Police Road Traffic Incidents:
A Study of Cases Involving Serious and Fatal Injuries

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Executive summary

Both the police and the public have expressed concern about road traffic incidents (RTIs) involving the police. RTIs occur when the police are driving in a variety of capacities such as responding to an emergency call, pursuing a vehicle which has failed to stop or are simply on patrol. These incidents can have a detrimental effect on public confidence in the police, can take up a significant amount of public resources in their investigation and cause suffering and pain for those involved. While specific high profile cases can create much media attention, there remains very little robust evidence available to inform public debate and policy development.

This study seeks to provide a better evidence base for this area by examining in detail a range of the most serious RTIs that occur. The research has examined serious and fatal injury police RTIs, over a two and a half year period from April 2004 to September 2006. It analyses the trends in the data and looks at the nature and circumstances of RTIs in more depth. In addition, it aims to highlight any lessons that can be learnt for policy and practice to help prevent future incidents. The report is divided into the following six chapters, in addition to the introduction and conclusion:

Context

Approximately 40 people die each year in RTIs involving the police with the majority of deaths being the result of a police pursuit. No official figures exist, but we estimate that there were between 11,000 and 19,000 police pursuits in England and Wales during 2005/06 and that between one and eleven pursuits out of every 1,000 lead to a death. We also estimate that between three and four million emergency journeys are made each year by police officers who are requested to attend a specific location immediately. Serious incidents are even rarer than those involving pursuits, with a fatality occuring for every 100,000 emergency journeys.

Prevalence and trends

During the two and a half year period covered by the study there does not seem to have been a decline in terms of the numbers of fatal and serious injury RTIs. In fact during the first

two quarters of 2006 there has been a slight increase in the number. By far the greatest proportion of incidents concerned police pursuits and, in line with the total number of RTIs, these do not seem to have declined over the time period of the study. The number of fatalities and serious injuries has also remained fairly consistent over the time frame of the study.

Police pursuits: participants and vehicles

Pursuit incidents generally involved young male drivers, who were often disqualified from driving, uninsured, and in many instances were inexperienced drivers. Most of those who were seriously or fatally injured in these incidents were the drivers of the pursued vehicles or their passengers. However, several individuals killed or seriously injured were in an unrelated vehicle or were cyclists or pedestrians. Police drivers were generally male and had an average age of 34 years. Fifty per cent of the police drivers were trained to an Advanced Level, but the time since their last training course ranged from one month to twenty years. The investigation reports generally had poor levels of information on the police drivers involved. There were still instances in our sample of inappropriate vehicles being pursued (under the ACPO Guidelines), such as motorcycles, and inappropriate police vehicles conducting the pursuits.

Police pursuits: initiation and management of the incidents

The most common time for the pursuits in our sample to take place was over the course of the weekend evenings. The majority of pursuits were initiated for traffic violations or offences and the resulting prosecutions of the pursued drivers reflected this. Many of the drivers of the pursued vehicles were driving in a dangerous or reckless manner before the pursuit began. Previous research suggests that being pursued might lead to an escalation in this risk taking, thus increasing the likelihood of someone being seriously or fatally injured. This raises questions of proportionality in deciding whether or not to pursue a vehicle and the basis on which this decision is made.

Pursuit-related incidents were generally of very short duration and the management of the pursuit was an issue where improvements could be made. Although the incidents may be over quickly, the average pursuit lasted long enough for there to be sufficient time for the majority of officers to notify the control room of the pursuit. Yet there were instances where no attempt had been made to contact the control room, despite the ACPO Guidelines stipulating that if there was no communication with the control room there should be no pursuit. There were also limited risk assessments being conducted, if they were conducted at all. There was either late or no consideration of any tactics to resolve the pursuit. The pursuits in our sample most commonly ended with the pursued vehicle losing control and colliding with a wall or tree, another vehicle, or with street furniture.

Police pursuits: investigation and outcomes

The investigation reports varied greatly in terms of their content and quality. Many of the reports failed to address the force policy on pursuits and the ACPO Guidelines, and did not identify whether or not they had been adhered to by the officers in the incident. There were some examples where these issues had been considered and breaches of policy identified, but the investigating officer still did not criticise the officers' behaviour. Many of the investigation reports did not state whether the police officers had to undergo any retraining following the incident, and the investigating officer made no recommendations for the majority of police drivers. Two police drivers were prosecuted, one of whom was found guilty of careless/reckless driving and the other not guilty of dangerous driving. The majority of the investigation reports did not identify any wider lessons that could be learnt.

Emergency response incidents

Individuals who were fatally injured in these incidents tended to be pedestrians, cyclists and motorcyclists. These people are obviously more vulnerable if struck by a police vehicle than

passengers in another vehicle and are less likely to be seen on the road during the hours of darkness. The majority of these incidents occurred at night and over the course of the weekend. This is the time of the week when people may be out socialising and are more likely to be intoxicated and less aware of police vehicles. Darkness also raises problems around visibility of pedestrians. These cases reflect the care required when travelling at speed through highly populated urban areas.

Some of the incidents involved lower standards of police driving than should be expected and officers did not always adequately assess the risks of their driving and the road traffic environment conditions. Force policies in relation to response times and call grading varied with some forces leaving the type of response necessary (within an emergency grading) to the discretion of the police driver, while in other forces this was specified by the control room. As with the pursuit-related incidents the quality and consistency of the investigating officers' reports differed enormously. However, unlike the pursuit incidents, the investigating officers did make recommendations for discipline, training needs, and prosecution of the officers involved in the majority of the incidents. Six police drivers were prosecuted; two were found guilty, three were found not guilty and one case was 'not proved'.

'Other' police driving incidents

The 'other' police driving incidents were spilt into two separate groups – those related to 'flee/fail to stop' incidents, and those related to 'other police driving activity'. These incidents varied in their circumstances and in the make-up of the participants so it was difficult to draw lessons across the sample. However, some of the incidents did raise concerns regarding the individual police officers' behaviour and judgement. Three police drivers were prosecuted, all of whom were found guilty at court.

Recommendations

In addition to making recommendations about how practice could and should be changed, some of the recommendations

set out below are also intended to reinforce and strengthen the existing ACPO Guidelines.

Police and pursued vehicles

1. That ACPO should revise its guidelines to state that pursuits of motorcycles or other 'powered two-wheel vehicles' should not occur unless a serious crime has been committed. The guidance should provide a definition of what would constitute a 'serious crime' and other related terms, such as 'exceptional circumstances'. Where it is necessary for reasons of public safety to conduct pursuits of these vehicles, police force helicopters should be deployed at the earliest opportunity to take over the pursuit.

2. The ACPO Guidelines on the type and number of police vehicles that should be involved in a pursuit should be adhered to strictly. ACPO should revise the Pursuit Guidelines to state that vans and 4x4s, except where tactics require, 'must not' pursue (from the current 'should not' pursue) to highlight the point. ACPO should also clarify the definition of an unmarked vehicle to differentiate between those with and without covert warning equipment.

3. Data recorders should be fitted to all police vehicles and should be regularly checked to ensure they are working accurately. When an incident occurs the data recorders should always be utilised for the information they contain and reported on in the investigating officers' reports. Since they will be conducting the tactical phase of pursuits, video recording cameras should be fitted to all vehicles used by traffic officers. Forces should ensure they are working correctly before officers take the vehicle out, and they should not be turned off during incidents. If the video recorders are not working correctly when the vehicle is taken out, this should not preclude the vehicle from being taken out but it should be noted that there is a fault with the equipment and this should be resolved at the earliest opportunity.

Police driver training for pursuits and emergency response

4. Forces to ensure that only suitably trained police drivers conduct pursuits, in accordance with the ACPO Pursuit Guidelines. This means that Basic drivers are not permitted to participate in any stages of the pursuit, Standard/Response drivers can only be engaged in the initial phase in a 'reporting' role, and Advanced drivers can take control of a pursuit and attempt to stop the vehicle once the pursuit has been authorised.

5. Forces to ensure that all police drivers undergo a driving assessment to identify any refresher training needs every three to five years in accordance with the Lind Report (1998).

Initiation and management of pursuits

6. ACPO should contact all forces to establish their position with regard to the Guidelines and determine whether they have wholly or partially adopted the Guidelines, and to what extent they have implemented them.

7. Police forces should ensure that pursuits occur only when this is a proportionate response to a situation. The decision to pursue must involve an initial and ongoing assessment of the risks. Forces should ensure that it is the control room supervisor who takes the decision whether or not to authorise a pursuit.

8. The ACPO Pursuit Guidelines should cover what to do if a vehicle seeks to evade the police by using the wrong carriageway of a dual carriageway or motorway. Reference should be made to the ACPO Guidance on Policing Motorways 2006.

9. For ACPO to provide guidelines on pursuits arising from surveillance operations in future pursuit guidance.

10. Forces should consider how best to manage the 13-point risk assessment criteria. ACPO should consider how practical the 13-point criteria are for officers to conduct within the time constraints of pursuits, and whether it might be possible to prioritise or reduce the risk assessment criteria.

11. Forces should ensure that officers likely to be involved in a pursuit and control room staff are aware of their roles and

responsibilities with regard to a pursuit, in line with the ACPO Guidelines. This includes being familiar with how a pursuit is defined and what the procedure should be when a pursuit begins. It should be made clear that if there is no communication between the police driver and the control room there should be no pursuit.

12. Control room staff and tactical advisers should be given adequate training so they can take a lead role in risk assessment, by prompting the officers in pursuit for the relevant information.

13. Officers in pursuit and control room staff should consider the tactics available at the earliest opportunity, in line with the ACPO Guidelines. If no tactical options are readily available, or there is no immediate prospect of ending the incident, there should be no pursuit.

14. ACPO should consider how long the initial phase of a pursuit should reasonably last if tactics are not readily available. Greater clarity is also required in terms of the difference between the initial and tactical pursuit phases in future Guidelines.

15. Given the variation in pursuit practice across forces, the Home Office and ACPO should consider codification of the ACPO Guidelines. This would improve consistency and practice across police forces and may ultimately help to reduce the number of fatal and serious injuries arising from police pursuits.

Investigations and investigation reports concerning pursuits

16. Pursued drivers involved in serious RTIs should be tested for drug and alcohol usage. The investigating officers' reports should include details of these tests in order to provide a more detailed assessment of the circumstances surrounding the incident.

17. In line with the Lind Report, officers involved in these incidents should be tested for alcohol and the results should be included in the investigating officers' reports.

18. Police forces should record officers' RTI histories in a way which would separate those involving fatal or serious injury from those relating to minor collisions. This should also occur in those cases in which the officer has been exonerated from blame or where they were found to have been a contributory factor to the incident. These details should be reported and commented upon in the investigating officers' reports, along with the drivers' training records. Officers' histories should be monitored by force driving schools so that potential problems in driving skills or decision making can be identified and action taken to resolve this.

19. Information on the police drivers' demographics, level of training, dates of all training courses and assessments, length of time on duty, length of service and number of previous RTIs should be provided in the investigating officers' reports to ensure this information is used during the decision-making process when making a judgement on the case in question.

20. The investigating officers' reports should include the traffic investigators' summary of the environmental conditions, speeds, road type and distances travelled and between the vehicles, and make reference to the findings in order to make their decision making transparent.

21. The investigating officers' reports should address force policy on pursuits and ACPO Guidelines, outlining whether the officer's actions were in compliance or were in breach of the policies.

22. A simple checklist should be used by investigating officers to ensure the quality and consistency of all investigations conducted, and to aid the identification of lessons that can be drawn from the incidents (see Appendix C for suggested checklist).

Emergency response incidents

23. Police forces to ensure officers are made aware of the handling limitations of vans and 4x4s when travelling at high speeds.

24. That the ACPO Pursuit Guidelines in relation to travelling in convoy are also considered for adoption for vehicles travelling in convoy on an emergency response. Control room staff should remind the police drivers responding to the call of this policy.

25. The decision on grading the type of response an emergency call requires should rest with the communication room and should always be clearly given to the police driver responding. However, the levels of response that are given should not dictate the standards of driving employed by officers on the ground, who should prioritise their safety and that of other road users above any response time given.

26. The current national standards divide non-emergency calls into separate categories determining the type of response that is necessary. However, the Standards do not extend to emergency calls; they only provide one overarching category. Some police forces have devised their own sub-categories of emergency response, meaning that there is some inconsistency across forces. ACPO should therefore consider whether to amend the current Standards to provide sub-categories of emergency response and appropriate guidance as to the type of responses required.

Improved data collection and further research

27. As suggested by the current ACPO Guidelines, forces should record and audit all pursuits regardless of their outcome. Records should be kept of the reasons for the pursuit and the outcomes. Information on the officers involved and the details of those pursued should also be recorded. The nature and circumstances of the pursuits will be important in highlighting any lessons that could be learnt and increasing understanding of officer decision making.

28. Following the revision of the current ACPO Guidelines for the Management of Police Pursuits, Her Majesty's Inspectorate of Constabulary (HMIC) should consider, as part of any future inspection of roads policing, focusing on police pursuit policy and practice across England and Wales.

29. Once data collection on pursuits by police forces has improved, further research should be conducted to assess the difference between incidents which result in death and serious injury and those that do not. Qualitative research on officers' decision making in pursuit situations would also be an important part of future research, as it would identify the factors that shape their decision and how conformity to national policy could be improved.

1 Introduction

Road traffic incidents (RTIs) involving the police are a source of much concern for both the general public and the police service. Such incidents may occur when officers are responding to an emergency call, pursuing a vehicle which has failed to stop or are simply travelling from one location to another. These incidents undermine public confidence in the police, cause suffering and pain for those involved, and take up significant amounts of public resources. However, while specific cases can lead to much media attention there is very little robust evidence available to inform public debate and policy development. This report seeks to provide a better evidence base for this area by examining in detail a range of the most serious incidents that have occurred over recent years.

Background

Approximately 40 people die each year in RTIs involving the police with the majority of these deaths being the result of a police pursuit (Teers and Bucke, 2005; Teers and Menin, 2006). The little information available indicates that fatal RTIs are very rare when placed in the wider context of police driver activity. While no official national figures exist, we estimate that there were between 11,000 and 19,000 police pursuits in England and Wales during 2005/06 and that between one and eleven pursuits out of every 1,000 lead to a death. We also estimate that between three and four million emergency journeys are made each year by police officers who are requested to attend a specific location immediately. Serious incidents are even rarer than those involving pursuits, with a fatality occurring for every 100,000 emergency journeys[1].

Past studies have also sought to contextualise police RTIs. A study by Best and Eves (2004b) in Wales captured information on 334 police pursuits and found that 78 resulted in a collision, 48 involved some form of injury, and one resulted in a fatality. The study was based on self-reporting by officers, so could be an underestimate of the total number of pursuits. Officers may also have been more likely to complete a form when something had gone wrong. The research confirms the small number of serious injuries and deaths but also shows that the number of incidents involving damage to vehicles or minor injuries may be higher.

The little research available on police road traffic incidents tends to focus mainly on police pursuits. These incidents are distinctly different from other police road traffic incidents, in that they are initiated by a police response to a member of the public refusing to stop when requested to do so by the police. Furthermore, pursuits commonly involve high speeds in built-up areas and so contain high levels of risk for those pursued, the police officers undertaking the pursuit and members of the public in the vicinity. Assuming that there will always be occasions when the police need to pursue someone in a vehicle, questions arise about how the police should manage this activity. For example, when should officers pursue another vehicle? What can be done to reduce the associated risks?

Past research studies tend to be united by a series of common concerns related to the above questions. One strong concern centres on the high level of discretion exercised by police drivers in terms of initiating and progressing with a pursuit. Best (2002) described the potential risks associated with a pursuit and inappropriate pursuits involving, for example, convoys of police cars or unmarked police cars without warning equipment. A high level of discretion was found to lead to officers conducting inadequate risk assessments during a pursuit and having limited contact with their control room (Best, 2002). In response a strong emphasis has been placed on the need for control rooms to be involved in managing risk assessments of police pursuits rather than leaving this to the judgement of officers in the pursuing car (Best, 2002).

Studies have also questioned whether pursuits involving fatal collisions and great risks to the public were justified in the first place given that they were initiated due to a minor offence being committed (Best, 2002; Best and Eves, 2004a). More broadly, there is evidence from the USA that numbers of police pursuits can be managed through force policies, without a negative impact on local crime rates. In Miami-Dade, Florida the police force restricted pursuits to 'violent felonies only'. This resulted in an 82% reduction in pursuits with no reported increases in either crime rates or the number of suspects fleeing from the police (Alpert, 1997). In contrast, in Omaha, Nebraska a more permissive pursuit policy gave greater discretion to police officers to pursue for offences that had

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[1] These estimates were produced as a part of this study. See Appendix A for more detail.

previously been prohibited. In the following year the number of pursuits increased by 600% (Alpert, 1997).

UK studies highlight the need for better training of officers likely to undertake pursuits. This includes areas such as night driving and in pursuit commentaries between the driver and control room (Rix et al, 1997; Best, 2002; Dorn and Brown, 2003). They state that this training needs to be more uniform across police forces in England and Wales, and that forces should keep and monitor consistent records on driver training, the number of pursuits undertaken, and any road traffic incidents police drivers are involved in (Rix et al, 1997; Best and Eves, 2002, 2004a and 2004b). Research has also identified the need for investigators to produce more thorough and consistent reports on these incidents as the quality and detail was found to vary widely (Best, 2002).

Past research has also raised questions about the effectiveness of pursuits as a police activity. Best and Eves (2004b) found the most common outcome of a pursuit was the driver abandoning or escaping from the suspect vehicle, with less than one in seven drivers of pursued vehicles voluntarily stopping. Furthermore, they found more than twice the number of incidents in their study ended with a collision rather than by the effective use of tactics. Other evidence indicates that pursuits are often conducted by officers without a clear strategy for safely stopping the vehicle (Best, 2002). Given the US evidence cited above, there is the broader question about the general effectiveness of police pursuits as a tactic. However, this remains difficult to assess within the UK as there is currently limited information regarding arrest rates from police pursuits, and the overall number of pursuits that are undertaken.

Policy development

Official responses to concern about road traffic incidents involving the police have led to a number of initiatives. The Lind

Report (1998) set out to review police driver training, and to develop a set of national core competencies. In order to enable the Association of Chief Police Officers in England and Wales (ACPO) to construct an appropriate training package, the Lind Report recommended that police drivers should undergo an assessment every three to five years in order to identify any need for refresher training. It also recommended that all drivers involved in road accidents (including police drivers) should be breath tested for alcohol and that driver training should be taken forward nationally with three core courses:

- Basic – training to fulfil a patrol function within the constraints of the Highway Code;
- Standard – extending Basic training to include emergency response driving, night driving and, most importantly, attitudinal training. A pragmatic introduction to pursuit incidents and pursuit management in line with standard level car control skills;
- Advanced – achieving a high level of all-round driver skills, enabling pursuits and high speed response driving, as well as a full understanding of the effects of attitude and associated stress (pg. vii).

The Report made a series of other recommendations on: improving the conduct of police pursuits; ensuring that best practice was identified and lessons learnt; improving consistency in driver training; ensuring that police vehicles were appropriately marked; and ensuring that force pursuit policies reflected developments in training and technology. It also recommended that forces should monitor police vehicle accidents and conduct regular audits.

The ACPO Pursuit Guidelines (2004) provide guidance to forces on the management of police pursuits, and encourages an early and safe resolution to the pursuit. They stress the importance of considering the individual circumstances of each pursuit and balancing the dangerousness of the pursuit against the need to prevent crime. The Guidelines are clearly laid out and state that

officers and control room staff must stop pursuing if the risks or dangers become too great in comparison to the offences committed or suspected to have been committed. A pursuit may only be continued where a force had tactical options readily available to resolve the pursuit. The Guidelines remove the distinction between a 'follow' and a pursuit[2], as research had found that this distinction was unhelpful, used inconsistently and that there was little difference between the two scenarios in practice (Best, 2002).

In pursuing vehicles or responding to emergency calls police officers may drive above the speed limit and use other exemptions outlined below. Police drivers are able to do this because they have certain legal exemptions from speed limits and other traffic regulations when a response necessitates it. Section 87 of the Road Traffic Regulation Act 1984, as amended by the Road Safety Act 2006, provides exemptions from the legal speed limit[3]. Regulation 33 (1) b of the Traffic Signs Regulations and Directions Act 1994 allows police drivers to treat red traffic signals as give way signs[4]. The same Act provides exemptions to the keep left/right signs, and to unbroken white lines in the centre of the road. Finally the Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Direction 1997 provide exemptions to steady amber and red pelican/puffin automatic traffic signals. However, it is important to note that in exercising these exemptions there still remains a statutory requirement to maintain safety margins and drive with due care and attention. Because of the wide discretion police officers have in their exemptions from speed limits, the Road Safety Act 2006[5] restricts the exemption from the speed limit to:

> *"a person who has satisfactorily completed a course of training in the driving of vehicles at high speed provided in accordance with regulations under this section or is driving the vehicle as part of such a course".*

The Regulations will determine the nature and scope of the training required for police drivers.

Study aims and objectives

Fatalities from road traffic incidents involving police vehicles make up the largest single group of deaths following police contact (Teers and Menin, 2006). Over recent years there has been concern over these incidents, but relatively little research has been conducted. The IPCC feels that it is important to analyse these cases in more detail. We have therefore built on past work by the Police Complaints Authority, within the context of the current ACPO Guidelines. We are aware that Guidelines were published in early 2004 and that therefore forces may have still been implementing them at the time of some of the incidents. However, it is not possible to determine to what extent forces have adopted the Guidelines at time of writing and this information would have been useful. We have sought to identify learning for policy and practice from the cases that we have examined.

The study has three main aims, each focusing on a number of objectives. These are described in detail in Box 1 overleaf:

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[2] The Lind Report (1998) cites Horner, J.B. (1995): *Pursuits*. ACPO Traffic Working Group: London, which defines a pursuit as "where appropriately trained officers in suitable vehicles, pursue a fleeing vehicle with the intention of safely causing it to stop". In contrast it defines a 'follow' as "where a police officer safely monitors the progress of a target vehicle, with the objective of appropriately trained officers undertaking 'a pursuit of that vehicle'".

[3] Section 87 states: "No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for which it is being used on that occasion".

[4] Providing that they allow other drivers to slow down sufficiently to allow them to pass.

[5] At the time of writing a date had not been set for implementation of this section and the training requirement was still being determined.

Box 1
Aims of the study

Aim 1: **To describe the extent of RTIs involving police vehicles which result in fatal or serious injuries in England and Wales and identify any trends in the data between April 2004 and September 2006.**

Objectives:
- To present figures on RTIs by fatal or serious injuries, by type of incident (pursuit, emergency response, other police driving activity) and by police force.
- To identify trends across all three categories of incidents for April 2004 to September 2006.
- To describe the RTIs in terms of when and where they occur (time – including whether during hours of darkness, days of the week, season) and to identify any patterns.

Aim 2: **To examine the circumstances of incidents involving police pursuits with special reference to: the profile of the police and public participants and their vehicles, and the management of the pursuit.**

Objectives: Profile of police and public participants and their vehicles
- To describe the characteristics of those pursued, deceased or seriously injured in terms of their gender, age, ethnicity, driving history, whether they were intoxicated by drugs or alcohol, and whether they were known to the officers when the pursuit commenced.
- To describe the characteristics of the police drivers in terms of their age, driving experience, gender, ethnicity, length of time on duty and involvement in any previous incidents.
- To describe the level of training the police officers involved in the incidents had undertaken, whether he/she had undergone any refresher training or assessments, and whether they were qualified to undertake pursuit driving.
- To describe the characteristics of the pursued vehicle and its roadworthiness.
- To describe the characteristics of the police vehicle(s) used in the pursuit (including their level of visibility) and the number of vehicles involved in the incident.

Objectives: Management of the event – initiation of the pursuit
- To describe the reason for initiating the pursuits.
- To examine whether any risk assessment was made at the outset and whether this was updated as the pursuit progressed.

