

DISPUTES ARISING FROM TRAFFIC ACCIDENTS

If you are involved in a traffic accident, it is important to retain forensic evidence to stake your claim in case disputes arise. Here are tips on how to do it best.

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When a traffic accident occurs, parties involved may agree amicably on the details surrounding the collision – but they may subsequently change their account of the incident to protect personal interests. Without evidence to corroborate or refute the varying accounts, it is difficult to assign liability and the appropriate compensation. In such situations, the parties involved, their lawyers and insurance companies may turn to a forensic expert for help.

To reconstruct a traffic incident, the forensic scientist relies on scene photographs taken soon after the incident, examines the damaged vehicles, analyses in-vehicle video footage, and conducts scene visit(s) to examine and collect physical evidence, take measurements of specific locations and road elements, and document critical environmental factors. Unfortunately in most cases, forensic help is only sought at a much later time – any physical evidence present on the vehicles or at the scene would no longer be available unless they had been properly documented and collected.



Overview photograph provides better perspective of the location and extent of damage.

PHOTOGRAPHIC EVIDENCE IS VITAL

Safeguard your case by means of photography – not difficult considering almost everyone has a camera phone. However, incorrectly captured photographs may yield little or no evidential value, so here are some tips on how to take useful photographs:

Incident site

- Take overview photographs to show relative positions of the vehicles or persons involved
- Photo-document obvious marks on the roadway that have resulted from the incident; include the start and end of these marks

Vehicular damage

- Photograph the damaged area(s) on your vehicle as soon as possible; include both overview and close-up views. Examples of such damage include scratch marks, foreign material (i.e. paint smears), dents and broken parts
- Photograph damage on the other vehicle(s) involved



Close-up photograph provides more details of damage.

OTHER TYPES OF EVIDENCE

Even with photographs, the account of the incident may still be disputed. In such cases, analysis of foreign materials, such as paint smears, can provide vital information as to the cause of the collision. Here are some recommendations to bear in mind.

- Do not wash or leave your damaged vehicle in the rain – evidence such as foreign materials may be lost or altered
- Do not cause further disturbance to the damaged area by touching or wiping it
- Do not send the vehicle for repair immediately after the incident
- Contact an expert if you require advice on the preservation of the foreign material

PHOTO TIPS

- Ensure the flash from your camera does not “cover up” or “blind” the details in the photograph.
- Do not take only close-up views of the damage. The location of the damage is important.
- Take photographs of the same area from different perspectives (i.e. different angles) to fully capture the details of the area of interest.
- Check your photographs to ensure that they are clear, and they depict what you wanted to capture.

