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Presented at Slater and Gordon, Manchester

24<sup>th</sup> April 2018

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## ACCIDENT RECONSTRUCTION HOME AND ABROAD

### Recent Developments in Accident Reconstruction

Since the 1970's, accident reconstruction evidence has been used in many cases resulting from road traffic accidents with varying degrees of success.

Prior to the Woolf reforms, it became the norm to use accident reconstruction evidence in claims of any value.

Following the reforms, with the exception of alleged fraudulent claims, the use of accident reconstruction evidence was generally limited to high value multi-track cases.

Most recently, in my experience, it has become more difficult for parties to obtain leave to call reconstruction evidence and there has been something of a revival in the Courts' attitude to Single Joint Experts.

I am frequently asked to prepare a formal letter for the Court explaining why reconstruction evidence may be of assistance.

### CCTV and Dash Cam Footage

In the vast majority of cases involving pedestrians struck by motor vehicles in an urban environment, CCTV or dash cam footage is available.

It is by no means unusual for CCTV or indeed dash cam footage to be available in respect of accidents which have taken place in a rural environment.

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The Defendant's motor car approached the accident scene initially at a speed of around 35 miles per hour before slowing to a speed of around 27 miles per hour at the point of impact.

The pedestrian crossing signals changed to green in favour of vehicular traffic.

The large goods vehicle and the vehicles behind it remained stationary.

The Defendant continued in the offside lane and proceeded to drive across the crossing.

In the meantime, the Claimant set out to cross the road from the Defendant's nearside. As the crossing was blocked, the Claimant took a route around the front of the goods vehicle before moving diagonally towards the central reserve where there was a gap in the pedestrian guard rails.

The cycle and rider emerged from in front of the goods vehicle and both were struck violently by the front offside of the Defendant's motor car.

The issues in the case included:

- Could the Defendant have seen the Claimant on his bicycle before both were lost from view in front of the goods vehicle?
- Was the speed of the Defendant's motor car appropriate for the conditions?
- What would have been the effect of a lower speed for the Defendant's vehicle?

### **Accidents Abroad**

In recent years, there has been an increase in the number of instructions I receive in cases where the accident occurred abroad.

In the majority of those cases, proceedings were/are issued in the United Kingdom.

Most recently, I have prepared reports in respect of claims resulting from accidents in Slovakia, France, Spain, Portugal, Greece and the Cayman Islands.

In the European cases, I have either acted as a Single Joint Expert or reported on behalf of the Claimant or Defendant.

Slovakia – two English removal men returning to their vehicle during the hours of darkness, having consumed alcohol and carrying pizzas!

France – English couple cross the channel, book into their hotel and then visit a country park later in the day.

Spain – a man with a group of friends on a golfing holiday spends the early evening in a restaurant/bar before leaving his friends to return to his apartment.

Portugal – woman leaves her extended family in a vehicle parked at the side of the road and crosses the road in order to visit a shop.

Greece – An English DJ working on the island of Crete, en route to work, riding a scooter with a pillion passenger.