

Traffic crashes

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Policy statement and principles

What

Investigation and reporting of traffic crashes is important for understanding why crashes happen.

This chapter applies to all Constables, Authorised Officers (authorised under the Land Transport Act 1998), and Police employees who may attend, report, or investigate traffic crashes.

Why

Attendance, investigation and reporting of vehicle crashes is used to reduce road trauma, for the planning and implementation of crash-reduction programmes, and for designing improvements to vehicles and roads.

How

Police will ensure that:

- Police attend, investigate and report all fatal and injury crashes, and report all fatal crashes within 24 hours after the first fatality;
- Police attend and contribute to sudden death investigations for all off-road fatal vehicle crashes
- all drivers (or people suspected of driving) involved in a crash are tested for alcohol and/or drug impairment, where appropriate;
- traffic crashes involving Police employees are appropriately overseen to ensure that the investigation will withstand external scrutiny; and
- victim follow-up is undertaken to ensure that injuries that may not be highlighted at the time of the crash are still reported.

Definitions

This table defines terms relevant to traffic crashes.

| Term | Definition |
|----------------------|--|
| Fatal crash | A crash, on a public road, street or any other place, involving a vehicle where a person involved in the crash dies within 30 days of the crash. |
| Off-road fatal crash | A crash, on private property that has been caused by, or involves a motor vehicle (a car, motorcycle, truck, tractor, motorised agricultural machinery), where a person involved in the crash has died. |
| Serious injury crash | A crash in which a person suffers fractures, concussions, severe cuts or other injuries that require medical attention or admission to hospital. |
| Minor injury crash | A crash in which injuries are not 'serious' but require first aid or cause discomfort or pain to the person injured. Examples include minor bruising, soreness to the neck, and any minor cut or chest soreness from the restraining effect of a seat belt during a crash. |
| Serious crash | A crash that is a fatal or serious injury crash or that may attract significant interest from the public or media. |

Note: It is important to use care in ascertaining injuries when completing the TCR, because TCRs are used to inform:

- the provision of funding for future road construction and repairs; and
- Police enforcement activity.

Suspected injuries can change, so confirm them with appropriate medical personnel if you have any doubt. Refer to 'Crash reporting' later in this chapter.

Overview

Introduction

Investigating and reporting on traffic crashes is important to record the details of where, when, how and why a crash happened.

The information gathered when investigating and preparing reports is used not only for prosecutions, but also for planning and implementing crash-reduction programmes and designing improvements to vehicles and roads.

Police supply a copy of every Traffic Crash Report (TCR) to the [Waka Kotahi New Zealand Transport Agency](#) (NZTA). If the crash has resulted in a fatality, a trained Serious Crash Analyst (SCA) must complete an additional [Serious Crash Analysis Report](#). The SCA must send an electronic copy of their report to CAS.Administrator@nzta.govt.nz to enter into the Crash Analysis System (CAS). Both the [Commercial Vehicle Safety Team](#) (CVST) and a trained SCA investigate fatal crashes involving heavy motor vehicles.

Purpose

This chapter describes the procedures that all Police constables must follow when attending a crash and preparing the [various reports](#).

Police attendance at crashes

Police must:

- attend and report all fatal and injury vehicle crashes reported to them;
- attend and contribute to sudden death investigations involving a vehicle on private property;
- report and should attend any non-injury crash reported to them;
- stop and attend the scene of any crash they come across;
- ensure that any crash Police respond to involving a politician, diplomat, VIP or other high-profile person is overseen by an NCO;
- investigate and report any crash they attend in accordance with this chapter;
- secure vehicles, so electronic data can be downloaded, in accordance with the '[Vehicle crash data recording devices](#)' chapter, if required;
- test all drivers (or people suspected of driving) involved in a crash for alcohol and/or drug impairment in accordance with the '[Alcohol and drug impaired driving](#)' chapter; and
- treat all fatal and potentially fatal crashes as culpable homicides; a SCA who is qualified to advanced investigator (level 3) standard must investigate such crashes.

Refer to the guidelines for [traffic crash attendance](#).

