

# Hit-and-run: why do drivers fail to stop after an accident?

*Contexts of incidents, driver motivations and preventative strategies*

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## *Disclaimer and acknowledgements*

This report has been written exclusively by academics from the University of Leicester. The findings are based on data collected from research participants and are not necessarily reflective of the organisations they represent, the Motor Insurers' Bureau or the University of Leicester.

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## Key findings and implications

This report presents the findings of a study conducted regarding hit-and-run drivers between September 2015 and June 2016. While national data suggests around 12% of all road traffic accidents where an injury is sustained involves a hit-and-run driver, the true extent of the problem is unknown. That said, it is clear that while hit-and-run accidents can have an impact upon the lives of victims/offenders and generate significant financial costs, little previous research has considered the contexts of incidents or the motivations of drivers to leave the scene. The study was funded by the Motor Insurers' Bureau (MIB) and was guided by two principal research questions:

1. Why do some drivers fail to stop/report an accident (which includes offences often colloquially referred to as 'hit-and-run')?
2. What preventative strategies could be implemented to reduce the number of future offences?

Data were collected via a postal survey of 695 drivers, and detailed follow-up interviews were conducted with 52 drivers convicted for AC10/20 offences. In order to develop ideas for preventative strategies, interviews were conducted with a number of industry stakeholders.

### **Key findings from driver interviews**

The postal survey indicated that:

1. Hit-and-run drivers are predominantly male and have a number of motoring-related convictions that are indicators of poor or irresponsible driving.
2. Common reasons for leaving the scene of an accident are because drivers think that accidents are too trivial to report, they 'panic', face aggression

from other drivers or pedestrians, have been drinking or do not have insurance.

3. Drivers are commonly traced through pedestrians or other motorists taking registration details. In cases where pedestrians are involved, drivers are more likely to later self-report to the police.

The 52 detailed interviews highlighted the complexity of hit-and-run and the range of factors that can lead to a driver leaving the scene. In 13 cases, extensive damage (in that a car was written off or there were questions over whether it could be driven away from the scene) had been caused to a vehicle; in 15 there was some damage to a vehicle (in the form of visible dents) and in 19 there was slight/minor damage to a vehicle (such as paintwork scratches). Pedestrians were involved in some way in a total of 12 cases. A total of 12 drivers were disqualified as a result of the incident, with seven receiving a prison sentence.

The interviews identified four principal motivations for leaving the scene:

1. **Self-preservation:** many drivers (n=21) thought about their own self-preservation rather than any responsibility to report. Drivers might 'self-preserve' in several ways. Some have criminality to hide, others fear the consequences of capture, some simply panic and enter a 'flight mode', some are fearful for their own physical safety and others are fearful that they are being 'set up' as part of a scam.
2. **Drinking:** for some drivers (n=7), drinking was the key cause of the accident and the key reason why they left the scene. Due to drinking, the judgement of these drivers becomes impaired. When reflecting on the incident, this group was most likely to say they were to blame for the

accident and that their actions (in leaving the scene) were a crime.

3. **No knowledge of the accident:** these drivers (n=8) claim they had no knowledge of being involved in an accident at all at the time when the accident occurred. This can be linked to the type of vehicle driven – for example, those driving a van or HGV sometimes claimed they had no knowledge of hitting a motorcyclist or road furniture.
4. **Too trivial to report:** in several cases (n=16), drivers claimed the incident was not serious and often used this as justification for not reporting. Interestingly, when later reflecting on the incident, nearly all of the drivers in this group (n=13) thought they were to blame for the accident, but that their actions (in leaving the scene) were *not* a crime.

Overall, hit-and-run drivers could be categorised into six groups that are linked to these motivational categories. These include:

- **The oblivious:** Drivers who are unsure that an accident has even occurred.
- **The uncertain departers:** Drivers who are unsure whether the accident should be reported at all – usually due to their judgement that the accident is too trivial.
- **The panickers:** The initial response of this group is to ‘panic’ at the scene (regardless of blame or extent of damage/ injury). This is followed by an overwhelming desire to leave the scene or enter a ‘flight’ mode.
- **The rational escapist:** Drivers who make a rational decision to leave the scene (by considering the consequences of staying at the scene as against the benefits of leaving). This group may make a rational decision to leave to either (1) hide criminality; (2)

avoid being victims of ‘scams’ or (3) to protect their safety if the accident has occurred in a dangerous location.

- **The intimidated:** Drivers who face aggression from other drivers or pedestrians and as a consequence leave the scene.
- **The impaired or ‘non compos mentis’:** Drivers who are drunk or drugged at the time of the accident. This may be the cause of the accident and impairs judgement over whether to stay at the scene or not.

It was observed that many drivers linked the notion of ‘blame’ for the accident to whether they considered their actions to be a crime. Where extensive damage was caused, drivers were most likely to blame themselves for the accident and to also suggest that leaving the scene was a crime. Drinkers (the impaired/ non compos mentis) were the group most likely to express remorse for their actions.

It was also evident that several drivers were resentful of the way they had been treated by the legal system and at being forced to plead guilty in relation to the charges brought before them. This was most apparent in cases of a more trivial nature. Indeed, several drivers even implied this raised questions about the legitimacy of the legal system.

For many drivers, the incident had consequences on their lives that were considered to be a punishment beyond the legal penalties that were received. Some suggested there was a ‘double punishment’ effect with them receiving a criminal penalty and then also being punished by insurance companies. One in four mentioned the impact the hit-and-run had on the cost of insurance and the lack of ease at which this could be purchased as a consequence of the offence. This had the biggest impact on drivers who had been disqualified from driving.

Several other drivers mentioned a number of further potentially life-changing impacts. In two cases these were largely positive as they led to drinking reductions and other positive life changes. For others, the effects were largely negative and included impacts on future job prospects and in some cases the stigma of being publically exposed in local media was a source of shame.

### **Potential preventative strategies**

Both stakeholders and drivers identified a number of potential preventative strategies that might either reduce fail to report/stop or increase the number of drivers traced after an accident. These fell into a number of groups based around:

1. **Developing alternative means of reporting:** in order to ease reporting, the use of electronic reporting via a website or through a mobile app should be considered. The development of 'safe haven' reporting sites (such as petrol stations) for drivers intimidated at the scene of an accident should also be considered.
2. **Education/promoting awareness for drivers:** clarity is required on driver responsibilities and exactly what needs to be done in the event of a collision. This needs to be standardised across government and insurance companies. Such awareness might be published through accident cards distributed through insurance companies or on a redesigned drivers licence.
3. **A National Vehicle Accident Responsibility Awareness Campaign (VARA):** A national campaign promoting accident responsibility awareness could be effective. This might target several groups, such as young drivers and employees who have corporate social and legal responsibility for their staff using the road network.

4. **Training for drivers:** further training for drivers via the driving theory test and also through existing courses – such as speed awareness courses for convicted drivers – might be considered.
5. **Tackling the antecedents of hit-and-run:** there is a need to continue to prevent key antecedents of hit-and-run accidents – such as drink driving. For example, there might be potential to consider the wider use of Alcolock systems in relation to drink driving.
6. **Providing incentives for use of surveillance technologies:** there is potential to persuade people of the benefits of using technologies – such as dash cams – that passively exist in a vehicle and are constantly recording what is happening. This might be done through 'carrot and stick' approaches developed by insurance companies.
7. **Exploring sentencing guidelines and how they are applied:** diverse views on present laws and sentencing and a variety of different – and sometimes opposing – suggestions were put forward in areas such as charges, law changes, tariffs, and mitigating and aggravating factors. Several interviewees felt there was potential for further work looking at the consistency of the application of the law in relation to fail to stop/report offences.

### **Implications of the study**

The study highlights the complexity of hit-and-run. The offences of fail to stop and report are generated in a range of circumstances, and a number motivational reasons for failing to stop or report an accident are observed. The findings also show that groups of motivational factors for leaving the scene can be identified and so can groups of hit-and-run drivers.



The study is limited, as the sample group of drivers does not include some types of drivers observed in previous research (such as those involved in accidents where there is a fatality or where drivers are unlicensed). However, as both the postal survey and the driver interviews have covered a broad range of cases – from those where drivers were involved in accidents that do appear trivial to those where serious damage was caused – this does allow for a range of hit-and-run driver types to be identified. One might assume that in the majority of cases, the driver categories identified here will also broadly reflect many of the types of drivers who leave the scene but remain untraced. In addition, the driver interviews in tandem with the stakeholder interviews have also identified a number of potential preventative strategies. A challenge moving forward will be to identify which preventative strategies might potentially be implemented.

Finally, further research might usefully try to build upon to data collected here by adding to the existing sample of cases. In particular, aiming to add drivers involved in the most serious cases – such as those where there was a fatality – would be a useful starting point.

## 1. Introduction

This report presents the findings of a study conducted in relation to hit-and-run drivers between September 2015 and June 2016. It was funded by the Motor Insurers' Bureau (MIB) and was guided by two principal research questions:

1. Why do some drivers fail to stop/report an accident as stipulated in Section 170 of the Road Traffic Act 1988<sup>1</sup> (which includes offences often colloquially referred to as 'hit-and-run')?
2. What preventative strategies could be implemented to reduce the number of future offences?

Despite the obvious consequences of hit-and-run, there is a relative paucity of policy or academic-based research that identifies driver motivations or develops potential preventative strategies. In order to address this, the current study utilised a four-stage approach to the investigation of the research problem, including:

1. An extensive literature review in relation to driver motivations and reasons for hit-and-run;
2. A national postal survey of a sample of drivers with endorsements for fail to stop/report road traffic offences;
3. A number of detailed semi-structured interviews with convicted hit-and-run drivers;
4. Engagement with a range of stakeholders in order to develop preventative strategies.

This report presents detailed findings of stages 3 and 4 of the research in relation to the semi-structured interviews with drivers and the development of preventative strategies (a summary of the findings of the postal survey can be located at: <http://www.mib.org.uk/>)

These findings are structured into four main sections. First, a brief overview of the research context – including the extent of the problem and the previous research – is outlined. Second, an overview of the methodological approach – including data collection tools and methods of analysis – is provided. Third, the findings from the interviews with drivers are presented, and, finally, (fourth), findings from the stakeholder interviews are outlined together with a number of recommendations for future preventative strategies.

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<sup>1</sup> The Road Traffic Act Section 170 (1988) requires that drivers involved in an accident where (a) personal injury is caused to somebody other than the driver of vehicle or (b) damage is caused to another vehicle, road furniture or an animal must stop and exchange details as appropriate or report the accident within 24 hours. Failure to do so is an offence that can result in a conviction for an AC10 offence – Failing to Stop After an Accident (Section 170(4) Road Traffic Act 1988) or AC20 offence – Failing to Give Particulars or to Report an Accident within 24 hours (– Section 170(4) RTA 1988).



## 2. Research Context: The problem of hit-and-run

The problem of hit-and-run accidents has been an ongoing source of concern in policy circles, for both those with a responsibility for roads policing and for road safety campaigners. Nationally, Department for Transport (DfT) data highlights that in 2015, of the 140,056 road traffic accidents where an injury was sustained, in just over 12% (n=17,122) a hit-and-run driver was involved<sup>2</sup>. Of all hit-and-run incidents, in 90% there was slight injury, in 9% serious injury and a fatality in less than 1%<sup>3</sup> (see Figure 2.1). While DfT data are a useful source on numbers of incidents (and the proportion) involving a hit-and-run driver, the focus on accidents where an injury was sustained potentially masks the full extent of the issue. Other sources of data in relation to *fail to stop and report* offences are available – such as DVLA data on the number of drivers convicted for such offences (see Box 1). However, DVLA data on convictions for the relevant offences are not published annually and are likely to significantly under record the extent of hit and run for the reasons identified in Box 2<sup>4</sup>.

Although the level of seriousness of accidents in relation to fail to stop/report offences can vary significantly, there are several potentially negative consequences. While the most severe incidents might lead to death or serious physical injury, there can also be potentially long-term and emotional impacts on both victims and their families, as well as financial implications. While the total costs of hit-and-run incidents are unknown, in 2014 the cost of

an accident with a fatality was estimated to be in the region of £2m; a serious injury accident £200k and a slight injury accident £24k<sup>5</sup>. If one considers that, in 2015, there were 77 *fatal*, 1,562 *serious* and 15,483 *slight* hit-and-run accidents, the potential overall costs to the economy are likely to be significant.

