



NON INJURY ROAD TRAFFIC COLLISIONS

A decision has been taken by the force that the majority of road traffic collisions where no injury has been caused will not be formally investigated.

This will apply to those incidents that have not been attended by officers on routine patrol. This will also apply to allegations of poor driving where no injury or damage has been caused to a third party unless there is a significant risk to the public or evidence of repeat offending.

We will assist by the checking of relevant documentation, but the reasoned expectation is that most disputes over liability will be concluded through insurance companies or other civil litigation.

We are committed to road safety and protecting members of the public from harm especially where that risk is greatest. In order to achieve this we have taken the decision to target our available resources at those drivers that regularly come to police attention and show themselves to pose a risk of injury to either themselves or other members of the public. We will not routinely consider prosecution for road traffic collisions or allegations of poor driving that have not been

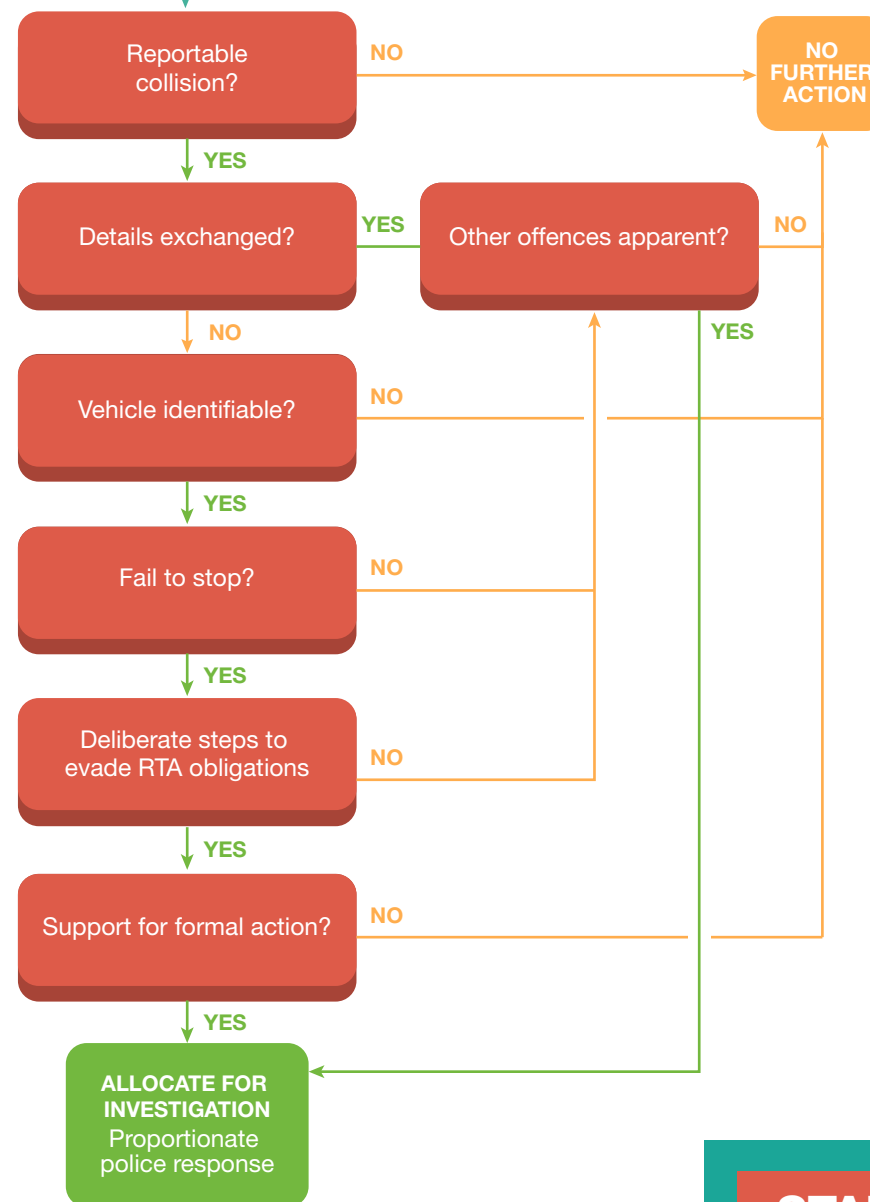
attended by a police officer unless there is clear evidence of a criminal offence that will pass the burden of proof required by a court of law.

We will continue to record all road traffic collisions and allegations of poor driving that are reported. We have introduced a decision making framework known as the Solvability Matrix which will be used to determine which reports will require further police investigation to evaluate offences that may have been committed. It will also be a mechanism to identify which reports should be effectively dealt with by insurance companies only without the need for a criminal investigation.

