

Police Force Standing Orders

ROYAL BAHAMAS POLICE FORCE TRAFFIC DIV

TRAFFIC ACCIDENTS E4

- **Action at Scene**

- Officers attending the scene of a traffic accident will take the following action as appropriate:
- (a) Take control of the scene and take steps to prevent danger from vehicles at the scene or approaching the scene;
- (b) Use bystanders to assist and call for further police assistance as necessary;
- (c) Attend promptly to the injured, obtaining medical aid and arranging

- for the removal of the injured to hospital if necessary;
- (d) Note marks and debris and make a sketch plan if necessary showing the position of the vehicles before removal;
- (e) Safeguard all property at the scene and arrange for its subsequent safekeeping;
- (f) Identify witnesses, especially independent witnesses, where a prosecution is likely to ensue;
- (g) Complete an accident report;
- (h) Consider whether blame can be attached to any driver or other person and take statements as necessary.

Removal of Vehicles

- 5. The removal of vehicles from the scene of a traffic accident must be dealt with
- Through the Control Room who maintain a list of wreckers with suitable equipment who are prepared to deal with broken down or damaged vehicles at the request of the police.
- 6. The duty senior officer in the Control Room is responsible for calling out a suitable breakdown vehicle and the following procedure will be strictly adhered to:-

- (a) **Driver Present** – if the driver is present at the scene, and the vehicle cannot be driven or moved clear and he should be asked to nominate a particular wrecker or garage of his choice to remove the damage vehicle.
- It is the driver's responsibility to ensure that his vehicle is removed once the police have completed their investigation at the scene. A note will be made in the officer's pocket book of such a request which will be passed to the Control Room for action.

- (b) **Driver unable to nominate** – if the driver of a vehicle cannot nominate a suitable wrecker or is unable to do so because of injury, the officer at the
- scene will contact the Control Room and request an wrecker to attend and remove the vehicle.

Reporting and Recording of Accidents

- 10. The officer recording the accident will complete the accident report as far as possible before finishing duty. The report will be submitted to the station officer who will check the report for accuracy and to ensure that the statistical information is complete. The report will then be
- passed to the terminal operator in order that the computer records can be updated.

Accident Enquiries

- 12. Officers recording and investigating traffic accidents will interview the parties involved either at the scene or, where this is not practicable, as soon after the accident as possible. Where drivers are interviewed at the scene, they will be interviewed in the presence of each other. The taking of measurements should also be done with the drivers present. Any allegations, admissions or comments by either party will be recorded in the officer's notebook and statements will be taken if necessary.

- 15. The officer will summarize the circumstances of the accident in the space provided on the accident report and this will include any admissions or other evidence which could be used to support a prosecution. The officer will make a firm recommendation at the end of the report as to proceedings against any of the drivers involved. Where necessary he will serve a Notice of Intended Prosecution at the scene on a driver against whom proceedings are recommended unless the provisions of Section 49 of the Road Traffic Act can be satisfied by serving the notice on the driver within 14 days of the accident.

Responsibility of O/C Traffic Division

- 18. The officer in charge of each station or the OIC Traffic Department will ensure that full enquiries are made into each accident reported and they will give advice and guidance to investigating officers as to the nature and extent of enquiries. Every effort will be made by the officer attending the scene to complete the necessary enquiries. This is to ensure that the officer interviewing defendants and witnesses is fully conversant with the circumstances of the accident and the prevailing conditions at the scene.

- **Fatal Accidents**

- 28. In all cases of fatal traffic accidents or those involving serious injuries which are likely to be fatal, an officer not below the rank of Sergeant will supervise the investigation of the case. The following points should be considered:-

- **Police Vehicle Accidents**
- 44. Whenever an accident occurs involving a police vehicle, an investigation will be carried out by an officer from the Traffic Department.

- **Note however this does not always happen and this does not mean that the accident can't be investigated by an Officer from another Division**

- 46. All police drivers will report an accident involving a police vehicle immediately unless incapacitated through injury. A report of the accident will be sent to Headquarters as soon as possible

- 48. A police officer involved in an accident while on duty will automatically be suspended from driving police vehicles, until the outcome of the investigation is known. The officer will be informed verbally by the Assistant Commissioner (District) except in the Family Islands where it will be done by the OIC of the area concerned. Once the matter has been investigated, the officer can be reinstated to driving duties or a further period of driver training recommended.

