

22nd January 2020

Freedom of Information Request – Reference No:20200209

REQUEST

Incident 1079 09/11/2019

***Copies of the warning letters sent out to the vehicle owners
A copy of SYP Close Pass force policy***

RESPONSE

Your request for information was forwarded to us at the Information Compliance Department to answer the Freedom of Information element of your request shown above.

I approached an Inspector with the Response team for assistance with this request. He has provided the attached Road User advice template and the following explanation.

There is no Close Pass Policy. The term Close Pass is used by cyclists to refer to situations which occur whilst they are riding on a road when other road users pass them without giving sufficient distance between them. The term is also used by Police Forces around the country for operations aimed to educate road users to provide a 1.5m recommended gap between themselves and cyclists. In SYP TSG run a Safe Pass Operation with a similar aim but the preferred term Safe Pass has been used to distinguish that the 1.5m distance is not mandatory and in many circumstances cannot not be achieved.

Below is the agreed procedure for officers to deal with all instances where motorists brought dash cam style video to ourselves. This was not restricted to cyclists or close pass events.

Where a member of the public makes a complaint against a road user supported by video or other photographic evidence officers shall;

- *Take possession of the evidence along with details of the person making the complaint. No statement is required at this stage.*
- *The evidence will be viewed*
- *Where it is considered that an offence is committed keeper details will be obtained*
- *During the review or in obtaining keeper details there are aggravating features an NIP along with RT59 should be sent to the registered keeper. The officer will complete the investigation using the TOR process*
- *If no aggravating features are identified a copy of the attached letter should be prepared and sent via the District Command Team Staff Officer*
- *Prior to sending the Staff Officer will check a database maintained by them to ensure no previous letters have been sent*
- *In the event that a previous letter has been sent this will be returned to the OIC for an NIP and TOR to be prepared*

Aggravating features could include but are not restricted solely to any of the following; additional offences (ie no insurance), causing other road users to take emergency evasive action, causing injury to another person, causing a cyclist to fall whether injury is caused or not.

It is important to note that this procedure does not affect any video evidence gathered for the purposes of investigation of incidents such as RTC's This is solely to be used where a video is submitted which forms the basis of the prima facie case against a road user.