This criteria will also ensure that there is a standard approach from staff and officers across all regions of the force area in order to provide a consistent service regardless of locality. This approach means that members of the public will receive the best service possible with the resources available and provide best value for money for the tax payer.



Report of
damage only
collision



START

Reportable collision?

Please read the guidance,
then select a button to navigate

YES

NO

Did the collision take place on a road or public place?

Meaning of 'Road': Road in relation to England and Wales, means any (length of) highway and any other road to which the public has access, and includes bridges over which a road passes. (The words in brackets are added to create the definition in the Road Traffic Regulation Act 1984.) It always includes obvious public highways, footpaths and bridle ways maintained by government agencies or local authorities.

Public Place for the purposes of the Road Traffic Act 1988 (as amended) has been defined as 'Any place to which the public have open access is a public place, even if payment must be made to gain entry'.

Definition of a reportable Road Traffic Collision: Sec 170 of the Road Traffic Act 1988 requires a driver to report an accident to the police station or a constable as soon as reasonably practicable and in any case within 24hrs;

IF

- (a) Damage has been caused to a vehicle/property other than their own
- (b) Or personal injury has been caused to someone other the driver of that vehicle
- (c) Or a relevant animal has been injured

AND

they haven't supplied their details to the other party or any person who reasonably asks for them
e.g. a witness who sees the accident takes place and asks for their details to give to the other party.

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Were details exchanged?

Please read the guidance,
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YES

NO

Did both parties exchange personal and insurance details?

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Is the vehicle identifiable?

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then select a button to navigate

YES

NO

Is the vehicle identifiable?

A complete Vehicle Registration Mark (VRM) is available OR compelling evidence to identify the offending vehicle such as:

(a) Consideration will be given to the likelihood of identification based on number of missing elements from the VRM, number of likely suspect vehicles that may be identified based on make, model & colour of vehicle.

(b) Sign writing or identifiable marks. E.g. Bus Company and bus number, taxi company or taxi plate, vehicles sign written with company name/logo.

(c) Clear evidence of a corroborating damage caused to the vehicles involved

The viewing of CCTV will be proportionate to the incident and chance of vehicle identification e.g. time of day, light and weather levels.

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Did the vehicle fail to stop?

Please read the guidance,
then select a button to navigate

YES

NO

Did the driver of the vehicle fail to stop following the collision?

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Did the driver take deliberate steps to evade their obligations under the Road Traffic Act?

Please read the guidance,
then select a button to navigate

YES

NO

Offending driver had a conversation with aggrieved / witness and left the scene and/or took deliberate steps to evade liability or prosecution (e.g. removing a note left by a witness on aggrieved vehicle).

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Is there support for formal action?

**Please read the guidance,
then select a button to navigate**

YES

NO

Is the person reporting willing to support prosecution and willing to attend court if required?

(a) This will involve supplying a signed statement and may involve attendance at court to provide evidence on oath.

OR

(b) Is the incident being reported for insurance purposes only? i.e. to obtain a Police reference number for their insurance company

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ALLOCATE FOR INVESTIGATION

Proportionate police response

The public should be aware that Police response will be proportionate to the level of evidence available in each case.

Evidence required will include one or more of the following:

- (a) Corroborative witness evidence to that of the aggrieved party
- (b) Technical evidence
- (c) CCTV
- (d) Forensic evidence e.g. mechanical fit or paint transfer evidence
- (e) Photographs of vehicles/persons at scene

The wishes of the aggrieved will be considered and documented as part of the investigation.

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Other offences apparent

Please read the guidance,
then select a button to navigate

YES

NO

Are other offences apparent?

Other offences include the reasonable suspicion of driving document offences such as no insurance, no drivers licence, no MOT, impairment through drink or drugs and/or dangerous driving.

No insurance: Users of motor vehicles on roads or in public places must be insured against third party risks. It is an offence to use or cause or permit to be used, a motor vehicle on a road without such insurance.

No Driving Licence: Users of motor vehicles on roads or in public places must hold a licence authorising them to drive a motor vehicle of that class.

No MOT: Certain motor vehicles of a specific age must be issued with a test certificate which states they are fit to be used on a road.

Dangerous Driving: A person is to be regarded as driving dangerously if...

- (a) The way he drives falls far below what would be expected of a competent and careful driver, and
- (b) it would be obvious to a competent and careful driver that driving in that way would be dangerous

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NO FURTHER ACTION

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