- 49. Where an investigation reveals sufficient evidence to prosecute the police driver or any other party involved, the prosecution file will be forwarded to the Commissioner of Police for consideration of proceedings.

- 50. Once proceedings are concluded or a decision is made not to prosecute, the file will be reviewed for consideration of any disciplinary charges arising from the accident.

- 51. The decision to prosecute a police officer for a driving offence will be made on the same basis as an ordinary member of the public.

Accidents involving Police Officer driving own Vehicle

52. Where an accident occurs involving a police officer driving his own private vehicle on duty the officer will report the accident to the police station of the area in which the accident occurred. The officer will also submit a report on the circumstances to his local Divisional Commander as soon as he returns to his place of duty. It is particularly important that any injuries arising from such an accident are accurately recorded as such injuries have occurred during the course of duty

- 53. Where an accident occurs involving a police officer driving his own private vehicle **off duty**, the same reporting procedures apply as to any other member of the public (see paragraph 9).

- 54. Where the circumstances of an accident under paragraph **50 or 51** above suggests that the police officer was at fault, a prosecution file will be submitted to the Commissioner of Police for consideration of proceedings. Where the officer was on duty, the Commissioner will also review the circumstances for consideration of any disciplinary action arising from the accident.

USE OF POLICE VEHICLES

- 3. Police vehicles will only be used for official purposes. This will include transporting of officers where no other form of transport is available and the journey concerned is necessary in connection with police duty. Certain gazetted officers, with the approval of the Commissioner, may use official cars for travelling to and from duty where the use of a car is a necessary aspect of their work, e.g. officers liable to be called out at night or when off-duty

- **Pursuing Vehicles at Speed**

- 6. The decision to pursue a vehicle at speed normally rests with the driver of the police vehicle. Where a supervisory officer is also in the vehicle, the driver will act under his/her **instructions relating to any pursuit** or incident. However, it is emphasized that the
- responsibility for the manner in which the car is driven rests solely with the **police driver**.

- 7. A pursuit of a vehicle at speed can only be justified where it is absolutely essential to effect the immediate arrest of the occupants and only in exceptional circumstances will an attempt be made to stop it. It is normally better to follow the suspect vehicle until such time as it is held up by other traffic, runs out of petrol or the driver comes to a voluntary or involuntary stop. It is dangerous to pursue a vehicle too closely. It is better to let a criminal escape than to kill or injure innocent people.

- 8. A non-urgent investigation of crime, a traffic offence or even the sighting of a stolen vehicle will NOT necessarily justify a pursuit at speeds. Where more serious offences
- are suspected, the vehicle should be followed and full use made of the communication system (radio). Not more than two police vehicles will be actively engaged in pursuit at any one time unless special directions are received from the Control Room. Other police vehicles will remain at static points in their own patrol areas in order to assist in detaining persons who may abscond on foot.

Stopping of Vehicles E5 FSO

9. The stopping of vehicles by police officers on mobile or motor cycle patrol involves an element of risk to both vehicles and their occupants. Where it is considered essential to stop a vehicle the right place and moment should be chosen consistent with safety.

- 10. Vehicles may be stopped either by giving a clear indication from behind by means of lights, siren or hand signals or by overtaking the vehicle and signaling to the driver to pull in and stop. Much will depend on the circumstances, but where the occupants of a vehicle are thought to be armed, the police vehicle will remain behind at all times indicating to the other driver to stop. Once the suspect vehicle has been stopped, police officers will approach the vehicle from the rear and should be particularly vigilant concerning armed occupants. If in any doubt, or if threatened, the officers should use the rear of the suspect vehicle as a shield.

- FIXED PENALTY OFFENCES
- E6

6. Where the fixed penalty is not paid within the seven days, the notice is deemed to be a summons issued to that person by the magistrate of the court specified if he does not sign and acknowledge his guilt and has not made payment. In such cases the case will be dealt with as a normal summons offence at the Magistrates' Court.