### **Box 1: How are hit-and-run offences counted?**

- **Police STATS19** data as reported by the Department for Transport, presents statistics on the number of collisions with injury involving a 'hit-and-run driver'.

- **Convictions** for hit-and-run are recorded across several categories that are collected through the DVLA. These are failure to stop after an accident (code AC10); failing to give particulars or to report an accident within 24 hours (code AC20); undefined accident offences (code AC30) and wilful failure to carry out the obligation placed on drivers after being involved in a road accident (code MR19).

While the evidence suggests hit-and-run is a significant policy issue, there has been a paucity of UK based research both in relation to driver motivations and effective preventative strategies. To date, most studies have been conducted in the USA and have significant limitations (see Annex A for an overview). The few existing studies almost exclusively use officially recorded police data as a starting point for research, and these analyse environmental factors such as driver, victim, vehicle and crash characteristics. The

<sup>2</sup> Around 5% of all fatal driving accidents involve a hit-and-run driver, as do 8% of those with a serious injury and 13% with a slight injury. Source: data supplied by Department for Transport.

<sup>3</sup> While the number of hit-and-runs has fallen in line with accidents generally since 2005, the proportion of hit-and-runs increased between 2014 and 2015 from 11.4% of all accidents involving injury to 12.2%.

<sup>4</sup> The MIB receive around 14,000 claims in relation to untraced drivers per year for a mixture of injury and property damage. Some of these will feature in the DfT statistics on hit and runs.

<sup>5</sup> See Department for Transport (2015) - [Average value of prevention per reported casualty and per reported road accident: Great Britain, latest available year](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254720/rrcgb-valuation-methodology.pdf). The methodology for the costings valuations can be found at Department for Transport (2015) - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/254720/rrcgb-valuation-methodology.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254720/rrcgb-valuation-methodology.pdf)

majority of studies examine fatal hit-and-run accidents, whereas a smaller proportion explore hit-and-run accidents where any type of injury has been sustained. Although research has highlighted that offending drivers are commonly young, male and drivers of older vehicles, the lack of engagement by researchers with actual offenders means that our understanding of motivations to leave the scene of the accident – from the most minor incident, to the most serious – is limited.

That said, some previous research has highlighted several plausible reasons for hit-and-run. For example, Solnick & Hemenway (1994) suggest that in accidents where younger people are involved or seriously injured, drivers are *less likely* to leave the scene – suggesting that drivers may feel guilty in such circumstances or even that they are not to blame (for example, when children run into the road). However, they also suggest that in some cases personality disorders might be explanatory reasons as to why some drivers appear to have little moral responsibility towards victims. Dalby & Nesca (2008: p52) suggest that in many cases offenders ‘present as normal people (i.e. free from mental illness) who panic and flee’. In these cases, there is often little reflection on the decision to leave, but offenders become overwhelmed by the possible consequences of the accident. While it might be suggested that decisions to leave the scene might be based upon rational choice decisions - where offenders calculate the cost benefits of the likelihood of evasion as against the consequences of remaining at the scene - Solnick & Hemenway (1994) find little support for this hypothesis and identify the role of alcohol as a significant contributor. Others have highlighted the evasion of responsibility/avoidance of punishment, the presence of alcohol/drugs, unlicensed drivers, personality disorders and mental illness as potential reasons for hit-and-run accidents (See Dalby & Nesca, 2008). Interestingly, Dalby & Nesca (2008) also highlight that a key

defence against hit-and-run would be lack of knowledge that an accident occurred.

Of course, a major challenge faced by researchers trying to understand motivations for hit-and-run is in obtaining a sample of drivers. As illustrated in Box 1, hit-and-run drivers are represented in the statistics in police STATS19 data (as held by the Department for Transport), and details of offenders are held in the DVLA driver database. However, as there is no specific offence category of hit-and-run, it can be difficult to trace drivers convicted for an offence (See Box 2). This is also complicated by the fact that hit-and-run drivers may be convicted of a range of offences such as drink driving, dangerous driving and careless driving.

**Box 2: key issues when trying to identify hit-and-run drivers**

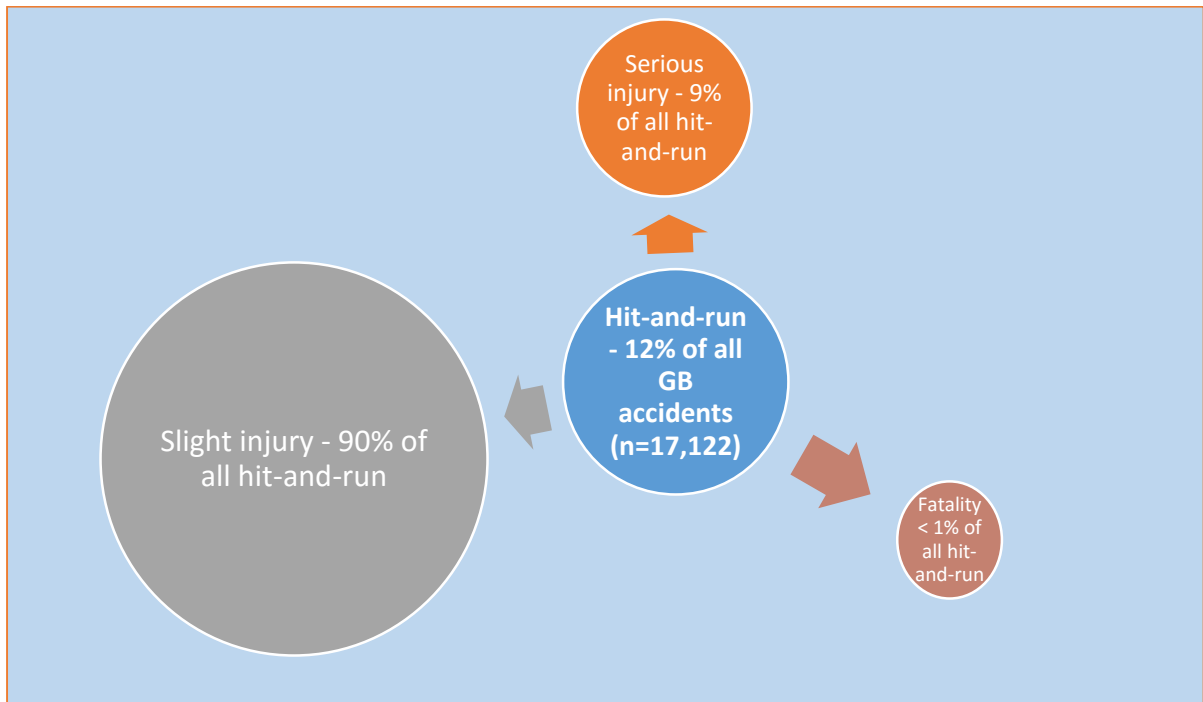
**- Access to a sample group:**

Understanding the motivation for hit-and-run is made difficult as gaining access to a sample of hit-and-run drivers is compounded by two main problems. First, many drivers will never be traced after an accident. Second, when a driver is traced, they may be convicted under a number of offences that can denote a range of driving behaviours, many of which will not indicate a hit-and-run element. Therefore, attempting to trace ‘hit-and-run drivers’ through official criminal justice routes can be problematic. For this study, drivers were sampled using DVLA AC10 (fail to stop) and AC20 (fail to report) records.

Such drivers will have been involved in a range of accidents from minor accidents to the more serious.

For the purpose of the current study, this issue was overcome through utilising the Driver Vehicle Licensing Agency (DVLA) driver database. Here details of drivers with current

**Figure 2.1: GB hit-and-run incidents – numbers and proportions of hit-and-runs that involve injury (fatal, serious or slight).**



**Base: DfT data on STATS19 'hit-and-runs'**

convictions for AC10 – 'fail to stop after an accident' and AC20 – 'fail to report an accident' are recorded. All 19,071<sup>6</sup> drivers with current endorsements at October 2015 were written to and asked to (a) complete a postal survey and (b) if they would be willing to take part in a semi-structured interview<sup>7</sup>. The initial postal survey asked drivers why they left the scene of the accident and how they were traced after the accident. In total, 695 'useable' responses were received<sup>8</sup> and these yielded some useful findings that are worth recounting here. In summary:

- It is common for drivers convicted of AC offences to also have other driving offences on their record. For example, around one in four also have careless driving offences and one in five drunk driving offences on their record.
- The demographic split of AC offenders is weighted towards males (82%) and younger drivers (those aged below 34).
- Most AC offenders leave the scene of an accident as they do not think the accident is serious enough to report or do not think that it needs to be reported.
- There is, however, evidence that many drivers are worried about the consequences of being involved in an accident, so flee the scene due to not thinking rationally or they 'panic'. In around 10% of observed cases, aggression from other drivers or pedestrians was also a factor that led respondents to flee the scene.

<sup>6</sup> We would like to thank the DVLA who sent out the survey and collated the responses.

<sup>7</sup> Initial analysis of the sample frame revealed that 81% were male, around a quarter were aged 34 or under and 75% also had a current endorsement on their record for offences that could indicate poor driving behaviours. Of these, 77% of respondents were male and 23% female: 27% of respondents were under the age of 34.

<sup>8</sup> It should be noted that these drivers were not necessarily to blame for the accident – they were convicted for a fail to stop or report offence.

- Younger drivers are more likely to suggest they fled the scene as they were scared of the consequences. There is also a statistically significant relationship between younger drivers, drinking alcohol, not having insurance and leaving the scene of an accident.
- AC offenders are most commonly traced as a result of pedestrians, other drivers, or witnesses noting details of registration numbers. There is also a statistically significant relationship between incidents involving a pedestrian and drivers later 'self-reporting' to the police.
- There is a lack of knowledge about what is required of drivers after they are involved in an incident in terms of reporting. This is not helped by a sense that trivial incidents do not need to be reported and (in some cases) that drivers often claim to not be thinking rationally after an accident. Younger drivers are more likely to claim they were determined to get away with the incident without reporting it, though one in five drivers suggest they would have reported the incident if they had known they would receive penalty points for not reporting.

The postal survey provided a foundation on which a more detailed understanding of driver motivations for hit-and-run and also preventative strategies could be developed. In the following section an overview of the methodological approach used for the driver and stakeholder interviews is presented.

### 3. Methodology

For this phase of the project, data were collected in two stages. First, a number of interviews were conducted with a sample of drivers who were defined as hit-and-run drivers. Second, interviews were conducted with a number of stakeholders. A description of these methods, their aims and main limitations are provided below.

#### 3.1 Interviews with drivers

The main component of the research was to conduct semi-structured interviews with a number of drivers convicted for the offences of failing to stop or failing to report in accident. The aim was to gain a deeper understanding of the contexts of incidents and the motivation to leave the scene of the accident. All drivers were recruited through the national survey of drivers that was completed in partnership with DVLA during the first stage of the research. As part of that survey all respondents were asked if they would be willing to consent to an interview with the University of Leicester (UoL). If they agreed, they were then asked to provide either a contact email address or telephone number.

In total, 357 respondents from the national survey consented to be re-contacted for an interview. Although this was a positive response, the UoL team was mindful of the fact that many of the respondents to the national survey had been involved in minor incidents that had resulted in little damage to other vehicles/road furniture or injury. In order to capture a sample of drivers involved in more serious incidents (where damage or injury was sustained), the UoL team conducted an initial screening exercise asking drivers about the

level of seriousness of the incident they were involved in. A total of 124 replied to say the incident involved damage to another vehicle, road furniture or injury to another driver, passenger or pedestrian. In total 52 of this group were interviewed.