Objectives: The pursuit
- To describe the roads in terms of the type of road, the weather conditions and the built environment i.e. town centre or country road.
- To describe what tactics were considered to conclude the pursuit (and how readily available they were) and whether tactics were actually deployed.
- To describe how the pursuit was concluded.
- To describe the use of emergency warning equipment and the part this played in the pursuit.
- To examine the role of the control room in the pursuit.
- To establish to what degree the pursuit was conducted in accordance with the force policies.

Objectives: Post pursuit
- To establish to what extent the subsequent investigation led to misconduct and/or criminal proceedings.
- To describe the findings and related comments from inquests into fatalities.

Aim 3: **To examine the circumstances of incidents involving emergency response and 'other' police driving activity.**

Objectives:
- To describe the characteristics of those deceased or seriously injured in terms of their gender, age, ethnicity, and whether they were intoxicated by drugs or alcohol.
- To describe the characteristics of the police drivers in terms of their age, driving experience, gender, ethnicity, length of time on duty and involvement in any previous incidents.
- To describe the level of training the police officers involved in the incidents had undertaken, whether he/she had undergone any refresher training or assessments, and whether they were qualified to undertake emergency response driving (where appropriate).
- To describe the characteristics of the police vehicle(s) used in the incident and the number of vehicles involved in the incident.
- To describe the use of emergency warning equipment and the part this played in the incident.
- To describe the roads in terms of the type of road, the weather conditions and the built environment i.e. town centre or country road.
- To examine any issues around the immediate handling of the call leading to the incident (e.g. incorrectly allocating an immediate response to a relatively minor incident) and the possible impact of force policy on response times and call handling procedures.

Methodology

The study was divided into two main phases. The first phase addressed Aim 1 and established the prevalence of road traffic incidents involving fatalities or serious injuries, and trend information concerning these incidents. Since April 2004 police forces in England and Wales have had a statutory responsibility to refer RTIs involving death or serious injury to the IPCC, under the Police Reform Act 2002. This study searched the IPCC referrals spreadsheets and the IPCC's Case Tracking Management System in order to identify cases. These cases were then put into a statistical package called SPSS. This dataset allowed the production of descriptive statistics on the incidents, such as the type of police activity involved, the number of people involved and whether their injuries were fatal or serious, and the police forces where the incidents occurred.

The second and main phase of the study involved a detailed examination of incidents involving a fatality or serious injury from April 2004 to July 2006, and addressed elements of all three aims. We used investigation reports on completed cases up to July 2006 as the basis for collecting information on incidents. A data collection sheet was used to detail the nature of the incidents, and the data were analysed using SPSS. The investigation reports contain the most in-depth data available on each case, although as is described in later chapters, some details were often missing from the reports. In these cases (although not for the 'other' incidents detailed in chapter 7) the research team contacted the relevant police force professional standards departments to obtain this information from police officers driving and human resource records. However, it is important to acknowledge that the data available will depend on decisions made by the investigating officer. They may chose to exclude information that they decide is not pertinent to each particular case or not fully reflect all the aspects of their investigation in the report.

This report focuses on a specific issue. It cannot be used to draw out conclusions about wider police driving practices or about those RTIs which do not lead to death or serious injury. Instead the data in this report provides insight into recent cases, and

seek to establish learning which can be fed into policy and practice.

The project was supported by an expert group who provided advice and assistance and consisted of ACPO representatives, a representative of the Health and Safety Executive, a leading academic on driving behaviour, a representative of Transport Research Laboratory, and was chaired by the IPCC lead Commissioner into RTIs.

Structure of the report

The next chapter describes the trends and patterns in RTIs from April 2004 to September 2006 and also some analysis of fatalities over a longer period of time. Chapters three, four and five examine the pursuit-related incidents in more detail. The details of those seriously or fatally injured in addition to the police drivers are outlined in chapter three. The nature of the incidents and how they were managed are described in chapter four, while chapter five analyses the details of the investigations and their outcomes. Chapter six assesses the emergency response incidents in detail, examining the circumstances of the incidents, the demographics of those fatally or seriously injured, the police drivers that were involved and the outcome of the investigations. Chapter seven looks at 'other' police driving activity incidents and assesses the details of those involved and the circumstances of the incidents. Finally, chapter eight draws all of the preceding chapters together, setting out the overarching conclusions and recommendations arising from the research.

2
Prevalence and trends

There is little information available on serious police RTIs in England Wales. This chapter seeks to fill this gap by providing information on incidents that have occurred in recent years. It first explains how the cases in this study were collected and how they were classified. It then goes on to present figures on numbers of police-related RTIs and on resulting fatalities and serious injuries. The chapter also presents these figures according to when they happened in order to provide an insight into whether these incidents have increased or declined.

Classification of incidents

The Police Reform Act 2002 places a statutory duty on police forces to refer to the IPCC incidents in which there is reason to believe that police contact may have caused or contributed to a death or serious injury. The incidents on which this study is based were identified from these referrals. Incidents involving a serious injury were identified using the IPCC statutory guidance which defines such injuries as involving "a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function" (IPCC, 2005).

Once incidents involving police RTIs were identified from IPCC referrals they were classified according to the following categories:

1. *Pursuit-related incidents*: We used the ACPO definition of a pursuit to decide whether an incident fell into this category. This definition states that a pursuit occurs when:

> *"A driver who, when required to stop in the approved manner and having had the opportunity to do so, indicates by their actions or continuance of their manner of driving that they have no intention of stopping for police and the police driver believes that the driver of the subject vehicle is aware of the requirement to stop and decides to continue behind the subject vehicle with a view to either reporting its progress or stopping it, the police driver will be deemed to be in a pursuit"* (ACPO, 2004, Para 1).

The new ACPO definition removed the concept of a 'follow' and a 'fail to stop'. Therefore, incidents that would previously have been categorised as either a 'follow' or 'fail to stop' were included within the pursuit category.

There were some incidents where it was not completely clear if there was a 'fail to stop'. In this situation we took the view that if the police had made some effort to indicate to the driver to stop (e.g. by putting on their emergency warning equipment and/or flashing their headlights) and the driver continued to drive when chased by the police, this was a pursuit. There were also incidents where there was no opportunity to indicate to the vehicle to stop. For example, in some cases drivers fled upon seeing the police, who then gave chase but were some way behind the car. Again, in that situation we took the view that if the police took some positive action to chase after the vehicle (with the intention of trying to get it to stop) it was still a pursuit, particularly where there was evidence to suggest that the person fleeing was aware that the police were following them.

2. *Emergency response-related incidents:* This category includes all incidents that involved a police vehicle responding to a request for emergency assistance.

3. *'Other' police traffic-related incidents:* This category includes RTIs in which there was no pursuit or emergency response by a police vehicle. Examples here include collisions during standard police patrol and where drivers responded to seeing a police vehicle by fleeing the location and crashing. In these latter incidents police officers did not have an opportunity to pursue the drivers.

Trends in fatalities and serious injuries

The lack of figures on serious RTIs means that it is not possible to look at trends over very long periods of time. Figure 2.1 uses the available figures to provide a picture over the longest period possible. This time period is from 2000/01 to 20005/06 and relates only to fatalities. Overall, the total number of fatalities peaked in 2001/02 with 52 deaths, falling in 2002/03 to 38, and then gradually rising to 45 in 2004/05 and 48 in 2005/06 . In

each year police pursuits accounted for the highest number of deaths, with emergency response and 'other' incidents accounting for much small proportions.

Fatalities as a result of pursuits rose from 25 in 2000/01 to a peak of 44 in 2001/02, then fell to 31 in 2002/03, totalled 29 in both 2003/04 and 2004/05, and finally rose again slightly to 32 in 2005/06. The number of fatalities due to emergency response-related incidents was much smaller and it is therefore more difficult to identify a clear trend. This type of fatality increased from two in 2000/01 to nine in 2003/04 and then decreased to seven in 2004/05 and four in 2005/06. The number of fatalities due to 'other' police traffic-related incidents also fluctuated during the period, from four in 2000/01 to five in 2001/02, none in 2002/03, one in 2003/04, nine in 2004/05 and 12 in 2005/06.

Figure 2.2 presents a more detailed picture by including serious injuries[6], as well as fatalities, by financial quarter. However, because figures on serious injuries were collected only for this study it covers a shorter time, spanning the two and a half year period from 1st April 2004 to 30th September 2006. Overall, Figure 2.2 shows no clear trend in terms of numbers of fatalities and serious injuries. This is because of the fluctuations occurring across the quarters. Serious injuries fluctuated from 20 to 35 cases per quarter, while deaths fluctuated between 5 and 17 cases per quarter. Overall, there was a total of 112 serious injuries in 2004/05 and 102 in 2005/06. When looking at the death figures it is possible that the decreases in the first two quarters of 2004/05 and 2005/06 compared to the latter two quarters of each of those years may reflect a seasonality effect. Here better weather conditions and longer daylight hours

Figure 2.1

Number of fatalities by type of police related RTI 2000/01 – 2005/06
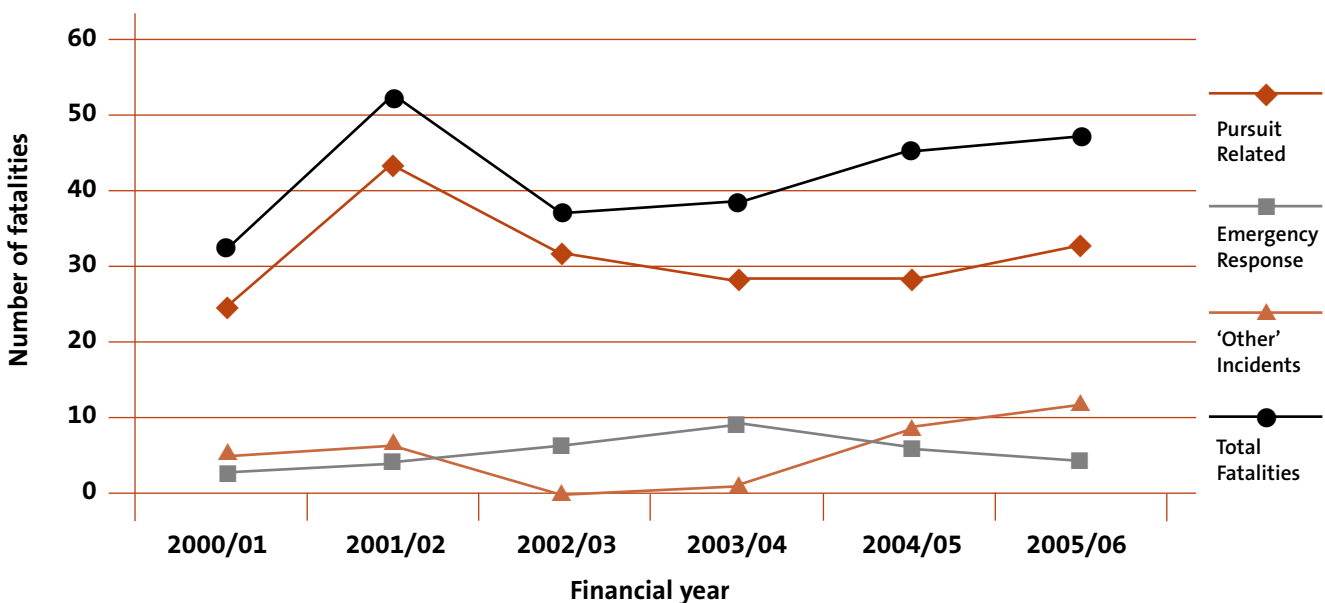
N.B: Figures were compiled from Police Complaints Authority Annual Reports 2000/01–2003/04 and referrals to the IPCC since April 2004. Cases have been counted based on the date of the RTI rather than the date of death. For example, if an RTI occurred during the financial year 2004/05 but the death occurred during 2005/06 then the case was counted for the 2004/05 financial year (this accounts for the difference in these figures and those provided in the IPCC Death During and Following Police Contact publications).

6   It should be noted that an RTI can involve multiple fatalities and/or serious injuries, so the number of deaths and serious injuries in any one police force may be greater than the total number of incidents.

during the spring and summer months may have led to a lower number of fatal incidents.

Trends in incidents

The number of incidents involving fatal and serious injury provides a better basis for examining changes over time. A total of 275 incidents were referred to the IPCC between April 2004 and September 2006. Of these, 192 were pursuit related, 33 were related to emergency response incidents and 50 were related to 'other' types of traffic activity. The incidents involved a total of 115 fatalities and 273 serious injuries, giving an average of one person killed and one person seriously injured per incident.

Table 2.1 overleaf presents the figures by type of incident across

the two and half year time period[7]. The total number of RTIs appears to be on an upward trend, with this reflected in the annual figures for 2004/05 (101) and 2005/06 (109). There also appears to be a rise in the first two quarters of 2006/07 with a total of 65 incidents compared to 46 for quarters one and two in 2004/05 and 46 in 2005/06. It is not known at the time of writing whether the figures for the remaining period of 2006/07 will show an increase.

Pursuit-related incidents again account for the greatest number of the RTIs across all quarters. The pursuit-related incident figures have remained consistent during the first two years with 72 in 2004/05 and 71 in 2005/06. Reflecting the general trend outlined above, there seems to be a rise in the number of pursuit-related incidents during the first two quarters of 2006/07, with 49 during that period compared with

Figure 2.2

Number of incidents involving fatalities and serious injuries by quarter
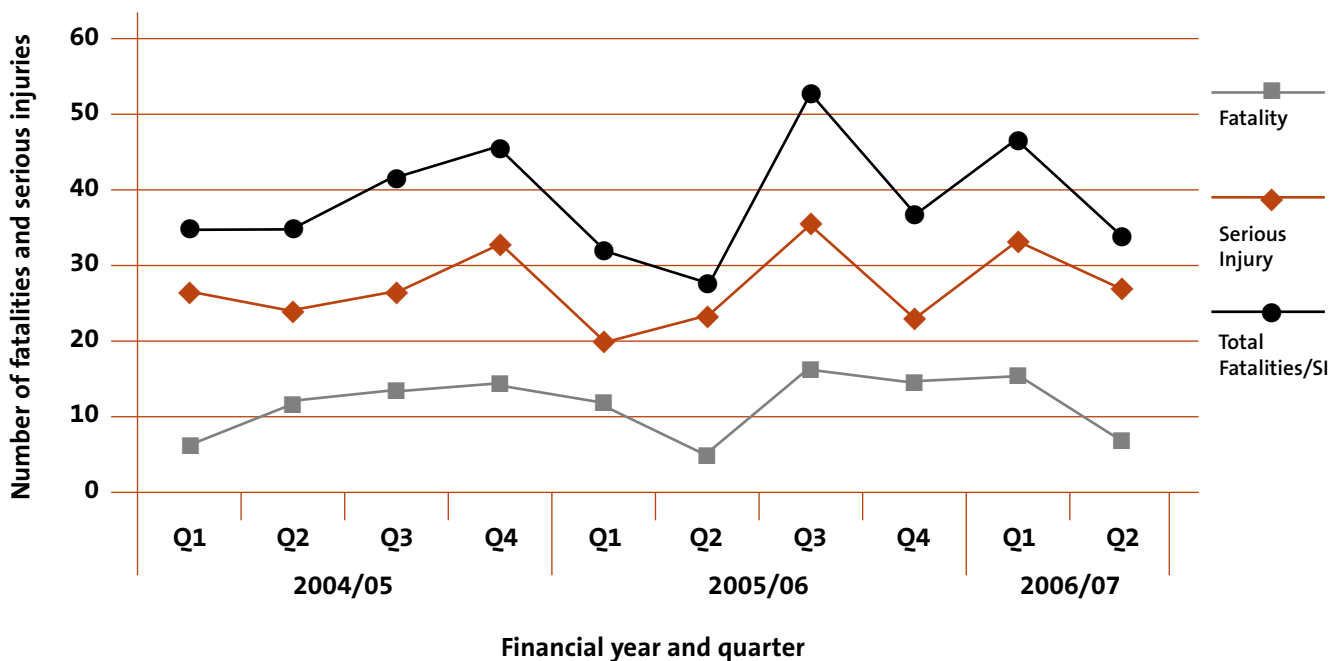
[7]   The figures are also presented in chart form in Appendix B.

33 during the same period in 2004/05 and 32 in 2005/06. The number of emergency response-related incidents has been fairly constant, with 13 in each financial year and seven during the first two quarters of 2006/07, substantially lower than the number of pursuits. There were 25 'other' incidents in 2005/06 compared to 16 in 2004/05. During the first half of 2006/07 there were nine 'other' incidents compared to seven during the same period of 2004/05 and 12 during 2005/06 (see chapter 7 for more details on these types of incidents).

Police force figures

Table 2.2 overleaf shows how incidents involving death or serious injury were distributed across police forces. It is important to note that, while all fatalities and serious injuries should be referred to the IPCC, there may be some inconsistency in the number of incidents referred involving serious injuries. This is because the nature and seriousness of the injuries may not be apparent at the scene of the incident. Also, some individual officers may not deem the injury to be 'serious' even though it may fall under a strict reading of the definition. For example, a broken finger would fall under the definition since it is a broken bone but may not be considered 'serious'. For this reason, variations between police forces in terms of the number of serious injuries should be treated with some caution.

The IPCC received RTI referrals from 42 of the 43 Home Office forces during the reporting period. One incident was referred by the Civil Nuclear Constabulary. Forces with large urban areas and large populations reported the greatest number of incidents. These include Greater Manchester (31), Merseyside (22), Metropolitan Police Service (18), Northumbria (17), South Yorkshire (14) and West Yorkshire (18). In comparison, the forces with no incidents, or very few, were Cambridgeshire (1), Durham (1), Gloucestershire (1), North Wales (1) and Wiltshire (0). These forces are likely to have fewer RTIs due to their smaller size, population density and lower levels of police activity. The following chapters in this report examine in detail the circumstances of those incidents occurring between April 2004 and July 2006.

Table 2.1
Serious injury and fatal RTIs by type of RTI

	2004/05					2005/06					2006/07		
	FYrQ1	FYrQ2	FYrQ3	FYrQ4	**Total**	FYrQ1	FYrQ2	FYrQ3	FYrQ4	**Total**	FYrQ1	FYrQ2	**Total**
Pursuit related	19	14	21	18	**72**	16	16	20	19	**71**	28	21	**49**
ER related	4	2	3	4	**13**	1	1	6	5	**13**	3	4	**7**
'Other' incidents	2	5	4	5	**16**	8	4	8	5	**25**	4	5	**9**
Total	25	21	28	27	**101**	25	21	34	29	**109**	35	30	**65**

Table 2.2
Number of incidents, fatalities and serious injuries by force

Police Force	Number of Incidents	Fatalities	Serious Injuries
Avon & Somerset	4	2	4
Bedfordshire	3	3	0
Cambridgeshire	1	1	0
Cheshire	2	0	2
City of London	2	0	3
Cleveland	5	2	7
Cumbria	4	2	4
Derbyshire	3	1	4
Devon & Cornwall	3	0	3
Dorset	7	4	3
Durham	1	0	1
Dyfed Powys	2	2	0
Essex	9	3	8
Gloucestershire	1	0	2
Greater Manchester	31	10	36
Gwent	3	1	2
Hampshire	9	3	8
Hertfordshire	4	2	2
Humberside	2	1	1
Kent	6	2	6
Lancashire	9	5	9
Leicestershire	5	1	7
Lincolnshire	2	2	0
Merseyside	22	5	29
Metropolitan	18	12	18
Norfolk	3	0	3
North Wales	1	1	0
North Yorkshire	3	0	3
Northamptonshire	7	2	6
Northumbria	17	6	27
Nottinghamshire	5	3	4
South Wales	4	1	4
South Yorkshire	14	4	13
Staffordshire	5	2	4
Suffolk	3	0	4
Surrey	2	1	1
Sussex	6	9	4
Thames Valley	7	3	6
Warwickshire	4	3	3
West Mercia	6	2	7
West Midlands	11	4	9
West Yorkshire	18	10	14
Wiltshire	0	0	0
Civil Nuclear Constabulary	1	0	2
Total	**275**	**115**	**273**

3

Police pursuits: participants and vehicles

The previous chapter showed that pursuits make up the largest proportion of fatal and serious injury RTIs involving the police. Pursuits may involve inexperienced drivers, possibly under the influence of alcohol and drugs, driving at high speeds. Pursuits which result in death or serious injury therefore differ from other types of RTIs in that the police vehicle does not often make contact with the vehicle of the person who has been killed or seriously injured (although this can occur). Instead the injuries tend to be caused by the driver of the pursued vehicle losing control and crashing, injuring the occupants, or colliding with an unrelated vehicle or person. The standards of the police officers' driving are therefore often not the focus of the investigation. However, the decisions made by police officers are often critical to the outcome of the incident. Best and Eves (2004a) stated that:

"It is not sufficient to assume that, simply because the police vehicle does not make contact in the collisions resulting from pursuit, that the police driver did not contribute to the incident, nor that there are no preventative lessons to be learned" (pg. 55).

Our findings are based on a total of 102 completed investigations into fatal and serious injury pursuit-related RTIs between April 2004 and July 2006. The incidents involved a total of 259 people (excluding police officers). Of these 18%

were killed, 44% were seriously injured, and 38% had minor or no injuries. The extent of one individual's injuries was unknown. This means that of the pursuits involving serious or fatal injuries, an average of one person was killed and one person was seriously injured per incident.

Characteristics of pursued vehicle drivers

Demographics

Previous research has found that pursued vehicle drivers tend to be young males who are inexperienced, and who may be driving illegally due to their age or having been disqualified (Rix et al, 1997; Best, 2002; Best and Eves, 2004a). One hundred (98%) of the 102 drivers in our sample were male. Sixty-nine per cent of the drivers were White, 9% were Asian, 5% were Black and 3% were of a mixed ethnicity. Data on ethnicity was not stated[8] for 15% of the drivers.

