

Investigation into the death of Hayley Adamson

CTMS 2008/007843

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Documents and statement bundles are appended to this report.

Details of the Deceased

Name: Kathleen Donna Hayley Adamson (known and referred to throughout the report as Hayley)

Date of Birth: 25 March 1992

Address:

Introduction

1. About 11.20pm on Monday 19 May 2008, Hayley Adamson was struck by a marked police vehicle as she was crossing Denton Road in the Scotswood area of Newcastle-Upon-Tyne.
2. At 00.40am on Tuesday 20 May 2008, Hayley Adamson was taken by ambulance to Newcastle General Hospital where she was pronounced dead. A post mortem confirmed that she had died instantly as a result of the injuries she had sustained.
3. During the course of the Independent Police Complaints Commission (IPCC) investigation it was identified that a second police vehicle had been present in the vicinity of the collision and this formed part of the IPCC enquiry.
4. Following the collision, a number of members of the public became involved in a Public Order incident in which a 'Taser' was discharged at the boyfriend of Hayley Adamson, George Oliver. This latter aspect did not form part of the IPCC investigation team's Terms of Reference and is not examined in this report.

Circumstances of the Referral

5. About 02.30am on Tuesday 20 May 2008, the road traffic collision resulting in the death of Hayley Adamson was referred to the IPCC. Two investigators were called out and attended the scene in the early hours.
6. IPCC Commissioner Gary Garland determined that an independent investigation should be carried out by IPCC investigators.
7. Sarah Durkin was appointed as the Deputy Senior Investigator. Other members of the investigation team were Paul Armstrong, Debbie Edwards, Andrea George and Ally Hamilton.
8. Two Family Liaison Managers were appointed and during the evening of Tuesday 20 May 2008, met with the family of Hayley Adamson. They have maintained regular contact with the family and have kept them updated on the progress of the investigation.
9. Members of the investigation team can be contacted at the IPCC, Evergreen House, Cedar Court Office Park, Denby Dale Road, Wakefield WF4 3DB (01924) 811500.

Terms of Reference

10. The following Terms of Reference were set by IPCC Commissioner Gary Garland:

“To conduct an independent investigation into the circumstances surrounding the fatal road traffic incident in Denton Road, Newcastle-upon-Tyne on Monday night.

The investigation will not focus on the circumstances of the ‘Taser’

discharge. This has been referred back to Northumbria Police.

The investigation will focus on:

The manner in which the police vehicle(s) were being driven prior to the collision. This will include whether or not the car's emergency warning equipment was activated and if the speed was appropriate in the circumstances.

To assist in fulfilling the state's investigative obligation arising under Article 2 ECHR by ensuring as far as possible that:

- the full facts are brought to light and any lessons from the death are learned (this will include collecting and analysing forensic evidence);*
- the investigation is independent on a practical as well as an institutional level.*
- To consider and report on whether any criminal or disciplinary offence may have been committed by any police officer or member of police staff involved in the incident, and whether relevant local and national policies/guidelines were complied with.*
- To consider and report on whether there is any: learning for any individual police officer or member of police staff; or organisational learning for the police service, including:*
 - Whether any change in police policy or practice would help to prevent a recurrence of the event, incident or conduct investigated.*
 - Whether the incident highlights any good practice that should be disseminated“.*

Complaints

11. No specific complaint has been received by the IPCC, however significant concern has been expressed by the local community and Hayley Adamson's family about the standard of the police officers' driving. In particular, views have been expressed that the officers were racing and questions have been raised as to why blue lights and sirens were not used. Some early newspaper reports also stated that the police vehicle which struck Hayley Adamson did not have its headlights on.
12. Witnesses have also commented on an apparent absence of first aid administered to Hayley Adamson at the scene and the way in which officers who attended the scene behaved towards members of the public.

Background

13. The road traffic collision leading to the death of Hayley Adamson has been the subject of considerable media interest, both nationally and locally. Hayley Adamson was well known in the Denton area. She went to school locally and her sister, Sarah Ridley, lives on Dorset Road. Many of Hayley Adamson's friends live in the area where the collision took place and consequently most of the witnesses spoken to during the investigation knew her, at least, by sight.
14. Denton Road is also known as the A191. It starts from Scotswood Road near the River Tyne and heads through the Denton area of Newcastle, running parallel with the A1 until it reaches the A167.
15. It is a fairly wide road governed by a 30 mph speed limit. The stretch of road referred to within this investigation starts in a primarily non-

residential area bordered by fields and commercial premises at the Scotswood Road end. Denton Road travels uphill with a number of roads, both residential and non-residential, joining Denton Road from the right hand side. One of these roads is Armstrong Road and further up on the right, Denton Road is joined by Dorset Road. It is at this point that Denton Road enters a residential area with both sides of the road bordered by houses.

Officers under Investigation

16. During the course of the investigation, two Northumbria police officers were served with notices under Regulation 9 of the Police (Conduct) Regulations 2004.

PC 787 John Dougal

17. At the time of the collision, PC 787 John Dougal was stationed at Whickham Police Station. He has been a Police officer for the past 11 years.
18. He has been authorised to drive standard police cars / response vans since 1997. He passed his Advanced Driving Course in September 2001 and became TPAC (Tactical Pursuit and Containment) authorised in September 2002. PC Dougal has been an advanced motorcyclist since 2004.
19. At 1.30pm on Thursday 22 May 2008, at Whickham Police Station, PC Dougal was served with a Regulation 9 notice which read as follows:

D1

“About 23:23 hours on Monday 19th May 2008 you were the driver of a marked police car (Volvo V70, registered number NK06 JYU) in Denton Road, Scotchwood (sic), Newcastle. The vehicle was in collision with a pedestrian namely Hayley Adamson, who sustained fatal injuries as a

result. There is to be an investigation by the Independent Police Complaints Commission into the circumstances of this incident and the manner in which you drove the police vehicle. That investigation will examine whether there was any breach of the codes of conduct, and in particular Paragraph 5, Codes of Conduct (Performance of Duties)”

20. On Tuesday 20 May 2008, Northumbria Police removed PC Dougal from operational duties and on Tuesday 3 June 2008, he was suspended by the force.
21. On Friday 30 May 2008 at Northumbria Police Headquarters, Ponteland, PC Dougal was interviewed by the IPCC on tape on suspicion of contravening Section 1 of the Road Traffic Act 1988 - Death by Dangerous Driving. He produced a prepared a statement which he read out on tape and provided a first account of his actions.
22. On Monday 23 June 2008, PC Dougal was further interviewed in relation to the same offence and on suspicion of Manslaughter contrary to Common Law.
23. On Wednesday 1 October 2008, following the submission of the IPCC advice file to the Crown Prosecution Service (CPS), PC Dougal was charged with contravention of Section 1 of the Road Traffic Act 1988 – Death by Dangerous Driving.

Officer A

24. At the time of the road traffic collision, Officer A was stationed at Whickham Police Station.
25. He has been qualified as an advanced driver since June 2002 and became TPAC authorised in September 2003.
26. At 11.35am on Tuesday 3 June 2008 at Whickham Police Station he

D2

was served with a Regulation 9 notice which read as follows:

“About 23:23 hours on Monday 19th May 2008 you were the driver of a marked police car (Volvo V70, registered number NK07 JYG) in Denton Road, Scotchwood (sic), Newcastle. The vehicle was behind another vehicle which was in collision with a pedestrian namely Hayley Adamson, who sustained fatal injuries as a result. There is to be an investigation by the Independent Police Complaints Commission into the circumstances of this incident and the manner in which you drove the police vehicle. That investigation will examine whether there was any breach of the codes of conduct, and in particular Paragraph 5, Codes of Conduct (Performance of Duties”.

D3

27. As there was the potential for Officer A to be prosecuted for a motoring offence listed within Schedule 1 of the Road Traffic Offenders Act 1988, he was also served with a Notice of Intended Prosecution dated 30 May 2008. This stated that:

“At 2323 hours on Monday 19 May 2008 [that he] drove police vehicle NK07 JYG on Denton Road, Newcastle upon Tyne dangerously contrary to Section 2 of the Road Traffic Act, 1988 as amended [and] without due care and attention and/or without reasonable consideration for other persons contrary to Section 3 of the Road Traffic Act 1988 as amended”.

28. On 23 June 2008 at Northumbria Police Headquarters, Ponteland, Officer A was interviewed by the IPCC on tape on suspicion of contravening Section 2 of the Road Traffic Act 1988 - Dangerous Driving and Section 3 of the Road Traffic Act 1988 - Driving without Due Care and Attention.

