile. He later worked in concreting and performed social work but his most cherished job was working as a painter with his father.

3.7 Kailan remained close with relatives who lived in Italy. When they visited Australia about every four years, Kailan enjoyed spending time with his wider family and making lasting memories. In 2013, Kailan travelled to Italy with his Nanna and cousin to visit family. The trip was a wonderful cultural experience for Kailan.

- 3.8 Kailan always took pride in his appearance. He was known to dress well and enjoy nice clothes. Kailan was very proud of his background and who he was. He had tattoos of his surname and “Creek Boy”. These made Kailan always feel connected with his community and family who he loved dearly. Kailan’s mother describes him as a young gentleman who would take his mother out just to show her the man that he had become.
- 3.9 There can be no doubt that Kailan’s passing has left an enormous void in the lives of his family and friends which cannot be replaced. However, in the words of Kailan’s mother, his family know that Kailan will forever be with them and be in their hearts, to guide and comfort them whenever needed.

4. Kailan’s driving history

- 4.1 Prior to 1 April 2024 Kailan had previously been convicted of the following driving offences:
- (a) driving whilst disqualified and not wearing a motorcycle helmet on 16 November 2023;
 - (b) driving whilst disqualified on 28 February 2020;
 - (c) driving whilst disqualified on 8 June 2020;
 - (d) driving whilst disqualified, driving an unregistered vehicle and using a vehicle with an unauthorised numberplate on 12 May 2020.
- 4.2 Kailan had been disqualified from driving from 21 December 2023 to 21 June 2024.
- 4.3 At the time of the events of 1 April 2024, Senior Constable Dodd was unaware of Kailan’s driving history.

5. The events of 1 April 2024

- 5.1 At around 2:00pm on 1 April 2024, Senior Constable Dodd had parked his fully marked NSWPF Highway Patrol vehicle, with callsign GR206, in a breakdown lane on the M4 motorway, a short distance from the western exit of the M4 tunnel and just prior to the Centenary Drive exit. He was performing speed checks using a handheld device during the Easter long weekend.
- 5.2 At around 2:22pm, Kailan was riding a Honda CBR1000 motorcycle with registration MXX44, out of the M4 tunnel and past Senior Constable Dodd’s position. Senior Constable Dodd performed a speed check which recorded Kailan’s motorcycle to be travelling 105 kilometres/hour in a signposted 80 kilometres/hour zone. Kailan continued travelling along the M4 and took the Centenary Drive/Homebush Bay Drive exit.
- 5.3 Senior Constable Dodd got into his NSWPF vehicle and followed after the motorcycle intending to perform a traffic stop. Senior Constable Dodd exited the M4 and began travelling south along Centenary Drive although he did not know if the motorcycle had gone in the opposite direction northbound along Homebush Bay Drive.

- 5.4 At the time the warning lights on the NSWPF vehicle were activated but no siren was on. After a short distance, Senior Constable Dodd failed to see Kailan's motorcycle and turned off the warning lights. Almost immediately, Senior Constable Dodd spotted the motorcycle again near the intersection of Centenary Drive and Arthur Street. Senior Constable Dodd reactivated the warning lights and the motorcycle accelerated to overtake a truck. Senior Constable Dodd activated the siren on the NSWPF vehicle and commenced a pursuit of the motorcycle. The motorcycle overtook one vehicle and passed to the left of two more vehicles before merging into the exit lane to Arthur Street.
- 5.5 Senior Constable Dodd followed Kailan's motorcycle and began making this broadcast over NSWPF radio (known as **VKG**), "*GR206 urgent in pursuit of motorbike Mike, X-Ray, X-Ray, four...*", referring to the first four characters of the motorcycle's registration. As this occurred, the motorcycle increased speed and quickly passed four vehicles on the left hand side.
- 5.6 At this time a Toyota Corolla was travelling along Arthur Street towards Strathfield. The driver of the Corolla heard sirens behind her, looked in her rearview mirror, and saw Senior Constable Dodd's NSWPF vehicle with its lights on and heard its sirens. The driver checked her blind spot, noted that it was clear and started moving to the left to allow the NSWPF vehicle to pass.
- 5.7 As she did so, the driver heard the sound of what she described as an "*enormous roar from an engine*" and saw Kailan's motorcycle to her left near the front passenger window. The motorcycle impacted with the Corolla and was redirected into the kerb on the side of the road. This caused the motorcycle to impact forcefully with a power pole on the side of the road and Kailan to be ejected from the motorcycle. The driver of the Corolla described the motorcycle as travelling at a "*very, very fast speed*".
- 5.8 Senior Constable Dodd exited his NSWPF vehicle to check on Kailan's status. NSW Ambulance (**NSWA**) were contacted and additional NSWPF officers were called to the scene. Senior Constable Dodd commenced resuscitation efforts. This was continued by NSWPF officers who arrived on scene shortly afterwards. NSWA paramedics arrived and took over the resuscitation efforts.
- 5.9 Kailan was found to have extensive injuries to the head, neck and chest wall with a deep laceration to the neck and anterior chest wall. His pupils were noted to be fixed and dilated, and that he was asystolic on cardiac ultrasound. Despite continued resuscitation efforts, Kailan could not be revived and was pronounced life extinct at 2:53pm.

