
Road death investigations in London: A guide for bereaved families

RoadPeace

2022



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

**The London
Community
Foundation**

Contents

Introduction	3
Collision investigation	5
Road death investigation team	6
Follow up investigation	7
Charging decision	9
Criminal prosecution	11
Inquests and the Coroner’s Court	14
Civil compensation	15
Learning lessons and longer term	17
References	18
Other sources of support	19
How RoadPeace can help you	20

Foreword

by Claire Waxman, London Victims’ Commissioner

No family is ever prepared for the loss of a loved one. Road deaths are a shock, come without warning and can leave families devastated. Although not all road deaths involve criminal culpability, they all involve the criminal justice system and the police must investigate to ensure anyone responsible for causing the death is identified and can be held accountable. If there is no prosecution in a criminal court, then there will be an inquest in the Coroner’s Court. This means families are often confronted with unfamiliar procedures at a time of overwhelming shock and grief.

This is why, as London’s first Victims’ Commissioner, I am working hard to try and reduce any additional suffering posed by our justice system by lobbying for further victims’ rights and for the Victims’ Code to be simplified and easier for victims and families to understand and access.

I am thankful to RoadPeace for their continued work in supporting victims of road crashes and welcome this guide which seeks to clarify the justice process so victims can understand the journey ahead and what to expect from the police investigation through to compensation.



A handwritten signature in black ink, appearing to be 'C. Waxman'.

Introduction

Key points

- ▶ This guide aims to help your family understand what happens in the justice system after a fatal collision in London
- ▶ It covers basic procedures with the:
 - Collision investigation
 - Charging decision
 - Criminal prosecution
 - Inquests and Coroner's Court
 - Civil compensation
- ▶ It also covers your entitlements under the Victims' Code to support and information, and signposts to additional sources of information and support.

Devastated, angry, shocked and confused. That's how you might be feeling if you've recently lost a loved one in a road collision. We're so very sorry for your loss. Road deaths are sudden, violent, premature and too often easily preventable. Yet over twice a week, another family is bereaved in a road collision in London.

Information can be hard to absorb in the early days. We hope this guide will help you understand what will happen next. It explains how the police investigate road deaths and how they will keep you informed. It also covers criminal prosecution and civil compensation, and your entitlements as a victim to information and support under the [Ministry of Justice's Code of Practice for Victims of Crime \(Victims' Code\)](#).

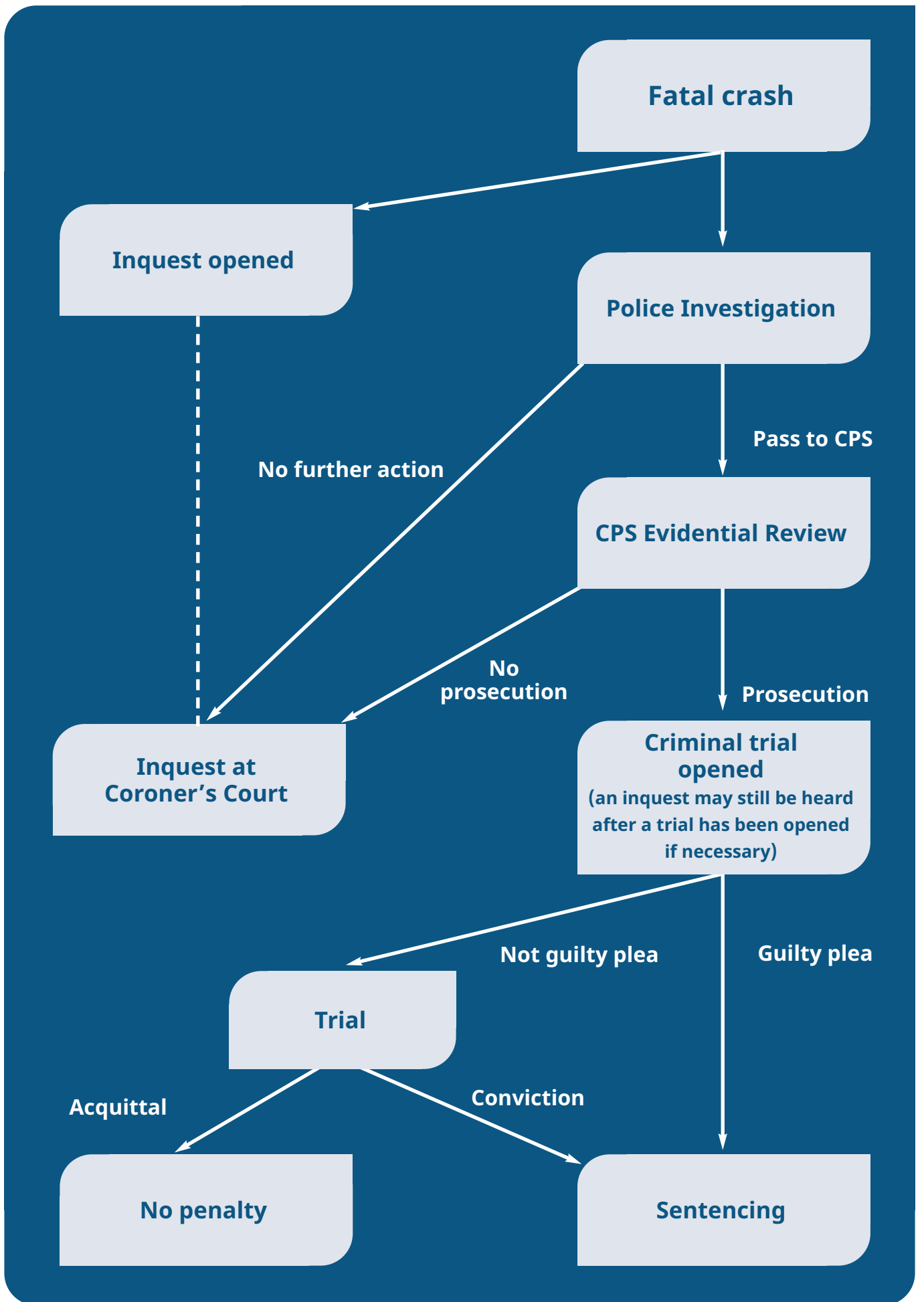
Each section starts with a summary of key points and ends with a reminder of your entitlements under the Victims' Code. It alerts you to any deadlines and signposts you to other sources of information and additional support, including claiming compensation and getting help through a criminal trial. Hopefully, this will help you feel like you have more control at this very difficult time.

