

# Investigation Report

Independent investigation report  
into the M4 fatal  
road traffic incident on  
the eastbound carriageway  
between Caerleon (J25)  
and Coldra (J24) on  
17 September 2007

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## Introduction

1. At 03.14 on Monday 17 September 2007 a road traffic collision occurred on the M4 motorway eastbound carriageway.
2. The collision occurred approximately 2.8kms from the Cardiff side of the Coldra roundabout (Junction 24).
3. Involved in the collision were a Volvo motor car and a Ford Mondeo.
4. Prior to the collision the Volvo motor car was travelling in an easterly direction on its correct carriageway and was driven by:
5. James Stafford of Thornton Heath, Surrey, born 16 November 1937.
6. He was accompanied by his wife Bridget Stafford of Thornton Heath, Surrey, born 14 January 1937.
7. Both were pronounced dead at the scene of the collision.
8. The Ford Mondeo was travelling in a westerly direction towards the Volvo in the same carriageway. It was being driven by:-
9. Christopher Beresford of Duffryn, Newport, born 16 June 1989.
10. He was accompanied by a front seat passenger:
11. Lee Maggs of Duffryn, Newport, born 9 October 1980.
12. and 2 rear seat passengers:
13. Sam Case of Maindee, Newport, born 9 June 1988.
14. James Bunnett of St Julians, Newport, born 4 January 1989, who survived the crash.
15. Christopher Beresford, Lee Maggs and Sam Case were all

- pronounced dead at the scene.
16. Mr Bunnett survived the collision but received a number of injuries, including fractures to various bones.
  17. Post-mortem examination of Mr Stafford revealed multiple injuries with the cause of death being: "multiple injuries including head and chest injury."
  18. Post-mortem examination of Mrs Stafford again revealed multiple injuries with the cause of death being: "multiple blunt injuries including fractures of the upper cervical spine."
  19. Post-mortem examination of Mr Beresford revealed multiple injuries. The cause of death being: "multiple blunt injuries including fracture dislocation of the cervical spine, rupture of the heart and transaction of the aorta."
  20. Post-mortem examination of Mr Maggs revealed multiple injuries. The cause of death being: "multiple injuries including blunt head injury and transaction of the aorta."
  21. Post-mortem examination of Mr Case revealed multiple injuries. The cause of death being: "blunt head injury."
  22. Prior to the Mondeo travelling along the M4 in the wrong direction, it had been pursued by officers from Gwent Police.
  23. The initial response to the collision was carried out by Gwent police officers. However, it was mandatorily referred to the Independent Police Complaints Commission, which has carried out an investigation into the circumstances leading up to, and including, the collision.

## Terms of reference and responsibilities

### Terms of Reference

Brief statement of incident including only provisionally verified facts:

During the early hours of the morning of the 17th September 2007 a road traffic collision occurred between two vehicles on the M4 motorway at Newport. As a result of that collision five persons travelling in the vehicles were killed and one was seriously injured. One of the vehicles, a Ford Mondeo had been involved in a pursuit with officers from Gwent Police prior to entering the motorway in the wrong direction.

24. The terms of reference are set as:

1) To investigate the circumstances surrounding the police interaction with the occupants of the Ford Mondeo on the 17th September 2007, as follows:

a) The actions of the officer/s in interacting with the occupants of the Ford Mondeo.

b) The planning, decision making and implementation of policy by the officers and Gwent Police control room staff.

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

a) the full facts are brought to light and any lessons from the death are learned (this will include collecting and analysing forensic evidence);

b) the investigation is independent on a practical as well as an institutional level.

3) Where it appears at any stage during the investigation following a DSI matter referral that any person whose conduct is in question may

have committed a crime or disciplinary offence, to make a submission setting out the details to the Commissioner Tom Davies.

4) 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.

5) To consider and report on whether there is any:

a) learning for any individual police officer or member of police staff;  
or

b) organisational learning for the police service (see Annex),  
including:

i) Whether any change in police policy or practice would help to prevent a recurrence of the event, incident or conduct investigated.

ii) Whether the incident highlights any good practice that should be disseminated.