Summary of Events

29. On the morning of Monday 19 May 2008, Hayley Adamson sat a GCSE exam and spent the afternoon and evening out with friends in the Scotswood area of Newcastle-Upon-Tyne.
30. At 10pm that evening, PC Dougal started his shift at Whickham Police Station. He was single crewed in a marked police vehicle, a Volvo V70 registration number NK06 JYU. Whilst his usual patrol area was the Gateshead area, on this occasion he was on patrol north of the River Tyne to try and locate a vehicle reported earlier that evening as stolen.
31. With no trace of this vehicle, PC Dougal drove around the Scotswood/Denton Road area where, on Armstrong Road, he met up with his colleague Officer A. Officer A was also single crewed and driving a marked police vehicle, a Volvo S60 registration NK07 JYG. Officer A was also in the area as a result of the stolen vehicle report. Both officers had a conversation during which PC Dougal stated that he intended to return to the Gateshead area. PC Dougal then drove off and turned left at the junction of Armstrong Road onto Denton Road in the direction of Gateshead.
32. At 11.20pm, the Automatic Number Plate Recognition (ANPR) system within PC Dougal's vehicle activated. This activation was in relation to a Renault Megane, which had passed his police vehicle in the opposite direction travelling up Denton Road.
33. PC Dougal turned his police vehicle around and drove after the Renault Megane up Denton Road. He was seen heading back up Denton Road by Officer A, who had just reached the junction of Armstrong Road. Officer A turned right and drove after PC Dougal up Denton Road.
34. About 11.20pm, Hayley Adamson was crossing Denton Road near its

junction with Dorset Road. She was about half way across when she was struck by PC Dougal's vehicle. She died instantly as a result of her injuries.

- D4 35. Officer A arrived at the scene shortly after the collision and is recorded on the police incident log as requesting an ambulance at 11.23pm.
- S1 36. At 11.27pm, the ambulance crew received a call to attend the scene and arrived there at 11.31pm. They examined Hayley Adamson on arrival and stated that there was "*no respiratory effort and no pulse*". At 00.40am on Tuesday 20 May 2008, the ambulance crew left the scene conveying Hayley Adamson to Newcastle General Hospital where she was certified dead.
- D5 37. PC Dougal was taken to Whickham Police Station where he was breathalysed. He provided a negative breath test.

Legal Issues

38. The CPS was consulted by the IPCC at an early stage of the independent investigation. On Wednesday 4 June 2008, Sarah Durkin, lead investigator, met with Chris Enzor, Chief Crown Prosecutor and close contact has been maintained throughout the course of the investigation.
39. In respect of PC Dougal, the CPS asked the IPCC to consider the offences of Manslaughter and Section 1 of the Road Traffic Act 1988 - Death by Dangerous Driving.
40. In respect of Officer A, they were asked to consider the offences of Section 2 of the Road Traffic Act 1988 - Dangerous Driving and Section 3 of the Road Traffic Act 1988 - Driving without Due Care and Attention.
41. On Thursday 17 July 2008, an advice file was submitted to the CPS.

42. On Monday 29 September 2008, the CPS announced their decision that PC Dougal was to be charged with causing Death by Dangerous Driving in contravention of Section 1 of the Road Traffic Act 1988 and that there was insufficient evidence to support a charge against Officer A.
43. On Wednesday 1 October 2008, PC Dougal was charged by IPCC investigators.

Post-Incident Investigation

44. IPCC investigators were present at the scene seven hours after the road traffic collision had taken place. Officers from the Accident Investigation Unit from Durham Constabulary, under the direction and control of the IPCC, carried out an independent examination of the scene. They also examined both police vehicles NK06 JYU and NK07 JYG and attended the post mortem examination of Hayley Adamson.

Accident Investigation Report

45. Terms of Reference were agreed with the Accident Investigators for Durham Constabulary.
46. They were asked to:
 - undertake the scene collision examination, analysis and produce an accident investigation report;
 - produce a plan and photographic images of the scene;
 - forensically recover the vehicle to Durham for mechanical and forensic examination and to
 - download and analyse the Incident Data Recorder (IDR) with the

results are to be sent to Keith Lloyd of Siemens, for further analysis and validation.

47. At the conclusion of their investigation, a Fatal Road Traffic Accident file was submitted directly to the IPCC.
48. The key findings of this scene examination were as follows:

D6

- a set of continuous tyre marks were present on Denton Road as a result of the driver of NK06 JYU (PC Dougal) braking severely. At the point that these tyre marks began, this vehicle was travelling at 87mph.
- at the time that the vehicle struck Hayley Adamson it was travelling between 68mph to 72mph.

49. The report concluded that:

“If the driver had been travelling at 30mph his stopping distance would have been 29.4m. If he had perceived and reacted at the same time that he did, he would have been able to stop without colliding with the young pedestrian”.

Examination of Vehicle NK06 JYU (Volvo V70)

50. Vehicle registration number NK06 JYU was the police vehicle which collided with Hayley Adamson. It was examined at Fred Henderson's Recovery Depot, Durham City where it had been securely stored following the collision. This examination was conducted by PC Cowey, a member of the Accident Investigation team from Durham Constabulary.

IDR 'black box' system

D7

51. This vehicle was fitted with a UDS Incident Data Recorder (IDR), commonly referred to as a 'black box' system. This is an electronic device which is able to record and store selected information about the manner in which the vehicle is driven, such as the activation of blue lights and sirens and when brakes are applied.
52. On Thursday 22 May 2008, the UDS IDR 'black box' was examined by Les Smith of Mix Telematics.
53. The IDR 'black box' system was recorded as having been installed on 15 February 2006. It was found that the last ignition operation had been at 07:41:19 on 27 April 2006, as recorded on the IDR 'black box' device.
54. No data had been recorded on the IDR 'black box' system since 2006.
55. Further examinations were carried out in which the power from the ignition was replicated and each of the inputs, except the vehicle speed signal, was tested. This was to test the connectivity between the vehicle's systems and the IDR 'black box' system. It included items such as the operation of the brake lights, indicators, 360 blue lights and sirens. All these inputs were found to be in working order.
56. Les Smith concluded that the IDR 'black box' system was not fully functional as a result of a failed ignition system. The IDR system can only function correctly if there is a switched ignition supply available at all times.

Mechanical Condition of NK06 JYU.

D8

57. This vehicle was found to have sustained extensive damage to the front and offside. This damage was consistent with a pedestrian impact.
58. The condition of the tyres, brakes, electrics, exhaust, suspension,

steering and seat belts was examined.

59. The handbrake was found to be defective. Whilst it had a breaking efficiency of 19%, 16% is required for a MOT, it was found to be imbalanced. Closer examination found that the lower brake shoe had no brake lining, as this had broken.
60. In view of reports in the local media questioning whether this vehicle had headlights on, the lamps were taken away for further examination. This showed that the filament in the bulb of the offside headlamp had broken whilst hot which confirmed that the headlight was on at the time of impact.
61. In conclusion PC Cowey stated:

“Other than a defective handbrake, which is not considered to be a contributory factor to the accident, this vehicle was in good, mechanical order.”

D15

62. The issues with the IDR ‘black box’ system and the mechanical condition of the vehicle were the subject of an interim report submitted to Northumbria Police in June 2008 - see Discussion of Evidence and Recommendations section.

CCTV Footage from NK06 JYU

63. NK06 JYU was equipped with a camera as part of the ‘ProVida’ speed detection equipment. The front camera displays the current speed of the police vehicle to which it is attached, as well as the time.
64. This camera was recording at the time of the road traffic collision and at 11.45pm on Monday 19 May 2008, the recording from this vehicle was seized by PC Broadhead.

S2
S27

65. The footage showed a vehicle, now known to be a Renault Megane, driving towards and passing the police vehicle at 11.20pm. The police vehicle was seen to turn round and travel in the same direction as the Renault Megane, up Denton Road. The Renault Megane was not in view at this time.
66. A group of pedestrians was seen at the left hand side of the road at 11.21pm. A female dressed in light coloured clothing was seen crossing the road in front of the police vehicle. She acknowledged the vehicle and attempted to run out of the way. She disappeared from view as she reached the front offside of the police vehicle.
67. The maximum speed recorded on the footage during this period was 94mph.

Automatic Number Plate Reading (ANPR)

68. Police vehicle registration number NK06 JYU was equipped with an ANPR system. Northumbria Police have a number of marked police vehicles equipped with this system as well as some fixed site camera installations. Officers deployed in police vehicles fitted with ANPR systems should be trained in its use.
69. Vehicle Registration Marks (VRM) are compared with those held on a “hot list” which lists any intelligence known. If there is a match between the VRM and one on the “hot list” this generates what is known as an “ANPR hit”. An audible alarm sounds and the reason for the alarm is displayed on the touch screen monitor.
70. At 23:20:57 on Monday 19 May 2008, as a result of an entry on the Northumbria Vehicle Information System (VIS) database, the ANPR system in vehicle NK06 JYU was activated by a Renault Megane.

D9

- D4
71. Further information indicated that as the vehicle was believed to have been used in overnight thefts by a named individual, it was to be stopped and checked if seen. This information was placed on the ANPR database on Monday 31 March 2008.
 72. The incident log for Monday 19 May 2008 shows a Police National Computer (PNC) check on the vehicle. The owner and registered keeper were shown as Witness F, who was the driver of the vehicle that evening. He was completely unconnected with the information held on the VIS.
 73. The information contained on the VIS was out of date.