This guide is specific to London and complements the national information pack. Produced by RoadPeace, the national charity for road crash victims, it is based on 30 years of experience of supporting road crash victims, and includes advice and messages of support from bereaved families in London.

We suggest you go through all sources of information with a friend or family member, and write notes and questions where you would like more explanation. This guide is based on the assumption that a driver has survived the fatal collision and could face prosecution.

Please get in touch with RoadPeace or join us at the RoadPeace London support group if you need more support – we're here for you. Our contact details are on the back cover.

The Mayor's Office of Police and Crime (MOPAC) has funded support services for collision victims in London. In addition to these guides, RoadPeace was funded to organise a bi-monthly local support group, a trauma support programme and casework and advocacy support for people bereaved by road deaths. Call RoadPeace on 0845 4500 355 to find out more.



Collision investigation

Key points

- ▶ The investigation into a fatal collision can take over a year to complete
- ▶ It will involve a team of police officers, including specialist trained Forensic Collision Investigators (FCI) who are responsible for establishing how the collision occurred
- ▶ The police will keep you updated on the investigation progress and inform you of the investigation outcome

The investigation into your loved one's death starts at the scene, once it has been secured and casualties attended to. The Metropolitan Police Service (MPS) approach road deaths as unlawful killings, until the contrary is proven. Fatal collisions are investigated by the Serious Collision Investigation Unit within the MPS. As shown overleaf, a team of officers is assigned to the investigation of a fatal crash.

At scene investigation

Local borough police and/or road traffic police from the Roads and Transport Policing Command will be the first to arrive at the scene. They are responsible for securing the scene, attending to the deceased and casualties and preserving the evidence, until the specialist Forensic Investigators from the Serious Collision Investigation Unit arrive.

At the scene, the FCI will conduct a full examination of the collision site, including using a laser scanner. Investigating Officers collect physical evidence.

Other members of the investigation team gather evidence from the driver and witnesses, and contact the victim's family. A Detective Sergeant will be appointed as the Lead Investigating Officer, and they are responsible for identifying investigation strategies, including which witnesses are to be interviewed and how far the CCTV search should extend.

Witness statements

Initial accounts will be taken from witnesses and any surviving uninjured driver. This will be limited to their contact details, a brief account of what they saw and can help identify any eyewitnesses who saw the collision occur, as opposed to those who can only testify to what happened after the collision.

Vehicle inspection

Where possible, the FCI will drive the vehicle and test the brakes and steering at the scene. But in the majority of fatal collisions, the vehicle will be seized for a more thorough investigation. With Heavy Good Vehicles, the inspection will be undertaken by a specially trained commercial vehicle examiner.