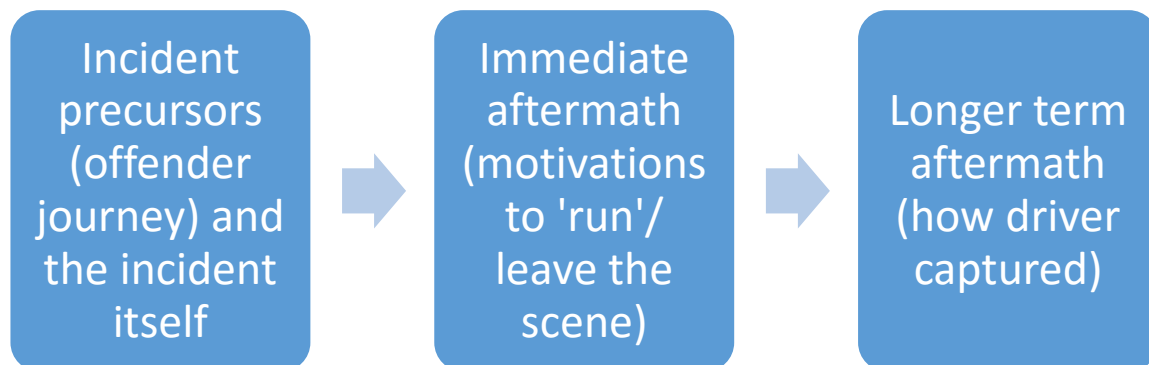
Potential respondents were initially approached via email or telephone. All were provided with a project information sheet (see Annex B), and the research team made appointments for interviews<sup>9</sup>. All respondents were offered a £20 voucher for completing an interview.

The interviews were conducted by using a semi-structured format based upon the 'crime script' approach (see Cornish, 1994). Crime scripts move away from the notion that crimes are 'discrete events' (Price et al, 2016: 136) and conceptualises crimes as a sequence of events that involve a number of offender decision points. The approach has been applied to many crime types (from shoplifting to money laundering – See Cornish, 1994; Gilmour, 2014), where the necessary sequences for crime events and the dependencies necessary for events to occur have been identified. Although Price et al (2016) note that there is no agreed method or data source for producing a crime script, Socco and Kennedy (2008) suggest that most crime events can be broken down into three distinct phases – precursors to the incident, transactions (the incident itself) and aftermaths. Considering the potential complexity of a hit-and-run incident, a crime scripts approach seemed to have potential utility in developing an understanding (a) of the procedural or sequential requirements for incidents; (b) offender decision points and (c) identifying commonalities that could inform preventative strategies. A hypothetical overview of a script for hit-and-run is presented at Figure 3.1. This modifies Socco and Kennedy's model and considers a hit-and-run incident as three distinct phases including:

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<sup>9</sup> Interviews were conducted via Skype, telephone or face-to-face.

Figure 3.1: The script of a hit-and-run incident (hypothetical)



1. **Accident precursors/the incident itself:** the background details to the accident (where drivers were, who they were with, where they were going) and how the incident occurred, how the vehicle driver came to hit the another vehicle, road furniture or pedestrian;
2. **Immediate aftermath:** what happened immediately after the incident and what motivated drivers to leave the scene (what rational or irrational decisions were made at this stage);
3. **Longer term aftermath:** what happened after drivers left the scene, how they were eventually captured.

The interview schedule was designed to gather data that would populate the script process outlined above. The full interview schedule is included at Annex C. This asked drivers to describe the journey they were on, how the incident happened and how they were eventually captured. Importantly, respondents were asked to carefully describe how they made certain key decisions throughout the incident in order to ascertain what motivated them to (a) leave the scene and in some cases (b) eventually report themselves to the police. In order to try to tease out strategies for prevention, respondents were also asked to reflect on what happened during the incident and to consider what factors/preventative approaches might have impacted upon the decisions they made in the immediate and

long-term aftermath. Of course, collecting data by directly interviewing those who have been convicted of an offence poses a number of problems. A major concern for this study was the extent to which respondents could be expected to be truthful about the events that they had been involved in. Some of the potential problems encountered are highlighted in Box 3.

**Box 3: Key issues encountered when interviewing hit-and-run drivers**

- **Data validity:** it needs to be remembered that drivers are giving their perspective/interpretation of what happened: many might provide the version of events that they would like to believe rather than what actually happened.
- **Narratives of blame:** some drivers may construct narratives that distance themselves from any blame for the accident or the subsequent offence of leaving the scene.
- **Accident severity:** some drivers may also 'down play' the extent of harms in relation to the accident.
- **Interviewer trust:** some drivers initially show suspicion that the interviewer is a police representative rather than an academic researcher.



All of the interviews were tape recorded and transcribed. Analysis was conducted by using a themed analytical approach that is common in script analysis. Therefore, data were coded into a number of appropriate categories in order to identify key themes.

### 3.2 Stakeholder interviews

A number of interviews were also conducted with stakeholders. The key purpose of these interviews was to gain an understanding of how industry experts felt hit-and-run could be prevented. There was a desire to canvass opinions from a wide range of stakeholders. Therefore, stakeholders were approached after an initial consultation with a number of organisations, including the Motor Insurers' Bureau, National Police Chiefs' Council (NPCC) and the Department for Transport.

Stakeholders from a total of nine organisations were interviewed (a list is provided at Table

3.1). They were interviewed using a semi-structured interview schedule that covered a number of topic areas including:

- Their current understanding of the problem of hit-and-run;
- How the problem is measured;
- Ideas for preventative strategies.

In addition to this, eight insurers and a representative from the Association of British Insurers (ABI) took part in a roundtable event that was held in London in April 2016. Prior to the interview, all stakeholders were given feedback on the emerging findings from the study so they were aware of the purpose of the research and could comment accordingly.

All interviews were tape recorded and as with the driver interviews, analysed using a themed approach.

**Table 3.1: Stakeholders interviewed.**

Organisation	Seniority of person interviewed
Brake	Director
Department for Transport	Deputy Director/ Head of Department
National Police Chiefs' Council	Senior representative of National Roads Policing Lead
Police (National Road Policing Intelligence Forum/Central Motorway Police Group)	Detective Superintendent
RoadPeace	Manager
Road Safety Analysis	Director
Road Safety Great Britain	Director
Royal Society for the Prevention of Accidents	Head of Road Safety
Transport Research Laboratory	Road accident reconstruction specialist
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## 4. Findings: the scripts of hit-and-run and driver motivations to leave the scene

In this section, the findings from the driver interviews are presented. This outlines:

1. Sample group characteristics and precursors to the incident;
2. The immediate aftermath of the incident and motivations to leave the incident scene;
3. The long-term aftermath and driver reflections about the incident.

### 4.1 Sample group characteristics and precursors to the incident

In total, 52 interviews were conducted with drivers. Of the sample group 78% (n=41) were male and 19% (n=10) under the age of 34. A total of 13% (n=6) were both male under the age of 34. In 80% (n=42) of incidents a privately owned car and in 20% (n=10) a larger vehicle, such as a transit van/heavy goods vehicle (HGV)/bus, was being driven.

The sample group were involved in collisions that both resulted in damage of a wide-ranging extent and subsequent criminal penalties. Of the 52 collisions:

- 20 (38%) involved a driver hitting a stationary vehicle;
- 11 (21%) involved in a collision with a moving vehicle;
- 12 (21%) involved a pedestrian or cyclist (including a motorcyclist);

- 8 (15%) involved hitting road furniture and 2<sup>10</sup> (4%) included multiple objects<sup>11</sup>.

A judgement on the level of 'seriousness' of the collision was made from driver accounts of the extent of damage they witnessed – or in some cases what they were later told about the extent of damage (if they did not stop at all). Here, damage was categorised into four broad groupings<sup>12</sup>. These included collisions where there was:

1. Extensive damage to any vehicle: in such cases at least one vehicle was either written off or there were questions over whether a vehicle could be driven away from the incident. 13 incidents (25%) fell in to this category.
2. Some damage to a vehicle or road furniture: in such cases there were clearly visible dents to body work. In total, 15 incidents (29%) fell in to this category.
3. Minor damage to a vehicle or road furniture – such as paintwork scratches: 19 incidents (36%) fell in to this category.
4. A pedestrian or cyclist claimed to be injured in some way: 12 incidents (23%) fell in to this category<sup>13</sup>.

Drivers received a combination of up to four different penalties for their part in the accident. All drivers were convicted for an AC10 or AC20 offence, though there was often confusion about the offence for which the most serious penalty was received. For example, many drivers were convicted of combinations of offences – such as fail to stop at the scene, dangerous/careless driving or drink driving. As indicated in Table 4.1 the most severe penalties tended to be received in the

<sup>10</sup> This totals 53 incidents as there is one incident involving a pedestrian that also included multiple objects.

<sup>11</sup> In one of these cases another car and a motorcyclist was hit; in another two police cars were hit.

<sup>12</sup> These intentionally differ from DfT groupings in order to try to tease out the level of damage in more detail.

<sup>13</sup> This totals 64 incidents as there is double counting in relation to the incidents where pedestrians were involved.

**Table 4.1: Penalty type received for leaving the scene by ‘type of damage’ (numbers by type of damage).**

	<i>Penalty types</i>			
	Points on licence	Fine	Driving ban/disqualification	Prison/suspended sentence
Extensive damage (n=13)	4	8	7	3
Some damage (n=15)	10	14	2	2
Minor (n=19)	16	16	1	1
Any accidents involving pedestrians (n=12)	8	7	4	1

*Base: interviews with drivers =52*

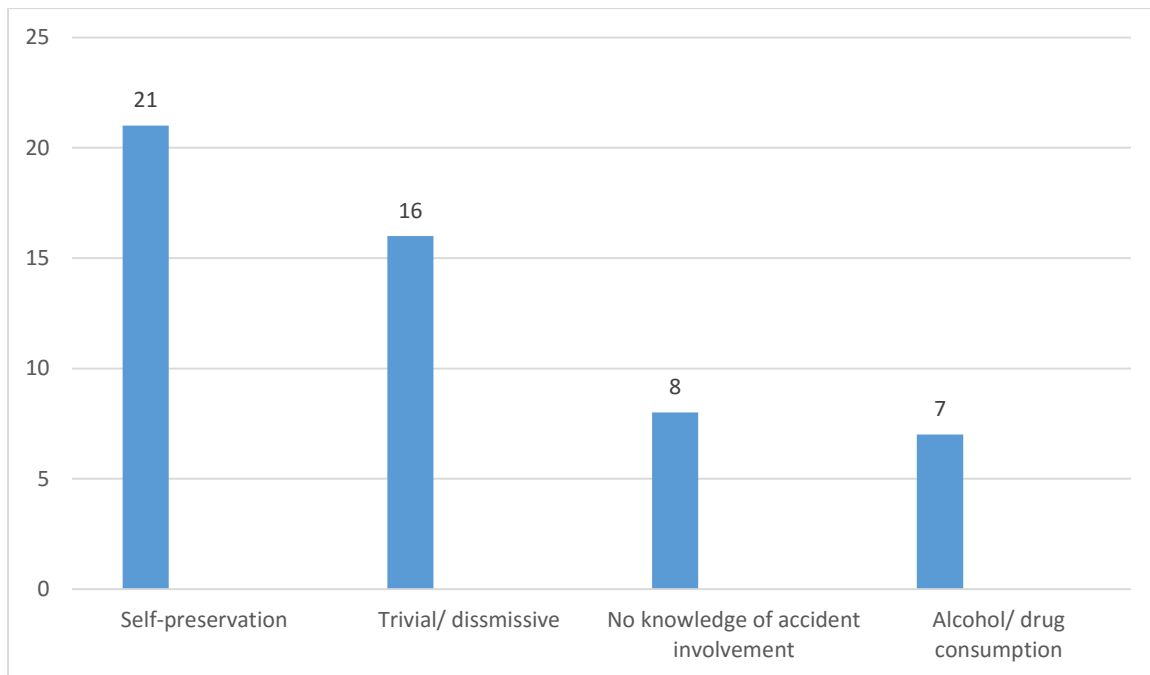
most serious accident types. Across the majority of cases penalty points on licence and a fine was received, though in the cases where there was extensive damage drivers were more likely to receive a driving ban or a prison sentence.

