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**Email/E-bost:**

20 August 2025

**Subject - Regulation 28 Prevention of Future Deaths Report arising from the inquest touching on the death of Muhammad QASIM.**

*For the IOPC: The IOPC were investigating the conduct of the police driver in this case. As a result of their investigation no full forensic collision investigation report was obtained. The IOPC need to confirm where investigative responsibilities lie when a conduct investigation is being conducted in all fatal incidents to ensure lessons are learnt from the death and adequate evidence is obtained. The lack of a full forensic collision investigation report in this case creates a risk of future deaths and action should be taken.*

We work to ensure we gather all relevant and available evidence and seek expert advice where it is necessary and proportionate to the circumstances of the case. Collectively, this helps to inform the investigation and our ability to reach evidence-based decisions.

With specific reference to matters involving road traffic incidents, the IOPC does not possess the technical skills or expertise to undertake collision investigation work. As such, we work with policing partners who have a duty to provide independent assistance by way of

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objective and unbiased opinion in relation to matters within their expertise. The reports produced by Forensic Collision Investigators are provided to the IOPC and the salient points are then included in the IOPC investigation report.

Following the death of Mr Qasim in the early hours of 02 October 2023, the IOPC received a Death or Serious Injury (DSI) referral from West Midlands Police and an independent investigation was declared on 05 October 2023.

At the conclusion of the IOPC investigation, solicitors representing Mr Qasim's family challenged the IOPC investigation and a decision was made on 24 September 2024 to reinvestigate the police contact with Mr Qasim.

The Terms of Reference for the initial IOPC investigation were agreed on 26 October 2023 and included:

*To investigate West Midlands Police's contact with Mr Qasim and Male B on 2 October 2023, specifically in relation to:*

- a) *The actions and decisions of police officers and staff prior to the road traffic accident;*
- b) *whether the decisions and actions of officers and staff were in line with local and national policies and procedures.*

At the outset of the investigation, the Lead Investigator engaged with a Senior Collision Investigation Unit (SCIU) supervisor within West Midlands Police. The Lead Investigator met with the SCIU supervisor and the allocated Forensic Collision Investigator on multiple occasions during the investigation.

The IOPC lead investigator was advised that a full forensic collision report into the crash would not ordinarily be produced because Mr Qasim's vehicle had not collided with another vehicle— it had left the road and impacted with a tree.

There was CCTV footage from nearby properties that demonstrated that the police car involved in the incident was not close to Mr Qasim when he crashed. Therefore, at an early stage, the IOPC lead investigator was satisfied that the police car had not had direct physical contact with Mr Qasim's vehicle to cause the collision.

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As a consequence, the lead investigator and decision-maker were satisfied that the streamline collision investigation report would provide sufficient information for the IOPC independent investigation to fulfil its statutory obligations.

During the investigation, the IOPC lead investigator was also advised by the SCIU that as a result of the damage to Mr Qasim's vehicle, a vehicle examination would not be beneficial. However, the IOPC asked that this should go ahead, and this took place on 29 November 2023 with the IOPC in attendance.

The IOPC lead investigator obtained information downloaded from the police car, documenting its speed, the use of brakes and the use of sirens/emergency warning lights during the incident. This was obtained from both the on-board system and the vehicle CAN data.

The IOPC lead investigator assessed the actions relating to the driver of the police vehicle regarding his manner of driving and decision-making prior to the collision, and determined there was an indication that the officer may have breached the Standards of Professional Behaviour to such an extent that disciplinary proceedings may be warranted. The investigation therefore became a conduct investigation.

The lead investigator discussed the available evidence with the IOPC decision maker and a decision was made to approach the SCIU to undertake extensive analysis and speed calculations of the period prior to Mr Qasim's crash. This was directly relevant to the conduct matters to determine whether the officer had entered into a pursuit, prior to the collision.

As a result of the contact with the WMP SCIU, two documents were produced for the investigation:

1. A Coroner's File – Fatal Road Traffic Collision report
2. A CCTV – Speed Analysis Report

Both documents are attached to this response.

Updates were provided to the Coroner throughout this investigation by the IOPC.

## **Actions to be Taken / Organisational Learning**

Following the inquest into Mr Qasim's death, you have identified that the IOPC needs to confirm where investigative responsibilities lie when a conduct investigation is being conducted in all fatal incidents, to ensure lessons are learnt from the death and adequate evidence is obtained.

In all IOPC investigations into fatal road traffic incidents, it remains open to us to make representations for a full Forensic Collision Investigation Report to be completed, or for us to commission one from an independent source. While it was the view of the investigation team that one was not required in this instance, we recognise that we did not specifically ask the Coroner their views.

Going forward, all lead investigators will need to assess the circumstances of an incident and have early contact with the Coroner to determine whether a full Forensic Collision Investigation Report is required. If one is required, we will either request this from a police force or source an independent report if necessary.

We will continue to use our internal technical leads in the IOPC to provide advice to IOPC lead investigators and your concerns have been brought to their attention as well as to the attention of our operational policy team.

We will update the internal written guidance we provide to IOPC lead investigators to ensure consideration is given to securing a full Forensic Collision Investigation Report and that there is consultation with the Coroner about our approach. Our internal guidance will be updated within the next six weeks but in the meantime, our internal technical leads will liaise with investigators in the early stages of any investigations involving a road traffic fatality to ensure the correct considerations are made.

In instances where we feel it is appropriate to secure a streamlined collision investigation report, we will set out the minimum standards we expect for that report, to ensure all relevant information is secured.

I trust that the information provided clarifies our role and offers reassurance regarding the matters raised. We are committed to upholding the principles of impartiality and

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independence, which are fundamental to the integrity of our investigative processes.

Yours sincerely

A handwritten signature in black ink, consisting of a series of loops and a trailing line.A solid black rectangular redaction box covering the printed name of the signatory.

Deputy-Director of Investigations - West