6. The post-mortem examination

- 6.1 A post-mortem examination was performed by Dr Rianie Van Vuuren, forensic pathologist, on 8 April 2024 at Forensic Medicine Sydney. The significant findings from the examination can be summarised as follows:
- (a) left base of skull fracture was subarachnoid haemorrhage;
 - (b) spinous process fractures of Cs/7, various multilevel T-spine fractures, lumbar spine fractures bilateral transverse processes;

- (c) multiple rib fractures, left lung herniation into anterior chest wall and herniation of left lung into lower neck region, traumatic pneumatoceles on left side;
- (d) right neck of femur fracture, left mid femur fracture, fracture left scapula and proximal humerus, right radius and ulna fractures, fractures of sacrum and bilateral acetabular fractures; and
- (e) toxicological analysis of post-mortem blood detected a concentration of methylamphetamine within the reported toxic to lethal levels.

6.2 In the post-mortem examination report dated 16 September 2024, Dr Van Vuuren opined that the cause of Kailan's death was multiple injuries.

6.3 Professor Olav Drummer, forensic pharmacologist and toxicologist, opined that the degree to which Kailan was affected by the methylamphetamine that was detected from the toxicology testing cannot be quantified. This is due to a lack of information regarding Kailan's history of use of the drug and how affected he was when he set out to ride his motorcycle on 1 April 2024. However, Professor Drummer noted generally that the effects of methylamphetamine on the ability to operate a motorised vehicle safely is usually to increase crash risk. Professor Drummer also noted that this often arises from "*excessive speed, aggressive driving and reduced ability to maintain safe distance and maintain proper road control*".

7. Outcome of the NSWPF investigation

7.1 It was later determined that the motorcycle that Kailan was riding had originally been purchased from Queensland in February 2024. The motorcycle was later sold by private sale. However, as the seller never received payment a notice of disposal was never lodged for the motorcycle. On 14 March 2024, the seller reported the motorcycle as stolen and asserted that it had been obtained fraudulently without payment.

7.2 The registration plate affixed to the motorcycle was not registered to it. In fact, the motorcycle had never had a NSW registration plate assigned to it. Instead, the registration plate belonged to a different motorcycle owned by a person who did not know Kailan and was last seen in March 2024.

7.3 There is no evidence to suggest that Kailan was aware of the history of the motorcycle or the registration plate.

7.4 The motorcycle and Corolla were towed from the collision site and later subjected to forensic mechanical examination. This did not identify anything from either vehicle which contributed to the collision.

7.5 Senior Constable Dodd was subjected to a breath test at the collision site and later provided a sample for urine testing. Both of these tests returned negative results for any drug or alcohol.

7.6 The driver of the Corolla was breath tested and also taken to hospital for mandatory testing. These tests also returned negative results for any drug or alcohol.

7.7 Mapping software calculated the total distance of the pursuit to be approximately 313 metres, with the approximate total distance driven by Senior Constable Dodd to be 2.57 kilometres.

7. What issues did the inquest consider?

7.1 Prior to the commencement of the inquest a list of issues was circulated amongst the sufficiently interested parties, identifying the scope of the inquest and the issues to be considered. That list identified the following issues for consideration:

- (1) The date, time, manner and cause of Kailan's death.
- (2) Whether the response by NSW Police officers was appropriate and in compliance with NSWPF policies and/or protocols, including the Safe Driving Policy.
- (3) Whether it is necessary or desirable to make any recommendations in relation to any matter connected with Kailan's death.