Driver investigation

As with witnesses, only brief accounts are collected from driver(s) at the scene.

Uninjured drivers are tested for drink and drug driving. These are screening tests and any positive results must be verified by further testing at a police station. With injured drivers, impairment testing depends on a doctor's permission. Medical treatment takes priority over impairment testing.

Road death investigation team

Forensic Collision Investigator (FCI)

These are specialist investigators with nationally recognised qualifications. They examine the collision scene, photograph and laser scan the scene, and conduct reconstructions. After analysing and comparing the evidence collected, they produce the collision investigation report.

Vehicle Examiner

Vehicle examiners inspect vehicles involved in serious collisions. This is to find out if a problem with the vehicle contributed to the collision occurrence or its severity. If the collision involved a heavy goods vehicle or public service vehicle, like a bus, an examiner from the Driver and Vehicle Standards Agency can do this work.

Roads Policing Lead Investigator

A Roads Policing Lead Investigator is the officer in charge of a serious collision investigation. They approach a collision as an unlawful event until the contrary is proven. They decide what information is released to the media and when.

Note: this position used to be called the Senior Investigating Officer and some may still refer to this. The College of Policing, who set national guidance, now refer to Roads Policing Lead Investigators within collision investigations.

Investigating Officer

Investigating Officers collect evidence and deal with the day to day investigation of the crash. This includes collecting witness statements and conducting suspect driver interviews.

Family Liaison Officer (FLO)

The FLO will be your main point of contact. They will liaise between you and the Roads Policing Lead Investigator to help keep you up to date with the investigation.

Mobile phones are checked. This may just be at the scene, or they could be seized. The victim's phone may also be taken.

Eyesight testing is always conducted. This may be at the scene or it can be deferred to a more appropriate time.

Where criminal offending is detected, e.g. drink driving, or there is a risk the driver may abscond, the police may arrest the driver on suspicion of causing the death. This allows finger-printing and DNA to be collected and identification checks.

"Don't be afraid to ask questions. Write them down beforehand so you don't forget. Relying on your memory can be incredibly difficult especially during the early days."
Bereaved mother

Follow up investigation

Victims and post-mortems

Within a few days of the death, the local Coroner will open an inquest into the death of the deceased. This is the formal procedure of recording the death with the deceased's identity put in the public domain. Post-mortems determine the medical cause of death, and are not always necessary.

In cases where a criminal prosecution is likely or additional information is needed to establish the cause of death, a Coroner may request that the post-mortem examination is conducted by a Forensic Pathologist. The body of the deceased will be released on the authority of the Coroner.

Second Post-mortem

Drivers suspected of causing the death can request a second post-mortem if they believe this might show they were not responsible for the death, for instance if death were natural. In cases where the driver left the scene, the Coroner may be reluctant to release the body until the driver is identified and offered the chance for a second post-mortem. Such delays can cause bereaved families much distress. The Chief Coroner is encouraging Coroners to restrict the use of second post-mortems to only cases where it can be justified. Contact RoadPeace for more information on what your family can do to avoid such additional trauma.

Inquests are held in cases where there is no criminal prosecution. See the section below on inquests (p.14) for more information.

Crown Prosecution Service (CPS)

The police notify the CPS of all fatal collisions and can seek early investigation advice from them. The CPS are independent from the police and are responsible for prosecuting offenders for serious offences at criminal court. The CPS meet with the Serious Collision Investigation Unit on a regular basis to discuss those collisions where a prosecution is being considered.

Witness interviews

Notice boards appealing for witnesses may be put up and normally remain in place for one-two weeks. Media appeals are regularly undertaken with police requesting dash-cam evidence from the public. The police may ask for help or you can offer to assist with any media appeals.

Key witness statements will be taken in person by an officer trained in conducting interviews.

Driver interview

In most cases, drivers will be asked to do a voluntary interview, which can be pre-prepared and submitted in writing. In cases where offending has been detected or is suspected, drivers will be interviewed under caution as this will be recorded.

CCTV retrieval and analysis

The Investigating Officer is responsible for collecting any video evidence from roadside or bus cameras.

Vehicle

Any vehicles seized can be kept for as long as necessary, which could be until the completion of court hearings. Both parties, the victim's family and the suspect driver, have the right to an independent vehicle examination. These are arranged by the defence or victim's solicitor.

Event data recorders (black box) may be checked. For fatal collisions involving an HGV, the company should be visited and their safety practices and records reviewed.

Site inspection

A MPS Traffic Management Officer will visit the site. They are responsible for identifying any possible contribution to the collision by the road environment as well as suggesting any modifications to reduce risk. Their findings can result in a Coroner taking action and writing a report to prevent future deaths.