Traffic crash investigation standards

Police investigating crashes must conduct their investigation in accordance with the principles, procedures and methodologies in the specialist crash investigation training programmes. These programmes are delivered by or on behalf of The Royal New Zealand Police College.

Roles and responsibilities for crashes

This table details roles and responsibilities relevant to traffic crashes.

| Roles | Responsibilities |
|--------------------------------------|--|
| District Commander | Ensures: <ul style="list-style-type: none">- all TCRs and Crash Analysis Reports are completed and meet the requirements outlined in this chapter; and- sufficient SCAs are qualified to at least advanced investigator (level 3) standard in their district. |
| District Road Policing Manager (RPM) | <ul style="list-style-type: none">- Reviews all Crash Analysis Reports to ensure they meet the requirements outlined in this chapter; and- Can request a Crash Analysis Report be completed for non-fatal serious crashes. |

Traffic crashes

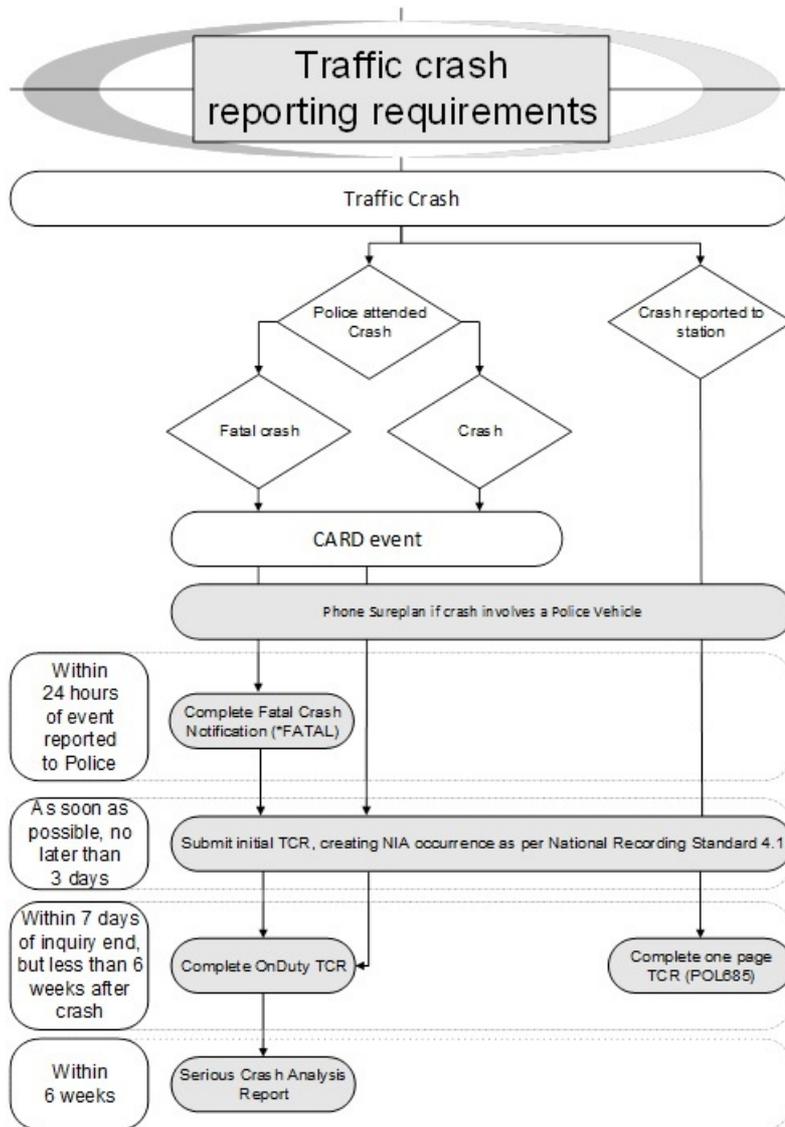
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| | |
|---|--|
| District Road Policing Manager and District Crime Manager | <ul style="list-style-type: none"> - Reviews sudden death investigations involving a vehicle on private property to determine the ongoing requirement for the Serious Crash Unit to be involved in the investigation into the death, post-initial scene attendance. |
| Supervisor | <p>Ensures:</p> <ul style="list-style-type: none"> - constables complete the TCR and Crash Analysis Report within the guidelines of this chapter; - appropriately qualified and technically proficient constables are authorised to complete Crash Analysis Reports; - constables display technical ability commensurate with their level of training; - constables display the highest level of professional conduct; - all TCRs are checked for accuracy and reviewed; and - all TCRs are submitted within the appropriate timeframes. |
| O/C Case | <ul style="list-style-type: none"> - Overall responsibility for the crash investigation file. - Obtains a Crash Analysis Report before recommending judicial action; - Retains one complete copy of the Crash Analysis Report with the crash file at all times; - Undertakes victim follow-up to ensure that injury status has not changed; - Undertakes any required follow up with Road Controlling Authorities (RCAs) around any road or environment issues that are identified; and - Advises File Management Centres (FMCs) of new information, (such as blood results or a change in injury status) so that the TCR can be updated and resent electronically to the CAS administrator at NZTA. |
| Serious Crash Analyst (SCA) | <p>To attend and investigate all fatal vehicle crashes, including:</p> <ul style="list-style-type: none"> - Attend, investigate and report all fatal vehicle crashes, and report all fatal crashes within 24 hours after the first fatality. - support and provide subject matter expertise on appropriate evidence collection, reconstruction and vehicle inspection for off-road fatal vehicle crashes to agencies and other Police staff, where SCU are not the lead investigation group. - determining which, if any, specialist units should attend the off-road fatal crash, which may be necessary for the sudden death investigation, e.g., Worksafe. - All notes taken at the time are attached to the sudden death investigation file. <p>Ensures the Crash Analysis Report is written and submitted on time. A SCA must:</p> <ul style="list-style-type: none"> - be authorised by a supervisor to complete the report; - have successfully completed at least advanced investigator (level 3) training; and - have Crash Analysis Reports reviewed as per the 'Serious crash investigation review' chapter. <p>Note: Where any crash has resulted in a fatality and is assigned to an SCA for analysis, the SCA is responsible for submitting the Fatal Crash Notification (*FATAL).</p> |
| File Management Centres (FMCs) | <p>FMCs must amend the NIA traffic crash node, as they are advised of new information (such as blood results) by the O/C Case.</p> <p>Resubmit any updated TCRs to NZTA electronically via the enterprise On Duty portal.</p> |

