



APPG Cycling & Walking: Justice inquiry

Collision investigation

May 2023

Key points

- Improvements have focused on fatal and life threatening collisions with forensic investigation. National guidance and training programmes exist for these collisions.
- The vast majority of serious injury collisions (>95%) do not receive a forensic collision investigation. There is no guidance, no training programme, and no priority assigned to investigating them.
- There is a lack of transparency with collision investigation, including how and who investigates, the outcomes and how investigations are quality assured. This does not inspire confidence in the police and needs to be corrected.
- Each police service is independent and good practice needs to be identified so it can be monitored. Good practice should be agreed in conjunction with solicitors and cyclist and walking advocates.
- Walkers and cyclists are particularly affected as liability must be proved for compensation.

Serious Collision Investigation Units (SCIUs) vs Serious injury collision investigation

SCIUS are responsible for investigating fatal and life threatening injury collisions. Despite their name, they do not investigate the vast majority of serious injury collisions. There has been investment in SCIUs, especially with forensic investigation and the introduction of international standards. [National investigation guidance](#) has existed for over two decades for these collisions, but training programmes have had to be improved. The HMICTFRS report [Roads Policing—Not Optional](#) (2020) noted “*many fatal road traffic collision investigations are often carried out by one officer, rather than a team of officers*”. It recommended all serious collision investigators be accredited to PIP¹ 2 level.

All other serious injury collisions are investigated by either roads policing officers or borough officers. Their level of training will vary. The [London Vision Zero Action Plan](#) (2018) included “*The MPS providing enhanced scene management and evidence gathering training and equipment to MPS Roads and Transport Policing Command (RTPC) first responders.*” Serious injury collisions are now investigated by borough officers, not the RTPC. The many serious injury cyclist collisions reported online will receive much less investigation.

Action Vision Zero has been campaigning for increased transparency and accountability with serious injury collision investigation in London. London has over 3500 reported serious injuries annually, but only around 100 of the very serious (i.e. broken back/neck, receive a forensic investigation. All others, including those involving loss of arm or leg and/or fractured pelvis are investigated by borough officers. We have produced a list of key questions for local campaigners to ask their police.

Lack of transparency and accountability

Investigation procedures. It is unknown what data the police are expected to collect after a fatal, as opposed to a serious or slight injury crash. This includes speeding, drug driving, mobile phone, etc. The extent to which CCTV footage or dashcam evidence is sought varies. Witness statements can be

¹ Professionalising Investigation Programme

collected via the post much time after the crash. There have been pilots into [Self Administered Interviews](#), to allow for quicker retrieval, but this is not yet widespread. Investigations can be minimal.

Investigation resources. The Home Office publishes much data on policing workforce, including by many roles, but does not specify the number of forensic collision investigators in each police service. It is even worse with injury investigations as it is not certain how many people are assigned this role, whether it is full or part time, and what training they have had. This will include those investigating the vast majority (95%) of serious injury collisions

Investigation outcomes. There is no data linkage between collision reports and court records. It is possible to know the number of prosecutions for causing death and serious injury by police area but not which collisions are involved, i.e. pedestrian or cyclist, etc. So it is not possible to know how often there is a prosecution after a cyclist has been seriously injured by a collision with an HGV or a pedestrian killed after being hit by a car at night-time. This data should be possible through local criminal information management systems, i.e. NICHE.

Investigation quality assurance indicators. It is not possible to know how many are being thoroughly and impartially investigated. The standard indicator of Offences Brought to Justice does not apply with collision investigation. This is important for injured cyclists and walkers as liability needs to be proven for civil compensation.

‘No further action’ can be decided by police without requiring approval from the CPS, even in cases of fatal collisions. There are no surveys conducted to understand victims’ level of satisfaction with the investigation or how well they were treated, i.e. kept informed. Such surveys are undertaken with other victims. Nor do any working groups exist between police, victims, personal injury lawyers and campaigners on what could be done to improve serious injury investigation.

Action Vision Zero calls (these do not require parliamentary approval and can be implemented at a local level, if not national).

- 1. Terminology.** SCIUs should be renamed to more accurately represent their remit-- Fatal collision units, including near fatals. This would avoid the implication they covered all serious injuries.
- 2. Transparency.** Investigation outcomes and resources should be published. Who, in the police, has the responsibility for investigating which severity of injury collision, should be clear, along with how many staff and training provided. Key performance indicators should be published.
- 3. Review officer.** To ensure consistent and accurate/fair charging decisions, dedicated officers should be assigned to review all serious injury collision investigations. This was introduced with SCIUs, and has been introduced with other serious injury collision investigations in Merseyside.
- 4. Lead Cyclist and Walker collision investigators.** Consideration should be given to identifying lead investigators specialising in collisions involving cyclists and/or walkers, on a regional, if not local basis.
- 5. No Further Action reviews.** NFA decisions should be reviewed to check they were not due to lack of investigation rather than lack of culpability.
- 6. Level of satisfaction surveys.** The police should be confident enough to survey bereaved and injured victims on their level of satisfaction with the collision investigation and how well informed they were kept.
- 7. Good practice** cannot be imposed on police. So it is important that good practice standards are agreed, with PCCs and local community able to hold police to account. The police should work with solicitors and cycling and walking advocates to agree these standards.

Note: This briefing was written by Victoria Lebec, Collision Investigation Campaign Coordinator and Amy Aeron-Thomas, Traffic Justice Coordinator from Action Vision Zero. It highlights the concerns and calls in our Roads Policing campaign which is aimed at reducing the harm posed to cyclists and walkers.