The risks of pursuing young and inexperienced drivers are significant, although the police may be aware of the pursued vehicle driver's age at the time of the pursuit. The average age of the pursued vehicle driver was 24 years old. Figure 3.1 shows that most of the pursued drivers were young, with 52% aged

Figure 3.1
Age of those driving pursued vehicles
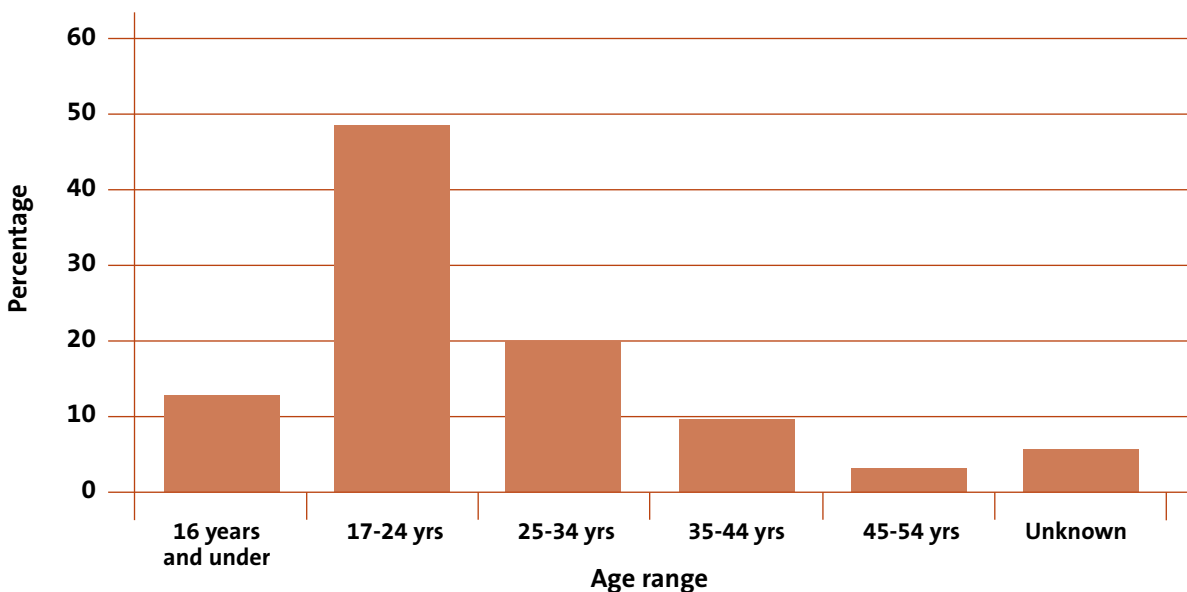
Figure 3.2
Pursued drivers fatally or seriously injured by age range
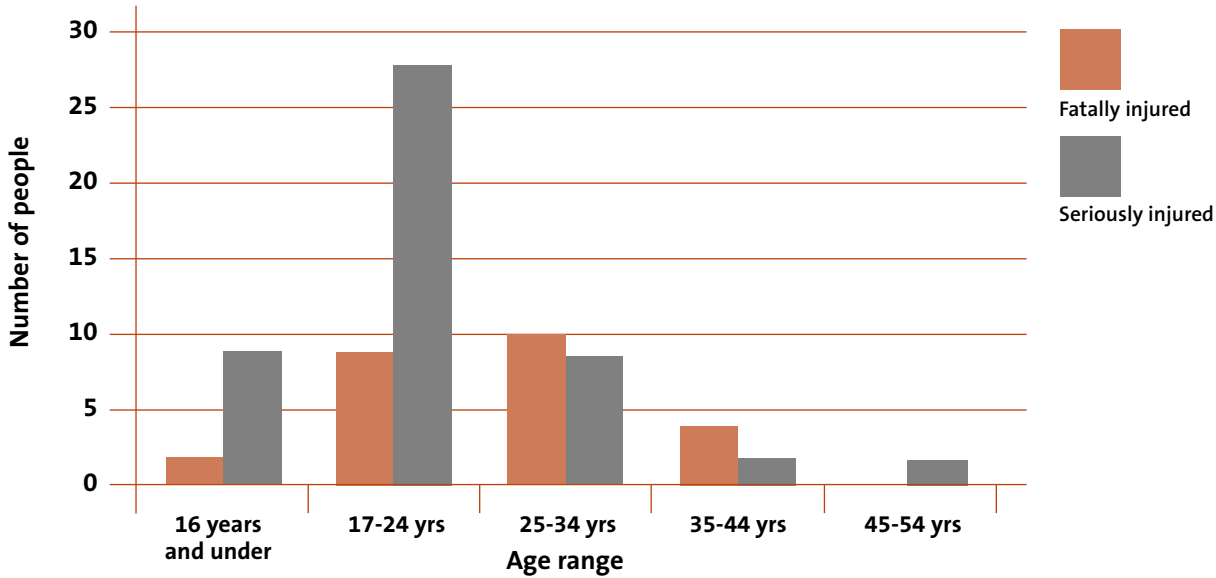
17-24 years old and 14% under 16 years of age. Amongst the youngest group of drivers, three were 14 years old, four were 15 years old and six were 16 years old.

Injury level and type

Twenty-five per cent of the pursued drivers were fatally injured, 50% were seriously injured, 7% had minor injuries, and 18% had no injuries. Those who had no injuries or minor injuries are included in our study because other people within the same incidents suffered serious or fatal injuries. Figure 3.2 shows those people who were seriously or fatally injured by their age range. Just under half of those who were killed were aged either 16 and under or 17-24 years old. Just over half of the drivers who sustained serious injuries were 17-24 years old.

Table 3.1 shows the type of injuries the pursued drivers suffered by whether they were killed or seriously injured. It should be noted that the difference between a serious and fatal injury (for

example a head injury) can be a matter of chance.

Forty per cent of those killed and 10% of those seriously injured were not wearing a seatbelt. This is likely to be an underestimate as seatbelt wearing is not always reported upon in the investigating officers' reports. The wearing of a seatbelt, in some instances, may have lessened the injuries that were suffered and potentially saved lives.

Driving status

Of all the pursued vehicle drivers, 36% were disqualified drivers, 61% had no insurance, 5% were 'known to the police'[9], 16% had a provisional or no driving licence, and 25% had no factors associated with their driving status, meaning that they were likely to be legal drivers[10].

Use of alcohol and drugs

We believe that establishing the extent to which drugs and

Table 3.1
Percentage of pursued drivers' injury type by whether they were fatally or seriously injured

	Head injuries	Multiple injuries	Internal injuries	Broken/fractured bones	Lacerations	Spinal injuries injuries
Fatally injured	36	56	12	4	0	0
Seriously injured	20	4	12	67	16	16

N.B: Percentages are rounded and do not add up to 100 as individuals could have more than one type of injury.

9   This refers to an initial visual identification of the person or vehicle.

10 N.B: Percentages are rounded and do not add up to 100 as individuals could have more than one factor assigned to them.

alcohol influenced a fatal or serious RTI is an important part of any investigation. Previous ACPO policies have emphasised the need to test for alcohol following RTIs (Lind, 1998). In our sample 49% of pursued drivers were tested for alcohol, 24% were not tested and 28% had no information on their blood alcohol levels in the investigator's report. This latter figure seems high when it is central to individuals' fitness to drive at the time of the incident. It is not clear why this information was missing, but we believe that it is important that it is gathered, and the results referred to in the investigating officers' report.

Of those drivers tested, 60% were over the legal alcohol limit for driving, 36% were not, and for 4% of drivers this information was not available. It would seem likely that those who were over the legal alcohol limit would have impaired driving skills, and the investigating officers stated that this was the case for 90% of drivers who had consumed alcohol based on their test results.

Information was not available for 42% of drivers in terms of whether they were tested for drug usage. This limits any meaningful analysis and again it is disappointing that this information is not available in the investigation reports. Thirty-five drivers were tested for drugs; of these people 57% tested positive, 40% tested negative, and for 3% this information was not available.

Recommendation: Pursued drivers involved in serious RTIs should be tested for drug and alcohol usage. The investigating officers' reports should include details of these tests in order to provide a more detailed assessment of the circumstances surrounding the incident.

Characteristics of the occupants of the pursued vehicles

Demographics
In addition to the 102 drivers of the pursued vehicles there were a further 157 people involved in the incidents, of whom 107 (68%) were occupants in the pursued vehicles. The average age of the occupants of the pursued vehicles was 22 years old. The ages of these people ranged from one to 50 years old; however, the ages of 19% of this sample were unknown. Twenty-two per cent were aged 16 and under, 45% were aged 17-24 years old, and 13% were aged 25-34 years old. Seventy-five per cent of the pursued vehicle occupants were male, 23% were female and in 2% of cases gender was not stated. Ethnicity was not stated for 41% of people, which indicates very poor recording and limits the ability to undertake any detailed analysis.

Injury level and type
Of the 107 occupants of the pursued vehicles, 15% were killed, 38% were seriously injured, 22% had minor injuries, and 24% had no injuries. Of the 57 people who suffered serious or fatal injuries, 46% had broken/fractured bones, 21% had head injuries, 19% had multiple injuries, 18% had internal injuries, 14% had spinal injuries, 9% had lacerations, 11% had 'other' types of injuries, and 2% of injury types were not stated[11]. Three people were recorded as not wearing a seatbelt (all of whom were seriously injured or killed). However, as with the pursued drivers, this is likely to be an underestimate as it may not be accurately reported in the investigating officers' report.

Characteristics of other road users and pedestrians

Demographics
In addition to the pursued drivers and occupants of the pursued vehicle, there were an additional 50 people who were involved in these incidents. Nineteen were drivers of an unrelated vehicle, 18 were occupants of an unrelated vehicle, ten were pedestrians, and three were cyclists. The average age of this group of people was 44 years old and ranged from one to 80 years old. The ages of 32% were not stated. Eighteen per cent were aged between 45-54 years old, 10% between 25-34 years old and 10% between 35-44 years old. Sixty per cent were male

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[11] N.B: Percentages are rounded, injured people may have more than one type of injury.

and 40% were female. The ethnicity of 66% of these people was not stated, limiting any meaningful analysis.

Injury level and type
Table 3.2 below shows the level of injury suffered by the various people involved in the incident by how they were using the road at the time. Five people who were completely unrelated to the incidents were killed and 21 people were seriously injured.

Of those who were fatally or seriously injured, the injuries were as follows; 18 people sustained broken/fractured bones, six people had internal injuries, five people had multiple injuries, four people had head injuries, three people had spinal injuries, one person had lacerations, and one person had 'other' injuries[12].

Pursued vehicle details

The ACPO Pursuit Guidelines (2004) specifically state that the tactics described within the policy *"are not intended for use against motorcycles because of the vulnerability of the riders, the manoeuvrability of the vehicle and the excessive speeds that such vehicles can reach"* (ACPO, 2004, Para 12.5). The Guidelines go on to state that *"it is recognised that public safety may, in exceptional circumstances, dictate that the tactics identified in these Guidelines could be the best option for use against motorcycles which have been involved in very serious incidents and whose riders continue to threaten public safety and defy other efforts to stop them"* (ACPO, 2004, Para 12.6).

The majority of pursued vehicles were cars (87%), followed by motorcycles (7%), vans (2%), mini-motorcycles (2%), and

4x4 vehicles (2%). We are concerned that there were nine motorcycles/mini-motorcycles involved in this sample of incidents. We believe that pursuits of motorcycles can be very dangerous as the rider is much more vulnerable than a driver or occupant of a car, and the tactical options for bringing the pursuit to an end are very limited. Currently the danger is that officers initiate a pursuit, and without any tactics available to end it simply wait until 'something happens'. We therefore believe that these pursuits should be limited to instances where a serious crime has been committed and that ACPO should seek to define this more clearly in future revisions to the Pursuit Guidelines. If a situation arises where due to public safety it is absolutely necessary for the police to pursue a motorcyclist, we believe that if possible a police helicopter should be deployed to take control of the pursuit and allow the police vehicle on the ground to pull back. This might help to limit the risks the motorcyclist will take to avoid capture and ensure a safer resolution of the pursuit.

Recommendation: That ACPO should revise its guidelines to state that pursuits of motorcycles or other 'powered two-wheel vehicles' should not occur unless a serious crime has been committed. The guidance should provide a definition of what would constitute a 'serious crime' and other related terms, such as 'exceptional circumstances'. Where it is necessary for reasons of public safety to conduct pursuits of these vehicles, police force helicopters should be deployed at the earliest opportunity to take over the pursuit.

Case study one provides an example of a pursuit of an inappropriate vehicle which could have been prevented if the force had taken appropriate action as an early stage:

Table 3.2
Other road users' and pedestrians' injury level

	Driver of an unrelated vehicle	Occupant of an unrelated vehicle	Pedestrian	Cyclist
Fatal injuries	0	1	3	1
Serious injuries	5	8	6	2
Minor injuries	9	7	1	0
No injuries	5	2	0	0
Total	19	18	10	3

12 N.B: People may have sustained more than one type of injury.

Case Study 1: This case involved a pursuit of two people on a mini-motorcycle. They were known to the police, were underage and were driving on a public road. The mini-motorcycle crashed into street furniture and the rider and pillion passenger both sustained serious injuries. The police had three previous opportunities to confiscate the bike under existing legislation and had failed to do so. The investigating officer therefore criticised the force for failing to prevent this incident.

Twenty-eight per cent of the pursued vehicles were stolen, 68% were not stolen and the investigating officers' report did not describe the legal status of the remaining 4% of vehicles. Of those which were stolen, 38% were known by the police to be stolen at the time of the incident. Previous research evidence has shown that in 2% of all road traffic incidents there were vehicle defects which were thought to be a contributory factor to the accident (Robinson and Campbell, 2005). In our sample 22% of the vehicles had a defect and 62% had no defects. Of the defective vehicles, 36% had defects relating to the handling of the vehicles. These included defects related to tyres (14 vehicles), brakes (six vehicles), and lights (four vehicles). Two vehicles were considered unroadworthy and three had 'other' types of defects[13]. Therefore, the vehicles in this study which were involved in police pursuits were more likely to have defects which contribute to accidents than those involved in accidents more generally.

Characteristics of police drivers

Information on the officers involved in these incidents is important as it helps us ascertain whether certain officers are more likely to be involved in police RTIs than others. Previous research by the PCA found that information available on police drivers involved in pursuits within investigating officers' reports was inconsistent and incomplete (Best, 2002; Best and Eves; 2004). These studies found that basic demographic information was unavailable for the majority of officers (with the exception of gender) and that information on the level of training and experience was also unavailable for over 50% of officers.

In our study there were 136 police vehicles involved in the incidents under investigation and we were able to gain further details on the drivers of 114 of these vehicles. Some of the additional drivers may have had a peripheral role in the incident and were therefore not mentioned in the investigating officers' reports. Much of the information we sought to collect on police

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13   Some vehicles may have had more than one defect.

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drivers was not available in the investigating officers' reports. We therefore had to contact the relevant police force to provide this information. Table 3.3 shows the information available before and after contacting the relevant police forces. Given the basic nature of some of this information, it is surprising that it is not included more routinely in the investigating officers' reports as it would allow them to take a view on any potential training needs and identify any particular problems that might exist with a police driver.

Table 3.3

Details available on all police drivers in the investigating officers' report and following contact with the police force

	Percentage available from IO report	Percentage available following contact with forces
Age	29%	92%
Gender	94%	96%
No. of months service	38%	94%
No. of months driving	26%	83%
Ethnicity	12%	88%
Level of driving qualification	73%	93%
No. of months since training course	39%	80%
Undertaken refresher	18%	70%
No. of months since refresher	8%	70%
Any previous RTIs	16%	73%
No. of RTIs	6%	71%

N.B: Based on 114 police drivers.
Some additional pieces of information which were not available in the investigation report were not requested from forces as they were unlikely to be available if not collected for the investigation report. These were: whether the officers were tested for alcohol/drugs, how long they had been on duty at the time of the incident, and whether they were trained in commentary driving.

Recommendation: Information on the police drivers' demographics, level of training, dates of all training courses and assessments, length of time on duty, length of service and number of previous RTIs should be provided in the investigating officers' reports to ensure this information is used during the decision-making process when making a judgement on the case in question.

Demographics

Previous research evidence found that the police drivers involved in these types of incident were not particularly young and inexperienced. This is likely to reflect the time it takes to obtain Advanced driver status with length of service in some police forces being related to the provision of a training course. In two studies the PCA found that the average age of the police drivers was 34 and 35 years of age (Best, 2002; Best and Eves; 2004a).

For the present study, the average age of the drivers was found to be 36 years old. The youngest drivers were 23 years old (four drivers) and the oldest was 57 years old (one driver). Thirty-eight per cent were aged 25-34 years old and 38% were aged 35-44 years old. The majority of police drivers were White (86%), with ethnicity unknown in a significant number of cases (12%). Ninety-three per cent of drivers were male, 4% were female and the gender of 4% of drivers was unknown. Of the 102 police drivers in the vehicle that was most involved/closest to the pursued vehicle when the incident ended, 72 had a police passenger and 30 were alone in the vehicle.

Use of alcohol and drugs

It is ACPO policy that all police drivers involved in accidents should be tested for alcohol (Lind, 1998). However, only 34% of police drivers in our study were tested for alcohol, with 18% not being tested and it not being stated whether testing occurred for 48% of drivers. Of those that were tested none of the officers were over the limit. None of the police drivers were tested for use of drugs[14], but again there was a high percentage of missing information (64%). It is unclear whether the lack of testing reflects a view that the police driver's fitness to drive at the time of the incident was not in question, or a lack of awareness of the policy.

Recommendation: In line with the Lind Report, officers involved in these incidents should be tested for alcohol and the results should be included in the investigating officers' reports.

Length of service and driving experience

In previous research the PCA found that officers involved in RTIs had an average of 11.6 years' service (Best, 2002; Best and Eves; 2004a). In our study, information on the length of service was available for 94% of police drivers, with the average length of service for these officers being 10.5 years. Information on the

number of years driving as a police officer was available for 83% of drivers. The average amount of police driving experience was eight years.

Alpert (1997), in a study of pursuits in the USA, found that many police departments acknowledged taking only limited steps to train their officers on skills and procedures regarding pursuit. In comparison, in our sample 50% of police drivers were Advanced drivers, 40% were Standard/Response drivers, 3% were Basic drivers and for 7% status was unknown. This means that under ACPO Pursuit Guidelines (2004) 50% of drivers were qualified to conduct all stages of the pursuit – meaning both the initial and tactical phases. Forty per cent of drivers were qualified to carry out the initial phase of the pursuit but were required to request assistance from an Advanced driver at the earliest opportunity, and 3% were not qualified to participate in the pursuit at all. Information on the type of officer (e.g. whether they were a specialist traffic officer) was generally not available in the investigation report so is not reported in this study. However, the majority of Advanced police drivers are likely to be traffic specialists.

Recommendation: Forces to ensure that only suitably trained police drivers conduct pursuits, in accordance with the ACPO Pursuit Guidelines. This means that Basic drivers are not permitted to participate in any stages of the pursuit, Standard/Response drivers can only be engaged in the initial phase in a 'reporting' role, and Advanced drivers can take control of a pursuit and attempt to stop the vehicle once the pursuit has been authorised.

The Lind Report (1998) recommends that officers undergo a driving assessment, in order to identify any need for refresher training, every three to five years. Information on the amount of time since the police drivers attended their last training course was available for 80% of officers and was unknown for 20%. The average amount of time since the officers' last course was 4.7 years. This ranged from one month to 20 years. Nineteen per cent of the drivers had undertaken an assessment or refresher training since their initial course, 51% had not, and this was unknown for 30% of officers. Of the officers who had some refresher training the average amount of time since they attended the course was 2.5 years.

Recommendation: Forces to ensure that all police drivers undergo a driving assessment to identify any refresher training needs every three to five years in accordance with the Lind Report (1998).

14 This would generally only be done if there were reasonable grounds to suspect impairment by drugs (s4 Road Traffic Act 1988).

We examined whether the police driver and passenger had been trained in commentary driving. This was not stated for 74% of police drivers and 79% of police passengers, so it was not possible to conduct any meaningful analysis. Information on how long the police drivers had been on duty was only stated for 25% of officers. This ranged from eight minutes to ten hours. The average time on duty was five hours.

Previous RTIs

We wanted to examine whether the police drivers had previously been involved in RTIs as it may be an indicator of risk taking. However, it was unclear from the information provided how serious the incidents had been. They could range from a minor collision when reversing the police vehicle out of the garage, to a fatality. In addition the incidents were not differentiated on the basis of blameworthiness, and therefore the driver records might include cases where the driver was not at fault.

Previous research found similar problems when assessing this data (Rix et al, 1997) and we believe that more detailed and consistent data should be kept on police officers' RTIs. Noting the caveats set out above, the police drivers' previous RTI history may provide a useful indicator of ability and risk taking. Alpert (1997) found that 40% of the officers in his study reported that a pursuit in the previous 12 months, in which they were driving the primary vehicle, resulted in an accident of some kind. In our study 41% of the police drivers had previous RTIs, 32% had no previous RTIs and this was unknown for 27% of officers. Of the officers who were involved in previous incidents, the average number of previous RTIs was 4.4, and ranged from one to 18. If police forces collected information on police drivers' previous RTIs and monitored this, officers with potential training needs could be identified and the problems addressed. This would help the force to manage potential risk.

Recommendation: Police forces should record officers' RTI histories in a way which would separate those involving fatal or serious injury from those relating to minor collisions. This should also occur in those cases in which the officer has been exonerated from blame or where they were found to have been a contributory factor to the incident. These details should be reported and commented upon in the investigating officers' reports, along with the drivers' training records. Officers' histories should be monitored by force driving schools so that potential problems in driving skills or decision making can be identified and action taken to resolve this.

Police vehicles

The ACPO Guidelines state that pursuits should not be conducted in certain vehicles. These include vans and 4x4 vehicles which both have handling limitations in urban environments and as such are not ideal for many pursuits. The exception to this would be where there is a tactical need for an off-road vehicle or a motorway pursuit requires the use of 4x4 vehicles. There were no such occasions in our sample. The use of police motorcycles as the main vehicle in a pursuit raises significant dangers for the officer who is riding it. The Guidelines state that police motorcyclists should only be involved in pursuits in a 'reporting role' or until an Advanced trained driver in a more suitable vehicle can take over.

Despite the ACPO Guidelines, there is evidence of inappropriate police vehicles being used in pursuits, with a corresponding risk to the officers and members of the public. Of the main police vehicles[15] 88% were cars, 5% were vans, 3% were 4x4s, 2% were motorcycles and for 2% the type was not stated. In addition to the main vehicles involved in the incidents, there were another 35 vehicles that participated in the pursuits. Of these 77% were cars, 14% were vans, 3% were motorcycles, and 3% were 4x4s. Some of the vans, 4x4s and motorcycles may have been used for the initial phase of the pursuit only. There may have been reasons for using certain vehicles in certain situations, but these were generally not stated in the investigation reports.

The ACPO Guidelines state that suitable police vehicles should be marked and equipped with visual and audible warning equipment, and should have been deemed suitable for emergency response. The Guidelines also state that *"where a pursuit is initiated by an unmarked car, fitted with audible and visual warning equipment it should be relieved by a suitably marked car...at the earliest opportunity...However, pursuits should not be conducted in marked [or] unmarked vehicles without audible and visual warning equipment"* (ACPO, 2004, Para 5.1 and 5.2). It would be useful to have greater clarity about the differences between unmarked vehicles with and without covert warning equipment. There is evidence of some pursuits being undertaken by unmarked police cars, and by some vehicles without warning equipment. Of the 102 main police vehicles:

- 92% were marked;
- 6% were unmarked[16]; and
- the information was not stated for 2% of vehicles.

[15] The main police vehicle was the closest in proximity to the end of the incident.
[16] For two of these vehicles it was not stated if they were fitted with emergency warning equipment.

Of the additional 35 vehicles, 80% were marked. Ninety-five per cent of main vehicles were fitted with emergency warning equipment, and for the other 5% of vehicles this was not stated. Of the additional vehicles, 83% were fitted with emergency warning equipment. Of the main vehicles:

- 64% were generally used for patrol;
- 19% were used for response;
- 4% were used for surveillance;
- 4% were dog units;
- 2% were armed response vehicles;
- 1% were used for 'other' purposes; and
- the main purpose of 7% was not stated.

Of the additional vehicles:

- 51% were generally used for patrol;
- 17% were used for response;
- 9% were used for surveillance;
- 3% were armed response vehicles;
- 3% were a dog unit; and
- 3% were 'other' vehicles.

The ACPO Guidelines state that *"dog units must not be directly involved in the pursuit unless they meet the criteria laid down for involvement…and they are driving a suitable vehicle"* (ACPO, 2004, Para 12.4). The dog units in our study were all estate vehicles or small vans (i.e. not large transit vehicles) and so were not in breach of the Guidelines.

The ACPO Guidelines state that no more than two units should be directly involved in any pursuit, other than at the control room supervisor's direction, and under no circumstances should they allow a situation to develop whereby a 'convoy' effect is achieved. The one exception to this is where several vehicles are required for tactical resolution (e.g. boxing in a pursued vehicle to contain an otherwise potentially dangerous situation). This restriction on the number of police vehicles to be used in a pursuit is because of public safety concerns. Alpert (1997) found that the greater the number of police vehicles involved in a pursuit, the more likely the incident will end in a collision. However, he also found that the likelihood of apprehension of the offender is increased when more vehicles are involved. The ACPO Guidelines go on to state that where more than one vehicle is engaged, each vehicle should use a different sound to warn motorists and other road users of the presence of more than one police vehicle.

Despite the ACPO Guidelines, there is evidence of multiple

vehicle pursuits. The majority of incidents involved either one vehicle (75%) or two vehicles (18%). However, others involved three police vehicles (4%) or four vehicles (3%). Some of the incidents involving more than one police vehicle occurred with different vehicles pursuing at various points (e.g. when an Advanced driver took over from a Standard/Response driver). However, some incidents involved police vehicles travelling in convoy. Seventeen per cent of incidents involved a convoy and in 1% of incidents it was unclear if they were travelling in convoy or not.

> **Recommendation:** The ACPO Guidelines on the type and number of police vehicles that should be involved in a pursuit should be adhered to strictly. ACPO should revise the Pursuit Guidelines to state that vans and 4x4s, except where tactics require, 'must not' pursue (from the current 'should not' pursue) to highlight the point. ACPO should also clarify the definition of an unmarked vehicle to differentiate between those with and without covert warning equipment.