#### 4.2 Immediate aftermath: Driver motivations to leave the scene of the accident

The main aim of the interviews was to establish why drivers left the scene of the accident. As indicated in Section 1, some previous research has indicated several plausible reasons for hit-and-run (see Dalby & Nesca, 2008), but virtually no previous work has developed an analytical framework that can help to understand the complexity of many hit-and-run cases or the key motivational factors for leaving the scene. For the purpose of this study, an analytical framework was developed by initially conducting some exploratory analysis on the interviews and (with the help of previous research studies) then starting to categorise the cases into broad ‘motivational’ groupings (which were then refined as the analysis progressed).

Across the 52 semi-structured interviews, four prominent groups of cases emerged (see Figure 4.1). These included incidents where:

1. ***The drivers went into ‘self-preservation mode’:*** In these cases drivers think about their own self-preservation rather than any responsibility to report. Drivers might ‘self-preserve’ in several ways. Some have criminality to hide, others fear the consequences of capture, some are fearful for their own physical safety and others are fearful that they are being ‘set up’ as part of a scam. Twenty-one cases fell into this category.
2. ***The initial reaction of the driver was to be dismissive about the seriousness of the accident:*** In these cases, the driver claims the incident is not serious and often uses this as justification for not reporting. There were 16 cases that fell into this category.
3. ***The driver claimed to have no knowledge of being in an accident:*** There were eight cases that fell into this category.
4. ***The drivers were impaired in some way through drink or drugs:*** Due to drinking/drug taking the judgement of

**Figure 4.1: Principal motivation for leaving the scene of the accident (by numbers of interviews)**

**Base: interviews with drivers =52**

these drivers become impaired. This group of drivers can have parallels with the self-preservation group as they often want to protect themselves from the consequences of being captured. However, as alcohol has been highlighted as a common causal factor in several studies and was also prominent in the interviews, it is treated as a separate category here. Seven cases fell into this category.

Table 4.2 presents an overview of the relationship between these categories and the extent of damage that was done in the incident. Here we see in the two top right hand cells that in 14 of the cases where extensive damage was done, the drivers were most likely to 'self-preserve' or that they had been drinking. In 13 of the cases where minor damage had been done, drivers were more likely to claim they had no knowledge of the incident or that it was 'trivial' (the bottom right hand columns).

Across all cases, around two-thirds (64%: n=33) of drivers said they felt they were to blame for the accident. Interestingly, those drivers who had been drinking were the most likely to say they were to blame (in all cases but one), though overall, the self-preservers were actually the least likely to say they were to blame for initial accident (just under 50% or ten out of 21 said they were to blame). This finding partially reflects some of the complexities in hit-and-run accidents that were observed in the interviews. These are considered in detail below.

Table 4.2 Motivational groupings and extent of damage in incidents.

	Motivational groupings			
	Self-preservation	Drinkers	No knowledge	Trivial
Extensive damage (n=13)	6	6	1*	0
Any involving pedestrians (n=12)	8	1	2	1
Some damage (n=15)	6	1	2	6
Minor damage (n=19)	6	0	4	9
Total cases (numbers involving pedestrians in brackets)	21 (8)	7 (1)	8 (2)	16 (1)

Base: interviews with drivers =52 \*It might appear illogical that a driver would not realise that they had caused extensive damage. This case related to a van that hit a motorcyclist.

#### 4.2.1 Self-Preservation as a reason for leaving the scene

Previous research has highlighted that the first reaction of many drivers when involved in an accident is to 'self-preserve' (Solnick & Hemenway, 1994). Self-preservation was a theme that emerged in the interviews in three ways:

1. Where drivers make a rational decision to leave the scene to avoid being implicated in criminality, to escape punishment, avoid 'scams' or for 'other reasons' (n=10);
2. Where there is a panic 'flight' response to the accident (n=7);
3. Where drivers feel they are in physical danger from others (n=4);

#### 'Self-preservation' and rational decision making

The concept of rational decision making has long been associated with criminality and to a lesser degree with hit-and-run driving. Several writers have argued that offenders make rational choices to offend that are based around the effort required to commit an offence, the rewards to be gained from the

#### Hit-and-run case studies – a rational escaper

John\*, 27 was a disqualified driver. In the early hours of the morning he drove for five minutes to take a drunk friend home. On the way back his car slipped on ice and he hit a parked car, got out and ran home. "I thought it was a bigger risk to stay at the scene than to leave the scene as I was worried I would go to prison". He received a three-year driving ban and an eight-week prison sentence.

(\* Not his real name)

offence and the likelihood of capture (see Cornish & Clarke, 1986; Cornish, 1994). Hit-and-run driving may of course, be considered to be different from many of the profit-driven or instrumental offences to which rational choice perspectives have often been applied. Whereas (for example) a burglar might search for targets where the effort required to commit the offence and the risks of capture are minimal, and the rewards are enticing enough, the decision making process for a hit-and-run driver is not exactly the same. The interviews show that most drivers do not intentionally place themselves in a situation where they have to make a choice about whether to report a collision or not. However, the data does show

that across several cases, drivers make rational choices about whether to leave the scene that are informed by a number of factors.

Three types of cases emerged where drivers were able to describe how they made *rational decisions* at the collision to leave the scene. There were small group (n=3) where the risk of capture was too great for the driver to stay at the scene, and in all of these cases the drivers indicated fears over the validity of their insurance or that they should not have been driving<sup>14</sup>. For example, one driver was concerned about the possibility of a prison sentence as he was disqualified at the time of the offence. His car slid into another on ice which caused the air bags to go off. As he was disqualified, he ran away from the scene:

"I had a chance of going back to prison if I was there, whereas if I ran off I thought it would have been harder for them to trace that I was driving."

(Interview 37)

In another case, in order to avoid detection, the driver (who had hit another car in a car park and was concerned about insurance) took advantage of the fact that he thought nobody had witnessed the incident by moving his vehicle to another parking spot. In this case he said he did not want to have to face the consequences of capture but was later traced via CCTV. Indeed, another driver stated that after a minor collision, that it was insurance validity that was uppermost on his mind:

"I think in the back of my mind my biggest worry was, it's going to make it even harder to get insurance. I knew it was wrong at the time, I just drove off."

(Interview 44)

Another two drivers said they made a rational decision to leave the scene as from a safety perspective the road circumstances made it too risky for them to stop. In one case, after what seemed to be a minor collision, an HGV

driver was actually prosecuted for causing damage to the 'back wing and light' of a car (interview 42), though he left the scene as 'I was in a main thoroughfare, people beeping their horn and everything'. He claimed to have reported to the police and stated: 'I did report it, but nobody believes me'. In another case where a vehicle was actually written off, the driver left the scene as he said it would have been 'silly' (interview 24) to have stopped on the road. In this case the interviewee blamed the other driver for the incident 'it was a young lad, who was gunning it' (Interview 24), but made a decision to leave because of the road circumstances and claims he phoned the police to report the accident 'within five minutes'.

A further set of 'rational cases' emerged where drivers felt they were about to become victims of scams. A growing body of research has highlighted the problem of driver insurance scams – often where organised crime groups are involved (See Levi, 2014). In five interviews, drivers left the scene as they thought they were being victims of scams. This was commonly linked to incidents that were trivial in nature, but where a victim 'over played' the extent of damage or injury. In these cases, drivers made rational choices to leave the scene of accident based upon their judgements on the extent of damage to pedestrians and vehicles. In four cases, drivers stated that they had been involved in minor accidents where they believed a 'victim' had eventually reported it in the hope of falsely securing compensation. In three of these cases, a pedestrian was involved and in each the drivers claimed they felt the pedestrians were overstating the extent of their injuries. For example, in one case a driver (who was eventually convicted for failing to stop and careless driving), claimed he barely hit a pedestrian but:

"It just touched his leg and after that he just started hopping around and going, 'Arrgghh, arrgghh' and I thought, I was confused. I didn't know what was

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<sup>14</sup> Indeed, the postal survey highlighted that around 1 in 20 drivers fled because they were not insured and did not want to face the consequences of this.



happening to me. It's just a scam on his behalf. I knew there were nothing wrong with him and he was just play acting. I just drove off..... I have seen the actual footage of this camera, and it just doesn't seem right. It looks like I've just drove up to him at 30 and just gone right into him, which I never, I stopped, and then just gently; but the camera, it looks like it's been speeded up. I told the Police, I said, 'It's just a scam. I barely touched him.'"

(Interview 14)

In another case, a pedestrian claimed for £120k of damages although the driver was adamant that 'he walked away' (Interview 19). The driver said he did not sense that the reaction of the pedestrian was commensurate with the way he had been hit. The driver left the scene only to find out the pedestrian later phoned an ambulance to try to authenticate their case. In a similar case, a respondent was driving through a car park and 'as I was turning she walked out and just braced herself on the bonnet of the car' (Interview 40). The driver claimed that the pedestrian hardly appeared to be injured at all, but claims that there were witnesses who (falsely) made up evidence:

"I do think the witnesses actually threw it into her head that you can claim on this if you actually think you're hurt. They were there, they gave witness accounts which were really, really poor at the court case. ... it's just a money maker, that's all it is, that's all I see it as."

(Interview 40)

### *'Self-preservation' and panic responses*

Previous research has identified panic or 'flight responses' as a common reason for hit-and-run (Dalby & Necsa, 2008). Indeed, the postal survey also highlighted that in just under 10% of all incidents drivers said they 'panicked'. In seven of the interviews, drivers said the main reason for leaving the scene was because they 'panicked' and had a clear urge to leave as quickly as possible. A commonality in these cases was that the drivers had a sense that they were to blame for the accident and their immediate 'emotional' response was to remove themselves from the situation

regardless of thinking through what the risks/consequences might be. In these cases, the extent of damage varied, with extensive damage caused in two cases, actual damage in two cases, slight damage in two cases and a pedestrian being hurt in another. Three of these incidents resulted in both a prison sentence and a driving disqualification for the offending parties.

A number of factors appeared to exacerbate the sense of panic in drivers. In one case, it was described how a serious medical condition was the key reason for panic:

"I panicked. I've had a head injury that has affected the right central lobe of my brain, so that impairs my decision making and everything, and that's probably one of the reasons why I panicked and didn't know what to do so I ran, I went home."

(Interview 31)

This concurs with the work of Dalby & Necsa (2008) who identified that mental illness can often be a factor in hit-and-run driving as it can lead to panic decisions. In three cases of 'panic', respondents also described how close proximity of the police was also a factor. Indeed, in one case, the driver described how a physical disability prevented him braking at a roundabout which subsequently led to a collision in which some damage was caused to two vehicles. However, upon seeing a police car on the opposite side of the roundabout, the driver described 'a sense of panic' (Interview 11). He was driving a high powered car that then outpaced the police vehicle on a dual carriageway, and he then abandoned the vehicle in an industrial estate. The driver described how this was totally 'out of character' for him but 'it was initial panic – get out of here' (Interview 11) that led to him leaving the scene.

The two other cases involving a police chase were generated by rather different contexts. In one, a confrontation between two men after a night in a pub led to the driver getting in his car and knocking one of the men over. The driver stated:

Anyway [I] panicked a bit, like well I'm going to be mired for this... Started driving off.... seen a police car come in behind me and I decided I wasn't going to stop and I escaped from the police. I then dumped my car around a side road .....they did a trace on my name and they tracked me down.

(Interview 13)

**Hit-and-run case studies – a 'panicker'**

Graham\*, a taxi driver, drove through an amber traffic light in the early hours of the morning. Another driver appeared from a filter lane and collided with him. The other driver had no insurance and should not have been driving, but Graham went into "total panic" and left the scene. He was disqualified from driving and fined £4000.