Examination of Vehicle NK07JYG (Volvo V70)

74. Shortly after the collision had taken place, Officer A notified Inspector Tait of his involvement. It was not until two days into the investigation that the IPCC were made aware that a second police vehicle had been at the scene close to the time of the collision. This followed reports that two police vehicles had been racing.
75. Northumbria Police downloaded the Global Positioning System (GPS) data and identified the second police vehicle as NK07 JYG, driven that night by Officer A.
76. On Wednesday 21 May 2008, this vehicle was taken off the road and on Thursday 22 May 2008 was examined by Durham Constabulary.
77. It was not fitted with CCTV or ANPR.
78. The IDR was found to be operational but had not been activated.

Examination of Mobile Telephone - Samsung SGH-E900

79. This mobile telephone was found in the handbag belonging to Hayley Adamson, which had been recovered near the scene. It was subsequently examined by MD5, a company specialising in mobile telephone forensics.
80. The last call received was at 5.38pm on Monday 19 May 2008. The last number dialled was at 5.37pm that day. The last text read was at 4.20pm on Monday 19 May 2008.

Examination of Mobile Telephone - Sony Ericsson W850i

81. This mobile telephone was found on Denton Road near the scene of the collision. It was subsequently identified as belonging to Witness D, a friend of Hayley Adamson. As this was a telephone that Hayley Adamson potentially had access to, it was examined to ensure that she had not used it around the time of her death.
82. The last call made from this telephone was at 9.30pm on Monday 19 May 2008. The last call received was at 9.24pm that day. The last read text message was at 6.24pm on Monday 19 May 2008 and an unsent text message was recorded at 10.18pm.
83. There was no activity on either telephone around the time of Hayley Adamson's death.

Global Positioning System (GPS)

- s3
84. Both police vehicles were equipped with a GPS system, the purpose of which is to allow the location of vehicles to be viewed by staff within the control room in order to assist with deployment. This system also has

the capacity of showing the speed and direction of vehicles however this is not its primary purpose.

85. Following the collision, Northumbria Police had the GPS data from its vehicles downloaded. This information identified that police vehicle NK07 JYG was also at the scene around the time of the collision. It is believed that this information cannot be used evidentially as it is not possible to guarantee the accuracy of the speed or position as this is dependent on other environmental factors.
86. Each police vehicle is fitted with a unit that has an Individual Short Subscriber Id (ISSI) which is unique to that vehicle.
87. The vehicle with the ISSI 1935576 (NK06 JYU) was recorded as travelling at 43mph at 23:21:20 on Monday 19 May 2008. This speed increased to 62mph at 23:21:26 and to 88mph at 23:21:36.
88. At 23:21:38 the speed registered was 92mph. The speed then decreases rapidly until 23:32:03 when the speed recorded was 0mph.
89. The vehicle with the ISSI 1935432 (NK07 JYG) was recorded as travelling at 38mph at 23:21:34 on Monday 19 May 2008. At 23:21:40 this speed increased to 70mph. The speed then reduced and the vehicle was shown as stationary at 23:22:32.
90. The GPS system records the information at stepped intervals depending on the speed of the vehicle at the time. The interval between measurements increases as the speed of the vehicle decreases. At a speed of less than ten mph, the time interval is every ten minutes. Whilst the data above would suggest that police vehicle NK07 JYG stopped first, it could have stopped at any point from 23:22:03 and would have been travelling at less than ten mph throughout this period.

Post Mortem

- S4
91. At 2.30pm on Tuesday 20 May 2008 at Newcastle General Hospital, Dr Mark Egan carried out a post mortem on Hayley Adamson.
 92. The injuries identified during the post mortem were consistent with severe blunt force trauma and were consistent with a road traffic collision. The head injury sustained by Hayley Adamson was described as “*unsurvivable*” and “*death was likely instantaneous*”.

Toxicology

- S5
93. A toxicological examination by the Forensic Science Service (FSS) was carried out on blood taken from Hayley Adamson during the post-mortem examination.
 94. Alcohol was detected at a concentration of 150 milligrams per 100 millilitres (150mg%). This measure is almost twice the legal limit (80mg%) for driving and is a level associated with drunkenness in a regular social drinker.
 95. No other substances were identified.

Witnesses

96. A number of witnesses were identified by the police at the scene. In addition to this, the IPCC issued a witness appeal through the media and via a door to door leaflet drop. A dedicated telephone line and email address was set up for potential witnesses to contact the IPCC investigation team.
97. In order to achieve best evidence, witnesses who were believed to have seen or heard the road traffic collision were interviewed on audio

tape. Juvenile witnesses were interviewed on video. One juvenile witness refused this and was therefore interviewed on audiotape.

Précis of Accounts given by Members of the Public

S6

Alexander McGOWAN

98. About 11.20pm on Monday 19 May 2008, Alexander McGowan was walking his dogs up Denton Road towards his home. He described being aware of a “*fracas*” involving a group of people on the left hand side pavement and being aware of a couple of the group members being on the road.
99. As he approached Dorset Road, Alexander McGowan heard a car sounding its horn and as he continued up the road, he heard a ‘*thump*’. On turning he saw a young girl “...*about the height of the bus shelter and just kind of spinning in the air*”.
100. He stated the girl (Hayley Adamson) landed about 25-30 feet away from him and described her as “*lifeless*”.
101. He stated he saw two police cars stop and that no-one checked on Hayley Adamson for about 20 minutes.

S7

Witness A

102. Witness A was a friend of Hayley Adamson who was with her on Monday 19 May 2008. He is a juvenile and was interviewed on video.
103. He described Georgie (George Oliver) crossing the road to see Witness E and then Hayley Adamson following. It was then that she was struck by a police car. He stated that the driver of the police car got out, put his hands up and was crying.

104. Witness A described the police car as going “*too fast*” and that it did not have its headlights on. He also stated that there were two police cars and that they were “*racing*”.

s8

Witness B

105. Witness B is the mother of Witness A and lives on Dorset Road.
106. At 11.17pm on Monday 19 May 2008 she had just got off the bus at Whickham View¹ when she received a telephone call from her son. Just after she ended the call she heard a loud bang, saw part of a car and saw a body fly up into the air. She saw the body and recognised it as Hayley Adamson.
107. She stated that the police officer at the scene said “*I’m not denying it. It’s my fault*”. She stated that she believed that the two officers were playing “*chasies*” and accused the officers of racing. She believed this was because the road had been quiet but there were two police vehicles together.

s9

Christopher BROATCH

108. On Monday 19 May 2008, Christopher Broatch was staying at the home of Linda Oliver (George Oliver’s mother) on Dorset Road.
109. From his window, he saw Witness E cross the road followed by Hayley Adamson who crossed after her. He said that two police cars “*came out of nowhere*” and one of them struck Hayley Adamson. He stated that the first police car was about 150-200 yards ahead of the second. Both were speeding and neither vehicle had blue lights or sirens on.
110. He stated that the officer who was driving the first car got out and said

¹ Road which connects with Denton Road less than 500 yards from Dorset Road

"It's my fault". The second police vehicle stopped and reversed back down the road and blocked the road.

S10

Susan DEARDEN

111. Susan Dearden lives on Denton Road. On the evening of Monday 19 May 2008, she heard a loud bang and on looking out of her window, saw the front of a police car. She saw a girl that she was told was Hayley Adamson, lying on the ground.

112. She stated that the blue lights and sirens of the police vehicle were not on but that it did have its headlights on. She also said that Hayley Adamson was left uncovered and that it was only when the ambulance crew arrived that she was covered over.

S11

Dionne ROBINSON

113. Dionne Robinson, a friend of Hayley Adamson lives on Denton Road. During the early evening of Monday 19 May 2008, she saw Hayley Adamson out with some friends.

114. She stated she heard what she described as "*a big bang*" and went outside. She saw the damaged police car and Hayley Adamson lying on the ground. The police officer who had been driving got out of the car and put his hands up, saying "*It's my fault*".

S12

Witness C

115. Witness C is a juvenile witness who refused to be interviewed on video and so was interviewed on audio tape.

116. He was a friend of Hayley Adamson and on the evening of Monday 19 May 2008 was out with her. He described sitting on a wall on Denton

Road when Hayley Adamson said she would be two minutes as she was going to say goodbye to her boyfriend. He saw her walk across the road and reach the white lines in the centre. A car, which he described as being a 'T5' appeared and swerved but hit Hayley Adamson causing her to fly into the air, higher than a lamppost. The driver of the T5 got out and said "*I'll agree, it was me*".

117. Witness C did not recall seeing any lights or hearing any other noise than the "*schwoosh*" of the car prior to the collision. His recollection was that the car was travelling "*quickly*" and he guessed the speed to be around 130-140mph.

S13

George OLIVER

118. George Oliver was the boyfriend of Hayley Adamson and was with her on the evening of Monday 19 May 2008.
119. He recalled that he was out with his friends. Late in the evening, George Oliver left his home address on Dorset Road with his friends and saw Witness E cross Denton Road. He saw Hayley Adamson follow her and as she reached the white lines in the centre of the road, she was hit by a marked police car which he recalled to be a Volvo T4 or T5. He stated that the driver of this car then got out, held his hands up and said "*It's my fault*".
120. He did not recall seeing any blue lights flashing or hearing any sound other than a "*shuuu*" sound as the car passed. He described the speed of the car as being "*ridiculous*" and estimated it to be travelling at around 100mph.
121. George Oliver stated that he and Hayley Adamson had been drinking that evening.