None of the police vehicles in our sample had defects which caused or contributed to the incidents, but some had defects which impacted on the officers' ability to conduct the pursuit safely or communicate with the control room. Five per cent of the main police vehicles had defects, 85% did not, and in 10% of cases this was not stated. One vehicle had defective tyres, one had defective brakes, and three vehicles had 'other' defects. Of the vehicles with defects, only one was thought to have affected the handling of the vehicle. This was an electrical fault which led to the sirens on the vehicle not working and the vehicle radio failing so that the officer had to use the handheld radio while driving at speed.

Data recorders capture the speed at which a police vehicle is travelling at the end of an incident, along with use of brakes, sirens and lights. Some of the more advanced models can capture more information about the time preceding the incident. Other forms of technology available to police officers include the fitting of video recording equipment, which is more common in specialist traffic vehicles. This can capture evidence of the behaviour of other road users during the incident and can record the commentary of the police officers in the vehicle.

There is obviously a cost implication in terms of fitting these types of devices to police vehicles. However, there are substantial benefits to the force in fitting them, as they provide independent evidence when something goes wrong and can protect both the police officers and the members of the public

involved in any incidents from false or contradictory evidence provided by witnesses. They may also act as a deterrent to police officers to prevent them from taking unnecessary or dangerous actions. Of those police vehicles leading a pursuit in our sample, 33% were fitted with a data recorder, 10% were not, and this was not stated for 57% of vehicles. Of the vehicles which had a data recorder, it was possible to download data in 29 incidents, it was not possible in three incidents, and this was not stated in the remaining two incidents.

Recommendation: Data recorders should be fitted to all police vehicles and should be regularly checked to ensure they are working accurately. When an incident occurs the data recorders should always be utilised for the information they contain and reported on in the investigating officers' reports. Since they will be conducting the tactical phase of pursuits, video recording cameras should be fitted to all vehicles used by traffic officers. Forces should ensure they are working correctly before officers take the vehicle out, and they should not be turned off during incidents. If the video recorders are not working correctly when the vehicle is taken out, this should not preclude the vehicle from being taken out but it should be noted that there is a fault with the equipment and this should be resolved at the earliest opportunity.

Use of police vehicle emergency warning equipment

We looked at the use of emergency warning equipment for the main police vehicle involved in the incident. The police vehicles activated their warning light during the course of the pursuit in 92% of incidents. They did not in 2%, and the information was not stated in 6% (in these cases there would have been some other indication for the person to stop, such as activating sirens or using a hand signal). The lights were still activated at the end of the pursuit in 73% of incidents, unactivated in 12% and the information was not stated for 16%.

Sirens were activated during the course of the pursuit in 77% of incidents. They were not in 13%, and this was not stated in 11%. The sirens were still activated at the end of the pursuit in 60% of incidents, deactivated in 21% and this was not stated in 20%. There does not appear to be an association between the use of lights and sirens and the number of people killed or seriously injured in each incident.

4
Police pursuits: initiation and management of the incidents

This chapter examines the nature and circumstances of the pursuits in our sample, assessing why they were initiated, how they were managed by the control room staff and the police drivers on the ground and how the incidents ended. Particular consideration is given to any risk assessment that might have been conducted and what communication took place between the control room and the police driver.

When the incident occurred

Our data and national figures for road casualties show no strong patterns in terms of what time of year serious incidents occur. However, previous research on pursuits has found that the majority of serious and fatal incidents occurred on Saturdays and Sundays (Best, 2002). The most common day for pursuits to take place in our study was a Saturday (24%), and 49% of the incidents occurred between Friday and Sunday. This seems to be in line with general road casualty figures, with 46% of people killed or seriously injured on the road being involved in accidents between Friday and Sunday (Department for Transport, 2006a).

Figure 4.1 below shows 40% of incidents occurred between

midnight and 4am, a further 21% occurred between 8pm and midnight, and 12% occurred between 4am and 8am. Taking into account the time of day and year that incidents took place, 67% of the pursuits occurred during the hours of darkness, and 25% occurred when it was light. This contrasts with the road accidents of other road users, with most road traffic casualties occurring between 4am and 6pm. It appears that most of the general road traffic casualties took place during the daylight hours in 2005 (Department for Transport, 2006b).

A significant number of pursuits involving death or serious injury therefore occurred during weekend evenings when it was dark. This provides some support for the view that many pursuits are related to the consumption of drink and/or drugs by the driver.

Reasons for initiating the pursuit

Previous research has found that the most common reasons for initiating pursuits were traffic violations or general concerns about the manner in which the pursued driver was driving,

Figure 4.1
Time of the day the incident occurred
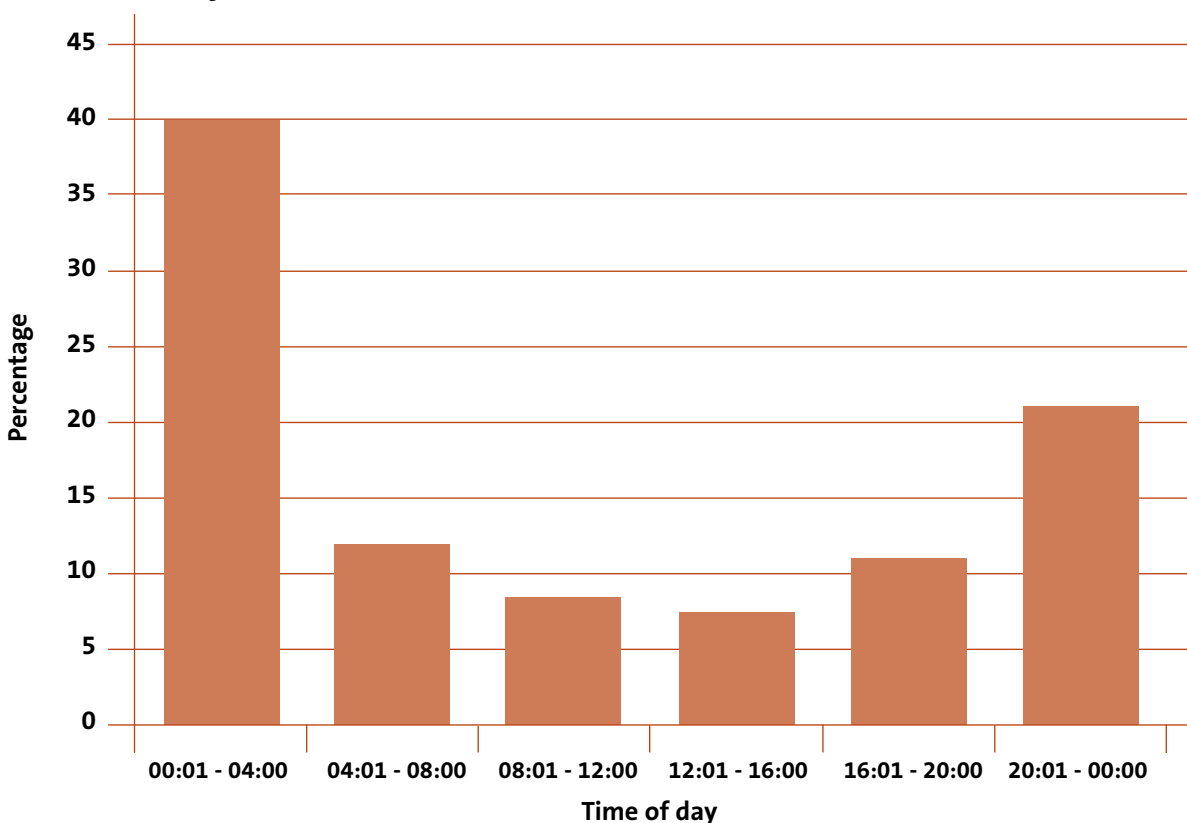
rather than suspicions of any other crimes (Best, 2002; Best and Eves, 2004a; Best and Eves; 2004b). Previous research also found that where a person is already driving recklessly and/or speeding, the risks that they are prepared to take, and the dangers the pursuit poses to other road users, may be increased by the police pursuing them the longer the pursuit continues. Best (2002) states that *"there can be no justification for pursuit when the original reason for the stop is speeding, not wearing a seatbelt, or any minor traffic violations"* (pg. 35) and that *"there must be a clear and justifiable rationale for engendering their form of risky behaviour"* (pg. 24).

The three most common reasons for initiating the pursuits within our sample were: reckless/erratic driving (23%), speeding (18%) and if they were known to the police/general suspicion (17%). In many cases, therefore, traffic violations and

offences were a trigger for carrying out a pursuit. Whether a general suspicion about someone is enough of a reason to pursue them is open to debate. If they were already known to the police it may be possible to arrest them at a later date if an offence had been carried out. The Serious Organised Crime and Police Act 2005 gives police officers the power to arrest an individual when they have reasonable grounds for suspecting that an offence has been committed[17] at a later date. This means that when the police see a disqualified driver in charge of a vehicle they can arrest them at a later date rather than initiating a pursuit.

In addition to the reasons for initiating the pursuits listed above, some officers gave extra reasons for continuing with the pursuit. Case studies two and three below raise questions about officers' own safety and awareness of national guidance:

Table 4.1
Reasons for initiating the pursuits

	N	Percentage
Reckless/erratic driving	31	23
Speeding	24	18
Known to police/general suspicion	22	17
Matched description of wanted offender	9	7
Vehicle defect	8	6
Matched description of stolen vehicle	8	6
Identified as stolen vehicle	7	5
Suspicion of drink/drug driving	6	5
Other minor driving infringement	5	4
Triggered Automatic Number Plate Recognition (ANPR)	3	2
No seatbelt/helmet	2	2
No insurance	2	2
Other	2	2
Disqualified driver	1	1
No road tax	1	1
Juvenile driver	1	1
Missing person/mental health	1	1
Total reasons	133	

N.B: Percentages are rounded.
There were 133 reasons in total as some cases had more than one reason for initiation.

Case Studies 2 and 3: In the first of these two cases the pursued driver matched the description of a wanted offender and in the second the police initiated the pursuit because the driver was speeding and driving recklessly. In both incidents police officers pursued vehicles the wrong way down a dual carriageway; it was suggested that this action was necessary in order to warn oncoming vehicles of the danger. In the first incident the pursued vehicle collided with an oncoming vehicle causing injuries to the occupants. The investigating officer in this incident decided that the actions of the police driver were justified in terms of warning other road users and that there was therefore no breach of force policy. In the second incident the police vehicle collided with an oncoming vehicle causing injuries to the occupants. In this incident the officer received a written warning and underwent a driving assessment. The investigating officer also recommended training for control room staff. It is important to note that under the ACPO Guidelines neither pursuit should have continued as the situation became too dangerous.

The current ACPO Guidelines do not specifically mention pursuits where the pursued driver attempts to evade the police by driving in the wrong direction on a dual carriageway or motorway. However, the ACPO Guidance on Policing Motorways (2006) states:

"Police vehicles must always remain on the correct carriageway for their direction of travel, and must never travel in the wrong direction following an offending

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[17] Serious Organised Crime and Police Act 2005, section 24(2) and (3).

vehicle. To drive in the wrong direction is a dangerous act. This is the case for police officers as well as the driver of the subject vehicle. Police officers are not exempt from the charge of dangerous driving. In addition, a police vehicle travelling with a suspect vehicle on the wrong carriageway is just as likely to distract oncoming motorists as to warn them of the presence of the subject vehicle.

An offending vehicle must only be pursued from the correct carriageway. Progress should be made with minimum emergency lights as this is likely to distract drivers on the opposite carriageway. An audible warning can also be used" (ACPO, 2006, pg. 99).

Recommendation: The ACPO Pursuit Guidelines should cover what to do if a vehicle seeks to evade the police by using the wrong carriageway of a dual carriageway or motorway. Reference should be made to the ACPO Guidance on Policing Motorways 2006.

In case study four below the officers decided to continue the pursuit as the traffic officers had not arrived in time:

Case Study 4: This involved a pre-planned operation to arrest a drug dealer. The police officers involved were from the surveillance team and were therefore in unmarked vehicles. They arranged for uniformed traffic officers to carry out the arrest, but the officers did not arrive in time. The surveillance officers therefore tried to box in the suspect in traffic but this failed and a pursuit ensued. As the officers were in unmarked vehicles, one of which was a van, the ACPO Guidelines were breached. It was not stated in the investigation report whether covert emergency warning equipment was fitted to the vehicles or activated during the incident, but the police officer statements would seem to indicate that if it was fitted it was not used. The investigating officer stated that the officers had followed the force surveillance policy but had breached the ACPO Pursuit Guidelines. The case was referred to the CPS who did not believe officers were culpable and therefore did not pursue a prosecution.

The current ACPO Guidelines do not mention pursuits which may arise from surveillance operations such as case study four and this may be an issue which is likely to reoccur.

Recommendation: For ACPO to provide guidelines on pursuits arising from surveillance operations in future pursuit guidance.

Other reasons that were given for continuing with a pursuit included:

- The pursued driver had turned off the vehicle lights and was actively trying to evade the police.
- The occupants of the vehicle were unknown so could not have been dealt with subsequently.
- There were no other vehicles on the road.
- The pursued driver rammed the police vehicle.

The case studies and additional reasons listed above highlight the difficult balance the police have to make between preventing a crime and initiating a potentially dangerous pursuit. Such a decision has to be made in very little time. There is also the possibility that dangerous driving could lead to a serious incident without police intervention. As Alpert (1997) suggests, *"the basic dilemma associated with high-speed police pursuit of fleeing suspects is deciding whether the benefits of potential apprehension outweigh the risks of endangering police officers, the public, and suspects in the chase"* (pg. 1). Some of the judgements described above show an awareness of the risks involved in pursuing someone (this will be examined in more detail below) while other decisions to continue a pursuit could actually increase the pursued drivers' risk taking, as highlighted by previous research (Best, 2002).

Although it is beyond the scope of this study, there are important issues that might influence police officers' decision making and judgements in pursuits. Research has shown the importance of attitudinal training for police drivers in helping to shape their decision-making skills (Alpert, 1997; Dorn and Brown, 2003; Dorn and Barker, 2005) and there are also wider issues of police culture that might influence officers in high-pressure situations (Reiner, 2000). Any training for police drivers should therefore carefully consider and cover the decision-making process that officers undergo in pursuits and help them to make proportionate and considered judgements in these high-pressure situations.

Of the pursued drivers who were killed or seriously injured following the incident, 30% were pursued because of reckless/erratic driving, 22% for speeding, 22% for being known to the police/the officers had a general suspicion, 11% for vehicle defects and 9% because they matched the description of a wanted offender[18].

[18] The additional reasons for initiating the pursuit against those pursued drivers who were killed or seriously injured were: suspicion of drink/drug driving (7%); matched the description of a stolen vehicle (7%); identified as a stolen vehicle (7%); triggered the Automatic Number Plate Recognition (4%); other driving infringements (4%); no seatbelt/helmet (3%); 'other' reasons (3%); no insurance (1%); no road tax (1%), juvenile driver (1%); and missing person/mental health issues (1%). The percentages are rounded and there could be up to three reasons for the initiation of the pursuit for each driver.

Recommendation: Police forces should ensure that pursuits occur only when this is a proportionate response to a situation. The decision to pursue must involve an initial and ongoing assessment of the risks. Forces should ensure that it is the control room supervisor who takes the decision whether or not to authorise a pursuit.

Weather, road types and conditions

We assessed the investigating officers' reports to see if the weather, visibility and road conditions were common or contributory factors in any of the incidents. However, much of this information was not stated in the reports, limiting any potential analysis. Where this information was available, weather conditions were generally not thought to be a factor in the incidents (in less than 5% of all incidents was weather thought to be a contributory factor).

The vast majority of incidents in our study occurred in residential areas. Forty-three per cent mainly occurred in residential areas, 31% occurred in non-residential areas, 13% occurred in semi-residential areas, 10% occurred in a town centre and 2% occurred in industrial estates (the location of one incident was unknown).

The majority of the pursuits ended on an A-road (52%), with 39% ending on a single carriageway road and 13% ending on a dual carriageway road[19]. Twenty-eight per cent ended on a B-road, 2% ended on a motorway and 4% ended on wasteland/off-road. Twenty-nine per cent of the incidents ended on a junction, 25% on a corner and 25% on a straight section of road.

Speeds and distances

Past research indicates that the majority of fatal and serious injury pursuit-related road traffic incidents occurred within 30mph speed limit areas at times when the road was quiet (Best, 2002). The data in this study show that the vehicles were travelling at high speeds on A-roads. Many of the drivers were clearly driving well in excess of a safe speed for the road,

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[19] This research classified a single carriageway as a road with two lanes of traffic (one in each direction), and a dual carriageway as having two lanes of traffic in each direction which does not have to be separated by a central reservation.

endangering themselves, the police drivers and other road users. Research has shown that speed is strongly related to accident involvement and at speeds in excess of 65mph collision outcomes will tend to be increased in their severity (West et al, 1993). The most common speed restriction for the road where the pursuit ended was 30mph (60%), 40mph (15%) and 60mph (135). In contrast the maximum speed the pursued vehicle reached ranged from 20mph to 130mph, with a mean speed of 74mph. However, it should be noted that information was not available for 35% of cases. The maximum speed the police vehicles reached ranged from 18mph to 130mph, with a mean speed of 70mph. As with the pursued vehicle there was a high percentage of missing information, with details of this speed not being available in 32% of cases.

The distance between the pursued and the main police vehicle was between two and 500 metres, with the average distance between the two vehicles being 185 metres. However, once again this information was not available in 44% of cases. The pursuits took place over an average distance of five miles, ranging from less than one mile to 60 miles, but this information was not available in 57% of incidents. Investigating officers considered the distance between the police and the pursued vehicle to be safe in 60% of incidents, they did not consider this distance safe in 5% of incidents, and this information was unknown or not stated in 35% of incidents.

Management of the pursuit and contact with the control room

A core part of the pursuit under the ACPO Guidelines (2004) should involve contact with the control room, whose advice and authorisation should be sought at the earliest moment of the pursuit. The control room should seek information from the police driver or passenger about the nature of the incident, those involved, the level of training of the police drivers and the type of vehicle they are using. A 'dynamic risk assessment' should then be conducted throughout the course of the incident. This involves new information about the pursuit being used by the police participants to judge whether it should continue. Police drivers (ground commanders), control room operators and tactical advisers can call off the incident at any point if they believe the risks are too great. ACPO Guidelines specifically state that if immediate radio communication cannot be made or is lost the pursuit should be discontinued.

Officers attempted to contact the control room in 79% of incidents, no attempt was made in 8% of incidents and this

Figure 4.2
Length of time pursuit lasted in seconds
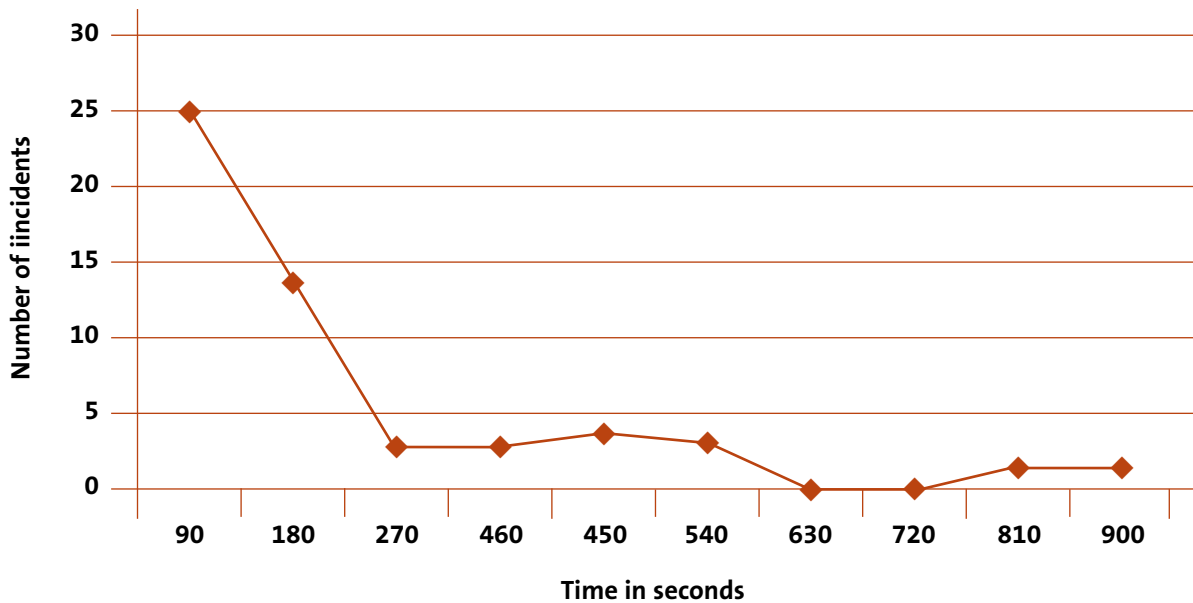
N.B: Two outliers have been excluded from this chart.

information was not stated in 13% of incidents. Contact with the control room was successful in 63% of incidents. The control room was informed that there had been a 'fail to stop' in 62% of incidents, was not informed in 21% of incidents, and this was not stated in the investigators' report in 18% of incidents. Of those that had been unsuccessful in contacting the control room, eight were due to failure of equipment, five were over too quickly to allow time to make contact, two were due to the radio channel being busy and the drivers being unable to switch to a different channel, and in one incident the driver claimed that the control room was conducting a lengthy check of the Police National Computer (PNC) and he was therefore unable to inform them of the fail to stop or ask for assistance for some time[20].

Of those incidents where there had been no attempt to contact the control room, two were over too quickly to allow time to make contact, three were not seen as pursuits by the officers on the ground, and in one incident it was not possible to contact the control room as the officer would have to change radio channels and this was not deemed practical[21].

[20] One officer did not ask the control room to authorise the pursuit as they did not see it as a pursuit. The officer, who was a Basic driver, stated that they did not attempt to catch up with the vehicle, contacted the control room to inform them what was happening and asked if anyone could attend to possibly pursue. However, this is still a pursuit under the current ACPO definition which removed the distinction between pursuits and 'follows', and as such we have still included the incident.

[21] It should be noted that in some incidents there was more than one reason for the contact being unsuccessful.

Figure 4.2 above shows the length of time pursuits lasted in seconds. It shows that the bulk of the incidents lasted for less than three minutes, with fewer incidents lasting longer than that. The length of time of the pursuits ranged from four seconds to 54 minutes. If the 54-minute pursuit is excluded from the analysis (as it is unusually long) the pursuits lasted an average of three minutes and 30 seconds. One pursuit lasted for 35 minutes and if this is also excluded the average time falls to 2 minutes 54 seconds. It should be noted that the length of time of the pursuit was not available in 46% of incidents. Although 2 minutes 54 seconds is not a long time, it means that in all but the shortest of pursuits there should be sufficient time for the majority of officers involved in a pursuit to contact and notify the control room.

However, it may be difficult to cover the current 13-point risk assessment criteria contained within the ACPO Guidelines and this should therefore be reconsidered to make it as practical as possible for officers to use. The shortness of many pursuits also emphasises the need for police drivers to be fully briefed about what they should do in various scenarios and how they should decide whether to pursue a vehicle.

Some form of commentary was provided in 52% of incidents. Of the incidents where a commentary was provided, this was provided by the police driver in 38% of incidents, by the police passenger in 53% of incidents, by both in 4% and the information was not stated in 6%. Ideally the commentary should be provided by the police passenger (when there is one)

and not the driver since he or she will have to concentrate on driving the vehicle and assessing the ongoing risk.