## Responsibilities

Commissioner: Tom Davies

- Approves the terms of reference and any revisions.
- Appoints the Senior Investigator Stephen Anzac Evans.
- Sets the media strategy in consultation with Senior Investigator and approves all media releases.
- Determines whether the case warrants a case-specific strategic support Group, and if so, sets terms of reference, appoints all members and chairs SSG.
- Considers any submission under 1(2) above and notified the appropriate authority if determining that the person whose conduct is in question may have committed a criminal or disciplinary offence.
- Decides whether to send to the force before conclusion of the investigation any quick time recommendation submitted under the provisions in the

Annex.

- Decides whether to put forward a Learning Report for inclusion in the bulletin.

Senior Investigator: Stephen Anzac Evans

- Ensures a timely, effective and proportionate investigation following the agreed terms of reference.
- Ensures liaison with the Coroner and any other agencies as appropriate.
- Prepares report for Commissioner.
- Reports as necessary to SSG.
- Makes any submission necessary under 1(2) above.
- Undertakes responsibilities set out in the Annex.

Casework Manager: Emma Yoxall

- Ensures that all interested parties are kept informed every 28 days.
- Organises, supports and attends all case meetings/conferences and any case-specific strategic support group the commissioner establishes.

Tom Davies  
Commissioner

## Complaints

25. It was established at an early stage that there were no apparent criminal issues or issues under the Police Misconduct Regulations for any officers involved in this incident prior to the collision.
26. Therefore, no Regulation 9 Notices have been served on any individual.

## Chronological summary of events

27. The occupants of the Volvo motor car were in the process of travelling to their home after leaving Ireland.
28. They spent several months a year there with family and were following their normal route home, arriving at Fishguard on the ferry and then travelling along the M4 motorway.
29. There is nothing to suggest anything untoward in the manner the vehicle was being driven or any mechanical defect.
30. The occupants of the Ford Mondeo had met earlier that night along with Wayne Maggs (brother of Lee).
31. They had all travelled in the vehicle to the Penhow area where they were observed by residents of Rockfield Glade, Parc Seymour, to be behaving in a suspicious manner.
32. Their activities at that time are not subject of investigation by the Independent Police Complaints Commission, although James Bunnett mentioned going to steal a car while Wayne Maggs referred to stealing mountain bikes.

33. Due to their behaviour the police were contacted at 01.50 hrs and a number of officers attended the area.
34. As a result of the police attendance the five occupants of the Mondeo made off but became separated leaving Wayne Maggs on his own. He did not see them again, although he did attempt to make telephone contact in order for the four of them to collect him.
35. The other four occupants of the Mondeo initially hid from the police, waiting for the police activities to quieten down. James Bunnett describes them hiding in gardens and finally lying for about two hours on a flat roof of a house to avoid discovery.
36. During this period officers found the Mondeo parked nearby with a warm engine. As a result enquiries were caused to be made with the registered keeper, who lived in the Port Talbot area.
37. This, subsequently, revealed the vehicle had been sold several days earlier to an unknown male who had attended at the previous keeper's home in response to an advertisement offering the vehicle for sale.
38. One of the officers who attended at the scene was a Police Sergeant Elliott.
39. He concluded that the persons who made off were likely to still be in the area.
40. As there are two main roads leading from the area, he directed Police Constables Wyatt and Jones to take up a position on the A48 road near to the Groeswen public house.
41. They were in a marked police vehicle.
42. The sergeant parked at the exit road leading to Westwood.

43. Once the police activity had lessened James Bunnett described how four of them returned to the Mondeo and Rizza (Christopher Beresford) jumped into the driver's seat. They then drove off towards the A48.
44. When they emerged onto that road they were seen by the two police constables. The time was approximately 03.10 hrs.
45. The Mondeo at this time was not travelling at a fast speed and was heading along the A48 towards Newport.
46. At the time, Police Constable Pearce, a police dog handler, who had attended at Parc Seymour, was on the same road travelling towards Newport, but, some distance in front of the Mondeo.
47. The two police constables followed the Mondeo and attempted to identify its registration number.
48. Initially, the police vehicle was only showing obligatory lights.
49. The Mondeo motor car started to accelerate, but due to the topography of the road the officers lost sight of it.
50. However, a matter of seconds later, they regained sight of it.
51. The Mondeo continued along the A48 and passed the vehicle being driven by Police Constable Pearce near to the Foresters Oak Public House.
52. At this time Police Constable Wyatt describes how he illuminated the blue lights on his vehicle.
53. This also activated the visual and audio recording system on the vehicle.