Reporting requirements

Constables and/or Authorised officers should attend and report a crash via the submission of a file in an accurate and timely fashion. All reports must be prepared by a person authorised to do so, and in adherence with the procedures in the '[National recording standard](#)' chapter of the Police Manual.

Reporting timelines



Refer to section [4.1](#) in the '[National recording standard](#)' chapter.

Types and purpose of reports

This table lists the reports relevant to traffic crash investigations and their purposes.

| Report titles | Purpose |
|--|--|
| Fatal Crash Notification (*FATAL) | <p>This Ten-One notification form is an early notification sent to interested parties. It contains initial information about a fatal on-road motor vehicle crash. It must be completed within 24 hours of the fatality occurring and must not contain any information that identifies a party involved.</p> <p>Note: It is important the timeline for entering this report is complied with.</p> |
| OnDuty TCR | <p>Constables must use OnDuty when attending and reporting on a crash. Constables must follow the instructions on completing a TCR. Crashes that have resulted in an injury and have been reported at Police station counter must be reported using a TCR.</p> <p>Note: If directed by the Communication Centre (Comms) to attend a crash, and on arrival all parties have left the scene, an OnDuty TCR must still be completed with as much detail as possible. All events coded 1V must be resulted K6 with Comms.</p> |
| Crash Investigation Report | <p>This report must be completed for all fatal crashes or at the request of the RPM. A trained SCA compiles this report, which may be used as evidence in judicial proceedings.</p> |
| Off-Road Crash Investigation | <p>A Serious Crash Unit Crash investigation report may not be required, however, ‘notes taken at the time’ should be preserved in their original form. These notes should be included in the sudden death investigation file.</p> |
| Motor Vehicle Crash Report | <p>This report must be completed by phoning SurePlan on 0800 112 323 (always select option 1 for Police and then you have a choice of option 1 for Sureplan or the other options for Custom Fleet).</p> |
| One Page TCR (POL685) | <p>This is a single-page form that only a Police employee in a watchhouse can use to record non-injury crashes reported at Police station counters. It must not be used for crashes constables attend even if they appear minor. Should a member of the public report a crash to a Police station that resulted in an injury, an OnDuty TCR must be completed by a constable.</p> |

