



AMBER ALERT: STOLEN HEAVY VEHICLE

• Teens to front court after allegedly stealing truck

29th August 2019

Background

- Two teenagers are to front court after allegedly stealing a medium-sized heavy vehicle.
- The teenager's alleged purpose seems to be opportunistic in nature, after obtaining a stolen credit card and then attending multiple service stations and using the stolen credit card to make purchases of up to \$300.
- The offences occurred in NSW, Australia

The heavy vehicle was allegedly stolen and driven to several service stations and food outlets in the Liverpool area in NSW, where a stolen credit card was reportedly used to make \$300 worth of unauthorised purchases.

After that the teens drove to Erowal Bay some 170klm away, north of Sydney and parked the truck. They then allegedly committed a break and enter offence.

During the alleged opportunistic crimes, up to \$5,000 worth of items were allegedly stolen from the home, including phones and laptops, as well as jewellery.

Police attended a short time later, where police located the stolen items, including the key to the stolen truck, in the teen's possession. Both teens were arrested and conveyed to Bay and Basin Police Station.

The 16-year-old and 14-year-old are both to attend Children's Court, and both have been refused bail.

What does this mean?

- We have seen multiple events where heavy vehicles have been stolen and in particular have been used in offences relating to terror attacks, globally.
- A PCBU has a duty of care to ensure that by virtue of conducting business, that risks associated do not injure people, which include the general public.
- In this circumstance, the heavy vehicle was not used to injure people purposefully, and the two teenagers were also unharmed during their alleged opportunistic crime spree.

One of the critical elements within our Chain of Responsibility site audit(s) and transport vendor desktop audit(s) is to identify that there is a process in place where the duty holder has sufficient control over the security of a heavy vehicle, managed directly.

This is to ensure that the risk of a heavy vehicle being used for other crimes of opportunity or being used in a terror situation is mitigated.

While in this case, the risk of criminal prosecution of the PCBU, due to the alleged offenders acts would have been negligible. We believe that a severe litigation risk to the PCBU would still have been relevant if severe injury or death of the teens themselves or the general public.

It is the responsibility of any PCBU to ensure a reasonable method to prevent risk of injury or death and therefore it is fair to presume that it is a prime duty to secure the vehicle and its keys at all times.