S14

Witness D

122. Witness D was a friend of Hayley Adamson and stated that on Monday 19 May 2008, she was out with her and a group of friends.
123. She recalled seeing Witness E walk across Denton Road. Shortly afterwards, Hayley Adamson told her that she would be two minutes and she stepped into the road. She was immediately hit by a car which catapulted her up into the air causing her to land near Dorset Road. Witness D did not recall seeing or hearing anything prior to the impact. She stated that she felt the police were rude and aggressive to the crowd following the collision and in particular she described the actions of a female dog handler who she stated, swore at people.

S15

John RIDLEY

124. John Ridley is the husband of Sarah Ridley, the sister of Hayley Adamson and lives on Dorset Road with his wife and children.
125. He stated that on the evening of Monday 19 May 2008, he was in bed. Just before 11pm, he saw a male outside on the street. About five minutes later, he heard a bang and thought it was the same male kicking over a wheelie bin. Within seconds his wife's telephone rang and he was told by her that Hayley Adamson had been shot.
126. John Ridley ran outside and on his way down Dorset Road bumped into Witness B who told him that Hayley Adamson had been run over. He did not see the impact.

S16

Witness E

127. Witness E was a friend of Hayley Adamson. She stated that during the

evening of Monday 19 May 2008, she was out with Hayley Adamson and friends.

128. About 11.15pm she decided to go home and crossed Denton Road towards the bus stop near the end of Dorset Road. As she walked past the bus stop she heard a bang. She looked back and saw Hayley Adamson had been hit by a police car. She stated she did not recall seeing or hearing the police vehicle prior to the impact although she was walking down Denton Road at the time.
129. She recalled that after the collision, a female police dog handler swore at the crowd.

S17

Peter JONES

130. Peter Jones lives on Dorset Road. About 11pm on Monday 19 May 2008, he was closing the blinds in his upstairs window when he looked outside towards Dorset Road and saw George Oliver and a group of people leave George Oliver's property.
131. Peter Jones then saw George Oliver punch his car and so banged on the window. He stated George Oliver swore at him. Peter Jones then continued to watch George Oliver and the group of people walk down Dorset Road towards Denton Road as he was concerned that they may return and damage his car. He recalled the group of people appeared to be drunk and were arguing and pushing each other as they walked down the road.
132. At 11.16pm, he looked at his clock and then back out of the window and saw Hayley Adamson "*literally flying through the air*". He saw two cars but did not recognise them to be police cars at that stage as neither had blue lights or sirens activated. He stated he did not see nor hear the actual impact.

S18

Witness F

133. Witness F is the owner and registered keeper of the Renault Megane and on the evening of Monday 19 May 2008 was the driver of that vehicle.
134. He stated he purchased this vehicle approximately two months previously. About 10.30 to 11pm on Monday 19 May 2008, he was driving home from Asda towards his home. He stated he was driving up the hill from the direction of B&Q when he saw a marked police car travelling in the opposite direction.
135. He then saw two girls and a boy on the pavement on the left. A girl in dark clothing and a boy were arguing and as they were close to the road he "*gently sounded the horn*". He drove past them and in his rear view mirror he saw a girl dressed in white, crossing the road. She was about ten metres in front of the others. He then saw the lights of a car and saw that the car collided with her. He saw the girl fly up into the air and land at the "*give way*" point. He stated that the car that hit her did not have its blue lights or sirens on.
136. He stated that there were two police officers who got out of the car, but that neither of them checked that the girl was alive.

S19

Witness G

137. Witness G is the partner of Witness F and on the evening of Monday 19 May 2008 was a rear seat passenger in the Renault Megane.
138. She stated that she saw a boy and girl arguing and a girl dressed in white. She stated that her "*partner was worried that they could go onto the road and, just to be safe, he gently sounded the horn*". The group moved further back. Her partner then said "*look*" and she could see the

girl in white flying through the air. She could tell that she had been hit by a police car by looking at the vehicle's markings. She stated that the officer went to the girl, looked at her and walked away.

S20

Witness H

139. Witness H is the sister of Witness G and on the evening of Monday 19 May 2008, was a rear seat passenger beside her in the Renault Megane.
140. She stated she saw a group of young people by the side of the road and commented that her brother in law, Witness F "*gently sounded his horn to warn them*". She saw a lady dressed in white trying to cross the road.

S21

Linda OLIVER

141. Linda Oliver is the mother of George Oliver and lives on Dorset Road.
142. During the evening of Monday 19 May 2008, on her return home from work, her son was at home with Hayley Adamson. She described how they were in and out of the house throughout the evening.
143. At 11.10pm she was standing at her front door watching the group that George Oliver and Hayley Adamson were part of, crossing Denton Road. She heard Hayley shout out for Witness E and then heard a "*big thud*". She went out to find Hayley Adamson lying on the ground and it was then she realised that she had been hit by a police car. She had not heard or seen the police cars until this "*thud*".
144. She stated there were two police cars and that neither had blue lights on. Both police vehicles stopped but she said that one was moved shortly after and disappeared. She stated that no police officers went

over to see if Hayley Adamson was alive or not.

S22

Sarah Jane RIDLEY (also known as WILSON)

145. Sarah Ridley is the sister of Hayley Adamson and the wife of John Ridley. She lives in Dorset Road.
146. She stated that on Monday 19 May 2008, Hayley Adamson had been coming in and out of her house all night. She was aware that Hayley Adamson had been drinking but did not believe that she was drunk. She stated that she last saw her sister about 9.30pm and that as far as she was aware Hayley Adamson was going home. She did not hear anything further from her.
147. Sarah Ridley stated that she went to bed between 10.30 -10.45pm and on later hearing a thud, said to her husband John Ridley that "*someone's just kicked a wheelie bin*". It was then that her telephone started ringing. On answering her telephone, she heard lots of screaming and she thought that someone had said that her sister had been shot. She told her husband to go to the bottom of the road and was later informed by him that Hayley Adamson had been knocked down by a police car.
148. Sarah Ridley expressed concern about the attitude of police officers who were at the scene who, she said, were laughing and joking and not showing any respect.

S23

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Yvonne ADAMSON (known as Pat)

149. Pat Adamson is the mother of Hayley Adamson and lived with her on Cedar Road, Fenham. She provided a statement detailing her daughter's background.

150. Pat Adamson stated that at 9am on Monday 19 May 2008, Hayley Adamson had an exam in Religious Education. She stated that about 10.30am Hayley Adamson returned home with a friend, leaving again about 12pm. Pat Adamson stated that Hayley Adamson told her she was going to see her sister, Sarah Ridley and would be back about 10pm.
151. About 10.15pm, Pat Adamson spoke with Hayley Adamson when she telephoned to say that she was going to stay overnight with a friend.

Statements provided by Professional Witnesses

S1 Andrew HOLMES, Paramedic Team Leader

152. At 11.27pm on Monday 19 May 2008, Andrew Holmes was on duty as a paramedic with Bernard Wells when he received a call to attend the junction of Denton Road and Dorset Road in which a police car had been involved in a road traffic collision.
153. At 11.31pm they arrived at the scene. He examined Hayley Adamson and stated that there was "*no respiratory effort and no pulse*". They left the scene at 00.40am and took her to Newcastle General Hospital, where she was pronounced dead.

S24 Bernard WELLS, Advanced Technician

154. On Monday 19 May 2008, Bernard Wells was crewed with Andrew Holmes whose account he corroborates.

S25 Nigel JONES, Paramedic

155. On Monday 19 May 2008 Nigel Jones attended the scene with Bernard

Wells and Andrew Holmes.

156. He noted that the police vehicle involved had its headlights on. He spoke to the driver who stated that he was not injured but was shaken up. As the officer did not require any further assistance, Nigel Jones left him at the scene.
157. He waited with the two other ambulance crew until Hayley Adamson could be removed from the scene.

S4

Dr Mark EGAN, Home Office Pathologist

158. At 2.30pm on Tuesday 20 May 2008 at Newcastle General Hospital, Dr Egan carried out the post mortem on Hayley Adamson.
159. In his statement he described the injuries she sustained and stated that they were consistent with the road traffic collision described to him. Her cause of death was ascribed to a head injury, which he stated was "*essentially unsurvivable*".

S5

Andrew CLATWORTHY, Forensic Scientist

160. Andrew Clatworthy examined items from the post mortem for the presence of alcohol and/or common drugs.
161. He confirmed that alcohol was present at a concentration of 150mg% and that Hayley Adamson was not under the influence of drugs.

S26

Dr J GLASSEY, Interpreter

162. Dr Glassey acted as interpreter for Witness F, Witness G and Witness H, who are Czech nationals.

Statements provided by Northumbria Police Officers

163. Statements were provided by a number of Northumbria Police Officers who attended the scene of the collision on Monday 19 and Tuesday 20 May 2008. They speak to scene preservation and exhibit handling. Other officers provided details of PC Dougal's training, the details of which were subsequently forwarded to Gordon Robertson for inclusion in his report.

