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DfT's Cycling and Walking Safety Review consultation

RoadPeace response

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Key points

- Walkers and cyclists are almost invariably the ones injured in a collision with a motor vehicle, with the vehicle occupants spared pain and suffering.
- Without reform to how the police and the justice system tackle road danger, our streets will not feel safe and active travel promotion will be hindered.

RoadPeace calls upon DfT to:

- Ensure duty of care reflects the balance of risks involved in a collision.
- Put Road danger reduction (RDR) at the heart of any Safer System or Vision Zero programme, with danger tackled at source and reduction of risk posed to walkers and cyclists prioritised.
- Work with the police on revising the "fatal four" with more priority given to reducing harm posed to walkers and cyclists, including that posed by careless driving, and help define best practice with active travel related enforcement, e.g. close pass operations, on line reporting, training re victim blaming, etc.
- Work closer with the justice sector to reduce harm posed to walkers and cyclists, including re-establishing the Justice for Vulnerable Road User Working Group and help address the biases in collision reporting and investigation . DfT should also ensure that any collision investigation branch or research programme includes investment in upskilling police investigations so they are thorough, impartial and consistent investigations.
- Continue its involvement in criminal justice legislative reform and help tackle the key gaps affecting those more vulnerable, including the
 - charging standards around careless and dangerous driving,
 - lack of a serious charge for those leaving the scene of a fatal/serious injury collision
 - harm posed by opening a car door or passing too closely to a cyclist or pedestrian
- Promote the use of alternative sentences, including driving bans and vehicle impoundments, and make license suspension a driving license condition upon arrest for serious offences.
- Ensure that civil compensation reforms remove, rather than increase, barriers to active travel;
 - Pedestrians and cyclists should be exempt from the small claims reform
 - DfT should commission research on the introduction of a *Presumed liability* civil compensation system.
- Revise the Highway Code and include an increase in driver duty of care, reference to careless and dangerous driving, and removal of any responsibility re clothing or equipment from walkers and cyclists.
- Support calls for
 - the Home Office to recognise roads policing as core work for police so it can be better resourced, monitored and evaluated properly, including how it protects those most vulnerable.
 - Road casualties to be presumed to be victims of crime, until the contrary is proven.

Introduction

Founded on the principle of road danger reduction, RoadPeace believes much more should be done to reduce the risk posed to those walking and cycling. Walkers and cyclists have traditionally been referred to as vulnerable road users as they are very vulnerable to motor vehicles. It is worth remembering just how vulnerable they are. Based on reported collisions in England and Wales (2014-2016),

- in a collision with a car, a pedestrian is 283 times more likely to be seriously injured than a car occupant.
- Between a cyclist and a car, the cyclist is 196 times more likely to be seriously injured than a car occupant.

In London, the ratio increases to 473 times for a pedestrian and 216 times for a cyclist .(DfT 2018).

RoadPeace believes that the cycling and walking revolution will stall until our justice system treats road crime as real crime. This includes reducing both the risk of injury and the fear of being injured whilst walking and cycling.

The Road Safety Minister's foreword to this consultation calls for an environment which would make cycling the natural choice for a 12 year old. Our response is dedicated to a 12 year old cyclist who was killed in a crash which we believe demonstrates the need for change with both driver behaviour and police investigations.

RoadPeace dedication to Jake Mitchell

Jake was just 12 years old when he was killed by a driver who overtook three cars and a tractor. Jake was cycling with friends ahead of the tractor when he was hit. To the shock of Jake's family and RoadPeace, the police decided the overtaking could have been done safely and recommended that the driver face no charge. The CPS disagreed and prosecuted the driver for causing death by careless driving, but the trial was stopped by the judge, on the basis that the key independent expert witness (the police collision investigator) did not think the overtaking manoeuvre qualified as "careless driving". This case highlights the debate around what qualifies as careless driving, and the duty of care drivers owe those more vulnerable, including cyclists and children.