The police officers identified the incident as a pursuit at the time of the incident in 54% incidents. They did not identify it as such in 17% and this information was not stated in 24% of cases. The latter figure suggests that some officers may be reluctant to acknowledge that they are in pursuit, perhaps in some instances to avoid all of the relevant procedures that they should be following. There were some specific examples where it was clear that officers were seeking to avoid the formal procedures, as they stated to the control room that they 'were not in pursuit' when they clearly were (this was documented in the available transcripts). In 6% of incidents the officer stated that they were conducting a 'follow'. The ACPO Pursuit Guidelines (2004) state that:

"In previous guidelines, attempts have been made to distinguish between what is a 'follow' and what is a 'pursuit'. Research has shown that there is no difference in the behaviour of officers in either. To avoid confusion, the concept of a 'follow' has been removed from the policy and the activities that it represented have been subsumed within the definition of a pursuit..." (ACPO, 2004, Para 1).

The use of the term 'follow' in our sample suggests that some officers were seeking to categorise an incident as not being a pursuit and therefore seeking to avoid the strictures of the ACPO Guidelines, or that the ACPO Guidelines have not yet been communicated to officers.

Our study found a low level of involvement from the control room in terms of identifying or authorising a pursuit. The control room identified the incident as a pursuit in 32% of incidents and did not in 16% of incidents. In the remaining incidents this was not stated in the investigating officers' reports or was not applicable as there was no contact with the control room. The control room specifically authorised the pursuit in 19% of incidents. Whilst it should be taken into account that some of the incidents were very short and that contact was limited or did not take place, this finding still suggests that training for some control room operators might be an issue given that their role should be to clearly authorise or refuse to authorise the pursuits.

The investigating officers later identified the incident as a pursuit in 71% of cases, and stated it was not a pursuit in 15% of incidents. It was not specified whether or not the incident was a pursuit in 13% of incidents, and the investigating officer referred to the

incident as a 'follow' in 2% of incidents. This is indicative of both police drivers and investigating officers taking a narrower view of what constitutes a pursuit than the current ACPO definition.

Recommendation: Forces should ensure that officers likely to be involved in a pursuit and control room staff are aware of their roles and responsibilities with regard to a pursuit, in line with the ACPO Guidelines. This includes being familiar with how a pursuit is defined and what the procedure should be when a pursuit begins. It should be made clear that if there is no communication between the police driver and the control room there should be no pursuit.

The ACPO Guidelines created the new role of a 'Pursuit Tactical Adviser' who should be readily available to provide advice on tactical options and continually evaluate the pursuit. They are empowered to call off the pursuit, although the overall responsibility rests with the control room supervisor. There is no evidence in our sample of a tactical adviser being used, but this might be because forces were still developing the role at that time. Given that the Guidelines state the person carrying out this role should be readily available, there are implications for police forces as our research has shown that the average length of time a pursuit lasts is very short. Forces therefore need to give careful consideration to where their tactical adviser is located, since if they are available only via a phone, the pursuit may be over by the time the control room has made contact. Forces also need to decide who takes on this role. Creating a dedicated post may not be viewed as an efficient use of resources. An alternative would be to ensure that suitable individuals in the control room are provided with the necessary training and authorisation to carry out these responsibilities.

Risk assessments

The ACPO Guidelines state that a 'dynamic risk assessment' should be conducted by officers in a pursuing vehicle and the control room staff to determine whether the pursuit should continue. The assessment involves the consideration of a 13-point criteria as outlined below:

1. The current level of risk taking by the pursued driver.
2. The reason for the initial attempt to stop the vehicle.
3. The seriousness of the offence committed or suspected.
4. Whether the suspects are armed.
5. The level of training and authorisation of the police driver involved.

6. Whether the suspect is known.
7. Whether the suspect is a juvenile or there are other vulnerable persons in the vehicle.
8. Whether immediate action is necessary or the matter can be dealt with subsequently.
9. The suitability of the police vehicle.
10. The type of vehicle pursued (e.g. car, moped etc.).
11. The current/anticipated route.
12. The availability of tactical options.
13. The road, weather and traffic conditions (Para 9.3).

The 'dynamic' aspect of the assessment emphasises that it should take into account changes in risk as the incident progresses. No risk assessment was conducted by officers on the ground in 13% of incidents. There was no transcript available of the communication between the officers in pursuit and the control room and it was therefore not stated if there was a risk assessment in 42% of incidents. The incident was over too quickly to be able to conduct any risk assessment in 5% of incidents. In the remaining 41% of incidents some form of risk assessment was conducted by officers and Table 4.2 below shows which factors were mentioned or considered by those officers pursuing. The most common factors considered were the road and traffic conditions and the speeds at which they and the pursued vehicle were travelling. This is supported by

Table 4.2
Evidence of risk factors considered by police officers in pursuit

	N
Road/traffic conditions	19
Speeds	18
Type of area	11
Pursued person's driving	9
Weather conditions	9
Officer driver training level	8
'Other'	8
Time of day/level of pedestrian activity	4
Tactics	1
Total incidents	41

N.B: Officers may have mentioned/considered up to four different factors. One incident did not have a transcript but it was stated in the IO report that the driver confirmed his driving status.

previous research evidence which found that officers thought the most important risk factors to consider during a pursuit were traffic conditions and the weather (Alpert, 1997).

Recommendation: Forces should consider how best to manage the 13-point risk assessment criteria. ACPO should consider how practical the 13-point criteria are for officers to conduct within the time constraints of pursuits, and whether it might be possible to prioritise or reduce the risk assessment criteria.

There was evidence of three incidents of officers seeking to reduce risk by slowing down and pulling away slightly from the pursued vehicle. In one instance this was done in order to wait for 'back up' to arrive in order to conduct a stop on a straight stretch of road (where it would be safer to initiate tactics such as 'stinger' for deflating the tyres), in the second incident the officer was aware that a dangerous bridge was ahead, and in the third incident the officer wanted to maintain a distance in order to decrease the pressure on the pursued driver to minimise the risks he might take. Another officer showed awareness of the ACPO Guidelines by stating that his role was to monitor the progress of the pursued driver and wait for a police driver trained to Advanced Level to take over the pursuit. This shows that there were some drivers within this sample with a good grasp of the ACPO Guidelines in assessing the risks they were taking. However, they are too small in number to establish if they have distinct characteristics from the other drivers involved in these incidents. Conversely, there was evidence of police drivers not considering the risk of the situation, with case studies five and six highlighting a particularly dangerous aspect of pursuits.

Case Studies 5 and 6: In the first incident the police were pursuing a vehicle because the driver was known to the police and had triggered the Automatic Number Plate Recognition. In the second incident the pursuit was initiated because the driver was driving recklessly. In one incident the officers were in a car and in the other they were on motorcycles. In both incidents police officers continued the pursuit in their vehicles after the pursued drivers had abandoned their vehicles and sought to evade arrest on foot. In both incidents the police vehicles collided with the drivers who left their vehicles, causing serious injuries.

Under the ACPO Guidelines the control room also has a key role to play in conducting a risk assessment. The operator is required to ask the officers for information in order to assess risks and prompt them for updates as the pursuit progresses. No risk assessment was conducted by the control room in 15% of incidents. There was no transcript and it was therefore not stated if a risk assessment

had been conducted in 55% of incidents[22]. The incident was considered to be over too quickly for this type of communication to occur in 11% of incidents. In the remaining 20% of incidents some form of risk assessment was conducted by control room operators. The most common factors to be mentioned or considered by the control room staff were the officers' driver training level (in 8 incidents) and 'other' factors (in 8 incidents).

The 'other' factors included an incident where the control room supervisor was asked to be involved in monitoring and assessing the incident in order to decide whether Tactical Pursuit and Containment (TPAC) could be used. Two incidents involved the control room reminding the officer of the need to perform a general risk assessment, while another involved a reminder to keep a commentary running so that the control room could accurately assess the ongoing risks. In one incident the control room instructed the driver to turn off the sirens and drop back to reduce the pressure on the pursued driver. Two asked for the details of the occupants of the pursued vehicle, and in one incident the control room staff sought the guidance of the duty inspector in monitoring the incident.

We believe the above evidence suggests that there is significant potential for more pursuits to be risk assessed and effectively managed with greater communication between police drivers and control room staff. Such an approach would ensure that pursuits are identified as such and tactics are considered at the earliest stage possible.

> **Recommendation:** Control room staff and tactical advisers should be given adequate training so they can take a lead role in risk assessment, by prompting the officers in pursuit for the relevant information.

Use of tactics

The ACPO Guidelines state that *"a pursuit may only be continued where a force has tactical options readily available"*. Best and Eves (2004b) found that "more than twice the number of incidents were brought to an end by a collision than by the effective use of tactics" (pg. 7). Our study found similar evidence. Tactics were considered for bringing the incident to a close in 28% of incidents. They were not considered in 64% and this was not stated in 8% of incidents. This indicates that the majority of these pursuits ran their course without a clear plan as to how they would be brought to a safe resolution. This may reflect the length of time that pursuits in our sample lasted. Of the 29 incidents where tactics were considered, the most common was use of a helicopter (15 incidents), followed

by use of a stinger (eight incidents), use of TPAC (11 incidents), use of a dog unit (one incident) and 'other' tactics (two incidents)[23] .

Tactics to end the pursuit were actually deployed in 11 incidents, with some involving the use of more than one option. Where tactics were deployed, the most common was the deployment of a helicopter (six incidents), followed by use of stinger (three incidents), use of TPAC (three incidents), use of a dog unit (one incident) and 'other' tactics in one incident. In six incidents the tactics deployed were not successful in bringing the pursuit to an end. The tactics were not deployed in time in the other five incidents. This lack of successful deployment of tactics may reflect the types of case focused on in our study, which by their nature were not brought to an end in a controlled and safe manner.

> **Recommendation:** Officers in pursuit and control room staff should consider the tactics available at the earliest opportunity, in line with the ACPO Guidelines. If no tactical options are readily available, or there is no immediate prospect of ending the incident, there should be no pursuit.

In addition to tactics being rarely deployed, there was some evidence of using tactics which contravened the ACPO Guidelines. The following case study raises questions about the tactics used, the proportionality of the pursuit and the extent to which the risks were assessed.

> **Case Study 7:** A pursuit was initiated after a motorcyclist was spotted speeding and driving recklessly. The resulting pursuit reached speeds of up to 100mph. The motorcyclist was pursued into his driveway; the police officer then blocked the exit using his police car. What then occurred is disputed but the motorcyclist's leg was broken when contact was made with the police car. The use of the police vehicle as a 'block' is limited under the ACPO Guidelines to very serious incidents. The investigating officer stated that the use of a police car for this purpose was questionable, but believed that there was no substantial evidence to suggest any misconduct by the officer. The investigating officer stated that the force pursuit policy needed reviewing in relation to this issue of blocking the pursued vehicle. There was no reference to the relevant ACPO Guidelines and concerns were raised by the IPCC (when providing the force with comments on the investigation report) about the force allowing pursuits of motorcycles at such speeds.

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[22] The percentage for 'no transcript' is higher for control room risk assessment than for police drivers, as the latter were interviewed. The investigating officers' report therefore referenced their evidence gleaned from their statements, or referred to the transcript even though it may not be included in the final report.

[23] Some incidents considered two different types of tactics so more than 29 tactical options are listed.

Table 4.3 opposite shows the variety of ways in which the incidents ended. The incidents could have up to three different factors associated with them. For example, the pursued vehicle may have struck a wall, continued on and struck a pedestrian and some street furniture. The table shows that the most common way for the pursuit to end was for the pursued vehicle to collide either with a wall or tree, an unrelated vehicle, or street furniture.

Table 4.3
How the pursuit ended

	N	Percentage
Pursued vehicle collided with wall/tree	37	29
Pursued vehicle collided with unrelated vehicle	30	24
Pursued vehicle collided with street furniture	28	22
Pursued vehicle lost control/ flipped over	7	6
Pursued vehicle collided with police vehicle	6	5
Pursued vehicle struck a pedestrian	5	4
Pursued vehicle driver struck whilst on foot by police vehicle	4	3
Pursued vehicle struck a cyclist	3	2
Pursued driver abandoned vehicle	3	2
Pursued vehicle went off-road	3	2
Pursued vehicle collided with a petrol pump	1	1

N.B: Percentages rounded.
Incidents may have up to three factors leading to the end of a pursuit

Pursuit phases

The ACPO Guidelines divide the pursuit into two phases – the initial phase and the tactical phase [24]. The Guidelines state that:

"The 'Initial phase' will begin as soon as a driver fails to stop for police. At this stage the police driver is required to immediately communicate this to the control room and seek permission to continue to pursue. The control room supervisor must then be notified. The police driver will be asked for the pursuit criteria information…The control room supervisor will carry out a risk assessment based upon the information provided. This risk assessment will be continually reviewed throughout the whole pursuit in the light of changing circumstances. Authority will either be granted or declined at this stage for the continuance of the pursuit….Once authority has been given, the pursuit will move into the 'Tactical phase', where the options for bringing the pursuit to a conclusion will be decided. The assistance of a pursuit tactical adviser must be sought"* (ACPO, 2004, Para 6.7 and 6.11).

We sought to assess if the appropriate drivers and vehicles were involved in the appropriate stages of the pursuit. However, this was difficult to determine using the above definition. Furthermore, in many of the pursuits in our sample, the control room had not been contacted by the officer to inform them of the pursuit, and had not been identified as such by either the police driver or the control room. The level of formal authorisation by the control room was therefore low, and many of the pursuits were over too quickly for the above procedure to have taken place. In some instances the pursuit had continued for some time without authority being sought or given, or options for tactical resolution being discussed. Under the definitions set out above these latter pursuits would still formally be in the initial phase. We believe the current distinction between initial and tactical phases raises a number of issues. Firstly, we are concerned that officers trained to Standard/Response Levels who have been engaged in a pursuit for sometime without contact with the control room, or any acknowledgement of what they are doing, can be viewed as being in the initial phase. This seems, however, to be an inappropriate description. Secondly, it is unclear whether the tactical phase begins when tactics are considered or deployed. Thirdly, if tactics are not readily available then pursuits involving drivers trained to Standard/Response Level could continue for some time. There is a need to define, in future guidance, how long it is reasonable for the initial phase to continue without assistance from an Advanced driver.

Recommendation: ACPO should consider how long the initial phase of a pursuit should reasonably last if tactics are not readily available. Greater clarity is also required in terms of the difference between the initial and tactical pursuit phases in future Guidelines.

[24] The Guidelines state that only currently qualified and authorised Advanced drivers and Standard/Response drivers in suitable vehicles (as detailed above) will be permitted to be involved in the initial phase. The tactical phase will only be undertaken by currently qualified and authorised Advanced drivers, in suitable vehicles.

5

Police pursuits: investigation and outcomes

This chapter examines the details of the investigation conducted as a result of the RTIs included in our study. It examines compliance with the police force pursuit policy and the ACPO Guidelines. It also assesses the investigators' recommendations and the outcome of the investigation in terms of any disciplinary measures or prosecution of the police officers, and comments upon any prosecution of the pursued vehicle drivers.

Mode of investigation

All the incidents in this report were referred to the IPCC. The IPCC then assessed the seriousness of the case and determined the form of investigation it required (IPCC, 2005). There are four investigation types which vary in terms of external oversight:

- Independent investigations are conducted by IPCC staff into incidents that cause the greatest concern and have the greatest potential impact on communities and the reputation of the police force.
- Managed investigations are conducted by the police under the direction and control of the IPCC. The IPCC is responsible for setting the terms of reference in consultation with the force.
- Supervised investigations are conducted by the police with oversight from the IPCC. The IPCC approve the choice of the investigating officer and agree the terms of reference which are drafted by the police force.
- Local investigations are conducted by the relevant police force.

None of the incidents in our sample were independently investigated. Independent investigations into police-related road traffic incidents only started after the data collection period for this study. Twenty-two per cent of the incidents in this study were managed, 53% were supervised, and 26% were local.

Traffic investigators

Traffic/accident investigators were called to the scene in 80% of incidents, they were not called in 2% and this was not stated for the remaining 18%. The delay before the traffic/accident investigator arrived at the scene ranged from six minutes to 24 hours. If the incident taking 24 hours is excluded (as it is unusually long) the average amount of time before attendance was 1.3 hours. However, this should be treated with caution as

information was unavailable for 52% of incidents. The lack of information contained in the investigating officers' reports regarding the environmental factors of the incidents and the speeds of the vehicles (described in chapter four) is disappointing as it could provide a useful insight into possible causes and factors relating to the incidents. This information should have been provided by the traffic investigators' reports (when conducted), but this was often not attached to the investigating officers' report and was not referred to in the text.

> **Recommendation:** The investigating officers' reports should include the traffic investigators' summary of the environmental conditions, speeds, road type and distances travelled and between the vehicles, and make reference to the findings in order to make their decision making transparent.

Force pursuit policy and ACPO Guidelines

The investigating officers stated in their reports that force policy was followed in 67% of incidents and was breached in 12% of incidents. Further details of the type of breaches are given below. In 22% of incidents the investigating officer did not comment on the policy. This seems high given that the force policy acts as a benchmark for investigators to judge the officers' driving standards and behaviour. It was stated that the ACPO Guidelines had been adopted by the police force at the time of incident in 17% of cases; it had not been adopted in 30% of incidents, and this was not stated in 53% of incidents. The investigating officer stated that the ACPO Guidelines were breached in 8% of incidents; they were not breached in 27% of incidents, and this was not stated in 66% of incidents. This may indicate a low awareness of the ACPO Guidelines amongst the investigating officers. It was stated by investigating officers that the force policy had changed since the incident in 17% of cases, covering 13 separate police forces across England and Wales.

> **Recommendation:** The investigating officers' reports should address force policy on pursuits and ACPO Guidelines, outlining whether the officer's actions were in compliance or were in breach of the policies.

There were several incidents which the investigating officers did not believe were pursuits, as they took a narrower view than the definition contained in the ACPO Guidelines and appeared to be looking for a more stereotypical high-speed

chase. In some of these incidents there had been a clearly identified 'fail to stop'. In one incident the investigating officer said that he was unsure if the incident was a pursuit or not and therefore the requirements placed on pursued officers did not apply. In a further incident the investigating officer stated that a pursuit of a mini-motorcycle was not covered by the force's current definition of a pursuit. The officers were therefore not judged by that criterion. Instead the investigating officer suggested that the force policy should be amended to prohibit the pursuit of mini-motorcycles and other off-road machines.

Some of the reports made references to the ACPO Guidelines but then did not consider some of the potential breaches which occurred in the incidents. There were other incidents where the investigating officer had identified breaches of force policy and ACPO Guidelines on pursuits but did not criticise the actions of the police officers. For example, in two incidents the pursuit was discontinued but the police drivers did not come to a complete stop and so breached the force policy. In the first incident the investigating officer decided this did not contribute towards the incident and therefore ignored the breach, and in the second incident they decided it was only a minor breach and decided not to criticise the officer. In one incident the police officer apparently switched off the video recording equipment in the vehicle by accident, losing valuable evidence, and was not criticised by the investigating officer. There were three further incidents which involved pursuits by unmarked police vehicles where the investigating officer failed to discuss this as an issue in the report.

Some reports stated that the police drivers seemed unclear or unaware of the ACPO Guidelines and general pursuit issues. One investigating officer criticised the police driver for falling below the driving standards required under the ACPO Guidelines, and another criticised the driver for not discontinuing the pursuit when the risks became too great. Some investigating officers criticised the lack of emergency warning lights and sirens, and stated that this was a breach of force policy and the ACPO Guidelines, but none decided to discipline the officers. In one incident the police driver had continued the pursuit despite the fact that the sirens were not working and he was using his handheld radio against the force policy, but the investigating officer was still reluctant to criticise the officer.

Some investigating officers made positive recommendations for potential changes in force polices:

- for guidance to be given to police officers on the information they need to record in their notebooks when they discontinue a pursuit;

- for the force policy to specify that once a helicopter had been deployed the police vehicles should fall back;
- for more refresher training courses on police driving;
- for better use of video equipment evidence; and
- for an increased awareness of force policy and ACPO Guidelines amongst officers.

However, one investigating officer was particularly critical of the current ACPO Guidelines, stating that they were unclear and that they had been poorly disseminated to officers so that awareness and knowledge were low. In this particular incident the investigating officer admitted that it was inappropriate for an unmarked vehicle to be conducting a pursuit, and that there was no attempt by the police driver or the control room staff to carry out a risk assessment. However, the investigator then stated that to fulfil the ACPO risk assessment criteria would waste time which could be better spent on allocating resources and providing a commentary. He did not seem to recognise that the risk assessment should form the commentary. In spite of officers in this incident breaching the force pursuit policy and the ACPO Guidelines, he did not make any disciplinary recommendations.

We believe that the current ACPO Guidelines are sensible and provide strong boundaries to forces within which to conduct pursuits. If the Guidelines were fully implemented we believe that in practice they would lead to the better management of pursuits, a lowering of the risks concerning those that do occur, and potentially a reduction in the number of those who die or are seriously injured. We have stated above that this study was done at a time when forces were addressing the ACPO Guidelines. However, three years after these Guidelines were published it is unclear to what extent forces have wholly or partially adopted them. For an area involving such a high number of deaths and serious injuries this is not a sustainable position.

Recommendation: ACPO should contact all forces to establish their position with regard to the Guidelines and determine whether they have wholly or partially adopted the Guidelines, and to what extent they have implemented them.

Furthermore, a recurrent issue in this study has been the extent to which the Guidelines are impacting on practice on the roads, police force policy and the work of investigators. Given the inconsistency across forces in the implementation of the Guidelines, we believe that the Home Office should consider codifying the Guidelines in order to have consistent standards

to which all police forces adhere. This would also mean that investigators would all use a common standard against which to judge incidents. In other areas where deaths following police contact can occur, such as police custody and firearms incidents, codification of practice has already occurred. As police-related road traffic incidents make up the largest number of deaths following police contact it would be logical to extend codification to this area. Codification of the Guidelines would also help to send out the right message regarding how seriously RTIs are taken. Related driver training would need to cover the repercussions of not following the codified Guidelines.

Recommendation: Given the variation in pursuit practice across forces, the Home Office and ACPO should consider codification of the ACPO Guidelines. This would improve consistency and practice across police forces and may ultimately help to reduce the number of fatal and serious injuries arising from police pursuits.

Investigation reports

General issues

Previous research has criticised RTI investigation reports for lacking information on the officers and stated that there should be greater consistency in terms of their content (Best, 2002). The findings of this study indicate that they have not improved since the previous research was conducted. The information contained in the reports we examined varied to a large extent. It has been noted above that much of the information we hoped to collect on the police drivers, such as their driver qualification level, time since their last training course, demographic information, and numbers of previous RTIs they had been involved in, was often not included and had to be collected from the relevant police forces. Many of the reports did not include the transcripts of any police communication during the pursuit and several did not refer to the collision investigation report. In addition, few commented on the suitability of the police vehicles that were used. This raises questions about the quality of the investigation reports, as this information will be central in assisting the investigating officers in making important decisions about the incident.

While investigators focused on details of the incidents and any issues of misconduct, it was rare for them to highlight any wider lessons that could be learnt, to consider whether

the decision to conduct the pursuit was proportionate or whether the officer(s) adhered to the force pursuit policy or ACPO Guidelines. Case study eight provides an example of an investigating officer's report which provided some useful expert evidence critical of the management of the pursuit, but this was not used by the investigating officer to highlight the lessons that could be learnt for the police force concerned:

Case Study 8: The police officers were pursuing a vehicle involved in a burglary of a tyre shop. The officers used Tactical Pursuit and Containment (TPAC), a police tactic which involves using police vehicles to surround the pursued vehicle to bring it to a stop. The use of the tactic had been authorised by the control room supervisor in line with the ACPO Guidelines. The investigation report contained evidence from an expert in driving training who stated that the *"pursuit would appear to be poorly managed and the tactic employed badly used".* He was also very critical of the control room management, challenging the decisions they made as they did not use the 13-point risk assessment criteria set down by the ACPO Guidelines. However, the investigating officer was less critical of the officers involved and did not seem to refer to this evidence. The report also did not seem to assess the incident in terms of the use of TPAC and is unclear in its reference to force pursuit policies and ACPO Guidelines.