8. Matters relevant to the appropriateness of the NSWPF response

Version of events provide by Senior Constable Dodd

8.1 On 8 April 2024, Senior Constable Dodd participated in a directed electronic interview in which he gave the following account:

- (a) he decided to follow the motorcycle as it appeared to be travelling 105 kilometres/hour, 25 kilometres/hour over the designated speed limit;
- (b) he proceeded with the lights of the NSWPF vehicle on but no siren;
- (c) he travelled at speeds up to around 130 kilometres/hour on Centenary Drive in order to close distance to the motorcycle;
- (d) he turned off the vehicle's in-car video (ICV) and warning lights at the point when he thought he had "*lost the [motorcycle]*", meaning that he "*stopped looking*", "*stopped everything*" and returned "*back to the speed limit*";
- (e) at this point, he indicated that he was "*ready to turn around, go find another spot*" when the motorcycle "*appear[ed] out right in front of [him]*";
- (f) he activated the warning lights and sirens again in an attempt to stop the motorcycle;
- (g) he considered that he initiated a pursuit at the point when the motorcycle went around another vehicle and moved in front of this vehicle leading him to form the view that the motorcycle rider was disobeying his directions to stop;

- (h) he indicated that once the pursuit started he was “*making a risk assessment whether to keep going or not*”;
- (i) he explained that if he had been able to obtain the registration details of the motorcycle then, “*I’ve got a rego, I can say, ‘See you later’*”, and that he could “*chase that up later*”. He explained that “*It’s safer for me and the community. If I can get that rego, or at least memorise the rego then I’ll, I’ll always terminate because I can always follow it up later*”;
- (j) he decided to terminate the pursuit but the collision occurred before he had a chance to do so, explaining:

*You’ll hear me say, Oh. I’ve gone, “That’s it”. I’m, that’s my, that was my decision to get out.
[...]
‘Cause there was somethin’ that was, obviously, what he was doin’ was dangerous.*

- (k) He explained that he had moved the NSWPF vehicle to the left-hand lane, “*was already preparing to turn left*” and that he had “*gone down to almost the speed limit*”.
- (l) he saw that the motorcycle was lane splitting, in other words driving between a parked vehicle and a moving vehicle at a speed of more than 35 kilometres/hour, estimating that the motorcycle was travelling between 70 and 80 kilometres/hour just prior to the collision.

8.2 Senior Constable Dodd was unavailable to give evidence at the inquest.

Policy framework

8.3 The version of the NSWPF Safe Driving Policy (Version 9.2, reviewed June 2021) (**SDP**) in force at the time relevantly provides:

6-1 It is permissible for police to perform traffic stops (including Bronze drivers) or reduce the distance to an offending vehicle without informing VKG.

[...]

6-3 If operationally or tactically necessary (such as while performing a check speed), maintaining a constant distance behind, or closing the distance to, an offending vehicle may be done without the activation of warning lights or the sounding of a siren. However, police must take reasonable care and it must be reasonable that warning devices are not used. (N.B. Bronze drivers cannot breach road rules in the execution of a traffic stop). When considering operational or tactical necessity police must take into consideration the provisions at 6-4.

6-4 When conducting a traffic stop and/or check speed police must take into consideration the following;

- Danger to police, other road users
- In considering the danger to police and other road users, factors should include;
 - i) Weather and road conditions, traffic density including vehicles and pedestrians
 - ii) Time of the day, day of the week (e.g active school zones, road works)

- Whether the circumstance or offence detected requires an immediacy of action
- The police vehicles suitability to engage in urgent duty driving based on its vehicle categorisation.
- The drivers police response classification (i.e. gold, silver, bronze)
- The distance required to be covered to reduce the distance to the offending vehicle.

6-5 Any direction to stop while utilising a police vehicle must be done by way of activation of the police vehicles warning lights and siren.

6-6 Should the driver of the other vehicle attempt to avoid apprehension or appears to be ignoring requests to stop and a decision has been made to pursue the vehicle, then a pursuit has commenced, and the Safe Driving Policy pursuit guidelines must be adhered to.