*Within hours of Jake's death, his parents, Glen and Toni, were being told by the police that the crash was 90% their son's fault. They note:
"Not only was our son killed by a driving which we believe was obviously dangerous, but instead of being allowed to grieve, we had to fight to get justice for Jake. Our fight continues."*

Our response focuses on the consultation's chapter on *The law and rules of the road* which covered the Highway Code, civil liability and speed. Our response also addresses four key areas:

- traffic law enforcement
- criminal justice system (laws, prosecution and sentencing)
- collision reporting and investigation
- rights of crash victims.

Our response builds on those submitted to previous consultations, including [DfT's 2016 Cycling and Walking Investment Strategy where we called for the addition of a fourth theme of Better Justice](#) covering the areas identified above. We have also drawn upon our [submission to last year's All Party Parliamentary Cycling Group's inquiry on Justice](#), where our calls were supported by Cycling UK, London Cycling Campaign (LCC), Road Danger Reduction Forum (RDRF), and 20s Plenty for Us.

Q1 Suggestions re development and maintenance of road signs and infrastructure

Road development and maintenance must take cyclists and walker needs into consideration. Road defects can be deadly to cyclists. Kate Uzzell, RoadPeace's South-West Local Group co-ordinator, fought for several years for this change after her husband Martin was killed on a charity cycle ride when he hit a pot hole.

RoadPeace endorses the calls of our RDR partners, including Cycling UK, LCC, Living Streets (and London Living Streets), Sustrans, and RDRF, who have contributed more recommendations re the road environment..

Q2 The Law and Rules of the Road

The Highway Code

We urge DfT to update The Highway Code to reflect government's commitment to promoting walking and cycling, with increased duty of care on drivers, including:

- Speed—the message that speed limits are maximums and not targets needs to be reinforced. Drivers should be encouraged to drive at speeds several miles below the limit.
- Careless vs dangerous driving—examples of careless and dangerous driving should be included, with reference to vulnerable road users. DfT commissioned research found that careless driving was poorly understood by the public, as well as magistrates.
- Equipment—any onus on walker and cyclist to wear hi viz or reflective clothing, or a helmet, should be removed. Safety messages should not lead to reduced compensation claims.
- Turning the corner—RoadPeace supports British Cyclists' Turning the Corner campaign but until our laws are changed to give priority to through traffic over turning traffic, the need for drivers to ensure turns are safe before they change direction should be stressed.
- Driving a licensed activity—driving is not a right but a legally permitted activity allowed under certain conditions.

We support the calls made to make the Highway Code more walking and cycling friendly, including by RDRF, Cycling UK, London Living Streets, Sustrans, etc.

Civil liability and compensation

Unlike motor vehicle occupants, few cyclists and walkers will be covered by an insurance policy. In addition, walkers will be more likely to include the low income, who have no financial savings, may be on zero hours contract, and cannot afford to miss any work days.

The government's British Road Safety Statement prioritised fair and responsive insurance but focused only on reducing the costs for insurance companies and "honest motorists", with no thought given to innocent pedestrian and cyclist casualties. Whiplash, a problem with motor vehicle occupants, can involve the collusion of a driver. Injured pedestrians and cyclists should not be penalised as a result of reforms aimed at reducing whiplash and fraudulent claims. The MoJ's recent proposals to increase the small claims court limit are grossly unfair to injured cyclists and pedestrians, and risk many accepting receiving unfair compensation or not even claiming.

Re liability, in Britain (unlike most other countries), a driver's fault must be proven before an injured cyclist or walker can claim compensation. This is despite the reality that these victims will often be hindered by their injury, and lack of legal protection, to argue their case. Furthermore, to get those less bold walking and cycling will require a step change in the perception of safety. For this, new measures need to be trialled – we should not just wait for the evidence base.

The introduction of presumed liability civil compensation system where injured walkers and cyclists are presumed to qualify for civil compensation would be a major step forward. At a minimum, this should include full compensation for children, older people and those with disabilities. Consideration should be

given to extending full compensation to all walking and cycling casualties occurring on 20 or 30 mph roads, and to walker and cyclist casualties of all ages.