Some investigating officers spent a large part of the report discussing the pursued drivers' criminal actions and potential charges rather than concentrating on the incident details and analysis. Investigating officers often focused on the speed of the police car and the distance between it and the pursued vehicle in order to judge the officers' driving standards. In some incidents it appeared that if the distance between the vehicles and the speed officers were travelling at were considered to be safe, then this in itself was enough evidence to exonerate them from any blame or misconduct. Most reports did not make reference to whether the pursuit should have been initiated and continued, or whether the police actions may have contributed to the risk taking of the pursued driver. The poor driving standards of the pursued driver and, where relevant, their level of intoxication, were generally thought to be the reason for the incident occurring and for the injuries that were sustained. Case study nine shows an investigation report which failed to comment on several important facts:

Case Study 9: The police driver decided to pursue a motorcyclist with a pillion passenger as both of them were not wearing helmets, and the motorcycle did not have a registration plate. The police driver described being only five metres behind the motorcycle during the pursuit. The investigating officer failed to mention the force policy or ACPO Guidelines, the driver's level of training, the lack of communication with the control room, and the risks involved in pursuing a motorcycle within close proximity when the riders did not have helmets. In addition to this there was a failure to preserve the evidence at the scene, for which the officer was disciplined.

To give a general indication of the quality of the investigation reports we decided to rate each report based on the information they provided. They were given scores of:

- up to five points for information provided on the police drivers' demographics and training levels;
- up to three points on information provided on force and ACPO pursuit policy and adherence to these policies; and
- up to six points on information on the environmental conditions such as the area in which the pursuit took place, the speeds that the vehicles reached, and other factors such as weather conditions.

This provided a maximum total score of 14 points for each investigation report:

- local investigation reports scored an average of 4.1 out of 14;
- supervised reports scored an average of 7.5 out of 14; and
- managed investigation reports scored an average of 7.9 out of 14.

These scores suggest that IPCC involvement in the investigation may help improve the quality of information contained in the investigation reports. However, it should be noted that this only provides an indicator of the amount of information the report contains and not the quality of the report overall, or the judgements that the investigating officers might have made. Despite this, these scores do suggest some room for improvement in the content of managed and supervised investigation reports. Particular qualitative examples of some of the issues around the conclusions and judgements made by investigating officers have been highlighted throughout this report.

The above scores do raise concerns about the quality of local

investigation reports. Many were of a very good standard with a large amount of information being considered and included in the final report. However, some were incredibly short and in some instances there did not seem to have been an investigation into the circumstances of the incident[25]. For example, in one incident there were allegations that the officer had deliberately hit the pursued vehicle, had not used lights and sirens, and had not attempted to contact the control room to inform them of the incident. However, there was effectively no investigation into any of these issues. It should be noted that the incidents investigated locally will have been assessed by the IPCC and deemed suitable for local investigation due to a lack of any serious conduct issues.

Conversely, there were some very good investigation reports which did include information on the officers concerned and judged whether the force's policy and ACPO Guidelines had been followed. In order to improve consistency of the information contained in the reports and the issues they consider, one past study (Best, 2002) recommended a template for investigating officers to use. The findings from our study would suggest that this has not been used, and we would reiterate the need for such a checklist to help improve the quality and content of investigating officers' reports. We have designed a new checklist for investigating officers to use and this is available in Appendix C. This checklist should be used by those investigating officers conducting RTI investigations in the future. It will also be incorporated into the IPCC's investigation manual.

Recommendation: A simple checklist should be used by investigating officers to ensure the quality and consistency of all investigations conducted, and to aid the identification of lessons that can be drawn from the incidents (see Appendix C for suggested checklist).

Investigating officers' views and recommendations on communication

Several of the investigating officers' reports identified problems and made recommendations regarding communication issues. These included:

- the need for the relevant police forces to review the equipment they were using due to specific problems with the radio equipment;

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[25] It should be noted that there will still have been an investigation on the actual death (where appropriate) by the coroner, but this investigation may not have considered the police officers' actions.

- the need for the force to review problems with its radio channels; officers not being able to access the correct radio channel to contact the tactical advisers/control room supervisor;
- a need to fit 'airwave' to vehicles that did not currently have these radios;
- the capacity for traffic officers on duty in one area to monitor transmissions in adjoining areas;
- the need to address poor communication by officers with the control room[26], and failure to seek authorisation or provide enough information for control room staff to decide if a pursuit should be discontinued;
- the need for greater training for control room staff; and
- the need for control room staff in the future to give verbal permission for the pursuit and conduct a risk assessment.

IPCC staff and Commissioner recommendations

Once an investigation report has been drafted it is signed off by the IPCC (with the exception of local investigations) and in some instances additional recommendations are made. The following additional recommendations and comments are examples of those made in relation to the incidents in our study:

- that the force needed to adopt a specific definition of a pursuit within its pursuit policy;
- concerns were raised about the force policy in relation to pursuits of motorcycles, which failed to stress the risks associated with pursuits;
- the use of screens or tents to cover and protect the bodies of the deceased on public roads;
- a better interface between the force professional standards department and the road policing team when investigating RTIs;
- for the force to improve its training in the use of CCTV cameras in police vehicles; and
- the need to review control room staff training to ensure that the staff and the technology are appropriate to prevent loss of radio transmissions in incidents.

Of the 66 supervised and managed investigation reports, eight received some form of comments from the IPCC, or the IPCC disagreed with the conclusions or recommendations regarding the officer involved. This included disagreeing with the investigating officer's suggested diciplinary sanction and suggesting more serious misconduct proceedings for the officers involved. Further reports were criticised for not considering the level of training of the police drivers, not considering the circumstances and proportionality of the incident in sufficient detail, and failing to set out clear conclusions.

Investigation outcomes

Of the 102 main police drivers 18% were suspended from driving duties during the investigation, 36% were not suspended and this was not stated for 46% drivers. One of the additional police drivers was also suspended. Of the 19 drivers that were suspended, three were reinstated during the investigation, 11 following the investigation, one following a driving test/assessment, and it was not stated for the remaining four drivers.

Of the main police drivers 3% were required to undertake some retraining following the incident, 51% were not, and this was not stated for 46% of officers. One of the additional drivers was also required to undertake some retraining. The police drivers had up to three types of retraining. Of the main police drivers:

- one driver attended a course, a refresher course and a driving assessment;
- one attended a driving assessment;
- one had a training course; and
- one had a training course and a driving assessment.

The investigating officer did not make recommendations for 84 of the 102 main police drivers. This maybe because they believed the pursuit was conducted appropriately. With regard to the remaining 18 drivers the recommendations were:

- words of advice (13 incidents);
- a written warning from a superintendent (three incidents);
- to increase their knowledge of policy/practice (two incidents);
- to attend a refresher/reassessment (two incidents);
- for a record of the incident to be kept on the officer's file (one incident); and
- to attend misconduct proceedings (one incident)[27].

Recommendations were also made for four other police drivers involved in the pursuit. Of these:

- one was to receive a written warning from a superintendent;
- three were to increase their knowledge of pursuit policy/practice; and

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[26] One of these officers received words of advice as a result.

[27] Some drivers had two recommendations from the investigating officer.

• three were to undergo a refresher course/reassessment[28].

In addition, one police officer who was not a driver received words of advice for swearing at the control room staff during the commentary.

Two police drivers were prosecuted by the CPS (both were the main drivers in the incidents). One of these drivers was prosecuted for driving without due care and attention, and one for dangerous driving. The driver prosecuted for driving without due care and attention had travelled through a set of red traffic signals and collided with an unrelated vehicle causing serious injuries to the occupants of the vehicle. It was stated that he should not have proceeded beyond the red traffic signal *"in a manner or at a time likely to endanger any person"* and he did not properly adhere to these legal regulations[29]. The second driver, who was prosecuted for dangerous driving, had followed the pursued driver the wrong way down a dual carriageway and collided with an unrelated vehicle which resulted in life threatening injuries for one of the occupants and the death of an unborn child. The driver prosecuted for careless/reckless driving was found guilty and fined by the court. The driver prosecuted for dangerous driving was found not guilty.

Action taken against the pursued driver

The drivers of the pursued vehicles were prosecuted in 56% of the incidents. They were too ill or had died in 31% of incidents, and were not prosecuted in 6% of incidents. In the remaining 7% of cases it was not stated in the investigating officers' reports whether the drivers were prosecuted. There may have been some additional offences which were suspected but where it was not possible to prosecute due to lack of evidence (such as drug offences, where the suspect may have disposed of the evidence during the pursuit). Of the drivers who were not prosecuted, two had fled the scene and had not been apprehended, one had breached bail and had not been recaptured, one was under arrest and was awaiting trial and in one case it was deemed not to be in the public interest to prosecute. Table 5.1 shows the offences for which the pursued drivers were prosecuted following the pursuits. The average number of offences the drivers were prosecuted for was three, with the most common offences being:

• driving without insurance;
• dangerous driving;
• driving whilst disqualified;
• vehicle theft; and
• causing death by dangerous driving.

Table 5.1
Offences for which the pursued vehicle driver was prosecuted

	N	Percentage
No insurance	34	20
Dangerous driving	29	17
Driving whilst disqualified	20	12
Vehicle theft	15	9
Causing death by dangerous driving	14	8
Failure to stop for a police officer	13	8
Driving otherwise than in accordance with driving licence[30]	9	5
'Other' offences	8	5
Alcohol offences	7	4
Drug offences	5	3
Failure to stop at the scene/ report a road accident	4	2
Driving without a licence	3	2
Careless/reckless driving	2	1
Failure to provide a specimen for analysis	2	1
Driving without due care and attention	2	1
Resisting arrest and assault/ obstruction of officer	2	1
Total	169	

N.B: Percentages are rounded.
Up to five offences were recorded against each driver prosecuted, one driver had six offences.
'Other' offences consisted of the following: driving without a seatbelt, grievous bodily harm, robbery/theft, no MOT certificate, breach of prison licence, criminal damage, breach of anti-social behaviour order, unknown.

Nine drivers were only prosecuted for a single offence, five drivers were prosecuted for five offences, and one driver was prosecuted for six offences. The offences presented in Table 5.1 opposite reflect that the pursuits were generally initiated for traffic violations or vehicle offences. Other types of crime resulted in relatively minor charges.

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28 Some drivers had two recommendations from the investigating officer.

29 Regulation 26 of the Traffic Signs and Regulations and General Directions 2002.

30 Applies to underage drivers.

Inquest verdicts

Sixty per cent of the incidents did not involve a death and therefore did not have an inquest. Of the remaining 41 incidents[31]:

- in 24 cases the inquest had not taken place at the time of writing;
- ten had an accidental verdict;
- one had an unlawful verdict;
- one had a verdict of misadventure;
- one had a verdict of reckless driving (the pursued driver's driving); and
- in one case, the coroner stated that a verdict of accidental death was not appropriate, as the death was a result of the injuries from a road traffic incident.

The case which was deemed to be an unlawful killing involved the pursued driver's vehicle travelling on the wrong side of the road and hitting an unrelated car, and causing fatal injuries to a passenger in the unrelated vehicle.

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[31] There were 46 deaths which occurred in 41 incidents.

6

Emergency response incidents

In this study, emergency response incidents are defined as those which occurred when a police vehicle was responding to a call for immediate assistance. These make up a small proportion of incidents examined in this study but are often more contentious. The members of the public in these incidents will generally have been struck by a police vehicle travelling at high speed and may have been unable to take any avoiding action. Little research has been conducted into the nature of these incidents, as previous studies have tended to focus on police pursuits. Relatively little is therefore known about the circumstances of these incidents.

This chapter analyses the information collected on emergency response incidents that have resulted in a fatal or serious injury. This includes the demographics and injuries of the non-police participants, and the details of the police officers involved in the incident, such as their level of training. The chapter also examines the incident details in terms of environmental factors, information on the nature of the call that the police were responding to, and the grading and response to this call. A total of 33 emergency response incidents involving a fatality or serious injury were identified between April 2004 and September 2006. This chapter assesses the details of the 13 incidents which had a completed investigation report available by 31 July 2006.

Characteristics of the non-police participants

Demographics, status, injuries and use of alcohol and drugs

A total of 18 people were involved in the 13 incidents that were recorded as emergency response RTIs. They ranged from 16 years to 83 years of age. The ages of three people were not stated. Ten people were female and eight were male. The ethnicity of all 18 people was White. In terms of their status at the time of the incidents, there were:

- nine pedestrians;
- four occupants of a vehicle;
- three drivers of a vehicle;
- one cyclist; and
- one motorcyclist.

Of the 18 individuals:

- five people were killed;
- 12 people suffered serious injuries; and
- one person had no injuries.

Of those people that were fatally injured, three were pedestrians, one was a motorcyclist and one was a cyclist. None therefore had the protection and visibility provided by being a passenger in a motor vehicle. Of all the injuries sustained:

- 11 people suffered broken or fractured bones;
- three people had multiple injuries;
- three people had head injuries;
- two people had brain damage/impairment; and
- two people had dislocated shoulders[32].

It was not stated whether the motorcyclist and cyclist who sustained head injuries were wearing crash helmets or not.

Of the 18 people:

- four people were tested for alcohol[33];
- two people were not;
- one person refused to be tested; and
- it was not stated whether the remaining 11 people were tested.

Of those tested, one pedestrian and the cyclist were over the legal driving limit and these two people were both fatally injured.

Of the 18 people:

- four people were tested for drug usage;
- two were not;
- one person refused to be tested; and
- it was not stated whether the remaining 11 people were tested.

The pedestrian who was over the legal alcohol driving limit also tested positive for drug use. The remaining three people provided negative drug test results. As noted in Chapter 3 it is important that the investigating officers' report refers to the results of alcohol and drug tests as it should form part of their decision making on the circumstances of the incidents. It is therefore disappointing that they are not referred to in the reports more consistently. It may be that the tests were conducted but that the post mortem results were not available when the investigation report was completed, or that these results were simply not referred to by the investigating officer.

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[32] In addition one person sustained each of the following types of injuries: lacerations, internal injuries, a broken neck, psychological damage and one 'other' injury. Some people may have sustained more than one type of injury.

[33] This may have been conducted at the scene via a breath test or during the post mortem examination.

Characteristics of the police participants

The 13 incidents involved a total of 26 police officers. Of these, 16 were police drivers and ten were police passengers. Of the 13 incidents, ten involved one police driver with one passenger in the vehicle, two were single crewed, and one involved four police drivers in four separate police vehicles, all of which were single crewed.

The average age of the police drivers involved in the incidents was 34 years old. All of the police drivers were White; 12 were male and one was female.

Length of service, driving experience and time on duty

The length of service for the main driver involved in the incident ranged from one year to 22 years and the number of years' experience they had in police driving ranged from five months to 15 years. During the course of this study Police Federation representatives raised concerns about the length of time that officers were on duty and whether this might affect their performance. The length of time on duty for the main police driver involved in the collision ranged from 35 minutes to three and a half hours, which does not appear unduly long. However, this information was missing for eight police drivers, limiting any potential analysis.

Training, level of driving and previous RTIs

Of the 13 police drivers involved in the actual collision, four were trained to Advanced Level, eight were Standard/Response Level drivers and one was a Basic Level driver. Twelve of the 13 drivers were therefore qualified to respond to emergency calls using the ACPO criteria for driving levels. The number of months since the main police driver had undertaken a driver training course prior to the date of the incident ranged from three months to 13 and a half years. Only one police driver had undertaken a refresher course, three months prior to the date of the incident, and this information was unknown for the remaining drivers. Two of the main police drivers had previous RTIs, one officer had three previous incidents and the other had seven.

Use of alcohol and drugs

Of the 13 officers involved in a collision with a member of the public:

- Eight were tested for alcohol, one was not, and this was not stated for four police drivers. None were over the legal limit.

- Two officers were tested for drugs and provided negative results. This information was not stated for the other 11 officers.

Police vehicles

In total there were 16 police vehicles involved in the 13 emergency response incidents. In one case there were three additional police vehicles to the main vehicle[34]. In total, 12 of the police vehicles were cars, three were vans and one was a 4x4. The ACPO Pursuit Guidelines (2004) highlight the handling limitations of vans and 4x4 vehicles, and this is especially the case when these vehicles may have to deal at high speeds with bends and unexpected obstacles in an urban setting. The suitability of 4x4 vehicles for emergency response was also raised as an issue by an investigating officer in one of the incidents in this study.

We believe it would not be practical to say that vans and 4x4s should not be used to respond to an emergency call. But police drivers should be made aware of the handling limitations of these vehicles when driven at high speeds. The objective here is to allow police drivers to tailor their driving and speeds to the circumstances of the incident they are attending, and the vehicle they are driving. All of the vehicles in our sample were marked and were fitted with emergency warning equipment.

> **Recommendation:** Police forces to ensure officers are made aware of the handling limitations of vans and 4x4s when travelling at high speeds.

Five of the police vehicles were generally used for patrol, eight for response (i.e. more suitable for fast attendance at an incident), and this information was not stated in three cases. None of the police vehicles involved had any defects that could have affected the handling of the vehicle. Nine of the police vehicles in these incidents were fitted with a data recorder, seven of which were downloaded and used in the investigation.

Use of emergency warning equipment, pedestrians and convoys of vehicles

Of the police vehicles in our sample, twelve main vehicles had their emergency warning lights activated at the moment of the

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34 The main vehicle refers to the vehicle that was involved in the collision during the response to the emergency call.

collision, and this information was not stated for the remaining main vehicle. Eight of the police vehicles had their sirens activated at the moment of collision, four did not, and in one case this was not stated. The decision to use emergency warning equipment becomes particularly important when officers are travelling through heavily populated areas. Nine of the incidents occurred in semi-residential areas, three in town centres and one in a residential area. In 12 incidents the speed restriction on the road where the collision occurred was 30mph and in one case it was 40mph. Six incidents occurred on a straight stretch of road, of which one was by a central traffic island. Four incidents occurred at a junction, two at a pedestrian crossing, and one on a corner.

Undertaking emergency response journeys through areas such as town centres presents obvious risks, especially in the evenings when there could be intoxicated people with impaired coordination and judgement. It is also important for officers to be aware that there may be road users who are unable to hear the sirens or see the lights clearly, or who may be slower to respond, such as elderly people. The two case studies below illustrate the importance of officers exercising caution at all times:

Case Study 10: A police car was responding to a report of a disturbance outside a flat in a town centre at 11pm. A pedestrian stepped out into the road in front of the police vehicle. The police vehicle swerved to avoid the pedestrian but collided with him and an oncoming vehicle which contained four occupants. There were no injuries to the occupants of the oncoming vehicle or to the police officer. However, the pedestrian was fatally injured.

Case Study 11: A police officer was responding to a priority message of an individual having their handbag snatched at 4.20pm. An elderly pedestrian stepped off the pavement into the road in a semi-residential area and was caught by the wing mirror of the police car suffering a broken arm and a dislocated shoulder.

The majority of incidents in our sample occurred during the weekend. Four incidents occurred on a Friday and three occurred on a Saturday. Nine incidents occurred between the hours of 8pm and 5am. Nine incidents took place when it was dark; three took place when it was light and one when it was dusk. Although the number of incidents in this sample is small, it raises concerns regarding officer awareness of the risks

involved when driving in town centres late at night, or near schools or retirement homes, where more vulnerable people may be on the road.

We sought to assess if there was more than one vehicle responding to the emergency call and, if so, whether they were travelling in convoy [35], as this may increase the risk to other road users – particularly pedestrians. One case involved such a scenario:

Case Study 12: Officers were responding to a call regarding some suspects leaving a vehicle believed to be involved in a crime. A milkman was on his milk round at 4.30am when three police vehicles drove past the milk float which was parked at the side of the road. The milkman stepped out into the path of a fourth police vehicle and was fatally injured. The first three police vehicles had their emergency warning sirens and lights activated. The fourth vehicle only had the lights activated. The distance between the vehicles was not stated in the investigation report.

The ACPO Pursuit Guidelines suggest that when more than one police vehicle is engaged in a pursuit, each vehicle should use a different audible sound to warn pedestrians and other motorists to the presence of more than one police vehicle, especially since members of the public may not expect there to be more than one vehicle. We believe that this same caution should be exercised by police vehicles attending an emergency, as the above example highlights the importance of emergency warning equipment, particularly when travelling in a convoy.

Recommendation: That the ACPO Pursuit Guidelines in relation to travelling in convoy are also considered for adoption for vehicles travelling in convoy on an emergency response. Control room staff should remind the police drivers responding to the call of this policy.

Risk assessing the response and proportionality

There are some central questions that the officer should address when responding to a call which should help them to

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[35] A convoy is defined as more than one vehicle travelling in close proximity to one another which are attending the same incident.

assess potential risks and judge what response is proportionate:

- Is an urgent response necessary?
- What are the prevailing traffic conditions?
- How far do I have to travel to the call?
- Is use of legal exemptions justified?
- Is the use of warning lights/sirens justified or appropriate?
- Is the vehicle suitable for the purpose?
- Will a silent approach assist in the apprehension of an offender[36]?

The Road Traffic Regulation Act 1984, the Traffic Signs Regulations and Directions Act 1994, and the Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Directions 1997 provide police drivers with a series of legal exemptions (where the response necessitates it), such as the ability to travel through red lights and to exceed the designated speed limits[37]. The legislation states that extra due care and diligence should be applied when using such exemptions, as it presents a risk to other road users. As the case study below highlights, the risks associated with the use of these exemptions should not be underestimated.

> **Case Study 13:** A police vehicle responded immediately to an alarm being activated at a petrol station at midnight. The vehicle negotiated a junction in a semi-residential area with a red light showing against it, with its emergency warning lights and sirens activated, and in doing so collided with a private vehicle containing four passengers, three of whom sustained serious injuries.

In our sample the maximum speed of the police vehicle at the point of the collision was 75mph and the minimum was 25mph. The speed was not stated for two cases[38]. There were three incidents where the police vehicle was travelling at over 50mph in a 30mph area, and one incident where the police vehicle was travelling at over 70mph in a 40mph area during the course of the incident. As one force's training document states, *"even though the police have legal*

[36] These have been taken from Greater Manchester Police Codes of Practice and Policy.

[37] The Road Safety Act 2006 restricts the exemption from the speed limit to "a person who has satisfactorily completed a course of training in the driving of vehicles at high speed provided in accordance with regulations under this section or is driving the vehicle as part of such a course". The Regulations will determine the nature and scope of the training required.

[38] Where the police vehicle was fitted with a data recorder and it was possible to download the speed information, then this was the figure taken. Otherwise the figures are estimates from the police officers or calculated by collision scene investigators.

exemptions from certain traffic regulations, the use of warning equipment does not give an emergency vehicle the right of way but merely alerts members of the public to its presence" (MPS, website).

The risks taken by an officer need to be proportionate to the incident to which they are responding. The case study below illustrates what is arguably a disproportionate response to an incident where sufficient details were known about the suspect to arrest them at a later date:

> **Case Study 14:** A police officer was responding to a call that a disqualified driver was travelling across a bridge nearby at 12.30am. The officer travelled through one set of red traffic signals in a semi-residential area, with the emergency warning lights activated but without the sirens, and was in the process of travelling through a second set of red lights when the police vehicle collided with another car. The driver of this car was uninjured but the front seat passenger suffered a broken sternum.

Types of incident requiring response and grading of the call

Calls for assistance from officers and the general public are assessed by communication room staff and prioritised as necessary. Calls which are identified as an emergency are then graded (in some police forces) in terms of the response required and passed to officers on the ground to respond.

National and force policies

The ACPO National Call Handling Standards (ACPO, 2005) provide guidance to assist police call handlers in grading a call, and in turn to decide whether an emergency or non-emergency response is required from the police. The Standards set out criteria to determine whether the call received is classified as an emergency or non-emergency, and therefore the type of response that is required by the police. The Standards do not suggest specific categories or incidents into which to group an emergency call, as this is left to the discretion of the individual police force. They do, however, set out criteria that determine whether the call is classified as an emergency call. Some of these are:

- Danger to life, or the immediate threat or use of violence.
- Where there is serious injury to a person and/or damage to property.

- When a crime is in progress.
- When the offender has been disturbed at the scene, or has been detained, and poses a likely risk to other people.

