The management of a fatality occurring on Network Rail controlled infrastructure in England & Wales

A code of practice
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>4</td>
</tr>
<tr>
<td>Management of the scene</td>
<td>7</td>
</tr>
<tr>
<td>Confirmation of death</td>
<td>8</td>
</tr>
<tr>
<td>Determination of death</td>
<td>8</td>
</tr>
<tr>
<td>Safe system of work</td>
<td>10</td>
</tr>
<tr>
<td>Photographs and site details</td>
<td>11</td>
</tr>
<tr>
<td>Removal of body remains</td>
<td>12</td>
</tr>
<tr>
<td>Rail staff witnesses</td>
<td>12</td>
</tr>
<tr>
<td>Notes for train crews</td>
<td>14</td>
</tr>
<tr>
<td>Cases of threatened suicide</td>
<td>15</td>
</tr>
</tbody>
</table>
Introduction

This Code of Practice contains collaborative guidance on the agreed procedure to be followed by those involved in the management of fatalities occurring on the rail infrastructure controlled by Network Rail.

The railway infrastructure is a hostile environment and there is a need for a rigorous regime to prevent any danger to personnel or the safe running of the railway. Furthermore there is a need at incidents involving fatalities to consider the wider impact on railway operations and passengers.

It must be remembered that the stopping of trains and/or the interruption of power supplies can have serious safety implications away from the immediate scene of operations, such as:

- overcrowding of stations and platforms
- heat exhaustion of passengers on trains held in tunnels
- passengers affected in very overcrowded conditions in delayed trains
- loss of ventilation systems on air conditioned trains
- general frustration and tension leading to unlawful acts by delayed passengers
- passengers alighting from trains that have stopped outside stations and walking along tracks.
Following this agreed guidance will ensure the Emergency Services and the Rail Industry work together in safety. This will aid communication and enhance the professionalism and efficiency of all agencies. It will also contribute to the necessary high level of sensitivity and sympathy towards the victims, their families and the general public.

It should be noted that the HSE will need to investigate any fatalities where there have been possible offences under the Health & Safety at Work Act 1974.
Management of the scene

Attendance

- Network Rail Control will despatch a Rail Incident Officer (RIO) to the scene of all deaths on the operational railway. The function of the RIO is to act as the lead rail representative.
- the Police Incident Officer (PIO) at the scene and the RIO will establish effective liaison arrangements on site and jointly ensure that a Safe System of Work is in place.
- British Transport Police will attend all fatalities on the railway and will provide a PIO, where possible.
- an Ambulance and paramedic crew will attend.
- Network Rail Control will arrange for the attendance of a railway approved undertaker once it is known that a fatality has occurred. These arrangements will be made in consultation with the Police Control Room and the Coroner’s Office.
- the undertaker will be under the direct control of the RIO, albeit close liaison with the PIO will be necessary as (s)he has responsibility for directing when it is permissible to remove the body and, in conjunction with the Coroner’s Office, where it is to be taken to.
Confirmation of death

Most ambulance services now have agreed protocols in place permitting them to confirm death without the need for attendance by a doctor. However if the death is being treated as suspicious then a suitably qualified doctor may need to attend. In these circumstances the doctor will normally pronounce life extinct at the scene. The decision whether to call a doctor will be taken by the Police Incident Officer.

Determination of death

The circumstances of the death can be either suspicious, not-suspicious or unexplained.

The following gives some simple examples — the list is not exhaustive:

1. **suspicious** – where the injuries do not appear to be related to the circumstances or, where the victim was seen to be pushed into the path of a train

2. **unexplained** – unwitnessed fatalities e.g. where the victim was found lying at the side of the track and there are no obvious reasons to account for the cause of death

3. **not-suspicious** – where the victim was observed, by their own efforts, to jump, stand or lie down in the path of a train.
The determination of death from an assessment of the circumstances is the sole responsibility of the Police. In general terms, all fatalities will be treated as being suspicious until evidence suggests otherwise.

The Police can often be assisted in this task by:
- information provided by the driver
- information from other train crew members
- signallers and crossing keepers
- any witnesses present
- observation of the site and the body itself
- Network Rail Control and signalbox voice tapes
- CCTV if available.

Where the investigation is likely to be protracted, discussions should be held between the RIO and the Police to achieve an adjustment to the Safe System of Work which maintains safety and relieves some of the train traffic congestion.

In the event of a protracted incident the Police will provide the RIO with an estimate of the further expected delay.
Safe system of work

The first Emergency Services Officer on site will consider and agree with Network Rail via the Emergency Services Control/Network Rail Control, or the RIO if in attendance, the establishment of a Safe System of Work for any activities on the track area. In the absence of a qualified member of railway staff, the Emergency Services should not go on the railway or near electrical equipment unless absolutely necessary to save a life.