Collision investigation report

The FCI produces the collision investigation report which often contains the evidence key to the investigation, including witness statements, CCTV footage, scene plan, photographs and any reconstruction report. Reconstructions are not mandatory.

Collision investigation reports summarise the evidence collected and the findings regarding culpability. The FCI does not recommend specific criminal charges.

The collision report often provides key evidence for the investigation. The FCI would have had access to all the case evidence, for example; witness statements, driver interview which he/she will use to come to conclusions as to how the collision occurred. In some cases the scene or elements of the collision are reconstructed to prove a particular point and aid understanding.

Quality assurance

The MPS Senior FCI evaluates all scene work, as well as any reports provided by the FCI to courts or third parties. This includes a final review of the completed collision investigation report.

Communication with the bereaved family

A FLO from the MPS will be assigned to families bereaved by collisions. They are part of the investigation team and responsible for keeping the family informed of the investigation. They also collect Victim Personal Statements from the family when there is a prosecution.

FLOs will inform the family of the CPS charging decision as soon as possible, and before the letter from the CPS arrives. FLOs aim to assist families as the case passes through the criminal justice system, attending trials or, when possible, the Coroner's Court.

"If possible, try and take someone with you to meetings with the police. It can be difficult to cope with all the information on your own."
Bereaved sister

Victims' Code key entitlements: Investigation stage

- ▶ A needs assessment to help work out what support you need;
- ▶ Information on what to expect from the criminal justice system;
- ▶ Be referred to organisations supporting crime victims;
- ▶ Be informed about the police investigation, such as if a suspect is arrested and charged and any bail conditions imposed.

Charging decision

Key points

- ▶ The charging decision refers to whether or not the driver is to be prosecuted for causing the fatal collision
- ▶ The police can decide there is not enough evidence for a prosecution
- ▶ The CPS decide which charge, if any, a driver is to be prosecuted for
- ▶ Bereaved families can appeal the decision not to prosecute

A road death does not mean a criminal prosecution is automatic. In their guidance, the CPS are clear in stating that *“injury or death does not, by itself, turn a collision into careless driving or turn careless driving into dangerous driving”*.

Who decides?

The decision to charge a suspect driver with causing a death is the role of the CPS. But the decision not to charge can be made by either the police or the CPS. The police can decide there is not enough evidence for a prosecution to be considered. Your rights to review the charging decision are explained below.

Police decision

Fatal collision investigation reports are reviewed by a Detective Inspector within the SCIU. They are responsible for deciding if the evidence reaches the threshold for referral to the CPS for charging advice.

The police may decide that there is not enough evidence to support a prosecution. You can ask them to review this if a suspect driver was identified and interviewed under caution for any Causing Death by Driving charge.

CPS decision

If the police pass the investigation file to the CPS, then the CPS will decide whether the driver should be charged for which offence(s). To proceed, the CPS will require the case to pass two tests:

- ▶ The evidential test. This part of the test asks the prosecutor to consider whether there is a realistic prospect of conviction. This includes asking whether the evidence is admissible for court and whether it is reliable and credible.
- ▶ The public interest test.

They should offer you a meeting to explain this decision. For more on the CPS and the procedures followed by prosecutors, [see CPS website](#).

You can appeal if the CPS decide not to prosecute for any offence. You do not have the right to appeal if you think the charge should have been a more serious one.

Appealing the decision

The CPS ask that families submit their request for a review within five working days of being notified, but they will accept requests up to three months. The CPS will first seek to address your concerns through local resolution or, if you are still not satisfied, through an independent review.

Local resolution

The CPS will attempt to resolve it locally and within 10 days of the request for a review. The review will be conducted by a prosecutor in the same CPS area but who was not involved in the case previously. Your family will be given a *“clear and detailed explanation of the decision”* (CPS, 2016). There are three possible outcomes from a review.

1. Decision overturned. The CPS will apologise and explain what will happen next with commencing a criminal prosecution.
2. Decision confirmed but more explanation was needed which the CPS will provide. If you are dissatisfied, you have 10 days to request an independent review.
3. Decision confirmed and no more information provided. In these cases, the CPS progress to a second stage which involves an independent review at another office.

Independent review

The reviewing prosecutor will reconsider the evidence and the public interest test. The CPS will contact you with the outcome of the review. They aim to do this within thirty working days (six weeks). If more time is required, they will keep you updated.

Families should note that whilst the CPS describe this as an independent review, it is conducted by a CPS prosecutor from a different area, not an independent body.