S2
S27

Michael BROADHEAD, Police Constable 3100

164. PC Broadhead was present at the scene after the road traffic collision. He took the video tape from police vehicle NK06 JYU in order to preserve evidence.

S28

Russell SURREY, Police Constable 8961

165. PC Surrey accompanied PC Broadhead to the scene.

166. He stated that he leant over Hayley Adamson and "*removed the item of clothing from her head*". He stated he could tell that she had serious head injuries and "*was beyond medical treatment*".

167. He recorded the details of the ANPR hits and recalled that the last one was for a "*dark coloured Renault Megane*". He also recalled that there had been such a vehicle at the scene parked on Denton Road.

S29

Gary TAIT, Police Inspector 7766

168. Inspector Tait attended the scene. He noted that the engine of police vehicle NK06 JYU was running and that its side and dipped headlights were on. Neither the emergency lights nor the siren were on. The red

activation light for the incident data device (IDR 'black box') was not on which indicated that it did not appear to have self activated.

169. Inspector Tait spoke with Officer A at the scene and was given a first account of what had occurred. This first account was consistent with the account subsequently provided by Officer A in interview.

S30

Kevin WELLDEN, Chief Inspector 7829

S31

170. Chief Inspector Wellden described the way in which ANPR system is used within Northumbria Police. He stated that it is standard practice nationally to deploy officers single-crewed in ANPR fitted cars and that it was for officers to determine how best to respond to an ANPR activation.

S32

Robert RONEY, Police Constable 3591

171. On Sunday 17 May 2008, PC Roney was on duty in police vehicle NK06 JYU when he noticed that the 'ProVida' device was showing "*calibration req*" which meant that it needed to be calibrated. He described the process of carrying out the calibration.

Statements provided by Durham Constabulary Police Officers

172. Statements were provided by a number of officers as part of the accident investigation report. They provide accounts of the scene and vehicle examinations.

Statements of IPCC Staff

173. These statements provide details of the interviews conducted with witnesses and officers and continuity of exhibits.

Officer Interviews & Misconduct Considerations

PC Dougal – Précis of Interviews

T1

174. On Friday 30 May 2008 at Northumbria Police Headquarters, PC Dougal provided an initial account of his actions when he was interviewed by IPCC investigators on suspicion of Section 1 Road Traffic Act 1988 - Death by Dangerous Driving. This interview was under caution and recorded on tape. PC Dougal read out a prepared statement.
175. In this prepared statement, he said that he came on duty on Monday 19 May 2008 at 10pm. He attended a shift briefing at Whickham Police Station. At 10.15pm he went to his allocated vehicle which was a marked police vehicle NK06 JYU. He was single crewed.
176. He stated he carried out the vehicle checks and found that everything was in order and there were no defects. He did not carry out any checks in respect of the CCTV that was installed in the vehicle.
177. His usual area for a general patrol was the Gateshead area, south of the Tyne. However he went on the say that most of his service was north of the Tyne so he was familiar with that area.
178. The vehicle was equipped with an ANPR system.
179. At 10.30pm he left Whickham Police Station. His headlights were lit.
180. PC Dougal received a call about a stolen Vauxhall Corsa in the Scotswood area so headed over the Tyne Bridge into Newcastle.
181. He met one of his colleagues, Officer A, on Armstrong Road and said that he was planning to go back south of the river. He drove down

Armstrong Road to the junction with Denton Road and left in the direction of Scotswood Bridge. He stated he was passed by a Renault Megane travelling in the opposite direction. The ANPR system in PC Dougal's car activated and deciding to investigate, he turned his vehicle around. He stated that he lost sight of the vehicle and did not see it again until just before the collision.

- T1
pg 11
182. He described the ANPR indicator as an audible warning of "*Attention*". He stated that he did not read the screen and was not aware of what information had led to this alert. He went on to say that the ANPR alerts were for a "wide variety of things".
- T1
pg 5
183. PC Dougal stated that he was "*making progress to consider the tactical options and was closing the distance between the vehicles*". He stated he did not turn on his blue lights and sirens at any point. He went on to explain that he would not put his blue lights on immediately as he would look to get other vehicles in the area first. He stated that if he were to put his lights on and the car then "*makes off*" this would constitute a pursuit. He stated his aim would be to follow the vehicle with his blue lights off for as long as possible until other vehicles were available. He stated this was in line with his TPAC training.
184. PC Dougal stated that he could not get on the police radio to inform the control room of his intentions as it was busy.
185. He became aware of people when he came to a slight right hand bend on the crest of a hill. The group was standing at the left hand side of the road. He was unable to describe any of these people.
186. It was as he went over the brow of the hill that he saw someone step off the kerb on the left hand side of the road. In response to this he braked heavily. He stated that he then moved towards the centre of the road and "*adopted the hazard position*". He went on to state:

T1
pg 5

“I believed the individual had sensibly made the decision to return to the safety of the pavement. In a split second the individual ran across the front of my patrol car”.

187. PC Dougal stated that he attempted to drive around the individual but his vehicle made contact with them on the front offside of his police vehicle. He came to a stop shortly afterwards.
188. He confirmed that he was not wearing his glasses at the time of the collision and that at his last eyesight test he was told that he no longer required his glasses for driving.
- T2
189. On Monday 23 June 2008 at Northumbria Police Headquarters, Ponteland PC Dougal was interviewed again by IPCC investigators on suspicion of Manslaughter and contravention of Section 1 of the Road Traffic Act 1988 - Death by Dangerous Driving.
190. In this interview he provided an account of the equipment that was in his police vehicle. This included the ‘ProVida’ equipment, which he stated needed to be calibrated every seven days. PC Dougal stated he believed that if the vehicle required calibration, a message along the lines of *“calibration expired”* was displayed on the screen. He stated it was good practice to record in the vehicle log book when it had been calibrated however there was no requirement to do so.
191. He provided further information on his understanding of how the ANPR system operated. He stated that he usually kept the screen in his vehicle on the radio screen. He stated that when the ANPR was activated, the screen changed to show a photograph of the vehicle subject to the activation along with the reason for the activation. He stated that when driving, all he could read was the heading and not the information contained within it. He stated that his last training on ANPR was in 2003/2004.

192. PC Dougal was asked to provide his understanding of how the black box system within his car operated. He stated that he had never been trained in its use. He stated that there was a light on the dashboard and a button but he had no idea what the button did. He said that he believed that if there was a problem with the black box then a light should come on and in this situation, the vehicle should not be driven. PC Dougal stated that the light was not on that evening.
193. He talked through his actions on hearing about the stolen vehicle including the fact that he had met with Officer A earlier that evening. He stated he had crossed the river to the Newcastle area in order to look for the stolen vehicle. He stated that he had been driving around with his windows down so that he was better able to hear what was going on.
194. He stated he met with Officer A on Armstrong Road and advised him that he intended to return to the Gateshead area. PC Dougal then turned left at the junction onto Denton Road. He had no further contact with Officer A and was not aware of his presence until after the collision.
195. PC Dougal talked about the ANPR and its activation. He was aware that it originated from the "Northumbria VIS" and that there was information further down the screen. He stated he did not read this as he said that he would have to stop the vehicle in order to access it safely. He stated that:
- "It is the more serious things that we have are put on the VIS about vehicles".*
196. PC Dougal said his intention would have been to follow the vehicle and carry out checks on the vehicle via his police radio. He stated this would provide him with the same information that was on the screen.

T2
pg 27

He was unable to carry out the radio check. He had a hand held set, but this was just for listening purposes and he could not use this whilst driving.

T2
pg 32

197. PC Dougal stated that he conducted a continual risk assessment whilst driving which involved him *“scanning ahead, what’s happening with the road and environment”*.

T2
pg 33

198. He said that the Renault Megane had gone out of his sight and that he was *“making progress”*. PC Dougal stated that he was not aware of the speed that he was doing as he did not look at the speedometer. He went on to describe this as being *“in line with [his] training”* and that he was *“trying to follow”* the vehicle that was in front of him.

199. PC Dougal stated he was aware that the speed limit for Denton Road was 30mph. He described Denton Road as a *“big, wide road”* but agreed that it was residential further up.

200. He stated that as a police officer he was allowed to break legal speed limits when necessary.

T2
pg 37

201. PC Dougal described his driving that evening as *“safe and controlled”* and re-iterated it was *“in line with [his] training”*.

T2
pg 38

202. He stated that he did not operate this lights and sirens *“in light of [his] training”*. He stated if he were to use his lights and siren this would mean that a pursuit had started.

203. PC Dougal stated that he had accelerated as he reached the crest of the hill and as he reached this he saw the group of pedestrians.

T2
pg 40

204. He stated they were on his nearside and that he moved as far as he could to his offside *“away from the hazard”*, braking as he did so in order to be as far away from them as possible. At this point he stated

that Hayley Adamson “*ran out*” and that he tried to drive around her but was unable to.

205. When asked whether he had heard anything, PC Dougal stated that by this point, he had closed his windows.
206. He stated that a breath test was carried out on him at his request and that this had not been carried out at the scene.
207. PC Dougal denied that he had said at the time that it was his fault and stated that he had said instead “*We’ll sort it out*”.
208. He denied that his driving was in any way careless or dangerous and stated that his speed was necessary.