54. The Mondeo now accelerated away along the A48 and Police Constable Jones informed the Force Control Room the vehicle was failing to stop and they were engaged in a pursuit.
55. The Mondeo continued along the A48 towards the Coldra roundabout. The speeds vary sometimes in excess of 100 mph.
56. The driver of the police vehicle involved is a Grade One advanced driver and is pursuit trained.
57. The other officer is also a Grade One police driver/observer and has completed a refresher driving course in April 2007.
58. Both vehicles continued along the A48 and eventually emerged onto the Coldra roundabout (Junction 24, M4 motorway).
59. The Mondeo travelled around the roundabout passing four possible exit routes and passed under the M4 motorway.
60. It then turned left onto the M4 slip road, which allows vehicles access off the motorway.
61. The Mondeo travelled in the wrong direction up the slip road towards the main M4 carriageway.
62. The following police vehicle immediately stopped and reversed back from the slip road. At the same time, the Force Control Room was informed the pursuit had been aborted.
63. No vehicle followed the Mondeo onto the carriageway.
64. The Mondeo emerged from the slip road onto the main carriageway and then commenced to travel along the M4, against the flow of traffic in the direction of Cardiff.

65. Its progress was monitored along the length of its journey by the motorway CCTV system up to and including the time it collided with the Volvo motor car.
66. During its journey it is seen to miss several vehicles travelling in the opposite direction before colliding with the Volvo.
67. James Bunnett has limited recollection of the journey, but recalls going at an "insane speed" and the driver Christopher Beresford being unable to control it.
68. He also recalls one of the deceased, Sam Case, leaning over to try and grab the steering wheel of the Mondeo before they "hit the car."

## Post-mortem

69. All five of the deceased were pronounced dead at the scene.
70. Such was the severity of the collision that Home Office pathologist Dr D S James was requested to attend the scene.
71. He arrived at 07.15 hrs and advised on the removal of the deceased and to assist in establishing the identity of the driver of the Mondeo motor car.
72. The bodies of all the deceased were removed to the University Hospital of Wales for post-mortem and identification.
73. Dr James has produced a comprehensive report outlining his findings and detailing the extent of injuries to all the deceased. He has given his opinion as the cause of death for each of the deceased.

## Forensic analysis

74. As part of the investigation process CCTV footage has been recovered, which shows the following:
75. The entire pursuit of the Mondeo, from when it emerges onto the A48 until the Police Officers aborts the pursuit at the motorway slip road.
76. This was recovered from the onboard audio/visual equipment in the police car following the Mondeo.
77. At the point the pursuit ceases, static motorway cameras show the Mondeo emerging onto the motorway and charts its route along the carriageway to where it collides with the Volvo.
78. The cameras clearly show that there were no police vehicles pursuing the Mondeo on the motorway and there were no police vehicles seen to enter the correct carriageway of the motorway until the collision had occurred.
79. The scene has been extensively photographed and videoed.
80. A number of telephones were recovered at the collision site and examination of them revealed witnesses who some of the deceased were in contact with on that night. Witness statements have been obtained from those individuals.
81. Blood samples were obtained from Mr Stafford, Mr Beresford, Mr Maggs and Mr Case.
82. Laboratory analysis has shown a negative result for alcohol and, or, drugs for Mr Stafford.
83. Mr Beresford tested negative for alcohol but positive for the use of

cocaine at some time prior to the collision.