The Standards aim to improve consistency across police force areas in terms of what constitutes an emergency. There is some evidence from our sample that there is still diverse practice across forces. This could be because the Standards do not set out a further set of factors establishing how calls should be graded and the appropriate response times [39]. In one of the incidents the force communication room had classed the call as an emergency but left the level of response necessary to the discretion of the police driver. The investigating officer in this case suggested that the grading of the response necessary should rest with the communication room and that a grade should always be applied so that it is not left to the discretion of the individual police driver to decide the immediacy of any response. Additionally, the investigating officer suggested that when the call has been given a grade, this should not determine the driving of the officers responding to the call.

We believe that these are sensible recommendations and that the first recommendation around the grading of the type of response necessary is particularly important. Under the Home Office National Standards for Incident Recording, a grade must always be allocated to determine if the call is an emergency or not. However, there is often a lack of clarity about the time needed to respond to an incident and the communication room should specify this to the police driver.

> **Recommendation:** The decision on grading the type of response an emergency call requires should rest with the communication room and should always be clearly given to the police driver responding. However, the levels of response that are given should not dictate the standards of driving employed by officers on the ground, who should prioritise their safety and that of other road users above any response time given.

We are aware that some forces have interpreted the Standards to develop more detailed categories of response for emergency calls and appropriate response times. However, other forces have chosen to have only one level of response to an emergency call.

[39] However, the policy does do this for non-emergency calls. 1) Priority: a degree of emergency is recognised by the call handler but the situation does not require an emergency response. 2) Scheduled: the needs of the caller can be met through arranging an appointment with them at a later date. 3) Resolution without deployment: the needs of the caller are met through telephone advice.

> **Recommendation:** The current national standards divide non-emergency calls into separate categories determining the type of response that is necessary. However, the Standards do not extend to emergency calls; they only provide one overarching category. Some police forces have devised their own sub-categories of emergency response, meaning that there is some inconsistency across forces. ACPO should therefore consider whether to amend the current Standards to provide sub-categories of emergency response and appropriate guidance as to the type of responses required.

Types of incident and grading of response in our sample

Table 6.1 shows the types of incident to which officers were asked to respond. The most common incidents were requests to attend a scene of drunken fighting or other violent behaviour.

Table 6.1
Type of incident to which the officer was responding

Incident type	Number
Call to drunken fighting or other violent behaviour	7
Request for extra police officers to attend an incident	5
Call for assistance for other public services	2
Call to a public order situation	2
Call to a burglary/theft/robbery	2
Call for police officer in need of personal help	1
'Other' call	1

N.B. The emergency response can include up to three factors per case

Table 6.2 overleaf shows how the different types of incidents were graded by the communication room in terms of the level of response they required. Of the 13 incidents, eight cases were categorised as requiring an immediate/emergency response by the communications room, three as priority/prompt, and in one case the grading was not stated. In one incident a police driver decided that an immediate response was necessary based on a radio communication he heard about a disqualified driver being in the area he was patrolling.

Table 6.2

Type of incident requiring an emergency response and grading of the level of response

	Police officer in need of personal help	Extra police officers to attend an incident	Assistance to other public services	Public order situation	Burglary/ Theft/ Robbery	Drunken behaviour	Drunken/ Fighting/ Violent behaviour	Other
Immediate/ Emergency	0	3	2	0	1	1	6	0
Priority/Prompt	1	0	0	1	1	0	1	0
Unanswered log /No specific incident created	0	1	0	0	0	0	0	1
Unknown/Not stated	0	1	0	1	0	0	0	0
Total	1	5	2	2	2	1	7	1

N.B. The emergency response can include up to three factors per case

Views of investigating officers on grading of and response to the incident

The investigating officers agreed that the communication room appropriately graded three of the calls. This was not discussed by the investigating officers in the other ten cases. The investigating officers felt that the response by officers to the call was appropriate in five cases. They believed that the response was inappropriate in one case and did not express an opinion in seven cases. It is surprising that the investigating officers did not comment on the grading and response in so many cases as it would seem to be a key factor in assisting their judgement of the incident.

The incident where the police driver was viewed as responding inappropriately involved a call for assistance from another officer. The communication room graded the incident as requiring a 'priority/prompt' response within one hour. However, the police officer attending travelled at speeds of up to 75mph through a junction and hit a cyclist.

Response times

Concerns were raised during the course of this study that officers might feel under pressure to adhere to response times, and therefore take unnecessary risks to reach a location within a target time. We therefore sought to gather information available on policies for response times for the different call grades. However, for seven cases this information was not available so it was difficult to assess whether this was a factor. For those cases where this information was known, three cases graded as 'immediate/emergency' required a response within ten to 15 minutes and the one 'priority/prompt' incident required a response within one hour. Therefore

response times do not seem to be an issue in our sample, although they may be an issue more broadly for police drivers.

Investigation reports

Six incidents were supervised by the IPCC, five were managed and two were locally investigated by the police force concerned. One of the managed investigations was conducted by an external police force. Traffic investigators were deployed to ten of the incidents, and deployment details were not stated for three. The time taken for the traffic investigator to arrive at the scene ranged from 23 minutes to 48 hours. It is not known why it took the traffic investigator two days to attend the scene in one incident, and this limited the evidence that could be gathered. Excluding the last figure, which was atypical, the average time for the traffic investigator to arrive at the scene after the incident occurred was 58 minutes. As with the pursuit-related incidents, the content and quality of the investigating officer reports varied widely, and only one made any suggestions for organisational learning.

Investigation outcomes

In seven of the 13 cases the investigating officer described the police driving as falling below acceptable standards. Here the police drivers were judged to be travelling too fast, not considering the weather conditions, not considering the area they were travelling through and driving carelessly. Following the investigation three police drivers had to undergo some

Table 6.3

Prosecution of police officers by offence type, number of fatal and serious injuries, verdict and punishment

	Offence prosecuted for	No. of fatalities in incident	No/of serious injuries in incident	Verdict	Punishment
Police officer 1	Driving without due care and attention	1	0	Guilty	£135 fine
Police officer 2	Careless/reckless driving	0	1	Not Proved [40]	N/A
Police officer 3	Careless/reckless driving	1	1	Guilty	£1,000 fine and disqualified from driving for 15 months
Police officer 4	Driving without due care and attention	0	2	Not Guilty	N/A
Police officer 5	Careless/reckless driving	0	3	Not Guilty	N/A
Police officer 6	Driving without due care and attention	1	0	Not Guilty	N/A

form of retraining, including a driver training course and/or a driving assessment/retest. The investigating officers recommended:

- words of advice for two officers;
- three written warnings from a superintendent;
- prosecution for driving without due care and attention in one incident; and
- one driver to successfully complete a further period of driver training.

There were no recommendations in four incidents.

In 11 cases the file on the main police driver in the incident was sent to the Crown Prosecution Service; whether the file went to the CPS was not stated in two cases. As Table 6.3 shows, six police officers were prosecuted; two were found guilty, three were found not guilty and one case was 'not proved'.

Inquest verdicts

Of the five fatalities, four inquests gave a verdict of accidental death and one inquest was outstanding at the time of writing.

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[40] The Magistrates decided that there was not enough evidence for the case against the officer to continue.

7

Other police driving incidents

The incidents in this chapter are divided into two sub-groups: 'flee and fail to stop' incidents and 'other' police driving incidents, which are described in more detail below. For ease, the analysis considers the data collected for both sub-groups together. A total of 50 'other' incidents were identified between April 2004 and September 2006 which resulted in a serious or fatal injury. This chapter assesses the details of 15 incidents which had a completed investigation report available by 31 July 2006. The analysis includes the demographics and injuries of the non-police participants, and the details of the police officers involved. The environmental factors and incident details are also examined.

Definitions

'Flee and fail to stop' incidents:

The incidents in this group are those which could have potentially escalated into a pursuit. The occupants of a vehicle, upon seeing the police, have panicked and fled, and have subsequently crashed. The police may have initially made an attempt to stop the vehicle, but then decided to discontinue the pursuit. Alternatively, the presence of the police vehicle may have led to some individuals' attempts to flee. The police might have been about to pursue the vehicle but it crashed before this could occur.

'Other' police driving incidents:

The incidents that fall into this category are those that are not covered by the other RTI groups, were not potential pursuits, and generally occur when the officer is on standard patrol.

Case study examples

There were five cases relating to 'flee and fail to stop' incidents, and ten were 'other' police driving incidents. Below are a few examples of the RTIs that are included in this category, highlighting the difference between the two groupings:

Case Study 15: 'Flee/fail to stop' incident. The officers observed a motorcyclist who was not wearing a helmet perform a 'reckless manoeuvre'. One of the officers went to speak to the motorcyclist, but he sped off through a red light into heavy traffic. The officers used their blue lights and sirens to indicate for the motorcyclist to stop, but were unable to negotiate through the stationary traffic. When they eventually cleared the traffic the motorcyclist was not in sight. As the officers continued their journey they discovered that the motorcyclist had collided with a taxi suffering serious head injuries.

The above example indicates the narrow boundary between some of the incidents defined as a pursuit and those which are categorised as a 'flee/fail to stop' incident. This example raises questions about whether or not to pursue, as there is no safe way of ending the pursuit of a motorcycle. This is particularly relevant in this instance as the motorcyclist was not wearing a helmet so would have been at even greater risk. Case study 16 highlights the need for greater awareness of the force policy in relation to transporting arrestees, and the potential dangers of such situations:

Case Study 16: 'Other' police driving incident. A police vehicle was taking an arrested individual to the police station. The arrestee began to be disruptive. The officer decided to speed up to get to the station quicker and therefore activated the sirens a few hundred yards from a junction where he collided with another vehicle whilst going through a red traffic signal. The driver of the private vehicle suffered fatal injuries and the passenger suffered a broken arm. The police force policy stated that police vehicles containing unruly passengers should pull over to the side of the road and stop the vehicle.

> **Case Study 17:** 'Other' police driving incident. A police officer on standard patrol drove down a designated bus lane at 5pm in a town centre. He was on standard patrol so was not using his emergency warning equipment. While in the bus lane he collided with a pedestrian as they were crossing the carriageway causing facial fractures and numerous lacerations.

The investigating officer in the above incident stated that the police officer should not have been driving in the bus lane, and that this was a contributory factor to the collision occurring. Unless the police officer is responding to an emergency call, they do not have exemptions from the various road traffic statutes and should therefore adhere to the same rules as other road users. Case study 18 went to the CPS for their consideration:

> **Case Study 18:** 'Other' police driving incident. An officer was approaching a roundabout at a junction, at the same time as a pedal cyclist, at 5.30pm in a semi-residential area. The cyclist was knocked off his cycle by the officer and suffered a fractured collarbone, sprained ankle and bruised ribs. The officer appeared to be reluctant to deal with the matter in accordance with the correct procedure, and offered the cyclist money for his damaged bike and asked him not take the incident any further. The officer admitted when interviewed that he wanted to avoid the incident being dealt with formally as he had a previous recent RTI.

The CPS decided that there was insufficient evidence to proceed with any criminal charges against the officer. He did, however, receive a written warning from a superintendent.

Characteristics of the non-police participants

Of the 23 people involved in these incidents, the youngest was 12 years of age and the oldest was 60 years of age. The average age was 22 years old. Sixty-five per cent of people involved were male. Fourteen people were White, three people were Black, and the ethnicity of six people was not stated.

Of all those involved:

- six people were drivers of a car or van;
- four were occupants of a car or van;
- three were drivers of a motorcycle or moped;
- three were pillion passengers on a motorcycle/moped;
- six were pedestrians; and
- one was a cyclist.

Of the drivers, three were disqualified for driving at the time of the incident, five had no insurance, one was known to the police, one had a provisional licence and one was a juvenile (under 17 years of age).

Injury level and type of injury received

Across the 15 incidents:

- eight people were fatally injured;
- 13 people suffered serious injuries; and
- two people had no injuries[41].

Of the eight fatalities, four were drivers of cars/vans, two were pedestrians, one was an occupant of a car/van, and one was a pillion passenger on a motorcycle/moped. Of those people who suffered injuries:

- ten people suffered broken/fractured bones;
- five people had head injuries; and
- it was not stated what the injuries were for three individuals.

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[41] The person with no injuries was the driver of a vehicle in which the passenger received serious injuries, which was why the incident was included in our sample.

Characteristics of the police participants[42]

Across the 15 incidents, a total of 24 police officers were involved. Fifteen were police drivers and nine were passengers. Therefore in six incidents the police vehicle was single crewed. Thirteen police drivers were male and two were female. Five police passengers were male and two were female, with gender not stated for two.

Length of service and driving experience, training, length of time on duty, use of alcohol

In the majority of cases there was no information on driver training (13 of 15 officers) or on length of service (11 of 15 officers). The information that we do have is as follows:

- The number of years in service for the main police driver at the date of the incident ranged from two years to 24 years.
- Three police drivers were Advanced driver trained and three were Standard/Response Level drivers.
- The length of time from the last training course attended by the police drivers to the date of the incident ranged from one month to 12 years, and one police driver had undertaken a refresher or assessment course, which was five years prior to the date of the incident.
- The length of time the police officer had been on duty at the time of the incident was stated in four cases; the times ranged from three and a half hours to ten hours.
- Two of the 15 police drivers involved in the incident were tested for alcohol, both of whom tested negative.

Police vehicles

The incidents involved a total of 15 police vehicles:

- Seven were cars, three were vans, and three were 4x4s.
- The type of vehicle was not stated in two cases.

- Thirteen vehicles were marked and this was not stated for two vehicles.
- Emergency warning equipment was fitted to 11 vehicles, and this was not stated for four.
- Ten of the vehicles were used for patrol, two for response, and the use of three vehicles was not stated.
- Only one vehicle was noted as having a defect; a faulty headlight, which therefore did not affect the handling of the vehicle.
- At the time of the incident no vehicles were travelling in a convoy.
- Three vehicles were known to be fitted with a data recorder, which was downloaded and used in the investigation.

Environmental conditions and speeds

The weather conditions were not thought to be a contributory factor in any of the incidents. During the incident the visibility of the road was good in seven cases, poor in two and in six cases it was not stated in the investigating officers' reports. In the two incidents with poor road visibility this was said to be a contributory factor. In one incident this involved the inadequate lighting of a rural road. The other incident involved poor lighting of a footpath area from which the injured participant emerged. The condition of the road was good in nine cases, poor in one and not stated in five. The case involving poor conditions involved a partially subsided road which the officer was unfamiliar with and so oversteered the vehicle. This was thought to be a contributory factor to the incident.

Six of the incidents occurred on an A-road, two of which were dual carriageways and four single carriageways. Five incidents occurred on B-roads, all single carriageways, three on side/residential roads (single carriageway) and one in a car park. Eight incidents occurred on a straight section of road, three at a junction, one at a roundabout, one at a traffic signal, one on a corner and one in a car park.

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[42] Unlike pursuits and emergency response incidents, we did not contact police forces to obtain some of the missing information on police officers in these incidents. The level of missing information on the officers in these incidents is therefore higher than in the previous chapters since details are only based on the information available in the investigating officers' reports.

The most common speed restriction on the road on which the incident occurred was 30mph (five cases). Two incidents ended on a 40mph road, one on a 60mph road and one on a 70mph road. The speed limit for six roads was unknown. Of the nine incidents that involved a non-police vehicle, the collision speeds ranged from 15mph to 80mph[43]. The speeds of four vehicles were unknown or not stated. The speeds at which the police vehicle was travelling at the point of collision ranged from 17mph to 67mph.

Investigation reports

Seven incidents were supervised investigations, six were managed and two were locally investigated by the relevant police force. Two of the managed investigations were conducted by an external police force. Traffic investigators were deployed to the scene in ten of the 15 incidents, for one case they were not, and this was not stated in four incidents. The time taken for traffic investigators to arrive at the scene was unknown for 12 of the incidents which limits any meaningful analysis. As with the other types of RTI, several of the investigation reports did not seek to identify lessons that could be learnt from the incidents and failed to include much of the basic information on the police drivers, which could have been useful in helping them to reach their conclusions.

Investigation outcomes

In case study 18 a complaint was made in relation to the officer's failure to discharge his duty with honesty and integrity. The investigating officer concluded that the officer had breached the police code of conduct with regard to 'honesty and integrity' and his 'general conduct', which was likely to bring discredit on the police service. The complaint was therefore upheld, and the officer received a written warning from a superintendent.

One police driver had to undergo retraining, six officers did not and this was not stated for eight officers. The investigating officer recommended a written warning from the superintendent for three police drivers and stated that one officer should be subject to internal discipline. One police passenger also received words of advice. The file on the police driver was sent to the CPS for consideration in six cases; this was not stated in four cases. The file for one police passenger was also sent to the CPS for consideration. Three police drivers were prosecuted, all of whom were found guilty for various offences as shown by Table 7.1.

Action taken against the non-police participants

Of the nine non-police drivers, three were prosecuted as a result of the incident. They received the following convictions:

Table 7.1

Type of offence the police officers were convicted of and penalties received

	Offence Type	Injury	Punishment
Police officer 1	Careless/reckless driving	Fatality	Fined £2,000 and to pay £1,000 in costs and disqualified from driving for four years
Police officer 2	Driving without due care and attention	Fatality	Fined £1,000 and to pay costs of £3,400 and disqualified from driving for three months
Police officer 3	Breach of driving in a bus lane	Serious injury	Fined £40 and to pay costs of £70

[43] These speeds are estimated, either calculated by the traffic investigator or estimated by the police.

- Person 1 – Causing death by dangerous driving, driving whilst disqualified and driving without insurance.
- Person 2 – Dangerous driving, driving without due care and attention, driving without insurance and driving on a provisional licence.
- Person 3 – Driving whilst disqualified, driving without insurance, driving without due care and attention and theft of the vehicle.

Inquest verdicts

Of the eight fatalities, two received an accidental verdict and one an open verdict[44]. No verdict was available at the timing of writing for five incidents.

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[44] When the coroner is unable to decide why a person has died.

8

Conclusions and recommendations

This study sought to establish the prevalence of fatal and serious injury police-related road traffic incidents (RTIs), and identify any trends and patterns in the type and circumstances of RTIs. By examining the resulting investigation reports, it also aimed to highlight any lessons that could be learnt for policy and practice to help prevent future incidents.

When considering police pursuits that lead to death or serious injury, it is important to remember that they occur because a member of the public failed to stop when requested to do so by police officers. The police officer may not know at this point why the suspect has taken that decision. The suspect may simply be driving without insurance or may have just committed a very serious offence. There is therefore a fine balance to be struck in controlling crime by, for example, dealing with someone who is driving recklessly and increasing the risk to public safety by engaging in a dangerous high speed pursuit. If an officer decides to pursue someone there is a risk that the person will drive more recklessly to escape and therefore present greater danger to themselves and others on the road. If they decide not to pursue them and the suspect causes harm to themselves or other people the police may be criticised for their inaction. Furthermore, the decision to pursue has to be taken in an extremely short period of time. This all supports the need for clear ACPO and police force policies which manage the use of pursuits and ensure that appropriate driver training is provided.

Key findings from this study

The pursuits in our sample were generally initiated for traffic violations and some escalated into high-speed chases which put the occupants of the pursued vehicle, the police drivers and other road users at risk. The pursuits invariably involved young male drivers who were inexperienced and may have been disqualified from driving or driving on a provisional driving licence. It may be that preventative work could be done with the individuals identified in this study as being most likely to end up as a pursued driver, perhaps via education programmes in conjunction with local Crime and Disorder Reduction Partnerships. Many of the pursuits resulted in the prosecution of the pursued driver, but these were often for driving offences arising out of the pursuit.

The ACPO Pursuit Guidelines are clear that the pursuit should be subject to a 'dynamic risk assessment'. This means that if the situation is initially too dangerous the pursuit should not be initiated and if a pursuit becomes too dangerous it should be

discontinued. However, there is evidence from our study of unnecessary risk taking where there may have been alternative resolutions. Examples of this include inappropriate police vehicles conducting the pursuit, and pursuits of disqualified drivers who might be arrested at a later date. It is important that forces are aware of and implement the current ACPO Pursuit Guidelines, and that officers and control room staff are given appropriate training and knowledge of the Guidelines, in order that incidents are managed appropriately and decisions taken consistently and rationally.

The Guidelines emphasise greater control room involvement in the management of the pursuit, with control room staff taking a more proactive role in prompting police drivers for a risk assessment and taking control of the authorisation of the pursuit. However, we found that in the incidents we looked at there was very little evidence of risk assessments being conducted by the officer in pursuit or by the control room staff, and only a small number of pursuits were formally authorised by control room staff. In light of this we would like to see more evidence of tactics being considered in order to bring the incident to a safe resolution at an early stage. We would like to see fewer examples of inappropriate vehicles being pursued, and inappropriate police vehicles conducting the pursuit. There are clear lessons that forces can learn from the incidents presented in this study which may help prevent future mishaps. In addition, the investigation of such incidents could be improved with much stronger, better-quality investigation reports and more consistency in these reports across police forces.

We believe that the current ACPO Guidelines provide strong and sensible boundaries. If the Guidelines were fully implemented we believe that in practice they would reduce the numbers of pursuits and the risks concerning those that do occur. Given the evidence here of the Guidelines not being followed, and the freedom of forces not to fully implement them, there is an issue about the extent to which the Guidelines are impacting on force policies and practices. The reasons for this are unclear. It may be that forces have chosen not to fully adopt them or are still in the process of adopting them. It may be that the Guidelines have been fully adopted but that messages contained within them have not filtered down to police drivers, control room operators and investigators.

We therefore believe that serious consideration should be given to codifying the Guidelines in order to give them greater power. The objective here is to have consistent standards to which all

police forces adhere. Codification of the Guidelines would also help to send out the right message regarding how seriously RTIs are taken. This process has happened in other areas where deaths following police contact occur, such as police custody and firearms incidents. As police-related road traffic incidents make up the largest number of deaths following police contact it would be logical to extend codification to this area.

The emergency response incidents are much smaller in number than the pursuits and it is therefore difficult to draw any broad conclusions from them. However, they do seem to involve people who, as pedestrians, cyclists or motorcyclists, are more vulnerable in collisions with police vehicles, and who are in some cases intoxicated. They also occur at night when the individuals are less visible on the road. The emphasis here is on police drivers to respond to the dangers of driving at speed, particularly through built-up areas where there may be intoxicated or other vulnerable people on the road. The vast majority of emergency responses take place without any problems. However, some of these cases also raise concerns about the standards of the police officer driving, as some officers did not respond proportionately to the incident, did not take appropriate care when using their exemptions from Road Traffic Regulations and did not use alternating lights and sirens when travelling in a convoy.

Future developments concerning police pursuits

This report raises a number of current issues concerning serious police RTIs. The issue of how to effectively manage police pursuits is likely to remain a significant one since these are likely to increase in the future. This is due to:

- the police's growing ability to identify offenders using the road through Automatic Number Plate Recognition systems, a large proportion of whom the police will seek to stop;
- the increasing number of cars now being fitted with 'run flat' tyres, making the use of stingers by the police ineffective in terms of stopping these vehicles;
- legislation allowing the seizure of unroadworthy vehicles leading to less incentive for drivers of these vehicle to stop for the police;
- police operations which seek to apprehend criminals who use stolen high-powered vehicles for serious crime while the crime is being committed.

Activity seeking to counter the risks of police pursuits includes work by the Home Office Scientific Development Branch, which is looking into the use of driving simulators in police training. This would allow officers to be trained in situations that would be too dangerous to conduct in training exercises on the road, and could be used in addition to the training officers receive on public roads. All of these issues highlight the continued need to manage the use of police pursuits, to monitor the incidents that occur and minimise the risks pursuits present.

The wider context of police pursuits

The incidents included in this study represent a very small proportion of all police pursuits, emergency calls and 'other' police driving activity that officers are engaged in. The vast majority of pursuits and emergency responses do not end in serious injury or death and may not raise any concerns. Despite the ACPO Guidelines recommending that police forces record all police pursuits, data remain sparse. There are likely to be many more incidents that result in damage to vehicles and/or minor injuries which could have ended more seriously but did not purely due to chance. Other incidents may have resulted in the successful stopping of a suspect vehicle with an arrest, without any injuries or damage occurring.