T2
pg 48

Officer A – Précis of Interview

209. On Monday 23 June 2008, at Northumbria Police Headquarters, Ponteland, Officer A was interviewed on tape by IPCC investigators on suspicion of contravening Section 2 of the Road Traffic Act 1988 – Death by Dangerous Driving and Section 3 of the Road Traffic Act 1988 – Driving without Due Care and Attention.
210. Officer A provided an account of his actions during the night shift on Monday 19 May 2008. He stated he had his briefing and then carried out a safety check on his police vehicle, NK07 JYG, cleaning it to ensure that all the markings were showing. This vehicle was not fitted with an ANPR system or video camera.
211. He explained that his tasking area that evening was South Gateshead and that he had started his patrol in this area when he received a radio transmission for a stolen car in the west end of Newcastle. Newcastle is part of his “*cluster area*” which he can cover if anything serious occurs. As a result he crossed the Tyne Bridge to enter the Newcastle

T3

area.

212. Officer A recalled a conversation he had with PC Dougal at traffic lights in Newcastle and stated they had both agreed that they would go to the west end of Newcastle.

T3
pg 8

213. He stated that he was driving slowly around the west end of Newcastle with his window open, listening to what was going on. He stated it was very quiet and there was no sign of the stolen vehicle. He was driving down Armstrong Road when he became aware of some headlights behind him. He pulled over and "*took a static position*" in line with TPAC procedures. Officer A then recognised that this was PC Dougal, who pulled up alongside him. They spoke about how quiet it was and that both officers planned to return to the Gateshead area.

214. He stated that PC Dougal set off first and he followed shortly after. When he was about 75 yards from the junction with Denton Road, Officer A stated he saw PC Dougal accelerate from left to right away from the direction of Gateshead. He thought that PC Dougal must have either seen the stolen vehicle or heard something on one of the local radio channels. Officer A stated that he could not get onto the radio to ask PC Dougal as there was too much radio traffic.

T3
pg 10

215. Officer A stated that he could tell that PC Dougal was "*going after something*" and he was aware that in order to carry out a successful TPAC three vehicles would be needed. He went on to say that he "*would need to make ground to go after him so [he] could stay close with him*".

216. Officer A stated that he pulled slowly out of the junction and as he got onto Denton Road he saw that PC Dougal was at the top of the bank. Officer A accelerated to "*try and make progress*". He said that he had accelerated but that he was looking ahead and so was unaware of the

T3
pg 25

speed that he was travelling at. He stated that he "*didn't believe that the speed at the time was relevant as [he] was more concerned about watching the road ahead*". Officer A described Denton Road as initially surrounded by a grassed area and that later on it became more residential. He stated that the road was wider than the average road and well lit. He was aware that the speed limit was 30mph. He also stated that there were no pedestrians around.

T3
pg 27

217. Officer A stated that he did not have his blue lights and sirens on, which was in line with his training. He explained that once he had put his blue lights and sirens on, this would constitute a pursuit should the vehicle fail to stop. He stated he was trained to get resources in place prior to attempting a TPAC. He confirmed that PC Dougal did not have his blue lights and sirens on.
218. He went on to explain that the purpose behind the use of blue lights and sirens is to allow officers to get to an emergency situation more quickly and to warn people that they are around. He stated he would also use them during a pursuit to try and stop a vehicle.
219. He stated that he did not see any other vehicle until he came to a stop.
220. As he came round the bend on Denton Road he saw PC Dougal's car stationary on the left hand side of the road. He saw a body lying on the right hand side of the road by the junction of Dorset Road. He stopped his vehicle behind PC Dougal's, moving his vehicle to the offside carriageway to protect the scene. His vehicle remained there until the road was properly cordoned off.
221. Officer A stated he went straight to the body and believed that life was extinct based on the injuries he saw. No blood was flowing from Hayley Adamson and her chest was not moving.
222. He stated he initially thought that she had been knocked over by the

stolen car but when he saw the condition of PC Dougal's car he realised that his vehicle had been involved.

223. Officer A described the aftermath and stated that PC Dougal was saying "*We'll sort it out. We'll sort it out*". He stated that PC Dougal switched off the CCTV in his car in order to ensure that it was not recorded over.
224. Officer A stated that he called for an ambulance straight away and that two arrived soon after. He stated the ambulance crews were allowed to access the scene straight away.
225. Officer A detailed his understanding of the black box (IDR) system. He stated he knew there was a button on the dashboard that could be used to activate it manually and that there was a red light that would illuminate if the black box had been activated. Officer A confirmed that he had not received any training on the use of this equipment.
226. Officer A stated that the only time he spoke to PC Dougal was when he was parked alongside him in Armstrong Road and that he had no contact with him to find out why he was heading back up Denton Road.
227. He described his driving as being "*within the capabilities of [his] own driving*".
228. He believed that he was justified in exceeding the speed limit and that he had done so in a safe manner, bearing in mind the conditions of the road.
229. Officer A described there being good visibility and the road as being well lit.
230. During the misconduct section of his interview, Officer A stated that he had requested that he receive a higher standard of training in first aid

which would be in line with that received by Central Support Unit officers. He stated he was concerned that he was not trained sufficiently given that his role meant that he could be first at the scene of an accident. He did confirm that he had no doubt that Hayley Adamson was dead.

Comments made by Police Federation Representative during interview

231. Kevin Hindhaugh acted as the Police Federation Representative for both PC Dougal and Officer A.

T1
pg 9

232. During PC Dougal's first account he stated that ANPR fitted police vehicles such as the one in which PC Dougal was single crewed, were designed to be operated on a double crewed basis as the passenger could then read the monitor. He stated it was not safe for an officer who was single crewed to operate the ANPR system effectively. He went on to state that the TPAC model recommends that police officers be double crewed in order that one officer is available to operate the radio. In his view, PC Dougal and Officer A were deployed single crewed when they could be potentially conducting TPAC operations.

T1
pg 16

233. He also stated that he saw it as "*an organisational failing*" that Northumbria Police had only one force wide radio channel to cover the area.

T2
pg 67

234. Kevin Hindhaugh stated that the failure of the IDR 'black box' had denied PC Dougal the opportunity to provide information in his defence such as the application of brakes.

235. He also expressed concerns about the Northumbria Police post incident procedures and the lack of any clear procedures in respect of the welfare of staff.

236. He reiterated points made by Officer A in respect of the lack of adequate first aid training provided to motor patrol officers.

Policies and Procedures

237. The relevant local and national policies and procedures have been examined during the course of this investigation. They were forwarded to Gordon Robertson for consideration in his report - See section on Expert Witness Opinion.

Automatic Number Plate Recognition

D10
pg 41

238. The use of ANPR systems is included in the NPIA ACPO publication Practice Advice on the Policing of Roads. This document states that:

“ANPR systems fitted to police vehicles should be used as much as possible, even where the opportunity to respond is reduced, e.g. single-crewed or already dealing with an incident”.

S30
S31

239. In his statement on ANPR, Chief Inspector Wellden stated that it was standard practice nationally to deploy officers single-crewed in ANPR fitted cars and it was for those officers to determine how best to deal with an ANPR activation.

The “Northumbria VIS” hot list

D9

240. Officers are able to request that vehicles are placed on the “Northumbria VIS” hot list. The decision on whether to place these on the list is made by an authorised Intelligence Officer. This officer also determines the period of time this intelligence should remain on the hot list.

The Use of Sirens and Blue Lights

D11 241. The Code of Practice for Police Drivers has been in force in Northumbria Police since February 2000. In his message in the preface of The Code of Practice, the Chief Constable stated.

“...you must not exceed speed limits except where it is actually necessary, legally justified and will not cause danger”.

242. The use of sirens and blue lights is covered in Section 2 of the Code which states:

“Sirens and blue lights are used to alert other road users to the presence of a police vehicle attending an emergency.

D11
pg 16

You should not travel at high speed without using the siren and blue lights unless there are special reasons for not using them – in which case you will need to consider whether it is safe to travel at high speed at all’.

D11
pg 17

243. It goes on to state that officers *“must observe all speed limits except when an operational necessity requires you to travel at higher speed”.*

S33

244. PC Whittam from Northumbria Police provided a statement on force policy in respect of pursuits and environment scanning. He stated that *“emergency lighting and sirens should be used when requiring a vehicle to stop”.*

Pursuits

D11

245. Section 3 of the Northumbria Police Code of Practice addresses the stopping of vehicles. It states that the driver *“should use headlights, blue lights and/or sirens as appropriate to attract the driver’s attention”.*

- D10 246. It goes on to state that *“a pursuit occurs when police attempt to stop the driver of a motor vehicle, and the driver refuses to obey the officer, following which the police give chase for the purpose of stopping the driver”*. This is in line with guidance set out in the NPIA ACPO document ‘Practice Advice on the Policing of Roads’.
- S34 247. Joe Snowball, a Northumbria Police Driver Trainer, states that officers are trained to seek authority for a pursuit, or possible pursuit, and if it is safe to observe the vehicle without operating emergency equipment then this can allow other vehicles to be in place prior to a pursuit.
- D12
pg 26 248. The ACPO Guidelines for the Management of Police Pursuits 2004 states that *“Where double-crewed vehicles are available they should be used”*. However it does not prohibit or in any way suggest that single crewed vehicles should not be used for pursuits.