Victims’ Code key entitlements: Charging decision stage

- ▶ Be informed if the suspect is to be prosecuted or not or given an out of court disposal;
- ▶ Seek a review of the police or CPS’ decision not to prosecute or in accordance with the National Police Chiefs Council and CPS Victims’ Right to Review Schemes.

Criminal prosecution

Key points

- ▶ On average, one in three road deaths in London result in a criminal prosecution and two end up with an inquest in the Coroner's Court
- ▶ A criminal trial, including sentencing, can often take over a year to conclude, from the first hearing
- ▶ With criminal prosecutions, [Victim Support London](#) provides pre-trial support and the police will put you in touch with the [Witness Care Unit](#) at court

If the CPS decide a prosecution is justified, the police will charge the suspect driver and start court proceedings. In 2018, there were 41 drivers prosecuted for causing a death. Only one of these cases was stopped before trial.

Common questions asked by families include:

Why are drivers suspected of causing the fatal crash allowed to continue driving?

Few drivers have bail conditions imposed, including being given an interim driving ban. There must be evidence that the driver is likely to reoffend for a ban to be considered.

How long will a court prosecution take?

It can often take over a year for a case to be heard, especially if it involves a Crown Court trial. Long waits with delays and adjournments are routine.

What criminal charges are most likely?

As shown overleaf, the two most common charges are Causing Death by Dangerous Driving and Causing Death by Careless Driving. Dangerous driving requires the driving standard to have fallen "*far below*" the standard of a careful and competent driver whereas Careless Driving is "*just below*".

What support is there?

Pre-court support is now available, thanks to funding by MOPAC. This is organised by Victim Support. If you have yet to hear from them, you can contact them directly. [Please see here for more information.](#)

If a driver is given a custodial sentence of more than 12 months, a Victim Liaison Officer from the Probation Service will be assigned to keep your family informed, including of updates any early release requests.

Do I have to worry about downgrading?

Downgrading will remain a risk throughout the prosecution. With a charge of Causing Death by Dangerous Driving, the CPS can accept a guilty plea to the lesser charge of Causing Death by Careless Driving, whilst judges can also downgrade the charge to Causing Death by Careless Driving, and juries can decide the accused was guilty of careless rather than dangerous driving.

What about my Victim Personal Statement

If your case is going to court, you will be given the opportunity to make a Victim Personal Statement. These are intended to allow you to describe the impact the collision has had on your life. It is not intended to affect the sentencing. Please know you can always add to your statement if you wish. See [Government website](#) for more information on Victim Personal Statements or contact RoadPeace.

“We felt writing a VPS was like giving our loved one a voice as they are not there to speak for themselves.”
Bereaved mother

How do guilty plea discounts work?

If the accused pleads guilty early (at the first court hearing), they can be given up to one third off their custodial sentence. Guilty plea reductions do not apply to fines or driving bans.

Causing Death by Driving prosecutions, London (2020)				
	Prosecuted	Convicted	Custodial sentence	Custody rate
Causing Death by Dangerous Driving	28	13	13	100%
Causing Death by Careless Driving under influence of drink or drugs	7	4	3	75%
Causing Death by Careless or Inconsiderate Driving	25	6	1	17%
Causing Death by Driving Unlicensed or Uninsured Drivers	0	0	0	n/a
Causing Death by Aggravated Vehicle Taking	1	0	0	0%
Total Causing Death by Driving	61	23	17	74%

Source: MoJ (2022), Criminal Justice Statistics

What sentences are likely?

For Causing Death by Dangerous Driving, 10 of the 13 convicted drivers received between four and 10 years in prison. The other drivers received sentences of less than 4 years.

For Causing Death by Careless Driving, the majority of drivers convicted of this charge receive a community sentence. Where a custodial sentence was imposed, these ranged from six to 18 months. For causing death by careless driving under influence of drink or drugs, the custodial sentence imposed was between 5 and 9 years.

Can I get my travel expenses paid?

If you are giving evidence, ask Victim Support or the Witness Care Unit at court how to apply for travel expenses.

What about Restorative Justice

Restorative Justice is a Government sponsored programme which allows victims to meet with offenders when there has been a successful conviction and ask questions about the collision or any remorse the offender has. They may also receive an apology which may appear more sincere than any given as part of a pre-sentencing ploy.

Both sides must give permission to participate. In London, the restorative justice service is provided by Calm Mediation, who are funded by MOPAC as part of the Integrated Victim and Witness Service led by Victim Support. Contact [Calm Mediation](#) or call them at 020 7603 4014. [For more information about Restorative Justice for victims please see here.](#)

Contact RoadPeace for our Sentencing Guide for families bereaved by road collisions or examples of Victim Personal Statements.

