



People for Proper Policing in North Wales

A jury criticised Lancashire Police over a fatal crash.

A jury accused police of "institutionalised complacency" as it convicted an officer of careless driving following the death of a pensioner during a high-speed training exercise. **Peter Williams, 67, was killed when Pc Sean Schofield's marked Volvo T5 hit his car head-on at 94mph.** His widow Jean, of Bolton-le-Sands, Lancashire, survived but the retired lecturer died in hospital the next day.

The advanced police driver hit speeds of **104mph** moments before he ploughed into Mr Williams's VW Touran in Over Kellet, Lancashire, on **November 1 2006.** **Schofield, 38, was found guilty at Liverpool Crown Court of careless driving. He was acquitted of causing death by dangerous driving.** Schofield was testing **in-car Vascar (Vehicle Average Speed Computer and Recorder) equipment** which involved him pursuing a car driven by trainer **PC Andrew Massingham, 41,** to register its speed. PC Massingham was acquitted of causing death by dangerous driving and did not face the alternative charge of careless driving. Neither of the police officer's addresses were released.

The seven men and five women of the jury sent a note to the judge criticising Lancashire Police for allowing the high-speed training exercise on the country B road, which had a speed limit of 60mph. **The jury's note, which Judge Brian Lewis said he fully endorsed, read: "The course was flawed by poor management, poor design and poor preparation from the highest level. We believe the Lancashire Police force were guilty of institutionalised complacency with regards to training and driving at high speeds on open, public roads. We believe the practice of 'cascade' training for this particular type of activity, far from reinforcing the importance of health and safety, has actually had a detrimental effect."**

The PPP comments.... We report this story NOT because we are anti-police but because we are seriously concerned about the dangerous combination of arrogance and complacency that seems to pervade our Police Hierarchy including the Met and North Wales. A common denominator is ACPO. The wordy and PC response from Lancashire Police is at ...
<http://www.lancashire.police.uk/index.php?id=5266> A key sentences is **"This has been an incredibly long and difficult investigation for everyone involved"**

The PPP believe the elderly widow should never have had to put up with such a protracted process, why did she? Was it caused by the IPCC's deliberations which are pathetically summarised here http://www.ipcc.gov.uk/news/pr071008_lancashire.htm ...

After ALL this time IPCC Commissioner Mike Franklin said ... **"I have noted today's verdicts and I will be seeking URGENT discussions with Lancashire Constabulary about the findings of our investigation and whether there will be any disciplinary matters relating to the two officers.**

Who is the INDEPENDENT Mike Franklin?

http://www.ipcc.gov.uk/index/about_ipcc/who_runs/mf.htm

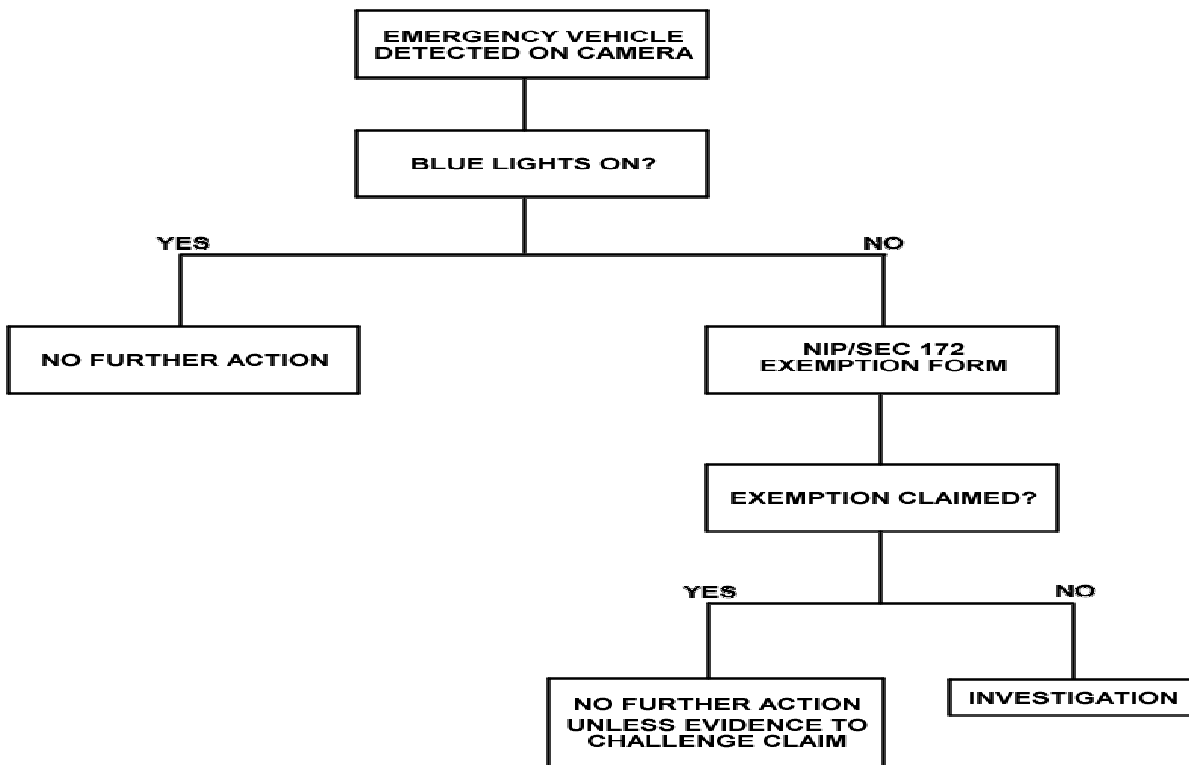
We haven't seen ACPO's response BUT the Head of Road Policing is **still CC Meredydd Hughes** who finds 90 mph perfectly OK on 60mph limited roads in Wales.