Walking and cycling friendly civil law reforms include:

- Small claims court limit remaining at £1000 and whiplash reforms not extend to cyclists or pedestrians who rarely make whiplash claims.
- Pedestrian and cyclist casualties presumed to qualify for civil compensation.
- Rehabilitation code extended to police so that rehabilitation and civil claims are expedited.

Just as the CWIS is to review the planning process to audit its impact on active travel, so should this apply to any changes in civil compensation or criminal justice procedures.

Speed

Speed is key to crash frequency, crash severity, as well as safety perception. Reducing speed is essential in reducing motor vehicle domination. We cannot see how crash risk and intimidation of walkers and cyclists can be reduced without reducing vehicle speed. And that cannot happen until speed limits are reduced. How speed limits are enforced is a separate issue and should not delay reducing the 30 mph default speed limit to 20mph.

The many ways vehicle speed can be tackled include:

- Speed limit compliance should be an official government target, as in Sweden's Vision Zero programme.
- Intelligent Speed Assistance systems should be required on all government vehicles, including contract vehicles.
- Speed awareness courses should be encouraged by insurance companies, if not required for insurance coverage, for all novice drivers.
- Speeding should be made as anti-social as drink driving.
 - The tolerance for speeding should be reduced to the minimum technical tolerance (as with drink driving)
 - Penalty points should be suspended, rather than waived for those attending NDORS Speed Awareness courses.
 - Fines for speeding should be unlimited as they are with drink driving
 - Driving bans and vehicle confiscation—even short term—should be used to deter speeders (Recent MoJ statistics show the share of drivers convicted of speeding at court being disqualified is decreasing).

Additional key justice areas that need to be addressed

Traffic law enforcement (TLE)

Enforcing traffic laws is not a priority for police or the Home Office. The vast majority of driving offences do not qualify as notifiable offences, and the police are not monitored or valued on their effectiveness at enforcing traffic laws or investigating collisions. The HMIC's Police Efficiency, Effectiveness and Legitimacy (PEEL) programme of evaluating police areas does not cover roads policing. But PEEL's core areas of crime prevention, investigation and management of offenders (i.e. prosecution), victim support could be easily extended to roads policing.

Roads policing has traditionally focussed on the fatal four risk factors: speeding, drink/drug driving, seat belt and mobile phone use. These are not all priorities for walkers and cyclists. Roads policing priorities should include careless and dangerous driving.

RoadPeace, LCC, Cycling UK, and Road Danger Reduction Forum held a conference in November 2014 on *Road Danger Reduction and Traffic Law Enforcement: How policing can support walking and cycling in London*. With participation from TfL and MPS as well as the campaign groups, a key call was for police to adopt a harm reduction approach and focus on those offences which pose harm to walkers and cyclists.

A similar call was made by these groups in TfL's Pedestrian Safety Working Group when asked for advice on what police should say to pedestrians during Operation Safeway.

Transparency is also lacking with TLE. [Our Lawless Roads](#) report, published in April 2017, was the first time statistics on court prosecutions and out of court sanctions (Fixed Penalty Notices and NDORS courses) were collated and published together. Our report highlighted the trend towards out of court sanctions, which means drivers escaping penalty points on their license.

In London, TfL has introduced an annual roads policing enforcement activity bulletin. This is the only police area believed to be so transparent. TfL and the MPS are to be commended on this and are encouraged to work with RoadPeace and other campaign groups to ensure it addresses concerns by vulnerable road users.

Key calls to ensure the police reduce danger to walkers and cyclists include:

- Roads policing be accepted as core work for the police by the Home Office
- HMIC extend the PEEL programme to cover roads policing and conduct a performance inspection of roads policing, including how well those more vulnerable are being protected
- Police and Crime Commissioners (PCCs) address TLE and collision investigation, and driving offences in their police and crime plans
- Roads policing strategies based on harm reduction are adopted, with annual TLE reports produced. These strategies should clarify activity and include perception of safety, with public confidence surveys conducted and analysed by road user mode
- Cycling patrols be introduced in all police services
- Police be trained on benefits of active travel

Collision reporting and investigation

Collision reporting

Data linkage is key to transparency. Court data needs to be linked with collision records so we can understand which collisions result in a prosecution. This is possible with Niche crime management systems which is used by many police services, and it should be possible with DfT's preferred CRASH.