The most appropriate of the following options can be applied:

- depending upon circumstances, **running the trains normally**.
- **slowing some trains** by running them at caution.
- **stopping some trains** by the use of signals.
- **switching off the power supply** if there is any risk of electrocution.

**Note**

If trains are to be run past the scene, any body parts that can be seen, must be covered from view. Where evidence contamination may be an issue, screening should be used as an alternative to covering.
Photographs and site details

The Police Incident Officer is responsible for determining the need for photographs or plans. However, the police and/or Coroner may require an accurate plan of the final position(s) of the body, various body parts, clothing and other items of a personal nature. The plan should show where the deceased was hit, the position before they were struck and how access was gained to the track. Nothing should be moved until authorised by the Police Officer in charge at the scene.

Where the death is not suspicious, it may be that a photograph of the body in-situ is not required. However, it is the responsibility of the Police Incident Officer in charge to determine the need for photographs to be taken at the scene. Where the RIO has taken photographs of the body in-situ, the film or digital disc can be offered to the Police and may assist them in deciding on the need for the attendance of a Scenes of Crime Officer (SOCO). Where the death is suspicious, the Police will apply their own procedures for dealing with such incidents.

Any photographs of the site that might be required can be taken by arrangement at a later date.
Removal of body remains

Once in-situ photographs have been taken (if required), and the site plan details have been recorded, the body should be removed under Police direction. It should be placed where it is safe for the undertaker to subsequently transfer it to a place directed by the Coroner’s Office or the Police.

There are Health & Safety issues that must be adhered to in respect of personal protection when assisting in the removal of bodies.

Rail staff witnesses

Train Operating Companies will ensure they make any train crews available to the Police for interview.

Network Rail Control will inform the Police Control or BT Police Control of the location of the train crews.
The driver should contact the BT Police and provide information on the incident as soon as possible, (this has the advantage of providing early information on the incident and can be one of the first stages in the train crew counselling process). This contact with BT Police can be achieved by the following methods:

1 **Telephone**
   - using the BT Police locally designated emergency contact internal number (if known)
   - via Network Rail Control
   - in very urgent cases national 999 (112) service.

2 **Trains fitted with Cab Secure Radio (CSR),** the driver can be patched through direct to the BT Police.

3 **Trains fitted with National Radio Network (NRN) & CSR Radio,**
   the emergency call facility can be used to transmit early information on the fatality, (some NRN & CSR calls are recorded so are useful as evidence).

**Note**

It is normal practice, at an early stage of any fatality, for Network Rail Control and/or Signallers to gather information on the incident from the train crews, by the completion of a standard questionnaire form. This information may be of use to the police investigating officers, (the original completed questionnaire form(s) are retained for possible use at a subsequent inquest).
Notes for train crews

The Police will need to decide if the fatality is suspicious. They can be helped by the train crew providing, where possible, the following information:

• **Location of fatality or event.**
  - mileage posts
  - bridge number
  - ‘up’ or ‘down’ line
  - identifiable features (canal, colliery etc.).

• **Was anyone else present at the scene of the fatality?**
  - what was their demeanour?
  - how many?
  - how close were they to the victim?
  - where possible, record a description of the persons present and their clothing.

• **If the victim was lying on the track, were they moving or not?**

• **What the driver saw.**
  - as much detail as possible
  - the chronological sequence of events.

• **How good was the driver’s view?**
  - daylight
  - curve of track
  - weather conditions
  - trackside obstructions present.
Applications of the code to cases of threatened suicide

From time to time persons with suicidal intentions may threaten to take their own lives by jumping from a bridge or similar piece of infrastructure over or adjacent to a railway line. These incidents are sometimes protracted and can be the cause of a great deal of serious disruption to the national rail network. This can in certain cases lead to further problems with serious safety implications as detailed at page 5.

It is recognised that the welfare of the person considering taking their life will be of paramount importance to all the responding agencies. The general principles of incident management as described elsewhere in this code will apply. The RIO will make him/herself known to the Police Incident Officer and offer any assistance. The RIO is also responsible for overall site safety.

If it is safe to run trains at caution this should be considered, as should the movement of trains using adjacent lines. Every case will be different and a clear agreement should be reached as to how to best manage the incident, including its potential impact upon railway operations. Close co-operation is therefore required between the Police Incident Officer and the RIO. The decision making process should include consideration of the risks detailed on page 5, taking into account the police judgement of whether the incident is likely to be prolonged.

A record of all decisions should be made and all the relevant Controls (including the local BTP Control) should be kept updated.

For further railway safety information, please refer to the document “Railway Safety For The Emergency Services” - RT/CM/SO/P/302