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## Joint response to A Safer City for All Londoners Draft Police and Crime Plan for London, 2017-2021 consultation

### Key points

- This draft police and crime plan includes commitments to keep London's roads safe, including with developing a partnership plan on Vision Zero and road danger reduction.
- This is a big step forward and the Mayor is to be applauded on his vision.
- But we ask for reassurance that road traffic crime prevention and detection is seen to be the responsibility of all police, not just the Roads Transport Policing Command. We need the:
  - Definition of crime extended beyond notifiable crime and include driving offences that pose risk of injury.
  - Borough police to be trained in basic collision investigation, including scene preservation and evidence collection.
  - Safer Neighbourhood Boards to include road crashes and driving offences in their remit and thus in their discussions with local communities.

### Introduction

This is a joint response on behalf of RoadPeace, British Cycling, Cycling UK, Living Streets, London Cycling Campaign), Road Danger Reduction Forum and 20's Plenty for Us.

Our response relates to our areas of concern and expertise: road danger reduction, traffic law enforcement, collision investigation and prosecution, and supporting victims. It references our previous collaboration, including with [responding to the London Assembly's Police and Crime Committee's inquiry](#) last year into the [effectiveness of the MPS Roads Transport Policing Command \(RTPC\)](#), and our November 2014 conference on *Traffic Law Enforcement and Road Danger Reduction: How police can promote walking and cycling*, hosted by Southwark Council, and with speakers from TfL and the MPS.

We also recently submitted a [joint response to the HMIC](#), calling for a roads policing inspection to be added to their work programme. We want to see HMIC's Policing Efficiency Effectiveness and Legitimacy (PEEL) programme extended to roads policing and cover road traffic crime prevention, collision investigation and prosecution, and support for crash victims.

#### **Q1 To what extent do you agree that the plan will make London a safer city for all?**

This plan will make London a safer city if it reduces criminal and anti-social behavior by drivers. Road users, especially those walking and cycling, need to feel safe as well.

But the consultation document focuses on recorded crime, as did the previous Mayor's police and crime plan. Recorded crime, i.e. notifiable crime, excludes the vast majority of driving offences, such as careless driving, drink driving, using a mobile phone whilst driving, disqualified driving, hit and run, speeding etc. This plan needs to be clear that when it refers to crime, it includes those driving offences that pose the risk of injury.

**Q2 A Better Police Service for London—What do you think about the stated priorities, delivery plans, commitments, and approach, including performance measurement?**

We welcome the scrapping of the previous Mayor’s “MOPAC 7” crime targets, as these did not include any road traffic crime related offences. They included theft from motor vehicles and theft of motor vehicles but not damage caused by motor vehicles.

And we support the consideration of crime that harms communities, but as noted above, this must include driving offences that risk causing injury to other road users.

We ask that consideration is given to policing which targets behaviour which is experienced as intimidatory, that is to say behaviour which, while related to Killed and Seriously Injured casualties, goes beyond occurrences where people have actually been killed or seriously injured . In this regard we note the well-publicized policing of close passing of cyclists (“Give Space: Be Safe”) by West Midlands Police.

We welcome the proposed commitment to “*work together with the MPS, TfL, BTP, City of London Police and other enforcement partners to keep our transport network and roads safe*” but this should prioritise the safety of those walking and cycling. In London (2015), collisions between a cyclist and a car resulted in 246 seriously injured cyclists and one seriously injured car occupant. There is much inequity in the risk faced by those walking and cycling. And “*People feel safe*” is one of the key indicators of TfL’s Healthy Streets for London approach. Joined up thinking should prevail.

**A Safer City for All Londoners: Draft Police and Crime Plan for London 2017-2021**

*..the Mayor has committed to adopting a ‘Vision Zero’ approach to road safety, setting a greater level of ambition to reducing death and serious injury on our roads. Vision Zero will demand a greater level of commitment from all the partnership agencies involving in improving road safety in London. It is through this renewed, more ambitious approach and using a combination of enforcement, education and engineering that we—with the police, TfL local authorities and other road safety stakeholders—will be effective in tackling the places, behaviours and vehicles that pose the greatest risk. The MPS Roads and Transport Policing Command (RTPC) will be at the forefront of this for the MPS, providing strong and effective roads policing and enforcement on London’s roads. It will support and work alongside neighbourhood policing teams to tackle road safety issues that are important to local communities. We will work with TfL, the RTPC and other partners to develop a partnership plan for improving road safety through a Vision Zero approach.*

*In line with the Mayor’s commitments to improve justice for victims, TfL and the MPS will bring greater transparency to the area of collisions and criminal justice, publishing an annual report of road traffic law enforcement in London, and working with the Crown Prosecution Service and Court Service to collate and publish information on fatal and serious injury collisions.*

As shown above, the draft police and crime plan states a partnership plan will be developed that tackles danger at source. This is a major step forward and the Mayor and his team are to be applauded for their vision.