DfT should report police attendance by casualty collision, by severity and victim mode, and police service. It should be possible to know how often police are not able to turn up after a walker or cyclist has been injured.

Contributory factors system needs to be revised as it is prejudiced against walkers and cyclists. They are collected at the reporting stage, before any proper investigation, with police expected to be willing to testify in court to any factors they report. Police should be encouraged to amend factors reported. And where factors are not reported, this is interpreted as "not involved" but it may just be that they are unknown. Police should thus have the option of reporting "unknown".

Victims should be informed of the contributory factors reported by the police. They should be allowed the chance to gather evidence to counter any perceived misunderstandings.

Collision investigation

RoadPeace campaigns for transparency, accountability and effectiveness in collision investigation. A thorough investigation is essential to achieving justice and reducing road danger - without this, law breaking escapes detection, fair compensation is hampered, prevention programmes are limited, victims suffer secondary victimisation, and public lack confidence in police interest in protecting them, thus deterring many from walking and cycling.

Investigators need to be properly trained and resourced to be able to conduct thorough and impartial investigations into pedestrian and cyclist collisions. At present, the police cannot provide this assurance.

Of particular concern to cyclists and walkers is the need to avoid victim blaming. Our recent report on [Road death investigation](#) highlighted the lack of consistency and quality assurance with fatal collision investigations.

Improving collision investigation also requires clear standards. There is guidance on collision investigation for road deaths and life changing injury, though this has been diluted¹. There is no such guidance for investigations where injuries are serious or slight. And guidance is advisory, there are no national standards and each police service can set their own procedures.

Transparency and accountability are also lacking. Police do not report their investigation procedures (eg. checking mobile phone use in fatal crash varies), nor the outcomes of their investigations, so it is not possible to know how often a driver is prosecuted for killing or injuring a cyclist, or how often a hit and run driver is detected. Nor do police even report their investigation budgets or staffing so it is not possible to manage expectations. RoadPeace has called for:

- best practice and minimum practice standards to be defined nationally for collision investigations.
- Police to consult on road death investigation—over 10 thousand people have been killed in crashes since the last (and first) consultation in 2012.
- HMIC to conduct a performance inspection of collision investigation (all police areas inspected).
- DfT should reinstate their Justice for VRU Working Group (police, Home Office, MoJ, Sentencing Council, CPS, Cycling UK, British Cycling, and RoadPeace) and begin with a review of collision investigation procedures, resourcing and effectiveness.
- Police services review injury investigation procedures, appoint leads on injury investigation and establish local working groups including police, campaigners and victims.
- Police training to address victim blaming with specialist leads developed for collisions involving cyclists and/or walkers.
- Police publish investigation outcomes and reasons for no further action, as well as investigation resources and procedures.
- Collision and conviction data linked so outcomes can be traced and reported by road user mode.
- DfT to ensure that any collision investigation branch or research programme includes upskilling police investigations to ensure an accurate evidence base for wider injury prevention programmes.

RoadPeace welcomes the NPCC's new Roads Policing Strategy which includes, for the first time, actions on the Post Crash Response with collision investigation. This is a major step forward.

Good practice in other countries include national standards in collision investigation. And in Scandinavian countries, tests for drink/drug driving are reported to be mandatory. This should also be the practice in Britain, as drink drive tests and prosecutions are both on the decrease, but not drink driving, according to the self reported drink driving findings in the England and Wales Crime Survey.

Criminal justice—laws, prosecution and sentencing

Criminal offences and charging standards

The right sentence depends on the right charge which in turn depends on a thorough investigation (see above). There are also longstanding problems with the criminal charges available. A full review of driving offences was promised in May 2014. We are still waiting.