Victims' Code key entitlements: Charging decision stage

- ▶ Read your VPS aloud or have it read aloud on your behalf, subject to the views of the court, if a defendant is found guilty;
- ▶ Be informed of any appeal against the offender's conviction or sentence
- ▶ To opt into the Victim Contact Scheme (VCS) if the offender is sentenced to 12 months or more.
 - Make a VPS for consideration by the Parole Board if the offender is considered for release or transfer and apply to the Parole Board to read it out at the hearing;
 - Make representations about the conditions attached to the offender's licence on release and be informed about any licence conditions relating to you;
 - Receive information about Restorative Justice and how you can take part;
 - Make a complaint if you do not receive the information and services you are entitled to, and to receive a full response from the relevant service provider.

Inquests and the Coroner's Court

Key points

- ▶ Road deaths not involving a prosecution at a criminal court will end up in the Coroner's Court with an inquest held
- ▶ Inquests are concerned with the circumstances of the death. They do not try to establish criminal or civil liability
- ▶ Coroners aim to hold inquests within a year of the death. But those involving police investigations, as do road deaths, can take longer
- ▶ With inquests, the [Coroner's Court Support Service](#) can provide practical support

If the police and/or the CPS decide against a criminal prosecution, the police will send their investigation report to the Coroner and an inquest will be held. An inquest is a public court hearing held by a Coroner. It is also a fact-finding inquiry to record:

- ▶ Who was killed
- ▶ Where the death occurred
- ▶ When it happened and
- ▶ How they were killed.

It is not about blame. The Coroner cannot determine criminal culpability or civil liability. The Coroner is an independent judicial office holder, appointed by the local authority.

The Coroner will write to you to see what information you would like before the inquest and to let you know when it will take place.

Families do not have to pay for information provided to them by the Coroner's Office before the inquest. After the inquest, the Coroner's Office can charge for photocopies or transcripts.

Coroners are not included under the Victims' Code. But the [Ministry of Justice's guide to Coroner Services](#) does state what you can expect from the Coroner's Office. This includes:

- ▶ being updated every three months at a minimum
- ▶ being informed of the inquest date, time and location within a week of it being set

If there was a criminal prosecution and the driver pleaded guilty, you will not get to hear the witnesses' evidence. In these cases, you can ask the Coroner for an inquest. This is rare and the Coroner does not have to comply.

See RoadPeace's ['Road death inquests in England and Wales: Guide for bereaved families'](#) for more information.

Please contact RoadPeace if you would like to get in touch with our Legal Panel with regards to legal representation at an inquest.

"As inquests are public it can be helpful to attend one beforehand to have an idea of what an inquest looks like, who sits where and what the process is."

Bereaved partner

Civil compensation

Key points

- ▶ Civil compensation is possible without a criminal prosecution
- ▶ Civil compensation is also possible when a prosecuted driver is found not guilty
- ▶ Proceeding for claims must be issued in court within three years of the collision
- ▶ Your claim's success will depend on the evidence available – the sooner this is collected the better – don't delay speaking to a solicitor
- ▶ There is a cost for accessing information for civil claims from the police but this can be included in your civil claim

In addition to being emotionally devastating, road deaths can also be financially devastating. Civil compensation can help bereaved families with the additional costs they have incurred, including funeral expenses, and also with lost income, even if no one is prosecuted for the collision. There are different standards of proof, with a lesser standard of proof for civil compensation.

Questions families often ask

Do I need a personal injury lawyer?

RoadPeace encourages all bereaved families to consult a [specialist personal injury lawyer](#) about a potential civil claim. With their experience and expertise, they will know what you can claim for. RoadPeace has a legal panel of specialist personal injury lawyers, which provides high quality legal advice to those bereaved in road collisions and helps them achieve fair and timely civil compensation.

What about crashes involving a criminal prosecution?

Civil compensation applies even in cases where drivers are convicted of causing the death. The Criminal Injuries Compensation Scheme which compensates victims of crime, does not compensate victims of driving offences as they are expected to receive compensation from motor vehicle insurance policies.

What are fatal damages and when do these apply?

Fatal damages, also known as bereavement damages, are a fixed payment set by the government for deaths caused by negligence to victims without any financial dependents. There are also restrictions set on who can apply, including by age. For more information please contact a specialist personal injury lawyer.

Are there any time limits for applying for civil compensation?

Civil claim proceedings need to be issued at court within three years of the collision.

Does a more serious charge mean more liability?

It does not matter if the driver is prosecuted for causing the death or which charge. This does not determine liability in civil compensation cases.

What if my collision involved a driver that did not stop at the scene or who was uninsured?