8.4 The SDP goes on to provide:

7-1 **PURSUIT:** It is an attempt by a police officer in a motor vehicle to stop and apprehend the occupant(s) of a moving vehicle, regardless of speed or distance, when the driver of the other vehicle is attempting to avoid apprehension or appears to be ignoring police attempts to stop them. A pursuit commences at the time you decide to pursue a vehicle that has ignored a direction to stop.

7-2-1 The decision to initiate and/or continue a pursuit requires weighing the need to immediately apprehend the offender, against the degree of risk to the community and police as a result of the pursuit.

7-2-2 Prior to engaging in a pursuit police should take into consideration the following;

- Danger to police, other road users and the offender/s subject of the pursuit
 - In considering the danger of the pursuit, factors should include;
 - (i) Weather and road conditions, traffic density including vehicles and pedestrians
 - (ii) Time of the day, day of the week (e.g active school zones, road works)
 - (iii) The manner of driving, including speed, of the offending driver and the apparent level of control of the offending vehicle
- [...]

7-6-1 Pursuits will be terminated when:

7-6-2 The danger to the pursuing police or the public outweighs the need for the immediate apprehension of the offender/s. Factors to be considered include:

- a) The speed of the pursuit;
- b) Location of the pursuit;
- c) Time of day/day of the week;
- d) Weather and road conditions;
- e) Traffic density, including vehicles and pedestrians;
- f) There are malfunctions with police equipment and/or serious damage to the Police vehicle (e.g. emergency lights, audible warning device) which make continued operation of the vehicle in a pursuit, hazardous.

Safe Driver Incident Review Panel

- 8.5 Inspector Michael Walsh from the NSWPF Traffic and Highway Patrol Command is a member of the NSWPF Safe Driver Incident Review Panel. On 17 December 2024, Inspector Walsh completed a review of the events of 1 April 2024 in which he expressed the following views:
- (a) having regard to the speed that the motorcycle was detected to be travelling at, the vision captured by the ICV and the version of events provided by Senior Constable Dodd, “*it was appropriate to attempt to stop the motorcycle and engage in a pursuit to do so*”;
 - (b) Senior Constable Dodd travelled at an average speed of 72 kilometres/hour which “*based on the conditions, time of day and his capabilities is considered appropriate under these given circumstances*”;
 - (c) Senior Constable Dodd formed the opinion “*to discontinue pursuit based on the riding behaviour of the motorcycle rider*”; and
 - (d) Senior Constable Dodd’s response was appropriate and he conducted his duties consistently with the provisions of the SDP.
- 8.6 In a supplementary statement dated 26 June 2025, Inspector Walsh expressed the following additional views:
- (a) after entering his NSWPF vehicle at 2:22:52pm and up to shortly after 2:24:02pm when the vehicle’s siren was activated, Senior Constable Dodd was intending to catch up to Kailan with a view to directing him to stop; and
 - (b) Senior Constable Dodd only commenced a pursuit of Kailan shortly after the NSWPF vehicle’s siren was activated at 2:24:02pm and Kailan’s manner of riding indicated that he was aware of the NSWPF vehicle and was not intending to stop.
- 8.7 Inspector Walsh was unavailable to give evidence at the inquest. Due to this unavailability, Acting Assistant Commissioner Anthony Boyd, the previous Commander Operations Traffic and Highway Patrol Command, provided two statements and gave evidence at the inquest.
- 8.8 Acting Assistant Commissioner Boyd agreed with the views expressed by Inspector Walsh regarding Senior Constable Dodd’s compliance with the SDP. Acting Assistant Commissioner Boyd described two phases regarding the actions of Senior Constable Dodd on 1 April 2024:
- (a) a “*catch up*” phase between when the excessive speed of Kailan’s motorcycle was detected to the point where the motorcycle accelerated away after Senior Constable Dodd activated the siren on the NSWPF vehicle; and
 - (b) a pursuit phase from the point that Senior Constable Dodd formed the view that Kailan was ignoring a direction to stop.

8.9 Acting Assistant Commissioner Boyd expressed the view that the intention expressed by Senior Constable Dodd to terminate the pursuit was appropriate given that at the time Senior Constable Dodd observed Kailan to accelerate quickly and overtake other vehicles on the left side.