(\*Not his real name)

The presence of police officers was also a key factor in the sense of panic felt by one respondent (he was convicted of failing to stop/dangerous driving and received a driving disqualification). He described how after a minor collision in the street late at night, what he referred to as a heavy-handed police response led to a sense of panic. There was a large police presence as an incident had occurred in a nightclub, and as a consequence the police had set up a road block. As he tried to edge past the blocking police vehicle he made contact with the car. The driver stated that 'I froze...but then tried to carry on driving' (Interview 7). This led to a sequence of events in which the driver said he was suffering from 'blind panic':

"I made another manoeuvre and then I felt like the policeman was trying to attack me, so I made another manoeuvre which made another loud bang onto the police car again, so I've literally reversed into it, and then this is where that same policeman, he was basically smashing the windows of the car at the time. So he was smashing, smashing it, basically telling me to get out of the car. I was thinking I will never get out of the car when you're smashing the car number one, so my only option is to just try and escape but this was all... it was so quick, where I didn't have time to even think. This was my first

reaction, so literally I made another bang and then I accelerated with a huge rev, I accelerated and there was more police everywhere. As I said initially, there were police everywhere, so all of them are basically trying to attack me, they're smashing the car left, right and centre, at the front screen, the left, the right, the back, from every direction....I've literally dodged the police vehicle, they're behind me, my only best bet is to just get out of the car and like surrender isn't it. So literally I ran towards the police people and I've surrendered, I've my arms out and I've laid on the floor for them to just know that I'm not trying to do anything."

(Interview 7)

Two other respondents described how the shock of being in an accident generated a sense of panic. One driver described how the extent of damage done in a collision he was involved in when pulling out of a busy junction led to a panic response, while another said that the fact they had an accident on a busy motorway was the key contributory factor (although over £6000 of damage was caused to another vehicle). They both described how the shock of accident and the danger they felt in led to anxiety. As one respondent said:

"I was kind of in shock a bit really because I hadn't intended to be there and I kind of panicked a bit. I basically had illogically thought that I was still in the way of oncoming traffic .....and basically the long and short of it is I drove off."

(Interview 34)

Finally, one driver was driving a company vehicle when she hit a stationary vehicle that caused some minor damage to both vehicles. She described how she 'was in that much of a flap' (Interview 52) that she panicked and did not even think about the other vehicle or reporting the accident.

*'Self-preservation' and threats from others*

A group of cases emerged where it was not the shock of the accident or the desire to escape from the potential consequences of the accident that was the principal motivation for

leaving the scene, but the aggressive actions of bystanders. Aggression from drivers in the form of road rage has been the subject of some research (see for example, Eberle, 2006). Here, road rage is often considered in terms of verbal insults, gestures and aggressive driving between drivers of vehicles that are in motion. Little known research considers aggression that surfaces as the result of a collision that then generates an offence of fail to stop/report.

In four interviews, drivers stated they left the scene of an accident as they were intimidated by victims or bystanders (in only one of these cases did drivers feel they were to blame for the collision). The circumstances surrounding each of these incidents was very different. In two cases a pedestrian was hit. In one, a female driver was disqualified from driving after her part in an incident. After an argument with her ex-boyfriend, she later saw him in the street and she drove towards him until he fell upon the bonnet of her car. As a result of this the pedestrian was obviously angry:

“And then I drove off because I was intimidated because... he was like quite a violent lad and his friends are quite violent as well and I was intimidated, so I thought they might have come out and done something to me or to me and the car, so I drove off.”

(Interview 33)

In the other case involving a pedestrian (for which the driver received a fine and penalty points on his licence), a male described how he ‘knocked’ a man on a crossing and that led to the pedestrian ‘falling into the bonnet’ of the car (interview, 18). As a result, the driver described how the pedestrian then ‘threw his bags at the windscreen’ and that ‘his face was contorted with rage’ (Interview 18).

In another incident where a wall was hit, the response of a property owner and his brother led to an aggressive encounter and a subsequent car chase:

“It was violent behaviour, he just lost it. He lost it ... banging on the car and... yeah complete nutter. He chased me in the end, that’s why I got caught, yeah chased me in the car. Caught up with me.”

(Interview 2)

#### **Hit-and-run case studies - an intimidated driver**

Annette\*, 22 was driving locally when she saw a violent ex-boyfriend in the street; he ran up to her vehicle and jumped on it. She was frightened of him and left the scene but did not report the incident. She had her licence revoked and was fined £500.

(\*Not her real name)

Finally, one driver described how he was subjected to intimidation from a motorcyclist. In this case, the driver admitted to viewing her mobile phone while stationary at a set of traffic lights. The motorcyclist had pulled up alongside her vehicle and challenged her over using the phone. As a result of being challenged, the driver ‘gave him the finger’ (Interview 39). This led to the motorcyclist pulling in front of her car and obstructing her route forward. At this point, the driver described feeling intimidated by the motorcyclist and in an attempt to get away hit the motorcycle and a car behind.

#### **4.2.2 Drinkers: the role of alcohol**

The association between drink/drug taking and traffic offences is well recognised (see Kaiser, 1978; Beirness et al, 2004; Beirness et al, 2008). Alcohol consumption was cited as a key reason for failing to stop at the scene of an accident in seven of the interviews. In six of these cases drivers stated that that fact they had been consuming alcohol prior to the incident and this was often largely responsible for the accident they were involved in. While five drivers could be described as acting

rationality in that they were aware that (as a result of drinking) if they were caught at the scene they would be prosecuted for drink driving so needed to escape, often the fact they had been drinking made drivers take risks that were irrational. For example, after one incident where serious damage had been done to two cars, a driver left the scene of the accident on foot. He said his car was 'my pride and joy but was smashed to pieces', but on the

**Hit-and-run case studies - a drink driver**

Alex\*, 51 was careful to take a taxi to and from the pub so that he could drink alcohol. Once he was home, however, he decided to drive into the local town centre. He collided with a police car in the town and drove away; a chase ensued. He received a three-month prison sentence, and a three-year disqualification. "Now I want to help others – I want to explain what it has cost me and my family..."

(\*Not his real name)

realisation that he was over the limit he said, 'I done a runner' (Interview 43).

Other drinkers described how they often become caught in situations where they were out drinking with friends, had their car with them and decided to drive. As one driver said, 'I drove into town I wasn't actually going to have a few drinks. Then I had a couple and then I was planning to leave my car around one of my friend's' (Interview 1). However, as another respondent suggested, it was easy to persuade yourself into taking a risk: 'I thought, there won't be many cars on the road, I'll just take a chance' (Interview, 38). This risk taking behaviour could often have serious consequences in terms of damage to vehicles and subsequent criminal convictions. Of the seven drunk driving cases, one driver went to prison and all were disqualified from driving for a period of time. Despite knowing that a conviction for drink driving could have serious consequences, this not only failed to act as a

deterrent to these drivers but made their determination to escape from the scene greater:

"I just knew what sort of trouble I'd be in. I just knew that I'd be over the limit, I shouldn't have drove. I shouldn't have been on the road at the time, it was just a young stupid mistake. I knew what the consequences were, so I thought at least if I can get away for a little while."

(Interview 1)

"I've had a drink, I know I was wrong in driving the car, and I definitely know that, and I just thought, I'd got away with it, but I hadn't got away with it because the police were there when I got to the B&B."

(Interview 5)

In two of the cases where drink was the key factor, both drivers had serious alcohol problems. In one case the respondent stated that, due to a previous incident, he was unable to summon the confidence to drive without a drink. However, he was aware of the dangers this incurred and suggested, 'I think, I was looking to lose my licence, so I wouldn't be under that pressure of driving again' (Interview 12). He described how he was so drunk that, 'I wouldn't have been able to walk home...' and how he 'thinks' he planned the whole event. In this case, the initial collision was with a police car (causing the police car to lose its front bumper) and it led to a sequence of events that included a ten-minute chase across a town:

"I weren't (sic) going to make it easy for them [the police] if you will. They started to chase me. I slammed on my brakes. I was in a Jeep you see so it had a spare wheel on the back. I slammed on the brakes hoping to do quite a bit of damage to their car.....[and] I did quite a lot of damage to the police car. As my solicitor said, I think at that point in time, he said, 'I think you pissed two traffic police off because you weren't going to get away.' I only lost it because I turned off the main road onto a side road and there was some ice on the junction..... then I got hit with three Tasers and beaten about the face."

(Interview 12)

Even more worryingly, in another incident, the driver was so drunk that she had no recollection of being involved in a collision. As she stated, 'It wasn't that I was deliberately driving away from the accident and hoping I'd get away with, it was I had no idea' (Interview 8). This driver was disqualified, as she hit a cyclist (who sustained multiple broken bones and later received over £80K an injury claim), attempted to drive away and eventually lost consciousness 300 yards from the scene:

"I had just had a relapse from being sober for four and a half years. Apparently I was found with a bottle of vodka on the front seat of my car, which had just been opened a little bit had [been] taken out. But from what I can recall I'd bought half a bottle of vodka before that and I have no idea why I even got into a car in the first place. I do not recall the journey at all. I just remember basically being pulled out of the car by a policeman who said to me, 'Have you been drinking?' And I said, 'Yes.' I remember two days later when my car was taken to the garage they wrote it off - it made me physically sick looking at it, because it was in a state."

(Interview 8)

#### 4.2.3 'No knowledge' of the accident as a reason for leaving the scene

There were eight cases where the driver claimed he or she had no knowledge of actually being involved in anything that could be described as an accident at all. At face value, one may think that drivers could use this as an excuse to distance themselves away from any blame for what happened. However, in all cases clear reasons emerged why there was ignorance of the accident. In two cases the drivers said that stress (Interview 20) or illness (Interview 4) were major factors. Indeed, one driver (who hit a stationary car) claimed to have been too stressed to drive:

"My mental state was really, really poor and I suffered from anxiety and stress in the workplace, so I've got all these issues. So with that and the death of my father, which obviously, I know he was a poorly man at the time, hospital visiting, ....I hit, a driver's door, and it was all there, there were

photographs..... I'll be honest, I weren't in a fit state to do anything about it."

(Interview 20)

In another case, the driver said that he knocked a cyclist off his bike, but claimed his lack of awareness of the incident was linked to a lack of medical control of his diabetes:

"I weren't feeling well, but it was the end of my shift and I thought, 'If I get home I'll be all right.' But I must have gone as bad as I've ever been. So on my way home I clipped a cyclist with the back of my car. Like I say I did hear him cursing me, but I didn't realise I'd completely knocked him off his bike."

(Interview 4)

While illness has been cited as a causal factor for hit-and-run in previous research (Dalby & Nesca, 2008), age was a factor in two other cases. Both drivers were elderly (both over 70) and had been involved in incidents where minor damage had been done to other vehicles. In one case, the driver said they had a sense that something might have happened, but still failed to stop. In the other, the driver appeared to have little awareness of what was around her on the road, was confused and subsequently had no recollection of actually hitting the other vehicle at all. Indeed, in two further cases, drivers' reasons for claiming they had no knowledge of being an accident appeared to be a little surreal. One driver had actually caused damage to a vehicle in an accident that resulted in a conviction for careless driving, though claimed to have not seen the vehicle because of snow on the windows. It was claimed that '...the noise could have been an advertising board that had fallen off in bad weather' (Interview 10). In another case the driver thought the thump of hitting a motorcyclist was the sound of tools moving around in the back of his van. Indeed, in interviews with transit and HGV drivers, a recurring theme was that actually hearing the sound of hitting something or seeing a victim due to blind spots could be difficult when driving a noisy and relatively large vehicle. This has also been cited as a plausible reason for



hit-and-run in previous research (Dalby & Nesca, 2008).

Finally, two drivers claimed to be victims of mistaken identity. In one case, the driver received 7 points and a £200 fine after a witness claimed they had hit and stationary vehicle. As the driver stated:

“According to the Police I’d hit it, marked down the side of van, smashed his wing mirror and his exhaust has come off as well at the back of the car. I said, ‘It can’t be. It’s an impossibility if I haven’t got a mark on my vehicle. And not only that, I’ve got a tracker on my vehicle, if I hit somebody it will show up on my tracker.’”

(Interview 32)

In the other case, the driver received a six-month prison term and a year’s disqualification after a vehicle he owned was involved in an incident that the interviewee claimed a friend was driving. He protested his innocence to the police, though was prosecuted for dangerous driving and served his prison sentence.

#### 4.2.4 Accident ‘triviality’ as a reason for leaving the scene

In 16 incidents, the decision to leave the scene of the accident was clearly related to driver judgements about the seriousness of the accident and whether such an accident needed to be reported at all. In these cases, the judgement that the incident was trivial and that little overall damage had been done often led to the mistaken view that there would be no requirement to report.