Expert Witness Opinion – Gordon W. Robertson

- D13 249. Gordon Robertson is the former head of the Greater Manchester Police (GMP) Force Driver Training Unit. He was also Head of the Force Collision Reconstruction unit for three years. His qualifications include:
- Police Driving Instructor
 - Advanced Police Car Driver
 - Advanced Police Motorcyclist
 - LGV C+E
 - Forensic Collision Investigator
250. For six years he was a member of the ACPO subordinate Driving Schools Conference including 18 months as secretary to the ACPO lead of that group. He has also been involved in the training, assessment and authorisation of many police drivers at levels including advanced pursuit.

251. Mr Robertson prepared the current GMP pursuit policy and at the time of his report was engaged in the re-writing of the ACPO pursuit guidance.
252. He was asked by the IPCC to comment on the standard of driving of PC Dougal and Officer A as well as to comment on what they said during interview.
253. He was provided with a copy of the file which the IPCC submitted to the CPS which included training records, details of relevant policies and procedures, witness statements, interview transcripts as well as a copy of the CCTV from NK06 JYU.
254. Mr Robertson examined the CCTV and drove the route taken by the Renault Megane. By comparing the timings on the CCTV with the time that he took to drive the same distance, he estimated that the speed of the Renault Megane was not significantly over 30mph.
255. He disagreed with the assertion of both PC Dougal and Officer A that the use of blue lights and sirens would have resulted in a pursuit. In his view this incident was not a pursuit.
256. Mr Robertson referred to the Road Traffic Regulation Act 1984 quoting Section 87(1) which 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 police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion”.*
257. He stated that this provides officers with the discretion to decide what constitutes a police pursuit, whether this would be adversely affected by sticking to the speed limit and the extent to which this can be exceeded.

Ultimately it is for officers to justify the decisions that they have made.

258. He went on to state that in his view he considered “90mph+ in the 30mph residential area where Hayley Adamson and others were stood, to be extreme”.
259. He concluded by saying “*In my opinion, [Hayley Adamson’s] death resulted from a catastrophic road collision, which was wholly avoidable*”. In respect of PC Dougal’s driving he stated “*I can find nothing to say in defence of his actions, which fell far below what I would expect from any driver in any circumstances*”.
260. In respect of Officer A driving he stated that the action of following PC Dougal was “*what [he] would expect*” as there was “*clearly an issue*”.

Discussion of Evidence and Recommendations

Vehicle Maintenance

261. Whilst there were no mechanical faults which contributed to the death of Hayley Adamson, the examination of NK06 JYU did reveal that the handbrake of the vehicle was defective. The vehicle was last serviced on Friday 18 April 2008 at its 60,000 mile service. The check list identified that the front and rear brakes were examined for wear and defects. There was no specific mention of the handbrake being examined.
262. It is not possible to state definitively whether there was a problem with the service or whether the handbrake failure occurred after the service. Given that the vehicle was examined following the road traffic collision which occurred just over a month after this service it is questionable as to whether the handbrake would have deteriorated to this point within this timescale.

263. The condition of handbrake does raise questions about the mechanical condition of the Northumbria Police vehicle fleet and the adequacy of its servicing regime. However it is important to note that this is based on the examination of only one vehicle and that further examination of the fleet was beyond the terms of reference of this investigation.

Use of the IDR 'black box' system

D7

264. Les Smith is a Product Manager for Mix Telematics. He examined the IDR 'black box' and describes in his report that whenever the ignition of a vehicle fitted with the IDR system is turned on a "*single beep is emitted from the control unit*". If this is not heard it indicates that there may be a fault in the system.
265. In interview, PC Dougal stated that he had not been trained in the use of the IDR system and went on to say that:
- "If there's any problem with it the light should come on, on the dashboard. There's a red light which is clearly, sort of, you know, you cannot miss. And that's the only thing I would know how to check on. You don't drive the car if the light's on".*
266. Officer A also said that he had not been trained in the use of the IDR system. However, he had a contrary view as to what the red light meant:
- "They have a red light in the dashboard. If it gets activated the red light comes on".*
267. There was no reference in either officer's interview to any noise that the IDR emits.
268. It is apparent that the knowledge held by both officers of the operation of the IDR system was very limited. This had implications for the effective operation of the IDR system as neither officer was aware how

to tell if and when the system was not working.

D14
pg 58

269. In its report *Police Road Traffic Incidents: A Study of Cases Involving Serious and Fatal Injuries (2007)* the IPCC had previously recommended that *“data recorders should be fitted to all police vehicles and should be regularly checked to ensure that they are working correctly”*. During the course of the IPCC investigation, no evidence was found to suggest that the operation of IDR systems within Northumbria Police was checked on a regular basis. Had this been the case it ought to have identified that the IDR system in police vehicle NK06 JYU was not operational.
270. In this case sufficient information was available from other sources to establish the speed of the vehicle and in interview PC Dougal confirmed that he had not activated his blue lights and sirens. In another case, valuable information may have been lost by the IDR system not having been operational.

D15

Interim Report

271. On Thursday 26 June 2008, an IPCC interim report which addressed the issues highlighted above was sent to Northumbria Police. This report included the following recommendations:
- *Immediate review of their policy in relation to service and maintenance of its vehicle fleet. This should include regular testing of the IDR to ensure that it is working correctly.*
 - *That a review is conducted around the training of police personnel in the use and understanding of how the IDR works. To include how to recognise if the equipment is faulty wherever possible.*
 - *The crewing of ANPR motor patrol vehicles is reviewed in light of the comments highlighted by the Federation.*
272. In response to this interim report, Northumbria Police has advised the

IPCC that they have checked all high risk police vehicles to ensure that the IDR systems were connected. One other police vehicle was found to have this fault which was rectified immediately.

273. All police vehicles will now have the IDR 'black box' system routinely checked and fleet users have been made aware of how to tell whether the IDR system is operational each time they use the vehicle. Notices have also been fitted to each police vehicle to explain how they can tell that the IDR system is operating correctly.
274. It is not clear at this time whether Northumbria Police has addressed the issue of training police personnel in relation to the IDR 'black box' system.

Recommendation 1

275. Northumbria Police conduct a review around the training of police personnel in the use and understanding of how the IDR system works including how to recognise if the equipment is faulty.

First aid training

276. Officer A commented in interview that he did not believe that the training he received in first aid was adequate for the role he was asked to carry out. In this case, the administration of first aid would not have made any difference to the outcome and so the level of this training has not been addressed in this investigation.

Recommendation 2

277. Northumbria Police may wish to consider Officer A's comments and decide whether they feel that there is a need to review the training provided to motor patrol/ specialist officers who may be first at the

scene of an accident.

The Use of the ANPR system

278. PC Dougal was single crewed in an ANPR fitted car. His federation representative, Kevin Hindhaugh questioned the appropriateness of officers being single crewed in this fashion. Mr Hindhaugh stated that single crewed officers were not in a position to view the additional information on the touch screen and that as a consequence officers may be making decisions on how to respond to an ANPR activation without having all of the necessary information to hand.
279. The ACPO policy states that ANPR fitted police vehicles can be single crewed and stresses its intelligence gathering potential. Northumbria Police has stated that it is for the officers concerned to determine how best to respond to an ANPR activation.
280. In this case, the alert was for a vehicle believed to have been used in overnight thefts and a stop check was requested. The information held was found to be out of date.
281. PC Dougal stated that he was aware that the ANPR activation in this case originated from the Northumbria VIS list but was unaware of the details of the alert. He also stated was unable to check this information on his police radio as there was too much radio traffic on the channel he was using.
282. If officers do not know the reason for the ANPR activation then they need to give careful consideration as to what their appropriate level of response would be. It is arguable whether officers are in a position to make any kind of properly considered risk assessment when they do not access the reason for the activation.

Recommendation 3

283. Northumbria Police should issue guidance to officers on the use of the ANPR system, particularly when officers are single crewed, in order that officers are able to make an informed decision on how best to respond to ANPR activations. It should make it clear that officers need to properly assess the risks associated with responding to an ANPR activation which may mean making further reasonable enquiries to ensure that their response is proportionate to the alert.

“Northumbria VIS” Hotlist

284. The registered keeper of the Renault Megane at the time of the collision was Witness F. He stated in his interview that he had owned the vehicle for approximately two months prior to 19 May 2008. The intelligence stored on the Northumbria VIS hotlist for the vehicle related to a previous user and was consequently out of date.

285. A regular review of this entry by an intelligence officer ought to have identified that there was a change of ownership and this may have had a bearing on whether this ANPR activation was still appropriate.

286. The information on the Northumbria VIS “hotlist” for the Renault Megane was out of date. Whilst it is not known when Witness F notified the DVLA of this change, he was the recorded owner and registered keeper at the time of the collision. This information ought to have been reflected in the intelligence connected to that vehicle.

Recommendation 4

287. Northumbria Police should look at the process by which such intelligence is reviewed to ensure that the information that is held is

accurate and up to date.