9. Was the NSWPF response on 1 April 2024 appropriate?

9.1 In order to determine this issue it is necessary to consider several different stages of the events of 1 April 2024.

Catch up and intended traffic stop

9.2 Acting Assistant Commissioner Boyd described a catch up as relating to the requirement for NSWPF officers to catch up to a vehicle that has been detected committing an offence. It is done in order to position a NSWPF vehicle so that a NSWPF officer can conduct, or attempt to conduct, a traffic stop.

9.3 Senior Constable Dodd detected Kailan's motorcycle to be travelling at 25 kilometres per hour over the speed limit. It therefore appeared to Senior Constable Dodd that an offence had been committed and it was appropriate for him to enter his NSWPF vehicle, follow after the motorcycle and attempt to catch up to it in order to conduct a traffic stop.

9.4 Section 6-3 of the SDP also provides that a NSWPF officer must take reasonable care in closing distance to an offending vehicle or performing a catch up. Traffic on the M4 at the time was light and the weather and road conditions were good. Although Senior Constable Dodd's vehicle travelled over 130 kilometres per hour this would have been necessary in order to close the distance to the motorcycle which had been detected travelling at 105 kilometres per hour.

9.5 At 2:23:52pm, Senior Constable Dodd deactivated the warning lights of the NSWPF vehicle after losing sight of Kailan's motorcycle on Centenary Drive. At 2:24:00pm, Senior Constable Dodd reactivated the warning lights after regaining sight of the motorcycle in the far left hand lane shortly before the intersection of Centenary Drive and Arthur Street. Senior Constable Dodd did so in order to signal to the motorcycle to stop. At 2:24:02pm, Senior Constable Dodd activated the siren of the NSWPF vehicle. Acting Assistant Commissioner Boyd gave evidence that these actions represented the commencement of an attempted traffic stop by Senior Constable Dodd.

9.6 **Conclusions:** There is no evidence that Senior Constable Dodd did not take reasonable care in attempting to catch up to Kailan's motorcycle. It was operationally necessary given the detection of an apparent traffic offence. The safety of other road users was not compromised by the attempted catch up. Senior Constable Dodd's actions were therefore appropriate and in accordance with the SDP.

Commencement of pursuit

9.7 Section 7-1 of the SDP provides that a pursuit commences at the time that a NSWPF officer decides to pursue a vehicle that has ignored a direction to stop. At the time that the NSWPF vehicle siren was activated the motorcycle accelerated in order to overtake a truck. At 2:24:10pm, Senior Constable Dodd broadcast over VKG that he was in pursuit of the motorcycle. Acting Assistant Commissioner

Boyd gave evidence that the rapid acceleration and change of lanes by the motorcycle at this time was a clear indication that the motorcycle was not intending to stop.

- 9.8 Section 7-2-2 of the SDP provides that before engaging in a pursuit a NSWPF officer must consider the danger to the NSWPF officer, other road users and the subject of the pursuit. Upon commencing the pursuit, the conditions on Centenary Drive were good with low traffic volume. Acting Assistant Commissioner Boyd described Centenary Drive as being a main arterial road with good visibility. In his electronic interview, Senior Constable Dodd explained that if he was able to pursue the motorcycle in order to obtain its registration details then he could “*follow it up later*”. Acting Assistant Commissioner Boyd gave evidence that Senior Constable Dodd would have needed the registration details of the motorcycle in order for an infringement notice to be sent to the registered owner.

9.9 **Conclusions:** The activation of the warning devices on the NSWPF vehicle represented a clear direction for the motorcycle to stop. The increase in speed by the motorcycle and overtaking manoeuvre moments later represented an ignoring of this direction. At the time, Senior Constable Dodd had not obtained the motorcycle’s registration details. The traffic conditions on Centenary Drive at the time did not place any road user in unnecessary danger once the pursuit commenced. Senior Constable Dodd therefore complied with the SDP in commencing a pursuit at this time.

Intended termination of the pursuit

- 9.10 Section 7-6-2 of the SDP provides that a pursuit will be terminated when the danger to the pursuing NSWPF officer(s) or the public outweighs the need for the immediate apprehension of an alleged offender. In his electronic interview, Senior Constable Dodd said that after the pursuit started he was “*making a risk assessment*” about whether to continue the pursuit. He explained that after observing the manner in which the motorcycle was travelling – increasing speed and passing between parked vehicles and on the left hand side of moving vehicles – he intended to terminate the pursuit but the collision occurred before he could do so.