The piecemeal approach does not address the core problems with the overlap, inconsistency in our charging standards and sentencing guidelines, including how they treat pedestrian and cyclist victims. At present, the duty of care toward vulnerable road users is mentioned in the charging standards for dangerous driving, but not careless driving, which is used much more often. See our [You say Careless, I](#)

¹ In 2013, ACPO's Road Death Investigation Manual (150 pages) was replaced by the much shorter College of Policing's Investigating Road Deaths (14 pages).

[say Dangerous](#) poster for more examples of the overlap between the examples given for careless and dangerous driving. As a society committed to promoting active travel, we are overdue a debate on how we define bad driving as well as a review of the duty of care a driver owes a vulnerable road user.

The 2016-17 MoJ consultation on driving offences proposed a new charge of Causing serious injury by careless driving. Families of pedestrians left seriously injured by drivers have campaigned for this charge. Causing serious injury by careless driving. RoadPeace believes this charge is needed but should come with a proportionate sentence. There are two key reasons for this. First, in an ideal society, no driver would go to prison for doing something careless. Given the overlap in the charging standards for careless and dangerous driving, there should be a prison sentence possible with causing serious injury by careless driving. Second, a shorter prison sentence than the two-three years proposed by the MoJ should help avoid the risk of downgrading with causing serious injury by dangerous driving.

The recent MoJ consultation did not discuss other gaps in our legislation, including with hit and run crashes. At present, leaving the scene of a fatal crash incurs the same offence as leaving the scene of a minor property damage only crash. The most common victim of a fatal hit and run crash is a pedestrian. Cyclists are also at disproportionate risk. There tends to be less physical evidence from these collisions (than when two motor vehicles collide) which makes detecting causation more difficult.

Many other countries, particularly those like the US where drink driving is more prevalent, have introduced tougher penalties for drivers knowingly leaving the scene of a fatal or serious injury crash. Our current system incentivises drink drivers and disqualified drivers to leave the scene of a collision, instead of stopping and contacting the emergency services. Change has been promised to families of pedestrians killed by hit and run drivers but change has yet to happen. The DfT should commission research into the need for a new offence of knowingly leaving the scene of a fatal/serious injury collision.

Charging decisions

In addition to investigation, the police are responsible for the vast majority of charging decisions, and also prosecuting at traffic courts. There is no system of checks and balances, no monitoring of the frequency or the reasons for deciding no prosecution, or even who makes the decision (police or CPS). A right to review police charging decisions was introduced quietly in April 2015 but it is more restricted than the CPS' Victims Right to Review and varies by police service.

Court prosecutions

Her Majesty's Inspectorate of Crown Prosecution Service (HMCPSP) has called for specialist prosecutors to be used in fatal road crash trials, with appropriate training. RoadPeace submitted a list of topics to be covered in the training, including an annual review of cases involving downgrading (by CPS, judges and juries) and complaints. Priority could be given to cases involving pedestrian and cyclist victims.

RoadPeace has also called for an annual review of acquittals so that lessons can be learnt and future prosecutions be strengthened rather than avoided.

Sentencing

Whilst the recent MoJ consultation focuses on tougher prison sentences, prison is used very rarely, as shown in [our briefing](#). Prison is a serious punishment and rightfully deserved in cases of serious offending but, since it is so rare, it should not be seen as a deterrent to bad driving. The Road Safety Minister has called for more priority to be given to alternative sentences.

At present, there is no right to appeal the sentence given for causing death by careless driving. RoadPeace knows of several bereaved families, involving pedestrian and cyclist deaths, shocked and outraged to be denied this right. This includes cases prosecuted as Causing death by dangerous driving but where the driver was convicted of the lesser charge of Causing death by careless driving.

a) Disqualifications

Disqualifications have been described as the key penalty (DfT, Home Office, 2015). But the Sentencing Council and thus the courts classify driving bans as an ancillary penalty, along with rehabilitation orders. Bans are not seen as a core sentence option as are custody, fines, etc. [RoadPeace research](#) has shown how rare driving bans are used by courts. This is a major missed opportunity to make our roads safer.