If your loved one was killed in a collision involving an uninsured or untraced driver (where the driver has failed to stop), your claim should be submitted to the Motor Insurer’s Bureau (MIB, 2019), [please see here](#).

What information do I need to start my claim and how do I get it?

To begin a claim, you need the vehicle registration details of the vehicle involved and the insurers. The police will provide this information for a fee. Your solicitor can get this information for you (and other information such as witness statements and investigation reports) and cover any costs, as the fee can be claimed back as part of any compensation claim.

The College of Policing has published guidance on deadlines which police are to aim to meet in disclosing evidence to assist with civil claims. (If there is an ongoing prosecution, then there may be a delay in disclosure if it would jeopardise the prosecution case). These include the following:

Recommended College of Policing disclosure deadlines for civil claim related information	
What information	When provided
Basic information on the vehicles involved, including owners and insurers	As quickly as possible and no later than four weeks after the collision
Other information on the collision and the investigation, including the police collision report, forensic collision investigators report (if any), photographs, plans, CCTV footage and note book entries of reporting officers	Within four months of collision and no later than six months
Police witness statements	Within six months of collision and no later than nine months

Source: CPS (2019) Disclosure of Material to Third Parties¹⁴

For more information on civil compensation, you should contact a specialist personal injury solicitor or RoadPeace who can help put you in touch with a specialist personal injury firm.

Learning lessons and longer term

Key points

- ▶ Motorisation and convenience should not result in road death or serious injury. London is working to eliminate road death and serious injury from its roads by 2041
- ▶ And for those fatal collisions not prevented, London is working to improve investigations and the treatment of victims, as well as learn lessons to reduce the risk to others. Please help London learn from your experience

Every week, another two families or more are bereaved by a road collision in London. The Mayor, London Victims' Commissioner, MPS, TfL, and RoadPeace are working to improve the response to these tragedies. We are keen to hear how you were treated. This includes both what helped you during this terrible time and also what could have been done better.

Feedback and making a complaint

The basic guideline with making a complaint is to start with the person or organisation that you believe has failed your family. This is also the quickest way to get it resolved. Families may want to see lessons learned and practices quickly changed rather than formal complaints lodged and investigated.

If you need to complain about the police investigation, you should first start with your point of contact in the police and ask to raise it with their supervisor. The MPS website provides information on [how to make a complaint](#) and also [how they follow up on it](#).

You can also make your complaint through the [Independent Office for Police Conduct](#) which handles appeals about complaints. They will redirect your initial complaint to the MPS. Your complaint should be submitted within a year of the incident you are complaining about.

If you want to complain about the CPS, this can be done online, using their form. It should be done within six months of the cause for the complaint, as the CPS will not deal with complaints after this time.

If you were unhappy with the Coroner, you should first contact them.

And any complaints with solicitors should be submitted to their firm. They have up to eight weeks to respond. If the matter is not resolved, then you can contact the Legal Ombudsman.

Contact RoadPeace for more information about providing feedback and making complaints.

"I don't think people are generally aware of how emotionally and physically exhausting the post-crash process can be. It's so important to be well informed. It helps you cope with what's to come."
Bereaved father

References

CPS (2016), Victims' Right to Review Scheme,
<https://www.cps.gov.uk/legal-guidance/victims-right-review-scheme>

CPS (2018), The Code for Crown Prosecutors,
<https://www.cps.gov.uk/publication/code-crown-prosecutors>

CPS (2019), Disclosure of Materials to Third Parties,
<https://www.cps.gov.uk/legal-guidance/disclosure-material-third-parties>

Mayor of London and Transport for London (2018), Vision Zero Action Plan,
<http://content.tfl.gov.uk/vision-zero-action-plan.pdf>

HM Government (2018), Victims Strategy,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746930/victim-strategy.pdf

MIB (2019) Making a claim,
<https://www.mib.org.uk/making-a-claim/>

Moj (2014), Guide to Coroner Services,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/363879/guide-to-coroner-service.pdf

Moj (2020), Code of Practice for Victims of Crime,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974376/victims-code-2020.pdf

RJC (2015), Restorative Justice Works,
<https://rjc.org.uk/sites/default/files/resources/files/rjc-victims-rjc-dig1.pdf>

Victim Support (2019) Get help from your local team,
<https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/london>

Waxman C (2019), Review of Compliance with the Victims' Code of Practice (VCOP), Findings, recommendations and next steps
https://www.london.gov.uk/sites/default/files/vcop_final_pages.pdf

Other sources of support

Assist Trauma Care

Provide therapists trained to work with Post-Traumatic Stress Disorder and the after effects of trauma

