



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2009-03991

**Keyword:** Road Policing

**Subject:** POLICE INVESTIGATIONS OF ROAD TRAFFIC COLLISIONS

### Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested and the answers to your questions are as follows.

#### Question

What is the PSNI policy for the release of information to the victim or his/her representative after a Road Traffic Collision where Police attended the scene but details have not been exchanged due to one or either driver not being in a position to do so for example where drivers have been taken to hospital or where accident is a result of a hit and run? If there is no policy what guidance is given?

#### Answer

The PSNI advise motorists that if details are not available at the scene, they should contact the Criminal Justice Unit in the District Command Unit for the area where the collision occurred approximately 14 days after the collision. Motorists are also advised to inform their insurance company, irrespective of whether they wish to make a claim or not. If a member of the public who has been involved in a collision contacts police for information of other drivers, police can, if available to them furnish details of name, address of both driver and owner, if different, and VRM of the vehicle(s) involved. Further information is available from the Collision Advice leaflet by following the link

[http://www.psnl.police.uk/index/advice-and-legislation/roads\\_and\\_driving/road\\_safety.htm](http://www.psnl.police.uk/index/advice-and-legislation/roads_and_driving/road_safety.htm)

#### Question

When addressing issues such as inconsistent standards of investigation, failing community confidence in the police, high attrition rates and the lack of benchmarked standards in Policing, how quickly do police respond to requests for such details held by Police?

#### Answer

The PSNI are currently reviewing their service policy in relation to recording / investigation of Road Traffic Collisions, with a particular focus on how we can standardise and improve the process of providing information to interested parties. Given the many factors involved when a collision occurs coupled with the individual officer's discretion, it is impossible to be totally prescriptive in relation to the level of investigation that should be carried out. Our main focus once casualties have been dealt with, must be to ensure all parties are breath tested and where bad driving has been identified

(sufficient to support a prosecution), a police investigation initiated.

Collision Reports are completed in hard copy at the roadside and once checked for accuracy they are submitted for input onto our computer system where further quality checks are performed. As a consequence there may be a delay before the administrative staff have the necessary information to be able to respond to 3<sup>rd</sup> party requests. This is why we advise the public to wait for 14 days before contacting the Occurrence Case Management Team (OCMT).

### **Question**

What directions are given to Police when dealing with Accident Investigators who are gathering evidence surrounding a RTC where the client and solicitor are in the process of issuing proceedings against the driver alleged to be at fault for the collision?

### **Answer**

The Data Protection Act makes specific provision for the supply of 3<sup>rd</sup> party information when legal proceedings are envisaged and this includes civil proceedings. PSNI officers have been informed of this provision and advised that where an individual makes contact with police to obtain the details of the other party involved in their collision, then we should furnish such information, at no cost, to the requestor. However when the request comes through a solicitor or Insurance Company a small charge is made to cover the administrative costs associated with providing this report. These instructions will be re-issued as part of the reviewed RTC Investigation Policy.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psni.police.uk](http://www.psni.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.