



AVZ Blog (April 2021) - Transparency and accountability: How these would improve if road crime was treated as real crime

Our [joint PCC manifesto](#), Commit to Act on Road Danger, calls for Police and Crime Commissioners (PCCs) and PCC candidates, has Transparency and Accountability as a key call, with road crime (driving offences) being treated as crime. This has been a long-standing call of road danger reduction campaigners.

In the recent meeting with the [Merseyside PCC candidates](#), Emily Spurrell, the Labour candidate and former Deputy PCC, acknowledged that road crime was not treated the same. But responses from other candidates in other areas showed a lack of understanding of how differently road crime was treated.

Here we provide five examples of how the criminal justice system overlooks and discriminates against road traffic crime and gives pointers as to how this needs to change.

1. Police recorded crime (notifiable crime)

Police recorded crime is one of the two main data sources on crime. But police recorded crime is restricted to the subset of criminal offences that have been defined as [notifiable crime](#). This includes violence offences, rape and other sexual offences, robbery, burglary, as well as bicycle theft, and many other offences not involving injury, such as shoplifting, drug offences, possession of weapons, public order offences and fraud offences.

Police record over 5 million criminal offences a year. In the year ending March 2020, this included [1.8 million violence against the person offences](#) but NB that [violence with injury](#) accounted for less than one third (31%) of violence offences (so over two out of three violence offences involved no injury).

The only road traffic crime offences that qualify as notifiable crime are dangerous driving and causing death or serious injury by driving offences. Serious injury is that which is equivalent to grievous bodily harm and requires three nights in hospital, i.e. not DfT's wider definition of serious injury which is hospital admission and/or concussion or broken bones.

Over 98% of road traffic crime (including drink/drug driving, careless driving, use of mobile phone, disqualified driving, speeding, etc) does not qualify as notifiable crime, including when someone has been injured. Many, including police, have lobbied for notifiable crime to include more driving offences, especially drink/drug driving.

Action Vision Zero believes all road traffic criminal offences that pose the threat of injury should qualify as notifiable crime.

So, the next time you read or hear how crime is going up, remember that this is not talking about the crime that is most likely to kill or injure you. It has to actually kill you or cause you grievous bodily harm before it is included in the national count of recorded crime.

2. Counting victims of crime

The other main source of crime data is the [Crime Survey of England and Wales](#) (CSEW). This is an annual survey of 35,000 households of those over the age of 16. Special surveys have been conducted with children as they have with businesses too.

The [CSEW](#) asks about the direct experience of crime and so does not cover homicide. The CSEW reported 1.2 million incidents of [violence](#) in the year ending March 2020:

- Just over half (52%) resulted in no injury to the victim.
- The most common type of injury was minor bruising or a black eye (27%).
- More serious injury included broken bones (2%) and concussion/loss of consciousness (2%).
- Few victims received some form of medical treatment (15%).

It is good that the CSEW covers relatively minor injuries caused by other crimes. But it is bad that it does not ask any questions about injuries or intimidation caused by law breaking drivers.

The CSEW does address driving offences but only from the perspective of an offender, not a victim. It includes questions about committing drink driving, drug driving and use of mobile phone whilst driving. These [self-reported surveys](#) reveal that 5% of drivers think they have driven whilst over the drink drive limit in 2019/20, with one in 200 drivers reporting drink driving once or twice a week. With [some 35 million licensed drivers](#), this would suggest over two million drink drive incidents a year, with other road users put regularly at risk.

So, the main source of data on victimisation of crime excludes road crime victims.

3. [Police.uk](#)—the government's crime dashboard

Do you want to see how many burglaries or cycle thefts there have been in your area? You can type in your post code into the [Police.uk](#) website and find data just one-two months old. But this will be restricted to a subset of notifiable offences. No data on driving offences is presented.

For summary driving offences, you have to wait for an annual publication by the Home Office in October. To find out what happened in January 2020, you will have to wait for October 2021, some 22 months. The Ministry of Justice (MoJ) is slightly better with publishing data on court prosecutions in May, just five to 17 months late.

But it gets worse. Data on motoring offences is published by police service, not by post code or even local authority level. In London, the police and Transport for London do publish an annual report that does provide the data at the local authority level, but this often comes out even later than the MoJ stats which hinders its usefulness.

This is why our [joint PCC manifesto](#) calls for PCCs to commit to ensuring data on roads policing activity is published regularly, at the local level and by speed limit. It should be possible to know how often police are detecting dangerous or careless driving by a local area and on lower speed roads.

4. Evaluating police

Every year Her Majesty's Inspectorate of the Police and Fire Rescue Services (HMICFRS) evaluates each police service in England and Wales on their effectiveness, efficiency and legitimacy (Policing, Effectiveness, Efficiency and Legitimacy (PEEL)).

These annual [PEEL reports](#) do not cover roads policing although it is almost certain that more people will be killed in crashes than by stabbings and shootings. Or that road safety is a key concern for communities as seen by three-quarters of PCCs including road safety in their police and crime plan priorities.

So how are we to evaluate roads policing? The [HMICFRS Roads Policing Not Optional](#) review, published in July 2020, only looked at six police services. This was still a major step forward as it was the first review in over 20 years.

Our [joint PCC manifesto](#) calls for PCCs to ensure roads policing strategies are developed with key performance indicators and progress reported. This would help improve accountability.

5. Vehicle homicide?

The total number of people killed by law-breaking drivers is not known. This shows just how low a priority it is for our justice system.

Data is collected on [homicide victims](#), but homicide is restricted to murder, manslaughter, corporate manslaughter and infanticide. None of the causing death by driving charges, e.g. causing death by dangerous driving or careless driving whilst under the influence, qualify as homicide.

The most recent stats on homicide show that in the year ending March 2020, there were 695 homicide victims but it will not count as homicide if you hit by a speeding vehicle being driven by a drunk driver who later absconds.

The MoJ publishes much data on motoring offence **offenders**, including prosecutions, convictions, sentences given, disqualifications, etc. There is one table that provides the data on the number of people killed by drivers convicted of causing a death. But there is no data or even an estimate of how many were killed where the culpable driver died or absconded. In fatal drink drive crashes, a passenger is the second most likely person to die, after the drink driver.

So if what counts gets counted, then road crime victims do not count, including those who were killed, by our criminal justice system. This would all change if road crime was treated as crime, as our [joint PCC manifesto](#) calls for. Vote for a PCC candidate who will help make this happen.