

Inquest into the death of Neil Richard Banjo

Mr Banjo died on 18 January 2017, 11 months after he suffered a serious head injury following a confrontation with police. During the confrontation, Mr Banjo was pushed backwards by a police officer and he fell, striking his head on the road surface. Mr Banjo was treated in hospital where he remained bed bound and unable to communicate. He was discharged to nursing home care but died the following day.

State Coroner Terry Ryan delivered his findings on inquest on 2 October 2019.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

Further information relating the implementation of recommendations can be obtained from the responsible agency named in the response.

Recommendation 1

The Queensland Police Service include the circumstances of Mr Banjo's death in its use of force and cultural competency training materials and amend relevant operational policies to:

- ensure officers have specific awareness of the risk of significant head injury to vulnerable persons who are pushed and fall as a result of the 'crouch dive manoeuvre'
- encourage greater use of police discretion and alternatives to arrest in responding to public nuisance and other low level offences.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service

On 5 August 2020 the Minister for Police and Minister for Corrective services responded:

The Queensland Police Service incorporated specific training on risk of significant head injury to intoxicated and vulnerable persons into the Queensland Police Service Operational Skills and Tactics Training 2020-21 curriculum. It is expected 11,500 police will undertake this training by 30 June 2021.

A review of the police recruit operational skills training was conducted in October 2019 to ensure that considerations regarding the use of all techniques where a person could fall to the ground and the risk of fall injury were highlighted and reinforced.

Police officers are actively encouraged to use discretion and consider all appropriate options during public nuisance and low-level offences which may include diversion, referrals and taking no action where appropriate. However, these options are considered on a case-by-case basis and are contingent on other contributing factors including criminal history and other alleged offences that may have been committed at the time of the initial low-level offence.

The police referrals system remains central to the strategy to divert people from the criminal justice system and give police positive alternative options to commencing a prosecution or exercising the powers of arrest where it can be reasonably avoided. Police operational planning at every level has a strong focus on prevention and disruption of harmful behaviour that can lead to these situations, and all police officers are

working to reduce the number of people taken into custody by seeking alternative opportunities, if considered appropriate.