In the majority of these cases, minor damage was done (n=9), and in seven of these cases, the damage was done to a stationary vehicle. In such circumstances, interviewees rarely viewed their actions as a hit-and-run incident. Indeed, it was often claimed by drivers that in their judgement they had done little damage to another vehicle and so left the scene. The following excerpt was typical:

“I just pushed the reflector plate back into the bumper, it clipped back into place, I wiped the bumper with my hand, apparently to my knowledge absolutely no damage was done, it was absolutely fine, and I drove off. If I thought I’d damaged the car I would’ve left my number on the screen or something like that, but there appeared to be no damage, it looked absolutely fine so I drove off.”

(Interview 27)

However, it is unclear here whether the extent of damage reported by drivers in the interview is actually reflective of the ‘real damage’ done or if drivers commonly use the ‘no real damage’ narrative to provide justification as to why they left the scene. Indeed, several drivers suggested that they were surprised at the extent of damage they were eventually accused of causing when they were interviewed by the police:

I gave it a bit of a bump, obviously a bit more than I thought maybe, and I sort of more or less assumed a sort of four five mile an hour bump is supposed to not do anything.

(Interview 45)

“.....only when I was interviewed I saw the pictures, but obviously I was shocked that I did that, but then, and I was more shocked that I was unaware of it.”

(Interview 3)

In six cases that were classified as ‘trivial’ the damage that was sustained was actually more serious than the driver had assessed (these were all cases classified as ‘some damage’). Interestingly, in four of these incidents road furniture was hit and in each case the drivers were not only surprised at the extent of damage caused, but that damage to road furniture would be taken so seriously and that this would require reporting. In two of the cases involving road furniture, the actual damage required repairs in excess of £400. One driver, who had somehow hit several bollards, did suggest that, as no other person was involved in the incident, it did not seem like it was something that needed reporting:



**Hit-and-run case studies - trivial accident**

Julie\*, 48, collided gently with an old wall in a car park when collecting her daughter from a dance class; she thought nothing of it and had no idea it could be classed as an accident. But a witness reported the matter and Julie was contacted by the police. Once she had realised the seriousness of the incident she spent £3,500 on solicitors' fees as she was so worried that a conviction would affect her business. "There was no damage to the wall; I had no idea I had to report it..."

(\*Not her real name)

"There are broken bollards, nothing else was involved as far as I was aware. So it just didn't cross my mind to go any further at that stage."

(Interview 35)

It was also interesting to note that, in three of the incidents where the subsequent damage was more considerable than what driver first thought, a van or HGV was being driven. A common theme that emerged with larger vehicles (as mentioned previously) is that drivers were sometimes unaware that they had actually hit an object. Subsequently, it was also apparent that drivers of such vehicles could easily underestimate the extent of damage that could be caused by such vehicles at relatively low speeds.

In all of the trivial cases, the penalties that drivers received were reflective of the fact that no serious damage had been caused in the accident. In 14 cases drivers received penalty points on the licence and a fine. However, in one case, a driver was disqualified. In this case a pedestrian was hit, though the driver maintained that there was little or no injury to

the victim – hence the reason why he left the scene.

While the driver's view of the 'triviality' of these incidents was key to them not being reported – many drivers did accept that they were to blame for the accident. Indeed, in 13 out of the 16 cases, drivers who stated they thought the case was too trivial to report admitted in interview that they were to blame for the accident. However, driver judgements on the triviality of cases (usually in terms of no damage) then meant that they did not think there was a need to report the incident. As one driver stated:

"But then I realised how serious it actually was, because I didn't realise that if you fail to report an accident that you're breaking the law. Since then I've learnt that if it's an accident it means you need to report it. So I didn't know that. I was naïve, I didn't know the law."

(Interview 41)

This judgement, that accidents are trivial and there is no need to report, appeared to be in conflict with the judgements or other drivers/witnesses who were present/involved in the incident. In 15 out of the 16 trivial cases drivers were eventually traced as another driver or witness thought the accident was serious enough to take the registration number and report it to the police.

Overall, the interviews reveal the various contexts of hit-and-run and the range of motivations for leaving the scene of an accident. Several of the motivational factors observed do not differ greatly from those identified in previous research, though the range of cases observed in this study allows us to expand upon the number of categories previously identified. In summary, there are six offender types identified and summarised in Table 4.3.

Table 4.3: The motivations for hit-and-run<sup>15</sup>

Reasons for leaving the scene (broad categories)	Offender types	Description
No knowledge of collision (n=8)	<i>The oblivious</i>	Drivers who are unsure that an accident has occurred.
Too trivial to report (n=16)	<i>The uncertain departers</i>	Drivers who are unsure whether the accident should be reported at all – usually due to their judgement that the accident is too trivial.
The need for self-preservation (n=21)	<i>The panickers (n=7)</i>	The initial response of this group is to ‘panic’ at the scene (regardless of blame or extent of damage/injury), this is followed by an overwhelming desire to leave the scene.
	<i>The rational escapist (n=10)</i>	Drivers who make a rational decision to leave the scene (by considering the consequences of staying at the scene as against the benefits of leaving). This group may make a rational decision to leave to either (1) hide criminality; (2) avoid being victims of ‘scams’ or (3) to protect their safety if the accident has occurred in a dangerous location.
	<i>The intimidated (n=4)</i>	Drivers who face aggression from other drivers or pedestrians and as a consequence leave the scene.
Alcohol/drug use (n=7)	<i>The impaired or ‘non compos mentis’.</i>	Drivers who are drunk or drugged at the time of the accident. This may be the cause of the accident and impairs judgement over whether to stay at the scene or not.

### 4.3 The longer-term aftermath and driver reflections

As all of the drivers interviewed were traced, there was a long-term aftermath to the incident that included contact with the police, the wider legal system, and in some cases, this had significant life impacts. The majority of drivers were traced through another driver, witness or pedestrian taking their details, with only three drivers being arrested in close proximity to the scene. When approached by the police, most drivers then accepted they had been involved in a fail to stop/report of some sort (although many disputed the extent

of damage or whether they were to blame for the accident).

In only 34% (n=18) incidents did drivers say they thought their actions were a crime. However, this view was clearly related to the extent of damage done and whether drivers felt they were to blame for the accident. For example, in the 13 cases where there was extensive damage, two-thirds of drivers (n=10) said they felt they were to blame for the accident and of these, nine felt that leaving the scene was a crime. Contrary to this, in only four cases where there was minor damage (out of 19), did drivers both blame themselves for the accident and also see their actions as a crime. Indeed, the general view of most respondents involved in minor accidents was to question

<sup>15</sup> What is apparent in all of the observed cases is that the collisions were accidental. This does potentially miss cases where there was a deliberate attempt to damage a vehicle or pedestrian.

the extent that their actions could be considered to be criminal at all. Here there was a clear sense of resentment from drivers about how they came to be prosecuted as most were 'ignorant' of the law and felt unable to contest the case:

"Well the police weren't, they weren't that helpful. They just said, 'Well, you should know these things.' and I said, 'Well, I've never had an accident before that was my fault, so how would I know?'"

(Interview 21)

In some interviews, it was unclear whether drivers' attitudes towards the way they were processed by the legal system was genuinely because they did view the whole episode as trivial or if there was a wider resentment of criminalisation of driver behaviour. Indeed, several respondents who suggested their behaviour was not a crime, did suggest that police and court time might be better spent processing 'real criminals' or drivers who do endanger life. Typically, most of the sample viewed themselves as being 'law abiding citizens' and resented being made to feel like criminals:

"Then this Police Officer's partner goes; 'I've got some solicitors that I deal with, but to be honest they deal with stabbings and rapists so they probably won't deal with you'...and I picked up the phone and called them and they straightaway said yes we will [take this case], and I was like, 'What?' So I'm basically the same league as a rapist and someone who's stabbed somebody..."

(Interview 41)

Similar views have been observed in relation to speeding offences where Wells (2012: 195) suggests that the application of strict legal principles can 'cast a moral member of the majority as immoral and deviant'. Indeed, several respondents expressed a sense of frustration over not being able to contest charges brought before them, a legal system where vast amounts of money were required to contest a case and how solicitors 'played games' to get results. In one case, a driver who left the scene of an accident because he

claimed it was too dangerous to stop, told how he became tired of the whole system:

"No, I pleaded not guilty. But... they give me the list of all these witnesses and everything, I thought 'I'm knackered here.' But, I mean, you can't argue with the Magistrates' Court, because I don't know where all these witnesses were supposed to have come from. So in the end, I gave up. I just pleaded guilty because it was the easiest way out."

(Interview 24)

Other respondents described how they became frustrated with 'having to plead guilty' and not being able to voice their side of the story. Indeed, many described the law as 'inflexible' and 'costly to challenge'. Others (particularly in scam cases) were resentful about how experienced solicitors were able to 'play' the system to maximise results for their clients. In one case the respondent described how an argument was made by a solicitor that the failure to report the accident implied that the accident was his fault. In this case, the respondent also resented the costs he spent on a solicitor who did little for him:

"He waited to see whether I got convicted or not, and the fact that I got convicted and I was like, '.....I was at fault, because otherwise I wouldn't have got convicted' So now he's claiming a higher claim. At the moment I'm feeling like I'm the victim here to be honest, because I've spent like £1200 on a solicitor who actually did nothing for me. I should have represented myself....I was doing a better job of that in court."

(Interview 19)

While there was usually a readiness to accept that 'a criminal act' had occurred in cases where more extensive damage was caused, the contested nature of trivial cases raised questions for some about the legitimacy of the legal system and the way that it criminalised drivers. Further resentment came in the form of the longer-term impacts of being convicted, with some suggesting the impact of the penalty is not proportionate to the crime committed. In total, 24 interviewees mentioned long term impacts of the case. For most (n=13) it had an

impact on their cost of insurance and the ease at which they could purchase future insurance. This had the biggest impact on drivers who had been disqualified. Indeed, some described how insurance quotes almost increased tenfold: 'it used to be £380, then they wanted £4000' (Interview 11) and as a result some drivers ended up purchasing cheaper models of vehicles purely for insurance purposes. More seriously, some respondents did suggest that the impact on insurance costs could be fuelling many fail to stop/report cases as 'if drivers know the impact on insurance, then they will be less likely to report' (Interview 44).

Several other drivers (n=11) mentioned a number of further potentially life changing impacts. In two cases these were largely positive as they led to drinking reductions and other positive life changes. For others the effects were largely negative, such as:

- The impact on job prospects of not being able to drive;
- The shame and embarrassment of being reported in the local newspaper;
- Having a record that can be used as bad character evidence.

In several cases (n=24), the impact of being involved in the incident led drivers to reflect further on what had happened to them and how they might have avoided a conviction for fail to stop/report. This generated a number of ideas which included:

1. A need for increased knowledge of the legal obligation to stop/report accidents;
2. Increasing the ease at which incidents can be reported could be improved;
3. Improving road safety awareness and driver culture;
4. More flexible law;
5. Tackling the drink drive culture;

6. Taking driver intimidation seriously as a mitigating factor;
7. Investigating scam cases more thoroughly;
8. Testing this area of the law in the Theory driving test

These ideas, along with stakeholder views on prevention, are considered in more detail in the next section of the report.

## 5. Stakeholder engagement: The development of preventative strategies

Ideally, strategies need to be developed that prevent AC10/20 offences from occurring or where offences have occurred, to enable the swift identification of offenders. Little known research has identified what interventions are efficacious in relation to the prevention of hit-and-run (or how drivers are traced). This is hardly surprising when one considers the range of motivational factors that are behind driver decisions to leave the scene of an accident (as evidenced in the previous section). Throughout the course of this research, convicted drivers suggested a number of potential preventative strategies that could plausibly see the number of AC10/20 offences reduced. Further detailed interviews with industry experts also focused specifically on preventative strategies. In the next section, the views of these stakeholders are considered. Then, we consider which preventative approaches might plausibly be developed.