DfT has a key role to play in taking unsafe drivers off roads. Drivers arrested on suspicion of causing death or serious injury are very rarely banned, even when they fail impairment tests. This is because of the important principle of “innocent until proven guilty”. RoadPeace calls on DfT to change the driving license conditions so that a license is suspended if a driver is arrested on suspicion of a driving offence which carries a mandatory driving disqualification. This would make it a license condition rather than a premature (and possibly unfounded) punishment. This approach was recommended to RoadPeace by ACPO and Liberty.

DfT should also help clarify the confusion around penalty points on driving licenses. At our 2012 debate *You say Careless I say Dangerous*, the Magistrates Association representative clarified that penalty points remained on driving licenses for four years, including after driving bans have been served.

b) Vehicle impoundments

Canada has introduced short term vehicle impoundments for drink drivers. This is restricted to the less serious cases, i.e. first time offenders, no injuries involved, no children present in the car. It is used as an alternative to a court conviction and a driving license disqualification. It is much faster and because the penalty is short, tends to avoid the involvement of solicitors challenging the prosecution. RoadPeace learned of this approach from MADD Canada who believe it can play a key role in helping change driver behaviour.

Training

Just as the police need to be trained, so do the prosecutors and judges to ensure they know the legal rights of vulnerable road users to use the road, and have an understanding of the risk involved.

Key calls to reform criminal justice and reduce road danger to vulnerable road users include:

- A full review of driving offences with priority on addressing gaps and inconsistencies, especially with leaving the scene,
- CPS consult over the charging standards of careless and dangerous driving, including how presence of cyclists and pedestrians changes the seriousness of an offence.
- Police pass all fatal and life changing files to the CPS for the charging decision, if victim requests.
- Police monitor and report reasons for lack of prosecution, so it is possible to know how often it is due to lack of evidence or proof of driver’s innocence.
- CPS publish the training curriculum and standards set for specialist road death prosecutors, including how they are trained to avoid victim blaming.
- The role of alternative sentences, including driving bans and vehicle confiscation, be reviewed and revised with the aim of much greater use, including for all careless and mobile phone offences that result in injury. MoJ should publish driving ban data by police area. See below for how DfT can help

Rights for pedestrian and cyclist victims

Under the MOJ Code of Practice for Victims of Crime, which came into force in November 2015, all those injured or even intimidated (e.g. near misses) by law breaking drivers should qualify as victims of crime. This means the police should keep them informed of the investigation progress and the support services available, with PCCs responsible for commissioning victim services. This does not happen and DfT should work with RoadPeace and others to ensure it does.

Despite the fact that almost half of the revenue raised by the Victim Surcharge is from motoring offences, very little is allocated to road traffic crime victims, with few PCCs commissioning support services for them. Pedestrian and cyclist victims of law breaking drivers are not benefitting from the revenue collected from motoring convictions.

Other crime victims are treated as victims from as soon as the police are notified. This has been the norm since 2002, including with victims of mobile phone theft and domestic violence. They do not have to wait for a prosecution or even a conviction before they are offered information and support.

Progress is being made in some areas:

- West Midlands PCC has commissioned homicide workers to support families bereaved by law breaking drivers.
- Local guides for victims on collision investigation have been commissioned by PCCs in Northamptonshire, West Midlands and just recently by MOPAC in London.
- Avon and Somerset Police's Roads Policing Strategy included the aim of improving victims satisfaction with collision investigation.
- The London Victims Commissioner has launched a survey on victims experiences. RoadPeace is encouraging road crash victims to respond, including those who recently contacted our helpline after being hit on a pedestrian crossing and injured in hit and run collisions.

