

REPUBLIC OF KENYA

THE KENYA POLICE

ABSTRACT FROM POLICE ON A ROAD ACCIDENT

To: The officer i/c ..... Division. Date .....
P.O. Box ..... Our ref.....
..... Police ref.....

I/we understand that your Police Station received a report of an accident involving.....

of (address).....

Which occurred on (date).....at (time and place).....

involving vehicle(s) Reg .No. ....make.....

and.....make.....

Name of police station where accident reported.....

From the record could you please furnish us with the following information:

1. (a) Name and address of the owner of the vehicle Reg.No.....

(b). Name of the Insurance Company.....

2. Has the investigation been completed? Yes/No. (delete as appropriate.)

If so, has anyone been charged? Yes /No.

If this case is still under investigation is there any likelihood of either party being prosecuted? Yes/No.

3. If it is intended to prefer charges, state:

(a) Name of driver/cyclist/pedestrian.....

(b) Vehicle registration No.....

4. Name of charge.....

5. Court Case File No...../Traffic Charge Reg. No.....

6. Name of Investigation Officer.....

7. Result of investigations or prosecutions (if known).....

8. Accident Register/OB Number.....and date.....

9. Persons Injured Name Class of Person Address Nature of Injury

.....

.....

.....

10. Name of Witnesses Addresses

.....

.....

.....

Date ..... (Signed).....

Officer-in-Charge

Police Station

11. When completed, this form is to be returned to:

Name and address of Insurance Company.....

OR

Legal Representative or other interested party stating interest and/or connection with the accident.....

Signature of Person/Company
Applying for the abstract

Note: - when applying forward in triplicate to officer i/c Division.

## MEMORANDUM

1. Police reports, books and records are confidential and privileged and the Commissioner is unable to accede to any request for copies of such documents.
2. In case of a vehicle accident to which police are called, the Commissioner is generally prepared to furnish to the parties interested, or to their properly authorized legal representatives, an abstract (as overleaf) giving the salient facts of the occurrence as ascertained by the police from their own observation, including the names and addresses of witnesses, on the understanding that the abstract is not and does not purport to be, an actual copy of a police report. The police cannot accept responsibility for the accuracy of the names and addresses tendered by the parties and witnesses. Except with the consent of the Attorney-General, no abstract will be supplied until police proceedings have been completed.
3. The abstract form is issued free of charge.
4. The following particulars will not be supplied:
  - (a) Details of vehicle tax and driver's licenses.
  - (b) Reference to conversation held at the time of accident by or between the parties involved, other than statements made to the police.
  - (c) Expressions of opinion, e.g. as to whether an accident could or could not have been avoided or as to conditions of any of the drivers or persons involved, or as to estimates or rates of speed of vehicles
5. Copies of Statements. -No copy of the statement made by a party involved or by a witness, shall be given except on application by the person who made the statement or to his properly accredited representative. If an advocate acting for a party applies for a copy of a statement made to the police by a witness, the Commissioner will write to the witness, and if the witness consents, will supply a copy of the statement to the advocate free of charge.
6. Plans, sketches and photographs-Plans, sketches and photographs will not normally be supplied.
7. Where vehicle examination report forms part of the evidence and will be adduced in court as such, the parties concerned may have access to that report through the Court Prosecutor. However, a Vehicle Inspection Report normally prepared after inspection of a motor vehicle, which will not jeopardize the police investigations, will be supplied free of charge to the owner/driver of the motor vehicle as and when requested.
8. No police officer will be permitted to give evidence in civil proceedings unless served with a subpoena
9. Interviews with any police officer concerned can generally be arranged at an officer's duty station provided that adequate notice is given. If the exigencies of the services require, the interview may be held at such other places as may be convenient to the Commissioner of Police. The interview will take place in the presence of a superior officer at no cost. The proof of evidence may cover statements made to him at the time and place of occurrence by the party on whose behalf the interview is arranged but shall not include the statement of any party or witnesses. On production of certificate by an advocate acting for the party that a civil action has been commenced in any court against that party, or after service of a subpoena, an interview can similarly be arranged at which a proof of evidence taken may cover statements made to the police officer at the time and place of occurrence, by any of the parties to that civil action (including the statements of servants of parties to the action where vehicles were driven by or were in charge of such servants at the time of occurrence). Statements of witnesses may not be included.