

REQUEST FOR INFORMATION - ROAD TRAFFIC COLLISION

APPLICATION FORM

(Schedule 2, Part 1 (5)(3) Data Protection Act 2018)

Police information will not be disclosed unless there are important considerations of public interest to justify departure from the general rule of confidentiality. These considerations include the protection of vulnerable members of society. The information below is provided on the strict understanding that such information is only for the use of legal proceedings / prospective legal proceedings and will be treated as confidential and will not be used for any other purpose.

**SECTION 1 - GUIDANCE NOTES**

* Completed application forms should be emailed to Accident.clerks@lancashire.police.uk
* Each request will be considered on its own merits, and disclosures are made at the discretion of the Chief Constable. Please note that requests for Road Traffic Collision Reports cannot be progressed until the investigation into any offences is complete. Ordinarily this will take 6 months. You may apply for third party details at any time.
* Police reports are only available **if it is RECORDED as an injury RTC.** If an injury has not been reported to the police at the time of the accident or within 30 days, it will be recorded as ‘damage only’ and a police report will not be available. A copy of the incident log may be available and should be requested via this form.
* If you are solicitor making a request in relation to a damage only road traffic collision, please direct your request to civildisclosures@lancashire.police.uk.
* Where possible, disclosures will be made via email therefore please ensure that a return email address is provided. The disclosure document will be sent password protected or via Egress.
* It is ESSENTIAL that sufficient information is provided to locate the information you require. Should any of the required fields not be completed, thorough Police checks cannot be conducted which may result in vital information being missed. Incomplete forms will be sent back and will not be processed until completed fully.
* Searches will not commence until the form is **fully completed**. **Please do not send any fee until you have received our acknowledgement and confirmation that we hold the relevant information.**
* Witness details will only be released with consent – please state if required.
* The police will adhere to the ‘data minimisation’ principle outlined at Article 5(1)(c), of the GDPR (personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed) and accordingly will make the necessary redactions to information prior to disclosure, taking into account the information and/or third-party identities already known and listed below.

|  |
| --- |
| **If you require additional advice about completing this form, please contact us using the below details** |
|  **🖰** accident.clerks@lancashire.police.uk |
| * Safer Roads Unit

Collision TeamPO Box 1329PrestonPR2 0SX |

**SECTION 2 – COMPANY DETAILS**

|  |
| --- |
| **COMPANY DETAILS** |
| **Name of company** |  |
| **Company / Organisation name & address** |  |
| **Your reference** |   |
| **Direct telephone number**  |   |
| **Email address**  |   |
| **Email address the disclosure should be sent to (if different from above)**  |  |

**SECTION 3 –DETAILS OF PARTIES INVOLVED**

|  |
| --- |
| **YOUR CLIENTS DETAILS** |
| **First name(s)** |  |
| **Surname** |  |
| **Previous name(s) / alias names** |  |
| **Date of birth** |  |
| **Current address** |  |
| **Vehicle registration number (if applicable)** |  |

|  |
| --- |
| **3RD PARTY DETAILS (if known)** |
| **First name** |  |
| **Surname** |  |
| **Previous name(s) / alias names** |  |
| **Date of birth** |  |
| **Current address**  |  |
| **Vehicle registration number (if applicable)** |  |

*use separate sheet if necessary*

**SECTION 4 –CASE DETAILS**

|  |
| --- |
| **COURT DETAILS** **(if applicable)** |
| **Court name**  |  |
| **Case number** |  |
| **Date(s) of future hearing(s)**  |  |

|  |
| --- |
| **KEY ISSUES & SPECIFIC INFORMATION SOUGHT** |
| **Please provide a summary of events giving rise to this request. Please provide specific reasoning as to why Police information is necessary to proceed with your case & how you intend to use this information.** |

*use separate sheet if necessary*

|  |
| --- |
| **DETAILS OF INCIDENT** |
| **Type of incident** |  |
| **Date & time of incident** |  |
| **Location of incident (including street name & town)** |  |
| **Police reference number (if known)** |  |
| **Please provide a description of the circumstances of the incident** |

*use separate sheet if necessary*

|  |
| --- |
| **INFORMATION REQUIRED** |
| Limited Particulars / 3rd Party details RTC Police Report Do you require distressing images to be omitted from those supplied.  YES / NO (If no selection is made the default position is to send all images) |
| **Other information/documents** Please state additional documents required here:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*(these documents/items may not always be available and additional payment may be required, please see below)* |

**SECTION 5 – POLICE CHECKS UNDERTAKEN AND AMOUNT PAYABLE**

|  |
| --- |
| **PLEASE DO NOT SEND THE FEE UNTIL YOU HAVE RECEIVED OUR ACKNOWLEDGEMENT AND CONFIRMATION THAT WE HOLD THE RELEVANT INFORMATION.**The payment for any disclosure request covers the necessary searches and provision of information. A refund will not be given if the information provided does not satisfy your request. |
| **DETAILS OF SEARCH** | **AMOUNT CHARGED** |
| Schedule 2, Part 1(2) of the Data Protection Act 2018 - **Disclosure Provision of third-party details / limited particulars**  | £41.90 |
| Copy of RTC Police Report (up to 30 pages) | £118.30 |
| Additional pages for same incident (per page) | £5.20 |
| Interview request from a Police Officer | £169.90 (per interview/statement) |
| Copy of body worn video / CCTV footage  | £34.70 (per item of footage) |

**SECTION 6 – UNDERTAKING**

I have requested copies of all relevant materials (as listed above) in respect of the matter relating

to­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of your client)

I understand that Lancashire Constabulary require payment of the appropriate fee for disclosure.

I undertake that the information requested is required for the above purposes and failure to provide the information will, in my view, be likely to prejudice these matters. I undertake to keep the information supplied for the purposes of this application secure, use only for the specified purpose and not to supply copies to any other party except:

1. A barrister/legal representative instructed by me
2. The other parties’ legal representative
3. An expert witness instructed by myself or the court
4. By further order of a court or with the written consent of the Chief Constable’s nominated officer or deputy

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature on behalf of company (typed/electronic signature accepted): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Schedule 2, Part 1 (5)(3) The listed GDPR provisions (as per Schedule 2, Part 1 (1)) do not apply to personal data where disclosure of the data –

1. Is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings)
2. Is necessary for the purpose of obtaining legal advice, or
3. Is otherwise necessary for the purposes of establishing, exercising or defending legal rights,

To the extent that the application of those provisions would prevent the controller from making the disclosure.

*------------------------------------------------------------------------------------------------------------------------------------------------------------*

*Each request will be considered on its own merits, and disclosures are made at the discretion of the Chief Constable. In certain circumstances the Constabulary may refuse to release certain information (i.e. information which if imparted could lead to an action of breach of confidence) and request the receipt of a court order. In such circumstances, should the full request be refused, the fee will be returned. Where a court order is received, this will provide the lawful authority to enable confidential information to be shared. However, there may be occasions where the Constabulary may seek to vary the court order.*