Community Concerns

288. At the outset of the IPCC investigation albeit she has not made a formal complaint, Sarah Ridley, the sister of Hayley Adamson voiced concern and indeed continues to do so, about the conduct of officers at the scene immediately after and in the days following the road traffic collision. Additionally, a number of witnesses referred to the conduct of a female police dog handler who attended the scene following the collision, who was alleged to have been rude to them and swore at them. This element did not fall within the Terms of Reference set out by the IPCC Commissioner and as such, is not commented on further.
289. Hayley Adamson had friends and family in the area of Dorset Road. Many of the people that witnessed the collision knew her and as a result tension in the area was high.
290. During the course of the IPCC investigation, a number of witnesses commented that no police officer was seen to go to Hayley Adamson and check her condition and that she was left at the scene with no attempt made to cover her from view.
291. Officer A stated in interview that he did go to Hayley Adamson but that he realised straight away that she was dead. A similar comment was also made by some of the witnesses who saw her body and saw the injuries that she sustained.
292. Some witnesses also commented that the ambulance crew were prevented from accessing the scene of the collision. According to the statements of the three paramedics who attended, there was no delay in getting to Hayley Adamson and that somebody remained with her until she was taken from the scene. There is insufficient evidence to

support the allegations that Hayley Adamson was left unattended for some time.

293. It does appear that Hayley Adamson was not covered whilst at the scene. Whilst it may be that she could not be moved until an examination of the scene had taken place, consideration should have been given to covering her from view particularly given the proximity of her sister's house.

Recommendation 5

294. Whilst preservation of evidence is undoubtedly a key factor, Northumbria Police may wish to remind its officers that they should consider how best this can be achieved whilst preserving the dignity of the deceased, minimising the distress to any family, friends and members of the public present.

Use of Sirens and Blue Lights

295. Concerns have been raised by the family that blue lights and sirens were not used by either police vehicle. The standard of PC Dougal's driving will be examined in Court and it would be inappropriate to comment further in respect of his driving at this time.
296. The Code of Practice issued by Northumbria Police to its drivers clearly states that officers should not travel at high speed without using blue lights and sirens unless there are "*special reasons*" for doing so.

Recommendation 6

297. Northumbria Police should remind officers of the advice contained within their Code of Practice regarding the use of blue lights and sirens.

Radio Communication

298. Both officers commented in interview that they were unable to communicate due to the high level of radio traffic on their police radios. PC Dougal also stated that, as a result of this, he was not able to carry out further checks on the vehicle after the ANPR alert.

Recommendation 7

299. Northumbria Police should review the number of communication channels available to see if this is adequate for the demands placed on it.

PC John Dougal

300. The IPCC investigation has established that the head lights of PC Dougal's police vehicle were illuminated at the time of the collision, that PC Dougal did not activate either his blue lights or sirens and that the CCTV from his vehicle shows that he reached speeds of up to 94mph in a 30mph zone.
301. On Monday 29 September 2008, the CPS determined that there was sufficient evidence to charge PC Dougal in contravention of Section 1 of the Road Traffic Act 1988 - Death by Dangerous Driving. Due to the ongoing criminal prosecution, no conclusions will be drawn in this report as to his conduct and standard of driving.

Officer A

302. On Monday 29 September 2008, the CPS determined that there was insufficient evidence to charge Officer A with a criminal offence.

303. The evidence has subsequently been reviewed as to whether there is any evidence that a disciplinary offence may have been committed.
304. Officer A's police vehicle, NK07 JYG, was not fitted with CCTV. It is also the case that the IDR system fitted to his vehicle, whilst operational, did not activate on the evening of Monday 19 May 2008. This meant that none of the factors that would cause its activation were present i.e. use of emergency lights and sirens, harsh acceleration and harsh braking.
305. On this basis Officer A appears to have come to a controlled stop when he became aware of the collision which is consistent with him being a reasonable distance behind PC Dougal.
306. The witnesses who saw the collision vary in the distance that they say the second police car was behind the police car that struck Hayley Adamson. Some did not recall a second vehicle at all. Whilst there had been comments at the outset of the investigation that the officers were racing, none of the witnesses have provided any evidence in support of this allegation.
307. The data that was captured via the GPS system does show the speed, but these are snapshots and do not provide a continuous picture of the speed that evening. The highest speed that is shown on this record is 70mph. Ten seconds later this speed had reduced to 53mph. It is not possible to say how long Officer A drove at this speed other than to say that it was less than 15 seconds (the time interval between GPS readings) or where on Denton Road this speed was reached. As a result no conclusions can be drawn as to whether Officer A's driving at this time was appropriate to the road conditions and surrounding environment.
308. There is no evidence that would support any disciplinary action against

Officer A. Officer A was notified of this decision by letter on 7 October 2008.

Debbie Edwards
Reporting Investigator
Date 16 December 2008

Sarah Durkin
Deputy Senior Investigator
Date 16 December 2008

Learning report

Death of Hayley Adamson in a Road Traffic Collision

309. Fatal road traffic collision involving police driving following the activation of an ANPR, raising issues about:
- Vehicle Maintenance, in particular the IDR 'black box' system
 - Use of the ANPR system
 - Review of Vehicle Intelligence Systems

Overview of incident

310. About 11.20pm on Monday 19 May 2008, Hayley Adamson was struck by a marked police car as she was crossing Denton Road, in the Scotswood area of Newcastle-Upon-Tyne.
311. At 0.40am on Tuesday 20 May 2008, Hayley Adamson was taken by ambulance to Newcastle General Hospital where she was pronounced dead. A post mortem confirmed that she had died instantly as a result of the injuries that she had sustained.
312. The officer driving the vehicle was later charged with causing Death by Dangerous Driving in contravention of Section 1 of the Road Traffic Act 1988.
313. During the course of the Independent Police Complaints Commission

(IPCC) investigation it was identified that a second police vehicle had been present in the vicinity of the collision and this formed part of the enquiry into the circumstances.

Type of investigation

314. Independent

Contact details

315. Sarah Durkin, Deputy Senior Investigator, IPCC, Evergreen House, Cedar Court Office Park, Denby Dale Road, Wakefield WF4 3DB
(01924) 811500

Findings and recommendations

Finding 1

316. Whilst police vehicle NK06 JYU was fitted with an IDR 'black box' system, it was found not to have been operational since April 2006.
317. In interview neither police officer was able to say correctly how they could tell whether the unit was operational.

Local recommendation

318. Northumbria Police conduct a review around the training of police personnel in the use and understanding of how the IDR 'black box' operates including how to recognise if the equipment is faulty.

Finding 2

319. One of the officers commented in his interview that he did not believe

that the training he had received in first aid was adequate for the role he was asked to perform.

Local recommendation

320. Northumbria Police may wish to consider these comments and decide whether they feel that there is a need to review the training provided to motor patrol/ specialist officers who may be first at the scene of an accident.

Finding 3

321. Whilst the officer who responded to the ANPR activation knew that it was as a result of an entry in the Northumbria VIS database, he did not know any other details. Consequently it is questionable whether he was in a position to conduct a proportionate response to this activation.
322. When responding to an ANPR activation, officers need to give careful consideration as to what the appropriate level of response would be bearing in mind the road conditions and environment at the time along with the reason for the activation.

Local recommendation

323. Northumbria Police should issue guidance to officers on the use of the ANPR system particularly when officers are single crewed, in order that officers are able to make an informed decision on how best to respond to ANPR activations. It should be made clear that officers need to properly assess the risks associated with responding to an ANPR activation which may mean making further reasonable enquiries to ensure that their response is proportionate to the alert.

Finding 4

324. The information on the Northumbria VIS “hotlist” for the vehicle which activated the ANPR system was out of date. Ownership of the vehicle had changed in the time since the intelligence was placed and the time of the collision. This information ought to have been reflected in the intelligence connected to that vehicle.

Local recommendation

325. Northumbria Police should look at the process by which such intelligence is reviewed to ensure that the information that is held is accurate and up to date.

Finding 5

326. A number of witnesses commented that no police officer was seen to go to Hayley Adamson after the collision to check on her condition. They also stated that she was left at the scene with no attempt made to cover her from view.

Local recommendation

327. Whilst preservation of evidence is undoubtedly a key factor, officers should consider how best this can be achieved whilst preserving the dignity of the deceased and minimising the distress of any family, friends and members of the public present.

Finding 6

328. Concerns have also been raised by the family on the fact that blue lights and sirens were not used by either police vehicle. The Code of

Practice issued by Northumbria Police to its drivers clearly states that officers should not travel at high speed without using blue lights and sirens unless there are “*special reasons*” for doing so.

Local recommendation

329. Northumbria Police should remind officers of the advice contained within their Code of Practice regarding the use of blue lights and sirens.

Finding 7

330. The officers commented in interview that they were not able to communicate due to the high level of radio traffic on their police radios. As a result of this, the officer driving the police vehicle which collided with Hayley Adamson was also not able to carry out further checks on vehicle causing the ANPR activation.

Local recommendation

331. Northumbria Police should review the number of communication channels available to see if this is adequate for the demands placed on it.