ACPOs leadership is listed here ... http://www.acpo.police.uk/about_pages/structure.html

There are many such cases in the archives of the newspapers (see below) and the IPCC stance is consistently lenient. We believe the ACPO policy on speeding emergency vehicles has been taken as Carte blanche to drive faster more frequently on the public highways. This is our experience in North Wales.

Below is the ACPO policy in a nutshell. The PPP believe this is a cop out designed to minimise the embarassingly high number of police drivers receiving NIPs

NATIONAL PROTOCOL FLOWCHART



IPCC publishes findings and decides no misconduct action in St Leonards crash ... 26 April 2007

The Independent Police Complaints Commission has decided there should be no misconduct action taken against the Sussex police officer involved in the road traffic collision in St Leonards on 29 October 2005, in which five young people died.

The Commission has also published the recommendations arising from the investigation into the collision, **which was conducted by Sussex Police under IPCC direction and control.**

The inquests into the deaths of the young people concluded on 9 February this year. The jury returned a narrative verdict and concluded that the officer's actions were not a cause of the crash.

IPCC Commissioner Mike Franklin said: *"I have decided that there should be no misconduct action taken against the officer who was involved in this incident. This decision agrees with the proposal put forward by Sussex Police.*

"When making my decision, I carefully considered all the information available to me. This included the verdict given by the jury at inquest, and the evidence heard at the inquest that revealed confusion about the pursuit policy adopted by Sussex Police, both in terms of how it was communicated to patrol officers and how it was comprehended".

"It is clear that the officer concerned breached force policy by becoming engaged in the initial phase of a pursuit. However, it is also clear that, as a response trained driver, he genuinely believed that he was authorised to do so. In addition it became clear during the course of the evidence that the confusion in respect of this policy was shared by other officers. The confusion arose because Sussex Police have imposed additional criteria to authorise response drivers over and above the ACPO Pursuit Guidance. Consequently, whilst in breach of Sussex Policy, he was not in breach of the ACPO Guidance".

"Additionally, the breach of policy lasted only matter of seconds. Having regard to all the circumstances, I therefore believe it would be unreasonable to apply a misconduct sanction to the officer concerned."

Commissioner Franklin added: *"Following the inquest, I requested that Sussex Police submit to me a supplementary report outlining how they have clarified their pursuit policy, which they did. In an accompanying letter they assured me that they have undertaken an urgent review of the pursuit policy, under the direction of the Deputy Chief Constable."*

The report regarding the pursuit policy and the accompanying letter were supplementary to the main investigation report that was drafted by Sussex Police under IPCC direction and control, following conclusion of the IPCC-managed investigation and prior to the inquest.

Commissioner Franklin said: *"When the inquest concluded I made a commitment to publishing the recommendations that have arisen from the IPCC-managed investigation, and to communicate any lessons learned from this investigation to Sussex Police and to the police service in general. I am in a position to do that today."*

The recommendations that arise from the IPCC-managed investigation are as follows:

- There was a substantial delay in the families of the young people who died being informed of their involvement in the collision. This delay was caused by an understandable desire by Sussex Police to correctly identify beyond doubt, each of the young people. However, this meant that some of the families became aware that their children were probably involved in the collision prior to official notification from the police. Sussex Police should therefore review the way in which this aspect of the investigation was managed to determine whether there are any lessons that can be learned or changes that could usefully be made for any similar multiple road traffic incidents in the future.

- The Road Traffic Department, unlike the Major Crime Branch who deal with homicide incidents, do not have the appropriate equipment to hand to enable them to cover either deceased individuals or vehicles at the scene of an accident. This meant that there was a prolonged period when the scene of the crash was within clear public view. Consideration should be given to purchasing screens or tents for deployment in future road traffic incidents, in the same way as they are in major crime investigations.

Commissioner Franklin added: *“I will be contacting the Chief Constable of Sussex Police in the very near future to arrange to discuss these recommendations, and any other outstanding issues.”*