

Investigation Findings

Submitted to Police Scotland

Serious Injury Following Police Contact

Injured Person: 28-year-old man

Location: Old Deeside railway line, Aberdeen

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BACKGROUND

About 0005 hours on 26 June 2019, a 28-year-old man sustained serious head injuries when the motorcycle he was riding collided with a tree on the cycle path of the disused Old Deeside railway line, Aberdeen. The man and a pillion passenger on the motorcycle had been pursued by police vehicles and officers at various locations in Aberdeen for approximately 20 minutes prior to the crash. During this pursuit the motorcycle significantly exceeded the speed limit on numerous occasions.

Shortly before the crash, both men had removed their crash helmets, presumably in an attempt to deter police from attempting to stop them. As they drove along the cycle track they were confronted by four officers who were standing across the track. The man swerved and drove around the officers but then lost control of the motorcycle which collided with the tree. At the time of the crash the motorcycle was travelling about 20 to 25 miles per hour.

The pursuit of both men and the motorcycle was authorised by the Area Control Room (ACR) having met the criteria for a vehicle pursuit. Officers used blue lights and sirens on their police vehicles to warn other road users of the pursuit and to indicate to the man that he should stop. He failed to do so.

Throughout the duration of the pursuit, the man drove dangerously. At the time of the incident the man was a disqualified driver and had been disqualified from driving on numerous previous occasions. Both men were arrested at the crash scene. The 28-year-old man had significant facial and head injuries whilst the other man (pillion passenger) was uninjured. An ambulance was summoned and the injured man was taken to Aberdeen Royal Infirmary.

Initially, the man's injuries were considered life threatening. However, he recovered sufficiently that on 7 July 2019 and, against medical advice, he discharged himself from hospital. The 28-year-old man was later convicted.

REFERRAL TO THE PIRC

On 26 June 2019, Police Scotland referred the incident to the Police Investigations and Review Commissioner (PIRC) in terms of Section 33A(c) of the Public Order and Criminal Justice (Scotland) Act 2006 as amended and the Police Investigations and Review Commissioner (Investigations Procedure, Serious Incidents and Specified Weapons) Regulations 2013.

PIRC INVESTIGATION

In conducting this investigation PIRC investigators visited the incident scene, interviewed the man and the pillion passenger, viewed relevant CCTV footage, obtained statements from police officers, police staff, medical staff and members of the public and seized and examined Command and Control (STORM) logs, telephone and Airwave recordings, briefing papers, police notebooks, records from police systems and Police Scotland's Collision Investigation Report.



PIRC FINDINGS

- At the time of the crash the man was a disqualified driver who was driving a motorcycle in contravention of numerous disqualifications.
- When police officers came across the man driving the motorcycle they instructed and indicated to him to stop. He failed to do so and over the next 20 minutes he was pursued on various roads and at various locations in Aberdeen by numerous police officers.
- The man drove erratically and in excess of the speed limit.
- The pursuit of the man was correctly authorised in accordance with police pursuit procedures
- When the man drove along the cycle track of the disused Old Deeside railway line he deliberately removed his crash helmet, swerved around officers who were standing on the track and lost control of the motorcycle, whereby the motorcycle collided with a tree and the man sustained serious injuries.
- The man had ample opportunity prior to the crash to stop but chose not to do so. His recklessness and loss of control of the motorcycle was the major contributory factor to the injuries he sustained.
- Police officers responded properly and proportionately to this incident.