Audience

When completing a report, remember the potential audience. These reports can be used as evidence in criminal proceedings and may be viewed by victims and their families. Ensure the report is legible and easy to understand.

Timelines for reporting

This table details when the reports must be completed and submitted.

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| Report title | Timeline |
|---------------------------------------|---|
| Fatal Crash Notification (*FATAL) | Must be submitted as soon as possible after the crash, but no later than 24 hours after the first fatality. Subsequent fatalities within 30 days must be reported in the same way. |
| OnDuty TCR | Must be submitted within seven days of the end of the inquiry, but no later than 6 weeks from the time of the crash. |
| Crash Analysis Report | Must be compiled and submitted within 6 weeks of the crash by the SCA. If this time frame is unable to be complied with, the District RPM must be advised of the reason for the delay. |
| One Page TCR (POL685) | Must be submitted within seven days of the end of the inquiry, but no later than 6 weeks from the time of the crash. |
| Off-Road Crash Investigation | 'Notes taken at the time' must be attached to the sudden death investigation file as soon as practicable. |

Crash reporting

Accurate information to be recorded

Funding for road improvements and new road policing resources is often based on crash risk. The accurate recording of crash locations, causes and injuries increases the likelihood of resources being allocated.

Constables also require accurate information to effectively deploy to road safety risk. It is important that accurate information is recorded on every TCR by following the [Reporting requirements](#) mentioned earlier in this chapter. This includes detailing information included in any attachments.

Important: All crashes attended by constables or resulting in injuries must be reported using an OnDuty TCR.

Victim injury status follow-up and blood result entry

Once the FMC has created a TCR within NIA, the NIA file must be assigned back to the O/C case for victim follow-up (including with RCAs), blood result entry, and future investigation as required.

Should the injury status of a victim change since the original report was entered, or upon blood results being received, or when additional information becomes available, the O/C case must advise the FMC which will update the TCR through the NIA crash node. The TCR must then be saved and re-sent electronically to NZTA by the FMC.

Heavy motor vehicle crashes

When a heavy motor vehicle (HMV) is involved in a traffic crash, the consequences are often more significant, both in terms of the trauma and damage caused, and the impacts on the wider road network.

Heavy motor vehicle crash investigation

The procedures for dealing with HMV crashes is the same as any other motor vehicle crash. However, if there is a HMV crash where death or serious injury to any person is involved, or is of a high profile or hazard risk, attending staff are to contact the on call CVST member to obtain initial advice and determine if CVST attendance is required. If CVST attend, they will advise the O/C scene and SCU member in attendance.

If CVST attend the crash then the CVST officer will investigate the 'Operation of the Transport Service' which will include specialised matters such as Work time and Logbooks, Vehicle Standards, Dangerous Goods, Vehicle Dimensions and Mass, Static Roll Threshold, Load Security, Transport Licensing, and Road User Charges as appropriate.

CVST will identify any offences in the specialist areas and act against any offenders in respect of these.

A written report will be supplied to the O/C file which will detail all the matters investigated above and any offences disclosed as well as any action taken against any of the parties involved with the operation of any of the Transport Services involved.

That report will be submitted to the CVST officer's supervisor and then to the O/C file supervisor for inclusion in the wider crash report.

See the 'CVST Practical Guide to Commercial Vehicle crash investigation' below for more detail.