But we seek assurance that road danger reduction will not be seen as the responsibility of only the RTPC. Road traffic crime prevention, collision investigation and crash victim support need to be embedded throughout the MPS, including with local police, Safer Neighbourhood Boards, and senior management.

For instance, “*The fundamental starting point for our neighbourhood policing vision is putting victims of crime first*”--so says the draft plan but will it apply to victims of road traffic crime or just victims of notifiable crime?

As shown on the next page, there is already wide variation across the boroughs in traffic law enforcement. This data is from the [TfL Roads Policing Enforcement Statistics Bulletin 2015](#) and refers to police issued Fixed Penalty Notice (FPNs) and Traffic Offence Reports (TORs), and also camera detected offending -Notice of Intention to Prosecute (NIPs). A few boroughs (Bexley, City of London, Richmond upon Thames, Waltham Forest) did not report data on Red Light NIPs.

**Table 1: Enforcement by Borough (2015)**

	Average	Highest		Lowest		Ratio
FPNs/TORs	Number	Number	Borough	Number	Borough	
Contravening Signage	321	6,130	Hillingdon	16	Bromley	383:1
Cycle Related	149	1,904	City of London	1	Havering	1904:1
Insurance, license and vehicle defects	1,401	3,474	City of Westminster	470	Sutton	7:1
Mobile phone	638	1,683	Ealing	143	Richmond upon Thames	12:1
Red light	99	530	City of London	16	Harrow	33:1
Risky behaviours	145	348	Ealing	31	Harrow	11:1
Seatbelt	305	628	Newham	84	Richmond upon Thames	7:1
Speeding	451	1,430	Greenwich	7	Haringey	204:1
<b>Notice of Intent to Prosecute (NIPs)</b>						
Speed NIPs	2,759	16,641	Ealing	168	Bexley	99:1
Red light NIPs	1,549	6,069	Wandsworth	53	Kensington and Chelsea	115:1

Source: TfL (2017)

And whilst the draft London Police and Crime Plan for London proposes to improve the police ability to investigate crime, this needs to include collision investigation, including that of injury collisions. London has a serious hit and run problem. As reported in Sian Berry's [Hit and run: an unacceptable epidemic](#), with 4945 reported hit and run casualty collisions, one in five casualty collisions reported to the police in London in 2015 involved a driver leaving the scene. Newham and Tower Hamlets had the highest number of reported hit and run casualty collisions (328 and 326, respectively) whilst only 36 were reported in Bexley and 41 in Sutton.

We need consistent and thorough investigations. At present, the outcome of hit and run investigations are not monitored. The MPS are not able to report how many drivers are caught after a fatal or serious hit and run and if they are prosecuted. London should set best practice in collision investigation.

At the 21<sup>st</sup> February hearing of the APPCG Justice for Cyclists inquiry, Detective Chief Superintendent Paul Rickett reported that basic training of police officers in London did not include collision investigation. Yet local police will be the first upon the scene of road crashes, and can be assumed to be the only police attending the scene at the majority of injury crashes.

Cycle theft is another area where wider police engagement is needed. TfL's Attitudes to Cycling survey (2015) shows that four out of ten people say the prospect of cycle theft discourages them from cycling. The hard work and cost involved in encouraging cycling is quickly undone when an owner's cycle is stolen. Around a quarter of people stop cycling after a theft. This contributes to the so-called 'churn' in cycling (the TfL attitudes to cycling survey notes that 30% of riders in any given year are new to cycling and that 7% of existing cyclists 'lapse' each year). We note that the Police are reporting a sharp growth

in cycle theft and we understand the, once 30 strong, Police task force has been put on other duties. This may lead to higher levels of theft.

The Mayor and the MPS must renew the guidance to Borough safer neighbourhood police teams to address the problem of cycle theft. Police campaigns to tackle theft have resulted in year on year decreases of up to ten percent. Programmes such as cycle marking and registration can help make cycles more traceable and investigation of on-line stolen sales can deter the use of websites to sell stolen goods. New cycle users must be made aware of quality locks and locking techniques.

