

04 March 2015

Your Ref:

Our Ref: IM-FOI-2015-0280



Sir Stephen House QPM  
Chief Constable

FOI Central Processing Unit  
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**FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**  
**SUBJECT: VEHICLE ACCIDENTS**

I refer to your email dated 05 February 2015 regarding the above which has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOISA).

**QUESTION**

*all motor vehicle (that is cars and motorcycles) accidents reported to Lothian and Borders Police (as was) that occurred say three miles south of the village of Tweedsmuir on the A701.*

*I would like information with regard to accidents that occurred for the twelve months prior to the accident date that is to 13<sup>th</sup> August 2010.*

*I would also like details of the accidents that occurred for twelve months after the accident date that is to 11<sup>th</sup> August 2012.*

*I am interested in what was recorded as the cause of the accidents. I am specifically interested in any reference to the road surface being substandard, perhaps being eroded at the nearside verge on the northbound lane and this causing/contributing towards the accident occurring.*

## RESPONSE

A search of our vehicle accident system from 13 August 2010 to 11 August 2012 was conducted based on the specific stretch of road from Tweedsmuir (A701) and approximately three miles south of the village. It was found four vehicle accidents were reported between these dates.

A further four vehicle accidents were reported between 12 August 2011 and 11 August 2012. In total nine accidents (including the accident you are investigating) have been reported.

Our vehicle accident recording system can list contributing factors to an accident. These are recorded as a causation factor on the accident report, but crucially these are not mandatory fields. This means that they are not completed as standard in all reports and therefore will not provide an accurate number of accidents, which were specifically attributable to carriageway hazards.

Additionally you may wish to note that from 1st August 2011, former Lothian and Borders Police ceased creating reports for 'damage only' vehicle accidents where the parties involved exchanged details at the scene. In these circumstances, there is no legal requirement for this information to be retained or for a report to be created. As a result, there will be a number of non-recordable vehicle accidents every day which we would have no record of, and as a result any figures provided would not be a true reflection of the number of accidents/collisions occurring within the Force area. Damage only accident reports are now only created where property (e.g. a wall or street furniture) has been damaged, the accident was a 'hit and run' where further enquiry is required to trace the party responsible, where the parties involved dispute who was at fault, or the collision involved a Police vehicle.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 0131 311 3901 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance and within 40 working days of receiving this letter to request a review of the decision made by the Service. Should you wish to do so, contact details are; Police Scotland, FOI Central Processing Unit, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH. (Or email [foi@scotland.pnn.police.uk](mailto:foi@scotland.pnn.police.uk)).

Once informed of the review decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. The contact details are: Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610. Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely

Paul Wallace  
Information Management Unit