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[CVIU_-_A_practical_guide_to_investigating_commercial_vehicle_crashes.pdf](#)

773.84 KB

Serious crashes

Reporting

All crash analysis reports should follow the prescribed template and have undergone peer review in accordance with the '[Serious crash investigation review](#)' chapter.

Note:

- All [Crash Analysis Reports](#) should align to the format and layout of the template.
- Preserve “Notes taken at the time” in their original form. These notes are key in linking observations and the final report, and they are admissible in court.

Submitting a crash analysis report

Note the following when submitting a report.

Format

Before submitting a crash analysis report:

- ensure at least one copy of the report is printed and signed as the original, and make additional paper copies as required;
- securely bind copies being issued to the judiciary or judicial officials;
- clearly identify the original if more than one printed copy is being issued; and
- use a secure format for electronic copies produced for any other organisation’s use and make sure they are accompanied by at least one printed copy.

Recipients

Submit the crash analysis report to:

- an SCU supervisor for review and verification. Once approved for distribution, send to:
 - the O/C File;
 - the RPM;
 - the CAS Administrator at the NZTA;
 - the National Coordinator: Crash Investigations, PNHQ; and
 - the Coroner, in the event of a fatal crash.

Filing

The report must be readily available until all appeal processes have been exhausted. Police then retain it for at least seven years before disposing of it.

Common pitfalls

Avoid:

- technical language and, where possible, define terms when they are first used
- over- or under-stating the facts; and
- making statements beyond your technical competence or understanding.

Fatal crashes

Key elements of fatal and potentially fatal crashes

This table details key elements of fatal and potentially fatal crashes.

| Key element | What is involved |
|----------------------|---|
| Investigation | Constables must investigate all serious crashes. Under the Coroners Act 2006 , all fatal crashes must be treated as suspicious, violent and causing unnatural deaths. |
| Scene examination | The examination of the scene must be treated as a culpable homicide investigation until proven otherwise. An early assessment will be made as to the criminal liability of any party. All reasonable practicable efforts must be made to facilitate the forensic evidence collection process and the prompt re-opening of the road. |
| Oversight | A constable who holds the position of Inspector or above must oversee the investigation of all fatal crashes. Detective qualified sergeants/senior sergeants may at the districts discretion, be assigned to oversee the investigation of crashes that potentially amount to culpable homicide in line with general Police policy and practices which apply to serious criminal investigations. |
| Supervision | Where possible, a sergeant or senior sergeant trained in crash investigation should supervise the investigation and scene attendance of fatal crashes. |
| Experts | The O/C Scene will call on experts as required (e.g., where a heavy commercial vehicle is involved, a CVST employee will consult and may attend). |
| Vehicle examination | Vehicles involved in fatal crashes must be examined by specialist vehicle examiners. |
| Breath/blood testing | All drivers (or people suspected of driving) involved in the crash must be breath tested and undergo a Compulsory Impairment Test (CIT) if drug impairment is suspected. If injured and hospitalised, they must undergo blood testing. If the driver(s) is not readily identified, every occupant of the vehicle can be tested for alcohol under section 68 of the Land Transport Act 1998. |
| Reporting | Reports must be submitted according to specified timelines . |

Procedures

Fatal crashes require constables to follow two sets of procedures:

- general traffic crash procedure
- [sudden death](#) procedure.

If a crash has caused death or an injury likely to result in death, then constables should follow the general traffic crash procedure. Follow the [sudden death](#) procedure where a fatality occurs.

Caution: Treat all fatal crashes as unlawful deaths until they are proved otherwise.

Media

Do not release the deceased's name to the media until their next of kin is advised. Tell the next of kin to inform relatives as soon as possible.

See the '[Releasing information to the media after a sudden death](#)' chapter.

Completing the Fatal Crash Notification

An SCA who attends a fatal crash must complete the [Fatal Crash Notification](#) (*FATAL) within 24 hours of the fatality to ensure Police and partner agencies are promptly notified of the event.

Note: This form is subject to [Official Information Act 1982](#) requests.

As at 1 January 2014, all on road fatal cycle crashes are treated as a normal fatality (i.e., treat as if it was a motorcycle crash).

