

## ALLEGATION OF BAD DRIVING

### GUIDANCE

This is a form which, when completed, will give details of what you witnessed of an incident of alleged bad driving. The information that you put in this form will be looked at as part of the investigation of the incident. However, please be aware that a prosecution of the alleged offender may not necessarily follow.

If a prosecution does proceed, what you write about on these pages will be taken as your witness statement. There is a possibility that it may be read to the court as part of the prosecution case. Therefore, the aim is to create a document that reads easily as an account of what you witnessed. To help, the form is divided into sections with entries in the left-hand margin giving details of what each section should cover, examples, or other information to guide you. Please remember to put only what you yourself **KNOW** happened, not what others have told you or what you think may have happened.

You will see that on most questions there is a set of words, which are used as a prompt. You will appreciate that this form has to be applicable to many varied circumstances, so to cover this there are options in the prompts which require the unwanted parts to be crossed out. Please be careful to do this whenever necessary, otherwise the result will not make sense.

It is possible that the incident you witnessed involved more than one 'offending' vehicle, for example two cars racing each other. If so, on some questions you will find that you will have to write out again the 'prompt' part for the further vehicles, so that the form makes sense. Also on multiple vehicle cases when dealing with the description questions, it is important to make it clear to which vehicle the description belongs. For example, questions 11(c) 'The white Ford Fiesta was not displaying 'L' or 'P' plates. The red Vauxhall Cavalier was displaying 'L' plates'.

When you have completed the form it may help to read through your statement. If it makes sense to you, it should hopefully make sense to the court.

### **THIS FORM MUST NOT BE USED TO REPORT ROAD TRAFFIC COLLISIONS**

#### **To be completed by the complainant / witness**

**This allegation will only be investigated if returned within the 10 day deadline stated below and evidence can be provided by any INDEPENDENT WITNESSES, ie. A person or persons other than in your own vehicle.**

\* delete as applicable

1.	Was bad driving the only offence committed?	Yes / No*
2.	Was there another <b>independent</b> witness to the incident who is prepared to support your allegation in court (i.e. a person who witnessed the event but was not involved or connected with any person concerned)? If there is no other independent witness, it is unlikely proceedings will be taken.	Yes / No*
3.	Did you note down the registration number of the offender's vehicle or obtain other details identifying the driver of the vehicle?	Yes / No*
4.	Would you be willing to attend court and give evidence?	Yes / No*

Please complete the form overleaf in **BLOCK CAPITALS** and in **black ink** and return it to the Traffic Process Management Unit, PO Box 6891, Kidderminster, Worcestershire, DY11 9ER **within 48 hours**.

The prompt return of this is required so that police can issue statutory notices **within 10 days** of the incident.



# Statement

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B)

<p>* Delete as necessary and also those questions which are not applicable</p>	<p>Name:..... (BLOCK CAPITALS)</p> <p>Age if under 21 (if over 21 insert 'over 21'):.....</p> <p>This statement consisting of 5 pages each signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.</p> <p>Dated the..... Date of .....</p> <p>Signed:..... Please ensure each page is signed</p>
--	---

**PLEASE STATE ONLY WHAT YOU SAW YOURSELF**

<p>1. When did it happen?</p>	<p>At:..... AM / PM* ..... DAY ..... (DATE) OF..... (MONTH) AN INCIDENT OCCURRED</p>
<p>2. Where did it happen?</p>	<p>The incident occurred at ..... (ROAD) ..... (TOWN)</p>
<p>3. What were you doing?</p> <p><b>In/on a vehicle</b></p> <p><b>(Not in a Vehicle)</b></p> <p><b>(Location)</b></p>	<p>* I was driving / riding / a front / rear seat passenger in / on ..... (TYPE) .....(MAKE).....(MODEL)</p> <p>Registration number:.....</p> <p>* I was standing / sitting / walking / running / crossing</p> <p>At:.....</p> <p>On which side of the road: .....</p> <p>The incident happened approximately ..... yards away from me * to my front / rear / left / right.</p>

Signed: .....

4. Where and what speed were you travelling?

\* I was travelling from..... towards  
..... at a speed of approximately .....  
miles per hour and at the time I was on the left (nearside) / right (offside) of the road / lane.

5. Vehicle Manoeuvres

\* At the time of the incident I was stationary / waiting to go ahead / stopping / turning / left / right / carrying out a turn in the road / overtaking / going ahead / entering / leaving a lay-by / side road.

Traffic Conditions

\* Traffic conditions were heavy / medium / light / very light.

Weather

\* The weather was fine / cloudy / dull / rainy / snowing.

Visibility

\* The visibility was bright sunlight / clear / mist / spray / fog / dark / street light on.

Did any person make any relevant comment or admission to you? If so, what was said and by whom? .....  
.....  
.....

6. Describe the vehicle(s) involved, including type (e.g. motorcycle/car/lorry, etc), make, model, colour, if towing trailer - details of trailer.

\* The other vehicle(s) involved was/ were .....  
.....  
.....

7. (a) Registration mark(s) of other vehicle(s) e.g. colour, make, model as at 6 above and then give the relevant registration number if you can.

\* I was able / unable to see the registration number of .....  
It was .....  
.....

(b) Did you make a note?

\* I did / did not make a note of the registration number(s).

(c) If you did make a note, please state where it is now or who has got it. If you still have it please attach it to this form. Delete this part if no note was made.

The note I made is now attached to this form / with police (other)  
.....

