

## Motor Prosecutions

### What would you do?

Every fatal road traffic collision will be investigated by the police. The police investigation will start in the immediate aftermath of the collision, and your driver is at risk of incriminating both himself, and the organisation as a whole, from the moment the police ask 'what happened' at the scene.

The police will be investigating offences against your driver of causing death by dangerous and causing death by careless driving. These offences carry custodial sentences, with a maximum of 14 years for death by dangerous driving, and 5 years for death by careless driving. The jury conviction rate for death by dangerous driving is 85% which is the second highest jury conviction rate.

The police investigation of your driver will also involve asking the driver about the culture within your organisation in relation to driver training etc, as well as details about your organisation's driving policies. The involvement of your driver in a fatal road traffic collision immediately puts your organisation under the spot light in relation to possible health and safety offences, as well as corporate manslaughter.

To protect your driver's interests, as well as the interests of your organisation, **you must provide legal representation to every driver involved in a fatal road traffic collision from the time of the collision.**

Do you have in place the procedure to make sure this legal representation is instantly available to your driver?

### We understand the importance of representation

Given the real risk that your driver will face a custodial sentence, as well as the risk to your organisation from a health and safety perspective, we at Anthony Jones recognise the need for you to have 24 hour nationwide access to specialist criminal lawyers.

We have therefore appointed DAC Beachcroft Motor Prosecutions team to provide your driver's with round the clock legal advice and representation in the event of a fatal road traffic collision.

Their highly trained specialist criminal lawyers share a distinctive culture which has deep client relationships at its core. They work tirelessly to protect the rights of drivers and operators of goods and passenger vehicles, their liberty and livelihood.

By offering driver representation, not only are we enabling you to act in your driver and organisation's best interests, but we are also ensuring that you are keeping a firm grip on liability in relation to any potential civil claim that follows.

### National Coverage - 24 hours

DAC Beachcroft operates a 24 hour hotline that ensures your driver receives early advice from a specialist lawyer as well as police station representation throughout England, Scotland and Wales. They then assist and represent the driver and operator through all possible eventualities to ensure a seamless and consistent service. Their expertise in this area means that they have established contacts within all the investigating authorities.

### DAC Beachcroft initial response

DAC Beachcroft's response is to make immediate contact with the Investigating police officer to obtain details regarding the collision circumstances, physical evidence at the scene, early indicators from police collision investigators in relation to the mechanics of the collision, accounts of any witnesses, details of injured parties/deceased and dependents, and vehicle defect issues.

Details from the police at the scene enable us to quickly consider the risk of any potential conflict between your driver and your own organisation's interests.

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