- 9.11 At 2:24:22pm, the Corolla merged left on Arthur Street and Kailan’s motorcycle impacted with the Corolla. This occurred 12 seconds after Senior Constable Dodd had called a pursuit at 2:24:10pm. At some stage between 2:24:02 (when Senior Constable Dodd activated the siren on the NSWPF vehicle) and 2:24:10pm (when the pursuit was called over VKG), Senior Constable Dodd formed the view that the motorcycle was ignoring a direction to stop. This means that the duration of the pursuit was 20 seconds at the most and 12 seconds at the least.

- 9.12 Acting Assistant Commissioner Boyd stated that:

Upon entering Arthur Street, the road narrows, traffic volume increases and the potential for pedestrians increases due to the change in road type, main arterial to suburban street.

- 9.13 Acting Assistant Commissioner Boyd expressed the view that it was appropriate for Senior Constable Dodd to have formed an intention to terminate the pursuit. This is because of the changed traffic conditions from Centenary Drive to Arthur Street and Senior Constable Dodd’s observations of the manner in which the motorcycle was travelling which he considered to be dangerous.

- 9.14 It should be noted that Senior Constable Dodd called a pursuit as he was in the process of turning from Centenary Drive into Arthur Street. At the time of calling the pursuit, Senior Constable Dodd was therefore unaware of the change in traffic conditions from Centenary Drive to Arthur Street. Once Senior Constable Dodd observed these conditions and saw the manner in which the motorcycle was travelling which he considered to be dangerous, it was appropriate for Senior Constable Dodd to form an intention to terminate the pursuit.
- 9.15 Given that a period of 12 seconds elapsed between when the pursuit was called and the collision between Kailan's motorcycle and the Corolla (and that some time must have passed between when Senior Constable Dodd observed the changed traffic conditions on Arthur Street and the manner in which the motorcycle was travelling) this meant that Senior Constable Dodd had less than 12 seconds in which to form a view that the pursuit should be terminated. This brief period of time would have left Senior Constable Dodd with a very limited opportunity to both terminate the pursuit and deactivate the warning devices on the NSWPF vehicle. It reasonable for these things not to have occurred in the circumstances given the timeframe involved.
- 9.16 It is accepted that Senior Constable Dodd only fully disclosed his reasoning process during his electronic interview on 8 April 2024, seven days after the incident. However it should be noted that at around 2:36pm on 1 April 2024, Senior Constable Dodd told Sergeant Martine Lucas, one of the first NSWPF officers to arrive on scene that he was about to terminate the pursuit when the collision occurred.
- 9.17 Similarly, Sergeant Lee McAllister arrived on scene at 2:42pm and had a conversation with Senior Constable Dodd shortly afterwards. Sergeant McAllister made a contemporaneous notebook record of the conversation documenting that Senior Constable Dodd had said that he was about to terminate the pursuit when the collision occurred. Therefore, there is contemporaneous evidence from 1 April 2024 to support the version of events given by Senior Constable Dodd in his electronic interview eight days later.

9.18 **Conclusions:** Senior Constable Dodd was unavailable to give evidence at the inquest and his version of the events of 1 April 2024, which he provided during his electronic interview, could therefore not be tested. However, from the available evidence there is nothing which is inconsistent with the version provided by Senior Constable Dodd. The change in traffic conditions from Centenary Drive to Arthur Street and the change in speed and overtaking manoeuvres performed by the motorcycle provided a basis for the pursuit to be terminated in accordance with section 7-6-2 of the SDP. Senior Constable Dodd made contemporaneous statements at the scene about his intention to do so. These statements are consistent with the more detailed version of events Senior Constable Dodd later provided in his electronic interview.

9.19 The collision occurred 12 second after the pursuit was called by Senior Constable Dodd. Given this limited timeframe it was reasonable for Senior Constable Dodd to have not yet put into effect his intention to terminate the pursuit, including broadcasting this over VKG, reducing the speed of the NSWPF vehicle and deactivating the vehicle's warning devices. Even if these actions had been taken in the period of 12 seconds after the pursuit was called, it is not possible to reach any conclusion about whether it would have resulted in any change in the speed of the motorcycle or the manner of riding, or whether the collision would have been averted.