RoadPeace's key calls relating to crash victims, especially pedestrian and cyclist victims are:

- Crash victims should be presumed to be victims of crime until the contrary is proven.
- Reviews of Victims Code compliance should include how PCCs are supporting and updating crash victims, with best practice identified.
- Greater transparency with which offences are generating Victim Surcharge and how this revenue is being allocated.
- Victim surcharge should be extended to NDORS, at least in those cases involving injury crashes, if not all NDORS and FPNs.
- Crime Survey of England and Wales should ask how often walkers and cyclists feel intimidated or at risk by anti-social and criminal driving.
- Police extend victim level of satisfaction survey to road crash victims and monitor response by victim's transport mode.
- Victims should be informed of which contributory factors police reported in their crash.

Q3 Suggestions re training, with specific consideration to protecting cyclists and pedestrians and

Learner drivers and the driving test should cover such key areas as impact of speed, Dutch reach, close passing, and how failure of regard to vulnerable road users is included in the charging standards of dangerous driving. Commercial drivers operating in urban areas should be required to do Safe Urban Driving training as part of their Continuing Professional Development.

Extended driving tests should be required of all drivers disqualified. RoadPeace endorses the calls of our RDR partners.

Q4 Suggestions how we can improve road user education to help support more and safer walking and cycling

Any road safety lessons in schools should be based on road danger reduction. Speed awareness courses should be adapted and extended to learner drivers.

Signs warning parents that parking on the zig zag could endanger a child's life should be more widespread. Ideally, school streets would be standard practice, with cars are not allowed to drive near school gates at the start or close of school. RoadPeace endorses the calls of our RDR partners.

Q5 Suggestions re government policy on vehicles and equipment could improve safety of cyclists and pedestrians, whilst continuing to promote more walking and cycling.

Lorry danger is being tackled but not fast enough. It is still difficult even getting accurate statistics on HGV collisions as skip lorries and tipper trucks are recorded as other vehicles in Stats 19.

RoadPeace has been a strong supporter of the measures adopted by TfL to reduce lorry danger, especially FORS, CLOCS, LFEP, and the promotion of Direct Vision lorries.

TfL is to be commended for introducing speed limiters on its buses (shame it has been delayed) and also introducing safety related performance indicators in their contracts. RoadPeace looks forward to TfL publishing the findings of their research into bus fatal collisions, the majority of victims being pedestrians.

As seen with FORS and CLOCS, the power of procurement is significant. RoadPeace has requested PACTS extend their Vehicle Design Working group remit to cover the wider area of Vehicle safety, including procurement.

DfT should establish best practice in procurement for government vehicles and vehicles on government contracts. This could include journey data recorders, Intelligent Speed Assistance, dashboard cameras, event data recorders.

This has already been done elsewhere. As part of their Vision Zero programme, New York City introduced journey data recorders on the city's vehicle fleet. British cities should follow this example.

Q6 What can Government do to support better understanding and awareness of different types of road user in relation to cycle use in particular?

DfT should publish statistics by vehicle type so motor vehicle users can see the disproportionate risk they pose to others. And DfT should commission further "near miss" research, rather than just rely on reported casualties.

Non cyclists in key positions should be encouraged to at least do cycle training. This would include magistrates, police, driving instructors, etc. Several years ago, it was reported that the Mayor of Mexico City cycled to work once a month with his staff. This policy should be encouraged in Britain.

Crash not accident

RoadPeace was established to support crash victims and challenge society's complacency towards road danger. This included opposing the term "accident" as the default description with road crashes, including those involving criminality. It has been over 17 years since the BMJ banned the term accident as it agreed it was not constructive terminology. The police have long since adopted neutral terms, as have the CPS. RoadPeace has produced several briefings on the need for constructive terminology, including [that produced for the launch](#) of the Decade of Action for Road Safety.

DfT could help improve awareness that road crashes are avoidable by ending the use of "road accident". It has been several years since DfT's main annual publication changed from *Road accidents Great Britain* to *Reported road casualties Great Britain* but more is needed, including a simple moratorium on the use of accident with DfT statistics. Legislation also needs to be updated and refer to road crashes or collisions, not accidents. This is long overdue.