

MINUTES

DATE: 18 October 2012 (5.30pm-7.30pm)

SUBJECT: APIL East Anglia Regional Group Meeting

LOCATION: Best Western Cambridge Quay Mill Hotel

ATTENDEES: Sharon Allison, Tom Cook, Mark Copley, Julie Crossley, Simon Davis, Steve Edwards (Speaker), Siobhan McWhinney, Justina Molloy, David Richards, Hannah Rutterford (APIL East Anglia Co-ordinator), Paul Taylor, Mick Upton (APIL East Anglia Regional Secretary), Michael Wangerman, Paul Tapner, Andrew Zajac, Richard Moon, Siobhan Mason, Emma Truin

WELCOME/INTRODUCTION

Hannah Rutterford welcomed everybody to the meeting and outlined the timetable for this evening's meeting. She provided the necessary fire drill advice.

Hannah introduced Steve Edwards who was going to provide a talk about accident reconstructions. Steve is an accident reconstruction expert who joined Cambridgeshire Constabulary in 1982. He was Cambridgeshire Constabulary's Senior Collision Investigator from 2002 and he specialised in investigation and reconstruction of road traffic accidents for 21 years. Steve was responsible for quality control of all forensic collision investigation files within Cambridgeshire Constabulary. He retired in July 2012. Steve now provides his expert advice on accident reconstruction via his company Collision Investigation Services Limited.

TALK BY STEVE EDWARDS – 1 ANORAK FITS ALL

Steve provided a very interesting talk about various aspects of accident reconstruction. He stressed that the more information that can be given to the accident investigator, the better the content of the investigation report will be. His talk gave various tips on what lawyers and the police should be looking out for when they are dealing with an accident.

Steve took the group through some accident related statistics and he then showed the group various interesting photographs and videos of numerous accidents, each of which highlighted different issues which can arise in accidents and the investigation of them.

Steve outlined the types of evidence that lawyers should look to secure when investigating an RTA. Such evidence included tachographs, field impairment testing results (which are used to get evidence to show whether people were driving under the influence of drugs), details of skid marks or gouges in the road, details of debris, evidence of bodily fluid, weather and road conditions, lighting at the time of an accident and vehicle damage.

Steve stressed that although tachographs should, in theory, be seized by the police, in practice this does not always happen.

Steve showed us various pictures and videos in order to highlight evidence which could be gleaned from the scene. In particular he showed one photograph which showed a windscreen which had been smashed in front of the driver's seat. He stressed that at first glance people may think that this damage evidenced a head strike caused by the person sitting in the driver's seat, but in fact this head strike had been caused by an unrestrained passenger who had been sitting in the front passenger seat. He also showed video which

highlighted how violently unsecured passengers could be thrown around a vehicle. He stressed that you should not always assume that damage on a windscreen has necessarily been caused by the person sitting directly behind it.

When considering road conditions, solicitors need to be aware that road conditions can change quite quickly and may be different, when the police arrive, compared to how they were when the accident occurred, for example frost can disappear very quickly. As such, evidence obtained from witnesses at the scene is very important.

Steve also spoke about skid marks and how they can assist in an investigation. He outlined how the shape of a skid mark can indicate the type of wheel that was used on the car which caused it. For example, low profile tyres make distinctive marks on the road. Steve also stressed that the initial part of a skid mark caused by braking (shadow marks) can disappear very quickly (within hours) and these shadow marks are not always marked by police. He also outlined why estimates of speed can never be exact and why there is always a tolerance either way.

Contrary to some people's beliefs, Steve said that cars fitted with ABS still do leave marks on the road.

Even if there are no skid marks present on the road the final resting place of the vehicle can be very important as an investigator can still calculate the maximum speed the car could have been travelling in order to stop where it did after the collision.

Steve outlined that gouge marks in the road indicate that there has been an impact between a vehicle and the road surface. He outlined that Cambridgeshire Constabulary have a laser scanner which can produce a 3D model of a car and the road, and it allows the car to be placed on the virtual road to see what part of the car would have impacted with it to cause the marks found at the scene.

Where pedestrians are struck in an accident it is important to establish what position the person was standing in (ie his location and his posture), the path of the pedestrian can then be plotted, as can the movement of the car.

Steve stressed that, in theory, the police should record whether seatbelts were in use or not, but they do not always record this. There are ways of establishing whether a seatbelt was used or not. For example, scuffs on the fitting of the seatbelt (plastic/buckle) and burns/evidence of melting on the strap itself can show that a seatbelt was in use. Occupants of a car will often have burn marks from the seatbelt, however police offices often do not take details of these burn marks.

Steve outlined that even light bulbs in the car can provide useful information. For example, a filament in a bulb will melt at 3,422°C. If a light was not on when an impact occurred then the filament of a bulb not in use would be rigid and would often be snapped by forces exerted on the vehicle. If, however, a light was in use, then the filament would heat up and would be white hot. When forces are exerted on the vehicle whilst this heat is applied through the filament, the filament will often be stretched rather than broken. This can therefore indicate whether a car was braking at the time of impact or not. Steve said that these things are often overlooked at the scene of an accident.

In relation to tachographs, Steve advised that analogue tachographs should be analysed properly by an expert. Someone such as Michael Trot (Forensic Science Service) can do this. Steve felt that digital tachographs were very good for reconstruction as they take measurements every quarter of a second.

An increasing number of vehicles now carry data recorders. Lots of fleet cars, ambulances and police cars carry such recorders. Even private cars, usually by young drivers, can carry recorders. This information should be requested when investigating a claim.

Steve advised that airbags do not always discharge in an impact. If a collision is more than 6 degrees off centre then an airbag will often not discharge.

Police are told to get information from data units and CCTV downloaded quickly, as it tends to get overwritten (for example Stagecoach overwrite their CCTV after one week). Police officers do not always get this information downloaded in time so it can get lost.

Steve stressed that collision investigation is not an exact science and there are obviously areas where estimates have to be made, but he will always do the best he can to reconstruct an accident, based on the information he is provided with and which he can obtain.

Steve was asked why there is such a variation in the quality of police accident reports. Steve suggested that the quality varies, usually due to the varying severity of collisions. The more serious the collision, the more detailed the accident report would be. He outlined what collisions would be considered serious enough to prompt a Collision Investigation Report. Steve's view was that if a collision is life changing but not felt to be severe enough to trigger a Collision Investigation Report then officers should still be trained to prepare detailed reports.

One member stressed that he could not believe that the police failed to take photographs at the scenes of accidents these days given mobile phone technology available. Steve said the police should take photographs at the scene of the accident as this would be very helpful, but this often does not happen. Where photographs have been taken solicitors should request the photographs on CD so that they can see the high resolution pictures and can then zoom in and out of them.

Steve said that he would provide a check list of types of information that lawyers should consider (a copy of this list is attached to the minutes).

Everybody seemed to find the talk extremely interesting and fun, and in some of the videos/photos cases quite shocking.

Hannah advised that the next meeting would be in February in Norwich.