84. The examining forensic scientist has clarified this in his report, in that, the presence of it in the blood is consistent with Christopher Beresford having used cocaine prior to the blood sample being taken. It would have been several hours prior to the incident and it is unlikely he would have been affected by its use at the time.
85. Sam Case tested positive for alcohol and cocaine some time prior to the collision, however, the levels were such that it was unlikely to have been used in any significant or effective qualities and he was unlikely to have been affected by their use at the time.
86. Lee Maggs tested negative for alcohol, but there was paracetamol present in the blood obtained.
87. A comprehensive collision investigation report has been prepared by Police Constable Goddard of Gwent Police. The content of that report has been verified by the senior collision investigator from South Wales Police Collision Investigation Unit.
88. The collision report has concluded that the Mondeo travelled along the M4 motorway for some 73 seconds along a measured distance of 2,814 metres. The average speed being 86 mph.
89. The time of the collision is recorded as 03.14.05 am, at which time the police vehicle involved in the pursuit was 3.4 km from the scene.
90. Prior to the collision the speed of the Volvo was approximately 78 mph.
91. The Mondeo, just prior to the impact, had veered over the rumble strip next to the central crash barrier. It had then veered back into lane three and started to yaw in a clockwise direction while at critical

speed.

92. The speed of the vehicle being 81 mph, plus or minus 10 percent.

## Force policy

93. The management of police pursuits within Gwent Police is covered within the following policy and procedures:
94. Gwent Police Management of Vehicle Pursuits Policy, which was subject of review in January 2007.
95. The policy document reflects the ACPO Guidance for the Management of Police Pursuits 2004 and sets the local arrangements in the Gwent Police area for the handling of such incidents.
96. The policy defines what constitutes the qualifications for suitable trained (and authorised) drivers who are able to conduct pursuits.
97. The policy further clarifies the requirements of the type of vehicle that can be involved.
98. The Gwent Police Management of Vehicle Pursuits Procedure, which was implemented in December 2004 and subject to bi-annual reviews.
99. The procedure looks to reflect the ACPO Guidelines of Vehicle Pursuits and sets out guidance on all aspects of police pursuits and the management at all levels.
100. It also gives guidance on the discontinuance of a pursuit.
101. The Centrex Guidance on Policing Motorway 2006, which is produced on behalf of the Association of Chief Police Officers specifically deals with pursuits on motorway and other related incidents.
102. Paragraph 10.4 clearly directs officers that they must never travel on a

motorway in the wrong direction following an offending vehicle.

103. It also gives direction about the use of motorised signs and removable message signs to warn other drivers on the motorway.
104. It would appear that all those involved within the pursuit have complied with the policy and procedures and this was identified at an early stage of the investigation.

## Conclusions

105. Throughout this incident there were a number of opportunities for the occupants of the Mondeo to stop when signalled to do so.
106. Why the vehicle did not stop is open to speculation.
107. It is clear from the CCTV footage of the A48 phase that the Mondeo was consistently well in front of the police vehicle.
108. At this stage, the control room inspector allowed the pursuit to continue having due regard to the road condition, other vehicles, weather conditions and the manner in which the pursuing officers were conducting themselves.
109. He also had sight of the M4 motorway by way of CCTV cameras, which showed the condition of the traffic in the general direction the vehicles were heading.
110. At the Coldra roundabout, the driver of the Mondeo had access to five alternative routes to the one he took.
111. Why he chose to drive up onto the M4 via the incorrect slip road is also open to speculation.
112. The police action at this point was to end the pursuit and to reverse

back under the motorway bridge to clearly show their intention not to continue.

113. Once on the slip road and, obviously, not being followed, there were alternatives open to the occupants of the Mondeo rather than to drive against the traffic flow.
114. They could have stopped and abandoned the vehicle; turned left at the point the slip road joins the main carriageway, thereby, travelling with the traffic flow; or even reverse back down the slip road.
115. However, the driver chose to drive at a fast speed against the traffic flow eventually colliding with the Volvo motor car.
116. When the vehicle initially went onto the motorway it is clear from the radio communication that a request was made to contact the Traffic Wales control room, with a view to warning drivers by way of the motorway signs. However, there was insufficient time to allow this to happen.
117. The control room inspector also requested his control room operator to inform Traffic Wales with a view to locating the Mondeo.
118. From the traffic collision report it appears neither vehicle braked before impact, suggesting the drivers did not see each other until it was too late to do so.

Stephen Anzac Evans  
Senior Investigator