The form must be as accurate as possible and use the best information available but must not identify individuals involved.

Only the SCA who entered the original form can modify it within 31 days. Modifications outside these restrictions have to be made by the system administrator (via [helpdesk](#)).

Off-road fatal vehicle crashes

Key elements for attendance at an off-road fatal vehicle crash

This table details key elements of an off-road fatal vehicle crash.

| Key element | What is involved |
|---------------------|---|
| Investigation | The Serious Crash Unit must investigate all off-road fatal crashes under the Coroners Act 2006 . Their primary role in attendance is to provide support and subject matter expertise on appropriate evidence collection, reconstruction and vehicle inspection to the primary investigation unit. |
| Scene examination | The examination of the scene must be treated as a culpable homicide investigation until proven otherwise. An early assessment will be made as to the criminal liability of any party. All reasonable practicable efforts must be made to facilitate the forensic evidence collection process and the prompt re-opening of the road. |
| Oversight | A constable who holds the position of Inspector or above must oversee the investigation of all fatal crashes. Detective qualified sergeants/senior sergeants may at the districts discretion, be assigned to oversee the investigation of crashes that potentially amount to culpable homicide in line with general Police policy and practices which apply to serious criminal investigations. |
| Supervision | Where possible, a sergeant or senior sergeant trained in crash investigation should supervise the investigation and scene attendance of fatal crashes. |
| Experts | The attending SCA will call on experts as required (e.g., where a heavy commercial vehicle is involved, a CVST employee will consult and may attend). |
| Vehicle examination | Vehicles involved in fatal crashes must be examined by specialist vehicle examiners. |

Completing the Fatal Crash Notification

No Fatal Crash Notification is required for an off-road fatal vehicle crash.

Traffic crashes involving Police employees

Police must ensure traffic crashes involving Police employees are appropriately overseen to ensure compliance with the '[Managing conflicts of interest](#)' chapter of the Police Manual (i.e., that the investigation will withstand external scrutiny).

Police must ensure the District Police Professional Conduct Manager (PPCM) is notified of all crashes involving Police employees in their district. The PPCM must ensure:

- crashes are investigated in a timely manner and within statutory limitations
- the investigation is recorded on IPro (PPCM database)
- [early intervention](#) will access this information to identify employees that may need future assistance.

Employee responsibilities: crash scene

If a Police vehicle is involved directly or indirectly in a crash, the driver or, if the driver is incapacitated, the Police employee attending the crash must:

- take steps to ensure the safety of the scene to prevent anyone else being injured;
- notify the Communication Centre, their immediate supervisor or the constable in charge of their station by the quickest means possible and request assistance if required;
- assist any injured people before the ambulance or medical personnel arrive; and
- ensure the supervisor investigating the crash is given all the information required.

Caution: Police employees should **not** admit fault or promise payment to a third party. It is preferable to leave the investigation to determine fault and any subsequent actions that may need taking, such as reparation.

Employee responsibilities: post-crash

If the Police employee involved in a crash cannot complete any of the requirements detailed below, the supervisor must complete them on their behalf.

| Step | | Police employees involved in a crash must: |
|------|--|---|
| 1 | | Notify their supervisor, Area Commander and Police Professional Conduct Manager (PPCM) of the crash. |
| 2 | | Notify Sureplan, the Police accident management provider, by calling 0800 112 323 (always select option 1 for Police and then you have a choice of option 1 for Sureplan or the other options for Custom Fleet) from the scene or within 48 hours if it is not possible to call from the scene. |
| 3 | | Answer SurePlan's questions. This takes about seven minutes. |
| 4 | | Obtain a claim number from SurePlan. |
| 5 | | Advise their supervisor of the Sureplan claim number. |
| 6 | | Complete a near miss report if there are no injuries, or an incident report if someone is injured. Both forms are accessed through My Police/SAP>My services>My safety info>Create an incident. |

Roles and responsibilities of other employees

| Role | Responsibilities |
|------|------------------|
|------|------------------|