### 5.1 Stakeholder views on prevention

Those interviewed represented a number of organisations with different areas of interest and responsibility for hit-and-run incidents. While the potential social and economic harms of hit-and-run were acknowledged, some respondents had engaged in preventative strategies, whereas others had not. Those in the insurance industry noted that actions already taken by their companies to target a range of driving (mis)behaviours included mailshots (of accident cards), advice on websites, school visits and social responsibility campaigns. However, of these, only the accident cards were regarded by some to have

significant benefit in relation to potential hit-and-run cases. Those in the insurance industry also seemed to feel that, from a cost-benefit perspective, there were potential savings to the industry if claims could be managed earlier. However, insurers also felt that it would do no harm to the industry's reputation to get behind a campaign that was trying to minimise this problem.

A number of areas of commonality emerged from the stakeholder interviews. First, was the view that the 'rational escapists' – particularly those drivers who make a rational decision to leave the scene because they are trying to hide criminality – and the impaired/non compos mentis would prove the most challenging groups. Second, there was agreement that drivers who are unsure about what to do in the event of a collision would benefit from education. However, there was mixed opinion as to whether there was *confusion* for drivers in knowing what to do in the event of a collision or whether, as drivers, they had a *responsibility* to know or find out what to do. Thirdly, it was felt that if those genuinely unsure of what to do – whether through simple lack of knowledge, initial panic at the scene or who left through intimidation – could be significantly reduced, then resources could be better directed at those causing the greatest problems (i.e. the criminal and the drinkers).

Respondents thought that interventions could be delivered through broad strategies based around education/publicity and enforcement/deterrence. It was also felt these strategies could often be supported by intelligent use of technology. It should also be noted that stakeholders did flag up several issues around the collection of data on hit-and-run.

#### *Education and publicity*

Whilst better education about an individual's legal responsibilities was almost universally accepted, it was also agreed that with many

competing messages, both in the road safety arena and further afield, it would be difficult to target that information to people at point of need. It was also noted that the legal requirements are confusing, as some accidents require reporting for insurance purposes and others for legal reasons:

"I believe that as there is not a clear, defined legal definition of an accident it does not really help; there are accidents that are reportable for lawful reasons (the Road Traffic Act); there are also accidents that are only reportable for insurance purposes, and we may not be talking about the same thing, so I think it is correct that there is some confusion<sup>16</sup>."

(Stakeholder interview)

Acknowledging genuine confusion on the part of some drivers, lack of knowledge of the law on the part of others and not understanding the full implications of leaving the scene of an accident in still others, ignorance was considered not to be an excuse and it was felt that drivers had responsibility for acting appropriately or finding out what they should do. One of the problems was seen to be the gap – often many years – between people receiving information and having need of it. Thus, many may read material when they received it, but forgot the content by the time they needed it. Indeed, concerns were also expressed over possible 'information fatigue', where so many different messages are relayed to drivers that it became impossible to digest them all. Nevertheless, most stakeholders considered ongoing education could help, the most favoured approach was a multi-pronged delivery through many different channels and organisations and utilising different media.

It was suggested that, especially for those drivers who panicked or felt intimidated at the scene, better dissemination of the section of the Road Traffic Act that allows people up to

24 hours to report an accident to the police if they fail to stop at the scene and exchange details would be beneficial. One interviewee also noted that it would be beneficial if reporting could be eased through the use of modern technology:

"Today in so many ways you can report things over the internet. The fact that the requirement is in person either at a police station or to a police officer within 24 hours or as soon as practicable is fairly outdated."

(Stakeholder interview)

One area that many felt could be targeted in relation to education was work-related driving. It was noted that this is a big area covering up to a third of miles driven and with about a third of serious casualties involving a person present for work purposes. Employers not only have a corporate social responsibility but a legal responsibility as part of Health and Safety law in managing how their staff uses the road for work.

Interestingly, some diametrically opposed views were observed in relation to the potential impact of publicising the risk of being caught as a deterrent to drivers leaving the scene. Indeed, stakeholder views here were based upon assessing some of the cost benefit calculations that drivers clearly make when deciding to leave the scene: what are the potential risks of leaving the scene as against the potential rewards. A number of stakeholders took the view that if drivers knew how much could be done to trace them, they may not take the risk of leaving. Others believed that the diminished police presence over the last few years has fed into the public consciousness and given rise to a strong sense of not being apprehended. Indeed, combating the public perception that police resources are stretched thinly and that this has an impact of

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<sup>16</sup> It was noted that different insurance companies have different terms and conditions regarding reporting accidents (although insurers admitted at the workshop that people do not read them). Some insurers require people to notify them of non-injury accidents not just when they are making a claim.



the chances of being traced after an incident was seen by some as a challenge.

#### *Law enforcement and the 'deterrence effect'*

Stakeholders identified a multiplicity of reasons why people leave the scene, perhaps lack of insurance, intoxication or they know they have done something wrong and are not prepared to face the consequences. There was consensus on the need to identify and tackle the causal factors, primarily through enforcement of penalties and preventing unlicensed or unfit drivers to drive in the first place. However, one interviewee noted that the penalties would only be an effective deterrent if drivers were more certain of capture:

"With road safety enforcement the nature of the penalty is not necessarily a deterrent unless it is linked to the expectancy of getting caught."

(Stakeholder interview)

It was also recognised that there is a link between policing priorities and enforcement. It was stated that while the reduction of hit-and-run accidents per se is not perceived as high in NPCC's road policing priorities, reducing the number of those killed and seriously injured is, indeed, a priority. In the current policing climate it was stated that there is a need to make the best use of scarce resources. However, this does not detract from the fact that much could still be done to reduce activities that are the antecedents of hit-and-run – such as drink driving. Indeed, reducing the number of drunk or drugged drivers from the roads was believed to be beneficial all round and could reduce the opportunities for collisions in the first place. It was suggested that new drug driving legislation (introduced in March 2015) that stipulates legal drugs limits for drivers rather than having to prove impairment is allowing police to be more effective in removing drug drivers from the roads (see BBC, 2016). An interviewee who strongly favoured lowering the drink drive limit

hoped that, in the majority of drivers, there would be an understanding they were more likely to be over the limit after one or two drinks so would be less likely to take the risk of drinking at all. However, he accepted that it could have an unintended negative consequence as a causal factor in people leaving the scene.

The issuing of penalties prompted a range of views. Often respondents welcomed more punitive responses to hit-and-run. One interviewee welcomed an increase in the number of driving bans with another suggesting lifetime bans would be appropriate. One saw the benefit in offences, like 'causing death by careless driving' and 'causing serious injury by dangerous or careless driving' in enabling the courts to apply severe punishments to driving offences, but another wanted to see the 'careless driving' charge removed and replaced with 'dangerous driving'. Here it was argued that anyone who left the scene should be charged with dangerous driving (as being 'careless' was losing your car keys not being involved in a potentially a fatal collision).

Other suggestions included increasing the use of the existing manslaughter charge and having 'attempt to pervert the course of justice' as the default charge for absconders. Whilst one person favoured increasing fines and to increase the numbers receiving maximum sentences, another saw no benefit in increasing the severity of sentences as this might have little preventative effect. Some felt an area of further work would be to look at whether the law in relation to hit-and-runs was applied consistently and to compare the penalties imposed with other types of offences.

#### *The role of technology*

Most stakeholders favoured the smarter use of technology to deliver education, to support enforcement and/or detection and ultimately to help prevent offences. Opportunities included using mobile apps; recording devices such as head and dash cameras; automatic number plate recognition (ANPR); CCTV and

telematics. However as many of these come at significant cost, either in capital outlay or in revenue/servicing costs, concerns were raised about where resources could be found to pursue technological solutions.

Several stakeholders recognised dash cams and cycle cams for their value in recording events and thus in terms of tracing drivers and assisting investigations. It was stated that cycle cams could also be a deterrent as they are clearly visible; whereas vehicle dash cams are potentially less effective (as a deterrent) because they are not so overt. CCTV was seen as important by some as a deterrent from fleeing the scene and also in terms of tracing drivers. However, one respondent raised an issue with accessing the data from CCTV systems and said: 'There should be agreed practice between local authorities and police for prompt CCTV checks after hit-and-runs.'

The potential of the use of telematics was raised, albeit mainly in the future. Telematics is based upon the idea that a box is fitted to your car (also commonly known as a black box), that measures various aspects of how, when and where you drive. This may help to regulate driving behaviors and promote safer driving. It was recognised that use is elective at present and legislation has not been enacted to support mandatory installation and use. One stakeholder, who was firmly in favour of this stated:

"If you are going to make a substantial investment in this area (preventing hit-and-run) then make it in preventing the incident in the first place, not the consequences of it, or ancillary actions by the driver after the action has occurred."

(Stakeholder interview).

One stakeholder did also mention that more needed to be done in terms of the prevention of drink driving. Though numerous campaigns had been run to tackle drink driving, there was a suggestion that more could be done in terms of physically stopping drink drivers getting in a

car through the use of ignition interlocking systems. Indeed, such systems are widely used in the USA and trials in the UK (see Beirness et al, 2008) have identified some problems with usage, but promising results in terms of effectiveness.

#### *Issues with data*

The problem of 'data' or the availability of usable and useful information on hit-and-run was mentioned by several interviewees. While some suggested collating more accurate and better quality data on collisions, some identified a need for a national recording system on hit-and-run incidents. A number agreed that there was under-reporting and subsequently, under-recording of incidents. It is understood the police are in the process of rolling out a national collision recording system that, once in place, could potentially be linked into a website where the civilian population could input accident data (and whether a driver left the scene of the accident).

From a justice perspective, improving the quality of published data was considered paramount. It was noted that, at present, there is a lack of linkage between collision and conviction data, including information about injuries, and concern about recording just the more serious offences in some court data (so it can become hard to identify cases where a driver left the scene). It was also considered that improved data quality would allow better analysis and the production of offender profiles.

### **5.2 Potential preventative strategies**

Overall a number of potential preventative strategies were suggested:

- **Develop alternative means of reporting:** introducing other means of reporting an incident within 24 hours rather than that currently stipulated might reduce numbers of fail to report (currently legislation<sup>17</sup> stipulates that if

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<sup>17</sup> Section 170 of the Road Traffic Act 1988

someone fails to stop at the scene and exchange details they must report in person at a police station or to a police officer within 24 hours). It is understood The National Police Chiefs' Council is already in discussion with the DfT around this with ideas for a 'Reporting App' being discussed<sup>18</sup>. Indeed, it was felt the use of a 'Reporting App' to allow the incident to be reported and recorded at the scene or shortly afterwards would potentially facilitate the ease at which accidents could be reported. This could be a national 'Reporting App' where drivers can log the accident details and receive a receipt number. In the case of road furniture incidents there needs to be greater ease to report to local councils. Such incidents could also be reported via a national 'Reporting App' and details then submitted to relevant local councils.

- **Promote safe havens for intimidated drivers:** Promote 'safe haven' advice to drivers who are genuinely scared or intimidated (or even feel they are victims of scams). For example, petrol stations could be registered as safe havens. Here a relatively degree of safety could be found for drivers and they would be able to contact the police. Petrol station staff could also potentially hold information on how to report/details of reporting websites or Apps.
- **Clarify advice on driver legal responsibilities:** There is a requirement to devise and agree standard wording for a universal message for driver responsibilities if involved in a collision that could be

used by anyone and everyone to further awareness and education as and when required. This wording needs to be standardised across different agencies with responsibility for disseminating such information – from Government bodies to insurance companies, at the point of car purchase to driving schools.

- **Distribute 'accident' cards to drivers:** in relation to the above, advice on driver responsibilities could be issued through insurance cards or smart cards, perhaps the size of a driving licence with standard information about what to do in the event of a collision and whatever information individual insurance companies wanted to include. Some insurance companies have similar literature but a standardised format could reinforce education annually and instil some understanding of the consequences for drivers. Such information could also be provided on a revamped the driving licence (smart) or include information about driver responsibilities in correspondence from the DVLA.
- **National Vehicle Accident Responsibility Awareness Campaign (VARA):** a national campaign on vehicle accident responsibility awareness (VARA) could be run to promote awareness of non-reporting and the consequences. VARA information might be well placed in insurance information and on road vehicles, such as buses.
- **Promote employer responsibility and engagement:** There might be engagement with the Health and Safety Executive<sup>19</sup> to encourage and

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<sup>18</sup> It should be noted that British Transport Police has a text message '61016' reporting system in place. Such a system could also be used to report accidents.