10. Is it necessary or desirable for any recommendation to be made?

10.1 The NSWPF Safe Driving Response and Operations Guideline (**SDROG**) was published on 1 July 2024 and replaced the SDP. Like the SDP, the SDROG provides for a colour coded system of driving to manage NSWPF driver responses. A code blue response is "*any non-urgent or administrative duty that does not require a breach of road rules and/or regulations*" whereas a code red response "*refers to urgent duty and is the method used to gain priority use of the road, to exercise a necessary police function*".

10.2 Relevantly, the SDROG provides that a NSWPF officer undertaking an urgent duty response must risk assess the code red activity in accordance with the Dynamic Risk Assessment Framework. This is a requirement when considering operational or tactical necessity to undertake the relevant activity. In addition, the SDROG also provides that the Command-and-Control model applies to all urgent duty responses. This determines resources and authorises functions.

10.3 Catch-ups are referred to at sections 4.3 and 4.3.1 of the SDROG which provide that they are operations for the purposes of the SDROG and may be undertaken without informing VKG and without the activation of warning devices. It was submitted by the solicitor for Kailan's family that consideration ought to be given to making a recommendation to the NSWPF Commissioner that clarification be provided about whether catch-ups amount to a code red response for the purposes of the SDROG. It was further submitted that making catch-ups a code red response would provide for further management and supervision during these types of operations.

10.4 Section 4.3.1 of the SDROG provides that a vehicle stop, which includes, relevantly, closing distances and catch-ups, is not an urgent duty response. This means that a catch up does not constitute urgent duty so as to fall within a code red response.

10.5 **Conclusions:** In the context of this inquest, there is insufficient evidence to support a conclusion that it is necessary or desirable to make a recommendation that the SDROG be amended to provide that catch-ups constitute urgent duty and therefore a code red response. Indeed, as noted above, the evidence establishes that Senior Constable Dodd acted appropriately and in accordance with the SDP in seeking to catch up with Kailan's motorcycle.

10.6 Further, the inquest received no evidence about any other incident that might give rise to the making of such a recommendation or about the potential wider implications that such an amendment to the SDROG might create operationally for the NSWPF. Having regard to these matters it is neither necessary nor desirable for any recommendation to be made.

11. Findings pursuant to section 81(1) of the Act

11.1 I acknowledge and express my gratitude to Ms Theresa Power, Counsel Assisting, and her instructing solicitors, Mr Tom Holcombe and Ms Eryn Leddy-Rebecchi. The Assisting Team has provided exceptional assistance during the conduct of the coronial investigation and the inquest. I am extremely grateful for their commitment efforts, and for the empathy that they have shown to Kailan's family throughout the coronial process.

11.2 I also thank Detective Acting Inspector Anthony Holmes, and his Critical Incident Investigation Team, for their thoroughness in conducting a critical incident investigation in a professional and independent manner, and for compiling the initial comprehensive brief of evidence.

11.3 The findings that I make under section 81(1) of the Act are:

Identity

The person who died was Kailan James Quabba.

Date of death

Kailan died on 1 April 2024.

Place of death

Kailan died at Strathfield NSW 2140.

Cause of death

The cause of Kailan's death was multiple injuries.

Manner of death

Kailan was riding a motorcycle on a residential street when it collided with another vehicle. The collision occurred as the motorcycle was overtaking the vehicle on the left hand side and as the vehicle merged left in order to make way for an approaching New South Wales Police Force vehicle with its warning devices activated. The New South Wales Police Force vehicle was in pursuit of Kailan's motorcycle at the time after it had been detected travelling over the designated speed limit and ignored a direction to stop.

12. Epilogue

12.1 On behalf of the Coroners Court of New South Wales and the Assisting Team, I offer my deepest sympathies, and most sincere and respectful condolences, to Kailan's parents, Ellen and Frank; Kailan's siblings; and Kailan's wider family, loved ones and many friends for their most painful and tragic loss.

12.2 I close this inquest.

Judge Derek Lee

Deputy State Coroner

5 June 2026

Coroners Court of New South Wales