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| Role | Responsibilities |
|--|---|
| District Commander | <ul style="list-style-type: none"> - Advises the Commissioner or the Director: Integrity and Conduct where a Police employee, acting in the course of their duty, causes (or appears to have caused) death or serious injury to any person; and - Reviews the file and considers, if necessary, what course of action will be taken with the driver. |
| Director: Integrity and Conduct | Liaises, if necessary, with the Independent Police Conduct Authority . |
| District Police Professional Conduct Manager (PPCM) | <ul style="list-style-type: none"> - Provides oversight to ensure crash investigations are undertaken in accordance with this policy and the ‘Managing conflicts of interest’ chapter. - Reviews investigation outcomes for national consistency and requests file reviews or escalates to the Directors Road Policing and Integrity & Conduct if outcomes are deemed to be inconsistent. - Ensures that an appropriate notification is made to the IPCA by entering an event into BlueTeam if the crash has caused serious injury or death to any person (Sec 13 IPCA Act) or is of such significance that it should be notified pursuant to the MoU with IPCA. |
| District Road Policing Manager (RPM) | <ul style="list-style-type: none"> - Reviews all Crash Analysis Reports to ensure they meet the requirements outlined in this chapter; - Can request a Crash Analysis Report be completed for non-fatal serious crashes; - May be consulted as part of the file review or during consideration of the course of action to be taken; and - Supports the District Professional Conduct Manager with specialist advice or resources to support any investigation they undertake, as required. |
| District Crash Panel | Assists both the RPM and PPCM with advice on the crash as required. |
| Area Response Manager Or Substantive Sergeant (or above) | <ul style="list-style-type: none"> - Appoints a Sergeant (or above) as O/C File; - Ensures SurePlan arranges a vehicle examination as soon as possible to estimate repairs; - Ensures the Professional Driving Panel has been notified and received a copy of the file; - Ensures SurePlan’s Electronic Claim Form is completed; - Ensures, if an employee has been injured, the accident compensation policy is followed, and the employee or the employee's supervisor completes a near miss report if there are no injuries, or an incident report if someone is injured. Both forms are accessed through My Police/SAP>My services>My safety info>Create an incident; - Submits the completed crash file to the District Commander promptly; and - Submits a report for forwarding to the Commissioner if it is considered uneconomic for repairs to be made or the estimated cost of repairs is in excess of the district authority limit. |
| Supervisor of the Police employee involved in the crash | <ul style="list-style-type: none"> - Attends the crash if required; - Notifies the O/C Station; - Considers the welfare of staff and makes relevant referrals as per the Trauma Support policy; - Confirms the driver has notified Sureplan to obtain a claim number; - Ensures an OnDuty TCR is completed; - Sends the completed OnDuty TCR to SurePlan with the claim number noted across the top; - Ensures a near miss report is completed if there are no injuries, or an incident report if someone is injured. Both forms are accessed through My Police/SAP>My services>My safety info>Create an incident; and - Reports the driving incident to the appropriate PDP. |
| Communications Centre | <ul style="list-style-type: none"> - To exercise initial command and control of the crash scene until incident control is passed over to the District in accordance with the Radio and Communication Centre Protocols. - In consultation with District Command Centre (DCC), ensures the scene is attended by a Sergeant (or above) or detective (depending on the severity of the crash) and inquiries are made. |

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| Role | Responsibilities |
|-----------------------------------|---|
| SurePlan 0800 11 23 23 | <ul style="list-style-type: none">- Arranges assistance at the scene if required by Police, including towage assistance, if required, to the relevant secure lock-up;- Gathers crash data (ECF) from the driver by phone, including any third-party details (this was previously collected on the Motor Vehicle Crash report);- Sends the ECF to required Police employees; and- Arranges collection of the vehicle, if required, and its repair. If there is a third-party claim, the claim process commences, and SurePlan establishes contact with the third party. |
| Serious Crash Analyst (SCA) | Attends and provides a report on any: <ul style="list-style-type: none">- serious crash involving a Police vehicle and/or a Police employee on duty at the time; and- other crash involving a Police vehicle or employee, at the request of the District Commander, Area Commander or RPM. |