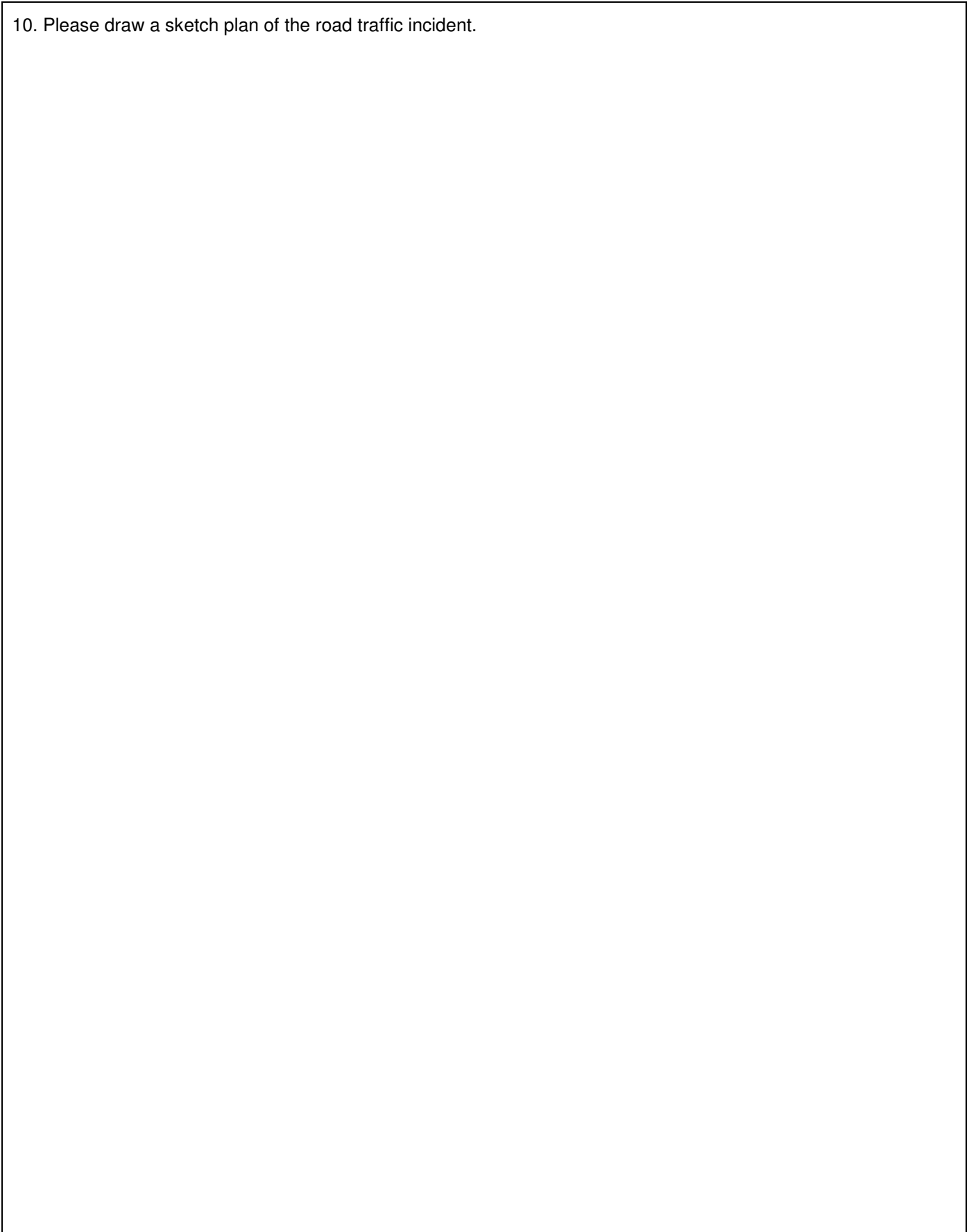
8. Was there any conversation between you and the other driver(s) involved. If there was, please write down the conversation between you and that driver in as much detail as you can remember.

\* I was able / unable to speak to the driver of .....  
.....  
.....  
.....

Signed: .....



10. Please draw a sketch plan of the road traffic incident.



Signed: .....

11. (a) Describe the other driver(s) involved, giving as many of the following details as you can remember: colour, sex, age, height, build, complexion, colour of hair and eyes, and any distinctive features.

\* I would / would not be able to recognise the driver of ..... again.  
\* I can describe him / her as .....  
.....  
.....  
.....  
.....  
.....

(b) Was the driver alone or with others? If with others, please describe them, using the same characteristics as above.

\* The driver of ..... was unaccompanied / accompanied by ..... others.  
\* The passenger(s) I can describe as .....  
.....  
.....  
.....  
.....  
.....

(c) Was the vehicle displaying 'L' or 'P' plates?

\* The ..... was / was not displaying 'L' or 'P' plates.

12. Describe any other factors which may be relevant, e.g. traffic signs or road works in the vicinity.

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Signed: .....

# Personal Details

(The information on this page should not be disclosed to the defence other than in exceptional circumstances and then only after discussion between the Police and Crown Prosecution Service).

Ref no: Name:.....  
(BLOCK CAPITALS)

Please complete in black ball point pen. Address: .....  
.....  
.....  
.....  
.....  
..... Postcode: .....

1

Tel (including STD code): Home:.....  
Mobile:.....  
Work:.....

Date of birth:.....

Occupation: .....

Please give the name(s) and address(es) of any known witnesses:  
.....  
.....  
.....  
.....  
.....

2

Please give brief details of your driving/riding experience

Licence held?  Yes  No  Full  Provisional

How long held? .....

Signed: .....