If forces were to record information on all these various incidents regardless of the seriousness of the outcome, and provide details of the types of outcome and the level of success, it would be possible to have a much more informed debate about pursuits as a tactic in terms of their effectiveness, and about any lessons that could be learnt. A more robust and complete sample of incidents could be used for further research where comparisons could be made between incidents which ended with a death or serious injury and those that did not. For example, there might be a significant difference in experience or time since training of officers involved in these incidents compared to those ending in death or serious injury. The nature and circumstances of all police pursuits should also be documented so that the decision-making process of police drivers can be observed, lessons can be learnt, and officers who seem to be making errors of judgement over time can be identified. Figures are needed on the extent to which pursuits lead to arrests, prosecutions and convictions and for what offences.

As these data are not currently available it is difficult to provide a more complete picture within which we can place the

incidents analysed for this study. This research has therefore looked at a sample of incidents which, by their very nature, are unrepresentative of RTIs more generally. However, they are an extremely important group of cases to assess, because deaths arising from police-related RTIs still make up the largest number of deaths during and following police contact, and have not decreased over recent years. There will be a need for more research in this area when the data collection by police forces becomes more robust. The research could look at the differences in the outcome of incidents and assess why these differences occur, in addition to the success of pursuits more generally. This would build on the work that Best and Eves (2004b) conducted in Wales, but on a larger and more comprehensive scale.

Recommendations

In addition to making recommendations about how practice could and should be changed, some of the recommendations set out below are also intended to reinforce and strengthen the existing ACPO Guidelines.

Police and pursued vehicles

1. That ACPO should revise its guidelines to state that pursuits of motorcycles or other 'powered two-wheel vehicles' should not occur unless a serious crime has been committed. The guidance should provide a definition of what would constitute a 'serious crime' and other related terms, such as 'exceptional circumstances'. Where it is necessary for reasons of public safety to conduct pursuits of these vehicles, police force helicopters should be deployed at the earliest opportunity to take over the pursuit.

2. The ACPO Guidelines on the type and number of police vehicles that should be involved in a pursuit should be adhered to strictly. ACPO should revise the Pursuit Guidelines to state that vans and 4x4s, except where tactics require, 'must not' pursue (from the current 'should not' pursue) to highlight the point. ACPO should also clarify the definition of an unmarked vehicle to differentiate between those with and without covert warning equipment.

3. Data recorders should be fitted to all police vehicles and should be regularly checked to ensure they are working accurately. When an incident occurs the data recorders

should always be utilised for the information they contain and reported on in the investigating officers' reports. Since they will be conducting the tactical phase of pursuits, video recording cameras should be fitted to all vehicles used by traffic officers. Forces should ensure they are working correctly before officers take the vehicle out, and they should not be turned off during incidents. If the video recorders are not working correctly when the vehicle is taken out, this should not preclude the vehicle from being taken out but it should be noted that there is a fault with the equipment and this should be resolved at the earliest opportunity.

Police driver training for pursuits and emergency response

4. Forces to ensure that only suitably trained police drivers conduct pursuits, in accordance with the ACPO Pursuit Guidelines. This means that Basic drivers are not permitted to participate in any stages of the pursuit, Standard/Response drivers can only be engaged in the initial phase in a 'reporting' role, and Advanced drivers can take control of a pursuit and attempt to stop the vehicle once the pursuit has been authorised.

5. Forces to ensure that all police drivers undergo a driving assessment to identify any refresher training needs every three to five years in accordance with the Lind Report (1998).

Initiation and management of pursuits

6. ACPO should contact all forces to establish their position with regard to the Guidelines and determine whether they have wholly or partially adopted the Guidelines, and to what extent they have implemented them.

7. Police forces should ensure that pursuits occur only when this is a proportionate response to a situation. The decision to pursue must involve an initial and ongoing assessment of the risks. Forces should ensure that it is the control room supervisor who takes the decision whether or not to authorise a pursuit.

8. The ACPO Pursuit Guidelines should cover what to do if a vehicle seeks to evade the police by using the wrong carriageway of a dual carriageway or motorway. Reference should be made to the ACPO Guidance on Policing Motorways 2006.

9. For ACPO to provide guidelines on pursuits arising from surveillance operations in future pursuit guidance.

10. Forces should consider how best to manage the 13-point risk assessment criteria. ACPO should consider how practical the 13-point criteria are for officers to conduct within the time constraints of pursuits, and whether it might be possible to prioritise or reduce the risk assessment criteria.

11. Forces should ensure that officers likely to be involved in a pursuit and control room staff are aware of their roles and responsibilities with regard to a pursuit, in line with the ACPO Guidelines. This includes being familiar with how a pursuit is defined and what the procedure should be when a pursuit begins. It should be made clear that if there is no communication between the police driver and the control room there should be no pursuit.

12. Control room staff and tactical advisers should be given adequate training so they can take a lead role in risk assessment, by prompting the officers in pursuit for the relevant information.

13. Officers in pursuit and control room staff should consider the tactics available at the earliest opportunity, in line with the ACPO Guidelines. If no tactical options are readily available, or there is no immediate prospect of ending the incident, there should be no pursuit.

14. ACPO should consider how long the initial phase of a pursuit should reasonably last if tactics are not readily available. Greater clarity is also required in terms of the difference between the initial and tactical pursuit phases in future Guidelines.

15. Given the variation in pursuit practice across forces, the Home Office and ACPO should consider codification of the ACPO Guidelines. This would improve consistency and practice across police forces and may ultimately help to reduce the number of fatal and serious injuries arising from police pursuits.

Investigations and investigation reports concerning pursuits

16. Pursued drivers involved in serious RTIs should be tested for drug and alcohol usage. The investigating officers' reports should include details of these tests in order to provide a more detailed assessment of the circumstances surrounding the incident.

17. In line with the Lind Report, officers involved in these incidents should be tested for alcohol and the results should be included in the investigating officers' reports.

18. Police forces should record officers' RTI histories in a way which would separate those involving fatal or serious injury from those relating to minor collisions. This should also occur in those cases in which the officer has been exonerated from blame or where they were found to have been a contributory factor to the incident. These details should be reported and commented upon in the investigating officers' reports, along with the drivers' training records. Officers' histories should be monitored by force driving schools so that potential problems in driving skills or decision making can be identified and action taken to resolve this.

19. Information on the police drivers' demographics, level of training, dates of all training courses and assessments, length of time on duty, length of service and number of previous RTIs should be provided in the investigating officers' reports to ensure this information is used during the decision-making process when making a judgement on the case in question.

20. The investigating officers' reports should include the traffic investigators' summary of the environmental conditions, speeds, road type and distances travelled and between the vehicles, and make reference to the findings in order to make their decision making transparent.

21. The investigating officers' reports should address force policy on pursuits and ACPO Guidelines, outlining whether the officer's actions were in compliance or were in breach of the policies.

22. A simple checklist should be used by investigating officers to ensure the quality and consistency of all investigations conducted, and to aid the identification of lessons that can be drawn from the incidents (see Appendix C for suggested checklist).

Emergency response incidents

23. Police forces to ensure officers are made aware of the handling limitations of vans and 4x4s when travelling at high speeds.

24. That the ACPO Pursuit Guidelines in relation to travelling in convoy are also considered for adoption for vehicles travelling in convoy on an emergency response. Control room staff should remind the police drivers responding to the call of this policy.

25. The decision on grading the type of response an emergency call requires should rest with the communication room and should always be clearly given to the police driver responding. However, the levels of response that are given should not dictate the standards of driving employed by officers on the ground, who should prioritise their safety and that of other road users above any response time given.

26. The current national standards divide non-emergency calls into separate categories determining the type of response that is necessary. However, the Standards do not extend to emergency calls; they only provide one overarching category. Some police forces have devised their own sub-categories of emergency response, meaning that there is some inconsistency across forces. ACPO should therefore consider whether to amend the current Standards to provide sub-categories of emergency response and appropriate guidance as to the type of responses required.

Improved data collection and further research

27. As suggested by the current ACPO Guidelines, forces should record and audit all pursuits regardless of their outcome. Records should be kept of the reasons for the pursuit and the outcomes. Information on the officers involved and the details of those pursued should also be recorded. The nature and circumstances of the pursuits will be important in highlighting any lessons that could be learnt and increasing understanding of officer decision making.

28. Following the revision of the current ACPO Guidelines for the Management of Police Pursuits, Her Majesty's Inspectorate of Constabulary (HMIC) should consider, as part of any future inspection of roads policing, focusing on police pursuit policy and practice across England and Wales.

29. Once data collection on pursuits by police forces has improved, further research should be conducted to assess the difference between incidents which result in death and serious injury and those that do not. Qualitative research

on officers' decision making in pursuit situations would also be an important part of future research, as it would identify the factors that shape their decision and how conformity to national policy could be improved.

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Appendix A: An explanation of the estimates used in this study

Estimating the number of fatal and serious injury RTIs

The issue of fatal and serious injuries arising from police road traffic incidents is a serious one but it should be looked at within the wider context of police driving activity. In order that we could provide some perspective on the number of incidents in our study we approached a number of police forces who collect these data. We asked them to provide data on the number of pursuits that they had conducted and the number of immediate (emergency response) incidents that they attended. Some caveats need to be made in relation to the data. Two forces noted that the number of pursuits recorded might be an underestimate as some may not be picked up on their system, particularly those that lasted for very short periods of time. There are also likely to be a significant number of incidents where a driver fails to stop for the police when requested and this may not turn into a pursuit, or may be over in a few seconds, and these may not be recorded by some forces. If all of these incidents were recorded adequately there might be significant lessons that could be learnt from them at a force and national level.

The table below illustrates the number of pursuits that took place in three police forces, the number of serious or fatal pursuit incidents, the rate of serious or fatal incidents per 1,000 pursuits, and the number of serious or fatal injuries for three different police forces for 2005/06. Additional data were received from a fourth police force, but not for a comparable

Table A.1
Pursuit figures and rate of fatal or serious injury incidents 2005/06

Police Force	Pursuits conducted	Fatal or serious injury incidents	Rate of serious or fatal incidents per 1000 pursuits	No. of serious injuries	No. of fatalities
Large rural force	245	2	8	2	0
Large urban force	6645	5	1	6	5
Large mixed force	452	5	11	7	0

time period. The table shows that the number of pursuits leading to a serious or fatal injury is low. From a total of 7,342 pursuits only 12 resulted in an incident involving a fatal or serious injury. In the 12 serious or fatal injury incidents, there were a total of 15 serious injuries and five fatalities. Overall, we estimate that there are between one and 11 incidents involving a death or serious injury for every 1,000 police pursuits. The data therefore suggest that the vast majority of pursuit situations are resolved without injury and this should be borne in mind when reflecting on the findings from this study.

Table A.2 below shows the number of immediate incidents (requiring an emergency response) that the same four police forces responded to over the course of a year. The table shows that an even smaller proportion of immediate response incidents resulted in serious or fatal injuries compared to pursuit incidents. For officers driving on an immediate response, the number of incidents resulting in fatal or serious injuries is less than one incident per 100,000 responses. Given the large amount of immediate incidents the police respond to in comparison to pursuits, this demonstrates how rare it is for a member of the public to be injured by a police vehicle on an emergency response.

The slightly higher rate of pursuit incidents resulting in a serious or fatal injury compared to emergency response reflects the nature of the police driving. In a pursuit the pursued vehicle driver is often inexperienced and will not be trained to the same level as a police driver. They are therefore more likely to injure themselves whilst driving at high speed. In contrast the police driver on an emergency response will have been trained to drive at high speeds and in demanding situations and will therefore be less likely to lose control of the vehicle or hit a pedestrian. This report has shown that one of the key

differences between the pursuit-related incidents and emergency response-related incidents in our sample is that the issues surrounding pursuits arise from questions about the proportionality of the response, whereas the issues relating to emergency response incidents are more often to do with the standard of the police officer's driving.

Estimating the number of pursuits and emergency response journeys

The purpose of providing estimates for police pursuits and emergency response journeys is to give a general context to the study. We received and analysed figures on numbers of pursuits from four forces covering 2004/05 and 2005/06. These were combined with figures on the number of officers available for duty to give rates for the number of pursuits per 100 officers. These rates were averaged and a total national range calculated. These figures ranged from 11,000 to 19,000 pursuits in England and Wales during 2005/06, with a mid-point of 15,000. National figures for police emergency response journeys were calculated in the same way. This gave an estimate of between three and four million emergency response journeys per year with a mid-point estimate of 3.5 million journeys.

Table A.2

**Emergency response ('immediate response' incidents) figures and rate of fatal or serious injury incidents**

Police Force	Emergency response (immediate incidents)	Fatal or serious injury incidents	Rate of fatal or serious incidents per 100,000 emergency (immediate) responses	No. of serious injuries	No. of fatalities
Large rural force 2005/06	73897	0	0	0	0
Large urban force 2005/06*	700000	2	0.3	2	1
Large mixed force Jan-Dec 2006	65879	0	0	0	0

N.B: This force was only able to provide the number of emergency calls they received, which could include some duplicate calls relating to the same incident, but also includes incidents where more than one vehicle attended. It should therefore be treated as an approximate number. In addition, the figure is an approximation, as they were unable to extract one month's figures, but there were 669,701 immediate incidents for 11 months.

Appendix B:
Number of RTIs over the duration of the study

Figure B.1

Incidents involving fatalities or serious injury by type of RTI
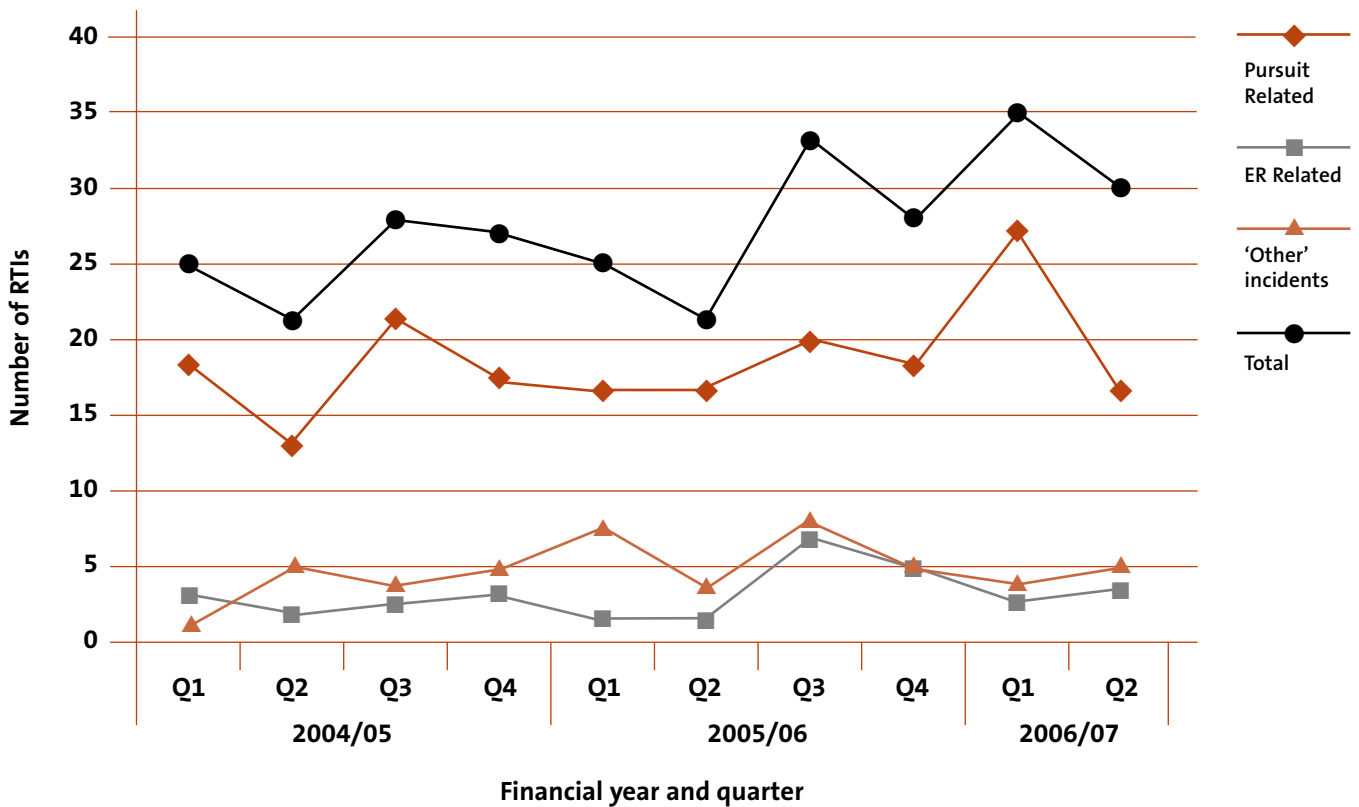
Appendix C:
Checklist for RTI investigation reports

The investigation reports which we looked at in this study raised the issue of consistent reporting of the details of those involved and the circumstances of the incidents. This checklist seeks to improve the consistency of these reports in the future. The below bullet points are a suggested checklist of the basic information that should be included and considered in an investigation report into a serious or fatal injury road traffic incident. This is not an inclusive list and investigation reports will of course include other information and other considerations depending on the case.

Pursued driver and occupants of vehicle/pillion passenger

- Demographics – age, ethnicity, gender.
- For the driver – what was their driving status, e.g. if they were disqualified or provisional licence.
- For the driver – drug and/or alcohol present in blood stream at the time of the incident? How might this have impacted on the incident?
- Were they wearing a seatbelt or helmet (if appropriate)?

Pursued vehicle

- Type of vehicle.
- Any vehicle defects.
- Whether the police suspected that the vehicle was stolen and whether it was actually stolen.

Other road users who were killed or seriously injured

- Demographics – age, ethnicity, gender.
- Drug and/or alcohol present in blood stream at the time of the incident? How might this have impacted on the incident?
- Were they wearing a seatbelt or helmet (if appropriate)?

Police drivers

- Demographics – age, ethnicity, gender.
- Length of service and driving experience.
- Level of driver training (including details of any training in commentary) and dates of all courses and assessments/refresher courses.
- Length of time on duty at time of incident.
- Number of previous RTIs – with details of seriousness and whether blameworthy.
- Whether they were tested for alcohol and drugs, and the results of these tests. How, if at all, did this impact on the incident?

Police vehicle(s)

- Type of vehicle(s).
- General use of vehicle(s), e.g. response/patrol.
- Whether the vehicle was marked and fitted with emergency warning equipment (including covert equipment).
- Whether and when during the incident emergency warning equipment was used.
- Number of vehicles and whether travelling in convoy.
- Whether the vehicle(s) had any defects.
- Was the vehicle fitted with a data recorder and/or video warning equipment? If so, was the equipment working and were the data used for evidence for the investigation?

Reasons for the pursuit/emergency response/other incident

- Why was the pursuit initiated and continued? What was the emergency the police were responding to?
- If the incident was an emergency response, what call grading and response time was it given?
- For a pursuit, was the control room notified that a 'fail to stop' had occurred? Copies of transcripts of the communication should be included in the investigation report.
- Did the police drivers and/or the control room conduct any form of risk assessment, and if so what factors did they consider?
- For a pursuit incident, did the control room authorise the pursuit?
- For an emergency response, did the police driver on the ground respond as instructed by the communication room?
- For a pursuit, were any tactics considered and deployed to bring the incident to an end? If appropriate, were they successful and if not why was this?
- Do the actions of the police driver(s) seem proportionate and appropriate given the circumstances of the incident?

Environmental conditions

- The report should include the traffic investigators' summary of the environmental conditions including: the time of the day and week, the speeds of the vehicles during the incident and at the point the incident ended, the road type and speed restriction, the type of area the incident took place in, the distance travelled, the distance between the vehicles, the type of area and position of the road the incident ended on, and how the incident ended.
- These findings should be referred to and help shape the decision making of the investigator.

Pursuit policy

- The report should discuss the force and national (ACPO) policies on pursuits and emergency response in relation to the incident being investigated.
- The report should outline whether the police drivers' actions were in compliance or breach of the force and national policy.
- If the police driver was in breach this should be discussed in relation to any disciplinary or criminal action that might be necessary.

Related information

- In a pursuit, was the pursued driver prosecuted (if not fatally injured) and if so what offences were they prosecuted for?
- Was the police driver suspended during the investigation? Were they later reinstated?
- Whether the file merited referral to the CPS for their consideration.
- What lessons can be learnt from the incident for the police driver(s), the force, and nationally?

Appendix D: Glossary of terms

ACPO
Association of Chief Police Officers.

Airwave
Is a communications network which can be used by the emergency services. It is a secure network and can be used for voice and data transmission. The network has been rolled out across almost all safety services in the UK. Police forces in the UK are the primary users of the system.

ANPR
Automatic number plate recognition is a surveillance method that uses optical character recognition on images to read license plates on vehicles. The license plate can then be cross referenced against a police database to identify stolen vehicles used in crime or which are in violation of some other law.

Complaint
Complaint about the individual conduct of a person serving with the police (who come under the Police Reform Act 2002).

Coroner
A coroner is person who presides over the coroners court. They are a medical officer, or an officer of law responsible for investigating deaths, particularly those happening under unusual circumstances.

CPS
Crown Prosecution Service.

Emergency response incident
All incidents that involved a police vehicle responding to a request for emergency assistance.

Fatality
Some who dies as a result of the injuries they have received in a police-related road traffic incident.

HMIC
Her Majesty's Inspectorate of Constabulary inspect and report to the secretary of state on the efficiency and effectiveness of police forces in England and Wales.

Home Office
The government department with responsibility for internal affairs such as law and order in England and Wales. This department has responsibility for policing.

HOSDB

Home Office Scientific Development Branch. The Branch provides high-quality science and technology advice and expertise for the Home Office, and develops innovative science and technology capabilities to help meet Home Office objectives.

Independent investigation

Investigation conducted by IPCC staff.

Inquest

The process to determine the cause of any death not due to natural causes, held in the coroners court under the supervision of a coroner.

Inquest verdict

At the conclusion of the inquest, the coroner, or jury, considers the evidence and gives a verdict representing their judgement as to the cause of death.

Investigating officer

Usually a police officer, directed by a PSD to investigate a complaint/allegation or an incident involving death or serious injury.

Investigating officer's report

The report of the investigator at the end of an investigation into a complaint/allegation or an incident involving death or serious injury.

IPCC

Independent Police Complaints Commission.

Local investigation

Investigation conducted by the force in which the incident occurred.

Managed investigation

Investigation conducted by the police under the direction and control of the IPCC.

'Other' incident

All RTIs in which there was no pursuit or emergency response by a police vehicle.

PCA

Police Complaints Authority – the predecessor of the IPCC before the reforms introduced by the Police Reform Act 2002. Ceased operation on 31 March 2004.

PSD

Professional standards department. The department in a police force responsible for standards of conduct and the investigation of complaints and allegations.

Pursuit incident

The ACPO definition is "A driver who, when required to stop in the approved manner and having had the opportunity to do so, indicates by their actions or continuance of their manner of driving that they have no intention of stopping for police and the police driver believes that the driver of the subject vehicle is aware of the requirement to stop and decides to continue behind the subject vehicle with a view to either reporting its progress or stopping it, the police driver will be deemed to be in a pursuit".

RTI

Road traffic incident.

Serious injury

Injuries involving a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function.

Stinger

A spike strip used to stop a vehicle by puncturing the tyres. The barbs are designed to puncture and flatten tyres when a vehicle is driven over them.

Supervised investigation

Investigation conducted by the police and supervised by an IPCC Commissioner.

Traffic/accident investigator

A specialist, generally a serving police officer, who assesses the scene of a road traffic incident and compiles a technical report of evidence for an investigation. The evidence would include the speeds the vehicles were travelling at, the conditions of the road, the force of impact etc.

TPAC

Tactical Pursuit and Containment (TPAC) is a strategy designed to effectively combat motor vehicle pursuits. The tactics require appropriately trained police personnel working as a team to use their professional judgement and skill in affecting an early resolution to a pursuit. The on road tactics will only be undertaken by suitably trained police officers who by the intelligent use of police vehicles, emergency equipment and vehicle arresting devices cause the target vehicle to stop with a minimum of risk to the public, police and fleeing driver.