<sup>19</sup> The Health and Safety Executive was not one of the consultees in this research.

more actively promote the employer's roles and responsibilities with regard to work-related driving. Employers not only have a corporate social responsibility but a legal responsibility in managing how their staff uses the road for work, providing training and instruction where necessary and regularly review risk assessments. Employers are told that to be effective they need to know about incidents and ensure that employees understand their responsibility to report incidents to their employers (who could obviously advise remedial action if a legal requirement had not been fulfilled by employees).<sup>20</sup> As an additional benefit, those who are educated about their responsibilities and have their awareness raised for work purposes could also apply that knowledge to 'out of work'/'off-duty' driving.

- **Continue to tackle potential causal factors (drinking):** a deal of work has clearly been done and is ongoing to tackle the direct antecedents of accidents - such as driving over the drink or drugs limit. New drug driving legislation provides a legal limit for drugs when driving and is allowing police to catch 'drug' drivers. The National Police Chiefs' Council is in discussion with the Home Office about having roadside drink drive analysers that would allow police to stop people, take breath samples and seize their vehicles if there were over the limit. However, the possibility of the greater use of Alcolock systems should be considered.
- **Continue to tackle potential causal factors (insurance):** this research suggests that many drivers are deterred from reporting because of fears over rising insurance premiums. A deal of work has been conducted to tackle non-insured drivers. For example, a dedicated unit in the Central Motorway Policing Group has been developed to tackle no insurance - averaging 20+ seizures a day and continuous insurance enforcement has seen the number of non-insured drivers reduce in recent years. However, some further exploratory work might be done with the insurance industry about driver fears over raising insurance premiums after involvement in an accident.
- **Data sharing:** Agree national practice between local authorities and police for prompt CCTV checks after hit-and-runs and work on data ownership and sharing with other bodies. This is obviously pertinent in relation to the expedient investigation of incidents.
- **Training for drivers:** Review and expand upon current questions in the theory driving test.<sup>21</sup> This could be coupled with looking to driving schools to include similar information as part of their driver training.
- **Training for 'high risk' categories of drivers:** As drivers at most risk are those with previous convictions for other motoring offences, promoting awareness of hit-and-run on existing courses might be beneficial. For example, speed awareness courses have a captive audience where

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<sup>20</sup> Health and Safety at Work Act 1974 (Management of Health and Safety at Work Regulations).

<sup>21</sup> It was noted that there is certainly a question about exchanging details in a collision in the current theory test, though additional questions might be added.

information about driver responsibilities could be relayed.

- **Provide incentives for the use of driver surveillance technologies:**

Persuade people of the benefits of using technologies – such as dash cams - that passively exist in a vehicle and are constantly recording what is happening, perhaps through ‘carrot and stick’ by insurance companies. Although only elective at present, there might be potential to encourage insurance companies to get drivers to buy into it, potentially by offering continued incentives.

- **Prevent garages completing vehicle repairs for non-reporting drivers:**

Explore the feasibility of whether other agencies and bodies that come into contact with crash victims and vehicles could assist, for example, breakdown organisations and repair and body shops. One interviewee stated that in some countries a police report was required to get a car repaired.

- **Explore sentencing guidelines and how they are applied:**

Diverse views on present laws and sentencing, and a variety of different – and sometimes opposing – suggestions were put forward in areas such as charges, law changes, tariffs, and mitigating and

aggravating factors. Several interviewees felt there was potential for further work looking at the consistency of the application of the law in relation to fail to stop/ report offences. Indeed, it was thought that if legal responses are going to be used as a deterrent to hit-and-run, then penalties need to be applied consistently. At present it is unclear if this is the case.

Of course, some of these suggested strategies are easier to implement than others and many would require careful planning and costing. However, several in combination might begin to see reductions in numbers of AC10/ AC20 offences or increases in the numbers of traced drivers (which could lead to increases in numbers of AC10/AC20 offences recorded). Before any preventative strategies are implemented it would, of course, be necessary to consider:

1. If there is any previous research evidence of success in relation to any proposed intervention;
2. What the intended outcomes of any proposed interventions are and what the predicted impact on those outcomes are;
3. How the outcomes for any proposed intervention will be measured in order to establish the success of the intervention.

**Annex A: Studies of hit-and-run drivers**

<b>Study</b>	<b>Sample and Range</b>	<b>Location</b>	<b>Key Findings &amp; Factors</b>
Solnick & Hemenway 1994	Fatal hit-and-run study (Data Analysis) Sample of 3600 (1989-1991)	USA	Perpetrators are more likely to be young males; intoxicated; a prevalence for occurrences at the weekend.
Solnick & Hemenway 1995	Pedestrian hit-and-run fatalities study (Data Analysis)	USA	Older vehicles and low light conditions are prevalent.
Tay et al 2008	Injury hit-and-run accidents study (Data Analysis) Sample of 1230 (1992-2002)	Singapore	Perpetrators are more likely to be males; 45-69 yrs; from an ethnic minority background.
Tay et al 2009	Development of cost-benefit framework (Data Analysis) Sample of 3420 (1994-2005)	USA	Examined the cost of reporting the accident vs. the expected benefits of getting away.
Broughton 1994; 2004	Injury hit-and-run study (Data Analysis) from British Police Statistics	GB	Perpetrators are more likely to be male; <30 yrs.
McLeod et al 2011	Pedestrian hit-and-run fatalities study. Sample of approximately 7700 (1998-2007)	USA	Prevalent conditions are early hours of morning; poor light; weekends are prevalent; Perpetrators are more likely to be young males; and/or have prior convictions; vehicles >5 yrs old.
Dalby & Nesca, 2008	Overview of studies of 'hit-and-run drivers'	Worldwide	They identify prominent reasons for hit-and-run such as 'personality traits' and rational decision making.
Roshandeh et al, 2016	Contributing factors in hit-and-run crashes Illinois, USA	USA	Logistic regression of distracting factors in hit-and-run crash – identifies some environmental factors associated with accidents.



**Selection of other related driving studies.**

<b>Study</b>	<b>Sample and Range</b>	<b>Location</b>	<b>Key Findings/Factors</b>
The Step Beyond (2006) Market Research	Public attitudes to speeding and impact of road safety campaigns on target groups. Sample of 40 qualitative interviews (Individual, Group and Pairs) and 2235 quantitative street surveys (2004)	UK	Different age groups require tailored messages and media attention; sub-groups also exist that require separate targeted attention.
Haines & Wells 2011	Speed Camera Study, Non Participatory Observations and Focus Groups with the public (2002-2011) plus ANPR Study (2009) with sample of 1573 survey respondents	UK	ANPR cameras are generally more accepted by the public but not so well understood. The disciplinary use of Speed Cameras remains the most prescient concern within that study.
Orr Skellington et al 2013	Survey about the impact of Road Safety Campaigns with self-confessed illegal drivers. Sample of 15 respondents	UK	Holistic, population-based approaches appeared to be the most likely to change behaviours
Kyd Cunningham 2013	Study of decision-making in the selection of charges in fatal Road Traffic cases using the Road Safety Act 2006	UK	The study provided insight into the decisions made over two years in three police force areas in England & Wales

## Annex B: Participant Project Information Sheet

The University of Leicester (in partnership with the DVLA) is completing this research project on behalf of the Motor Insurers' Bureau. The research aims to:

1. Understand the motivations of drivers who leave the scene of/ fail to report an accident;
2. Develop preventative strategies that aim to reduce the number of hit-and-run incidents.

The research will be completed in two main stages:

1. A postal survey conducted by DVLA that you have already kindly completed;
2. In depth interviews with participants who completed to postal survey and kindly agreed to be contacted by the University of Leicester

The interview will ask you about the incident you were involved in. We are primarily interested in how you came to be involved in the incident and what made you leave the scene of incident. We would also be interested in your views about how to prevent similar incidents in future.

Interviews for the project will be conducted at a number of venues. We will contact you to confirm which the nearest venue to where you live and we will try to arrange a time accordingly. Most of the venues we have available are the offices of solicitors. However, we would like to underline that this part of the research is being conducted by the University of Leicester, the findings are strictly confidential and will not be passed to any other party. If you do not want to be interviewed in a solicitor's office, we can make arrangements to interview you via telephone or skype. The interview will take no more than 30 minutes.

If any travel expenses are incurred in travelling to an interview venue they will be reimbursed as long as valid receipts are provided. Payment of £20 will be made for participating in the interview. You will have a right to withdraw from the interview at any point in time.

The data collected will be written into a report that will be used by the Motor Insurers' Bureau to develop future policy. The report will be published and made available on the MIB website. All respondents will be informed when the report is published.

All information used for this study will be presented in a depersonalised format. This research complies with both the University of Leicester code of ethics and also university Data Protection Policy.

Further information can be obtained from Dr Matt Hopkins (University of Leicester) 0116 2525714 [mhopkins@le.ac.uk](mailto:mhopkins@le.ac.uk) or Sally Chivers (University of Leicester) [sc649@le.ac.uk](mailto:sc649@le.ac.uk)

## Annex C: Drivers semi-structured interview schedule

### **Introduction**

**Preamble: I would just like to reiterate the aims of the project and to make sure you are happy to proceed. This is necessary in order to comply with research ethics.**

#### **INTERVIEWER:**

- Outline the aims of the project as stated project information sheet
- Ensure the consent form has been agreed/ signed
- Ensure recording equipment is working

### **Background**

**Preamble: First, I would like to get a bit of background information from you in relation to your demographic details and your history of motoring offences.**

- What is your age/ gender/ location of residence?
- Can you please tell me, what was the penalty/ sentence received for the particular fail to stop/ report incident that is the focus of this interview
- In addition to this incident, had you been convicted of other motoring offences before this incident [prompt for which ones]?
- Have you been convicted of other motoring offences since this incident [prompt for which ones]?

### **The incident**

**Preamble: I would like to talk to you in detail about the incident for which you were convicted for failing to stop/ report. I would like to talk about the journey details, what happened during the incident and what happened in the aftermath of the incident.**

#### ***1. Journey details***

- What type of vehicle were you driving? [Car, make, model and year or registration number]
- What were the driving conditions like? [i.e. weather, level of traffic etc.]
- Where was journey to/ from/ road type

#### ***2. The incident itself [this includes to the details of the collision to the point of departure from the scene]***

- Please describe in your own words what happened – how did you come to be involved in the incident?
- What did you hit [another car / people etc.]?
- Were a number of people/ vehicles involved?
- What was the extent of damage [to what/ who]?

-Were there witnesses to the incident?

-Immediately after impact, were words exchanged? Who said what/ to who?

-Why did you leave the scene/ what motivated you? Did you think about the risks of getting caught/ potential punishment etc.? Did you think about other potential consequences for you – insurance premiums/ points on licence? A driving ban? A large fine? Did you think about the potential impact on victim [injury, cost of damage to them, emotional impact on them]?

### ***3. The aftermath [after you left the scene of the incident]***

-What do you do immediately after the incident? Where did you go/ who did you tell? Were you worried about consequences of leaving the scene?

-How were you eventually traced? If you eventually reported to police – when/ why?

## **Reflections and prevention**

**Preamble: I would now like to ask you about your reflections on the incident and potential preventative strategies.**

### ***1. Reflections about the incident***

-Do you think you were to blame for the incident?

-Do you view your actions as a crime? Why yes/no?

-Do you think that incidents such as this are often caused because people get frustrated/ aggressive when driving?

-Since the incident, have you ever thought about the impact on the victim? (the cost to them or seriousness of injury?)

-In hindsight would you alter the way you acted/ reacted in relation to the incident? Why/ How?

### ***2. The prevention of similar incidents***

-What factors might have altered your behaviour (i.e. better road safety, knowledge about the law etc.)

-How do you think that similar incidents could be prevented in future?

-Do you have anything else to add?

**THANKYOU – VOUCHER.**

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