Advice Line **01788 560800**

<http://assisttraumacare.org.uk/>

Brake, the road safety charity

Provide support and information to road crash victims

Helpline **0808 8000 401**

Monday to Friday (10am to 4pm)

<http://www.brake.org.uk/victim-support>

Calm mediation restorative justice programmes in London

Phone **0300 102 3031**

<http://calmmmediation.org/restorative-justice-service/>

The Compassionate Friends

Offer support to bereaved parents and their families
Helpline **0800 282 986** or **0808 800 6019** if calling from a mobile

<https://www.tcf.org.uk/>

Coroner's Court Support Service

Offers emotional support and practical help to bereaved families, witnesses and others attending an inquest at a Coroner's Court

Helpline on **0300 111 2141**

info@ccsupport.org.uk

Cruse Bereavement Care

Offers free face to face, telephone and email support, advice and information to children, young people and adults when someone dies

Helpline **0808 808 1677**

www.cruse.org.uk

Samaritans

Offers a 24/7 helpline support before, during and after a crisis

Helpline **116123**

<https://www.samaritans.org/>

Shout

Offers a free 24/7 texting service for anyone in crisis

<https://www.giveusashout.org/>

The Sarah Hope Line

Offers comprehensive help and support to anyone injured during, or affected by, a serious incident involving TfL services

Phone **0343 222 5678**

Monday to Friday (8am to 6pm)

<https://tfl.gov.uk/campaign/incident-support-service>

Victim Support (London)

Offers support to victims of crime and traumatic incidents in England and Wales

Helpline **0808 168 9291**

<https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/england/>

WAY (Widowed and Young)

Offers support to bereaved partners

<https://www.widowedandyoung.org.uk/>

How RoadPeace can help you

RoadPeace is the national charity for road collision victims. We support bereaved families and those who have been seriously injured by road collisions through:

Support

Helpline - 0845 4500 355

Our helpline provides emotional support, information about the justice system and signposting to appropriate services. It is for anyone bereaved or injured in a road collision. The helpline is open **Monday to Friday** from **10am to 1pm**.

Befriender support

Our befriending service offers ongoing telephone support from trained volunteers who have suffered a similar experience.

Resilience building programme

This is a ten-week trauma support programme for bereaved families. It offers families:

- ▶ an opportunity to meet with others bereaved by road collisions
- ▶ the chance to develop ways to understand and cope with the reactions to your loss
- ▶ an insight into how the mind and body can react to traumatic loss

Local support groups

Bi-monthly meetings are held in London and offer bereaved families the chance to get together. They provide each other with ongoing mutual support and can raise awareness of local issues relating to road danger and justice for road collision victims.

Online support group meetings for injured victims are held bi-monthly on the last Wednesday of the month for injured victims and their families.

If you have any questions about road death investigation, our London Support Group or need any other support, please contact RoadPeace.

Call our Helpline: 0845 4500 355

Send an email: helpline@roadpeace.org

Visit our website: www.roadpeace.org

Advocacy and casework

Information guides

RoadPeace helps families navigate the justice system through detailed guides on collision investigation, inquests and sentencing. You can find out more about road death investigations and your rights by reading:

RoadPeace (2017), Road death investigation guide for bereaved families.

Ministry of Justice (2020), Code of practice for victims of crime.

Casework assistance

We help victims with queries about investigation, inquests, prosecution, compensation and sentencing.

Access to civil justice

The RoadPeace Legal Panel provides high quality legal advice to those bereaved or seriously injured in road collisions and to support them to achieve justice and fair compensation.

The Legal Panel is made up of leading specialist personal injury law firms. Panel members sign up to an agreed set of qualifying criteria including quality standards as their sign of commitment to road collision victims.

To contact a legal panel member please visit our website or call our helpline.

Ways of remembering

RoadPeace understands the importance of remembering family and friends who have died in a road collision. We organise the following:

World Day of Remembrance for Road Traffic Victims

This is an annual event with services held across the UK on the third Sunday in November – please contact RoadPeace for your nearest service.

August National Road Victim Month

We organise the RoadPeace Wood remembrance service. This is an annual Ceremony of Remembrance held at the National Memorial Arboretum, Staffordshire on the second Saturday in August.

Roadside memorials

We can provide a Remember Me plaque, which can be used as a roadside memorial.

Campaign for justice

In addition to supporting collision victims, we campaign for change including for:

- ▶ improved investigations, appropriate prosecution and sentencing of offenders, and fair compensation for victims
- ▶ improved rights and recognition for collision victims
- ▶ road danger reduction policies that prioritise vulnerable road users and the environment