The proposed objectives for a better police service include:

- reduce the total number of victims of crime
- improve public confidence and victim satisfaction in the police

We ask for assurance that these objectives include victims of road traffic crime and vulnerable road users. It should be possible to compare the level of confidence that vulnerable road users have in the police compared to motor vehicle occupants. It should also be possible to monitor victim satisfaction with collision investigation and see if confidence in the police increased after the crash.

## **Q2 A Better Criminal Justice Service for London—What do you think about the stated priorities, delivery plans, commitments, and approach, including performance measurement?**

We welcome the aim to deliver a criminal justice service that brings offenders to justice and puts the victims first. This must include road traffic crime and its victims.

Over 5 years ago, RoadPeace, LCC and CTC (now Cycling UK) responded to TfL's report on ['Killed and Seriously Injured' \(KSI\) pedal cycle collisions and the London criminal justice system 2007 to 2009](#). Our recommendations (attached in Appendix A) included an annual review and conference where the efforts being made to ensure thorough investigation and proper prosecutions were presented to the community. These still remain outstanding and needed.

We applaud the commitment to appoint an independent Victims' Commissioner. We call on them to ensure that road crash victims are presumed to be victims of crime until the contrary is proven, as with missing children and victims of other reported crime pursuant to the National Crime Recording Standard.

And the on-line crime tracking portal, mentioned in the draft plan, must be extended to crash victims and include tracking of road crashes whilst police investigate.

We endorse the commitment to *"Improve MPS file quality and ensure effective case handling between MPS and CPS, including use of body-worn video evidence"*. The police are responsible for the vast majority of charging decisions. They are able to decide "No further action" in cases of road deaths without even checking with the CPS. At a minimum, the police should pass these files to the CPS for a decision where requested by bereaved families.

And body worn cameras should help improve the quality and timeliness of evidence collection, including with witness statements.

We also support the commitments to work with the Courts to integrate services to support victims and witnesses of crime, and also review compliance with the MoJ's Victims Code of Practice across the Criminal Justice Service in London. The MoJ extended the definition of victim of crime in November 2015 to include those injured or intimidated by any criminal offence. In theory, this should mean that anyone injured or intimidated by a law breaking driver qualifies as a victim of crime. In practice, we fear little has changed. This review of compliance must check that services are being extended to those injured and intimidated by law breaking drivers.

The draft plan states that Londoners expect a common sense approach to justice. We agree and believe this includes driving bans playing a greater role in deterring bad driving. We support the statement that “Restorative Justice does not replace punishment and should not influence sentencing”.

The objectives are stated to include increasing the number of offenders proceeded against, and improving victims’ satisfactions with the service they receive. Level of satisfaction surveys should be extended to road traffic crash victims, and analysed by victim’s road user mode.

**Q5 What do you think the Police and Crime Plan will achieve?**

It should result in a major change as to how road traffic crime is treated by the police. It should ensure that driving offences, at least those that risk death and injury, are included in core police work.

**Q6 What would you like to see more emphasis on?**

We want to see greater clarification that crime includes driving offences. We want assurance that road traffic crime will be treated as crime and victims of road traffic crime treated as victims of crime.

**Q7 Is there anything else you think the Mayor should take into account when creating his plan?**

There are huge co-benefits to be gained by adopting a harm reduction approach with traffic crime and roads policing.



**20's Plenty for Us**  
...making your place a better place to be



**Appendix A: [KSI cycle collisions and London CJS1 CTC, LCC and RoadPeace response \(2012\)](#)**

Summary of recommendations:

1. Conduct and publish an annual review of the legal outcome of collisions.
2. Analyse and publish a review of NFA cases and also failed cases.
3. Annual conference.
4. The budget and staffing for specialist positions involved in collision investigation should be published.
5. Standard operating processes should be published so that the public can understand what is expected from a collision investigation.
6. MPS to clarify good practice for injury investigation by Borough police, including training programmes and lead responsibility.
7. The Self Administered Interview method for collection of witness statements should be introduced, at least on a pilot basis.
8. Fatal collision investigation to include reviews where what would have prevented the death, if not the crash, at least on pilot basis.
9. Life threatening collisions should be tried by Homicide Complex Casework Team.
10. Training programme, especially for Borough CPS, with guidance specialising in urban situation with vulnerable road users.
11. Joint HMcppl and HMCI review.

In addition, we would also like to repeat our request for TfL to send a letter of condolence to bereaved families and include information on the efforts underway to make the roads safer.