



## Draft MOPAC Police and Crime Plan 2021-25--AVZ response

### Key points

The Metropolitan Police Service (MPS) should define and demonstrate best practice in reducing road danger. This requires treating road crime as crime. In addition to delivering the actions in the [London Vision Zero Action Plan Progress Report](#), the police and crime plan should include:

#### Reducing and preventing violence

1. Include road traffic crime (police recorded crime excludes road traffic crime that does not result in death or serious injury)
2. Commit to increasing speed enforcement, including with community support (CRW) and working with magistrates to get extreme speeders banned
3. Confirm careless driving a priority offence for roads policing

#### Building trust and confidence

4. Produce road traffic crime dashboards where motoring offences and reports (CRW, RoadSafe) are presented by borough, speed limit and in timely manner (quarterly updates).
5. Extend MOPAC's Perception of Safety surveys to cover road travel and monitor by road user type, age and gender (e.g. how safe do older female cyclists feel)
6. Consult with community on key performance indicators (quantitative and qualitative) for reducing road danger and report progress
7. Establish a working group to review third party submissions and promote them
8. Include cycle theft in the neighbourhood crime category
9. Work with campaigners to develop road danger reduction training for police

#### Better support for victims

10. Provide support for all injured crash victims, including information on investigation, prosecution and compensation procedures
11. Extend MOPAC Level of Satisfaction surveys and introduce Listening Days for crash victims
12. Provide quality assurance that injury collisions are thoroughly investigated, and victims not denied civil compensation due to lack of investigation. Work with solicitors and campaigners.
13. Publish annual review of judicial outcomes of collision investigations.
14. Conduct reviews of injury collisions resulting in No Further Action
15. Monitor and publish how hit and run fatal and serious injury collisions are investigated and prosecuted

### Introduction

This response has been produced by Action Vision Zero and is supported by the London Cycling Campaign and Road Danger Reduction Forum, organisations dedicated to reducing danger on our roads.

We appreciate and welcome the London Vision Zero Action Plan and its recent [Progress Report](#), both which were produced with the MPS. We note that the joint forward to the Vision Zero progress report by Transport Commissioner, Andy Byford, Metropolitan Police Commissioner, Cressida Dick

and Chair of the London Councils Transport and Environment Committee, Philip Glanville states: *“The command (MOPAC) has the lead policing responsibility for road danger reduction in London and focuses its efforts on tackling the vehicles, drivers and road user behaviours that cause the greatest risk on the roads.”*

It is important that this responsibility and its prioritisation of the sources of greatest risk is reflected in the Police and Crime Plan 2021-25. The [draft plan](#) (p2, 15-16) references the Vision Zero Action Plan but does not add any further actions or information as to how road traffic crime is to be tackled. Our response highlights opportunities where this should happen, and thus reinforce the MPS commitment to reducing road danger.

Transport for London (TfL) helps finance the Roads and Transport Policing Command (RTPC), with over £90million a year. This is unique in Britain. Given the size of London and the RTPC, as well as the support from TfL, we believe the MPS should be able to define and demonstrate best practice in traffic law enforcement and collision investigation.

The need is great. In 2020, 96 people died on London’s roads. In 2019, 124 were killed with a further 3,716 reported seriously injured. Over 10 people a day were reported being seriously injured in crashes on London’s roads before the pandemic. And we know this is an underestimate with DfT research showing the number of those seriously injured to be 2.9 times greater than that reported by police (DfT, 2021).

Nor is road danger limited to death and injury. Excessive, intimidating and inappropriate use of motor vehicles suppresses active travel, causes air pollution and is a major contributor to the climate emergency. Feeling safe is a key indicator in London’s Healthy Streets programme.

We have organised our response by the draft plan’s key areas.

### **Key Area 1 Reducing and preventing violence**

This section does not include any reference to road crime, not even the subsection on Preventing Violence with a Public Health Approach. (p7) Key performance indicators provided (p6-7) do not include any for road crime. Nor do the relevant questions in MOPAC’s associated survey include any mention of road traffic crime.

Motoring offences that pose risk of injury need to be treated as violent crime, as other types of offences already are (see [how transparency and accountability would improve if road crime was treated as crime](#)). If the plan relies on police recorded crime this will result in almost all of road crime being overlooked as only that road crime resulting in death or serious injury is included in police recorded violent crime.

Given the restriction in resources, the MPS should focus on offences which pose harm to others. This means careless/dangerous driving, as well as the traditional police priorities which include speeding and mobile phone use.

We highlight below key opportunities to reduce the harm posed to others, especially people walking and cycling through

- speed enforcement
- careless and dangerous driving detection

Both involve community participation.

### **1. Speed enforcement**

Speeding is the most common offence committed and detected. It intimidates and discourages active travel whilst contributing to air pollution and carbon consumption. There are multiple reasons to tackle speeding. Much of the work involved with the London Recovery Board's nine "missions" requires safe streets for active travel (p5-6). Slower speeds will be key.

And the MPS has increased its speed enforcement and is set to increase it even more, according to the [London Vision Zero Action Plan Progress Report](#). Speed limit offences are to rise to from 160k in 2020 to one million by the end of 2024/25. This will be helped by new cameras as well as PCSOs being empowered to detect speed offences. Improved compliance is also being designed in with greater use of ISA in buses and the TfL fleet.

All will be needed, especially if London is to have a default 20mph speed limit (Action 21 in the [London Vision Zero Action Plan Progress Report](#)). With technology developing so quickly, new opportunities to increase speed enforcement should be seized. Two key areas for action include:

### **2. Community Road Watch (CRW)**

CRW is a useful way of supplementing traditional speed enforcement as well as demonstrating public support for lower speed limits. With the increase in 20mph limits and speed enforcement, more should be done to maximise the use of CRW. We have urged CRW volunteers be trained and better coordinated with regular updates. A better organised and resourced CRW programme could also reach out to local journalists, councillors and community leaders.

### **3. Tougher sanctions with better training of magistrates and community statements**

Just as the plan proposes for MOPAC to work with partners across the youth justice system (p8), so should it work with the criminal justice system to keep our roads safe. There were many reports of extreme speeding in London during lockdown and a dedicated specialist road crime team was introduced. Yet rarely are extreme speeders banned. In 2020, only [2% of drivers](#) convicted at court for speeding in London were banned. In Warwickshire, [the rate was 11%](#).

We urge MOPAC and TfL to work with London magistrates to ensure they are aware of the harm posed by extreme speeding and their existing powers to disqualify. This was an action in the London Vision Zero Action Plan. They should also support the upcoming DfT review of road traffic offences to ensure tougher sanctions for extreme speeders and driving that borders on dangerous.

Community impact statements should be submitted by community groups representing walkers, cyclists, the visually impaired, children, older people, etc.

### **4. Careless/dangerous driving**

In London, the [police prosecute over nine times as many drink/drug drivers](#) than dangerous drivers. In 2020, there were 3,055 prosecutions for drink driving, 1,149 for drug driving but only 452 for dangerous driving. (HO, 2021) Drink/drug driving are national priorities for roads policing, unlike dangerous and careless driving.

So, most of the general "bad driving" is sanctioned as careless driving. It is good to see the increase in careless driving sanctions by the MPS in 2020. The Home Office reported that careless driving detections rose to 6,484, up 34%. We believe this is largely due to increased third-party submissions from head/dash cams. In June 2021, Deputy Commissioner House reported some 11,500 submissions in the previous year, with a [two-thirds prosecution rate](#). We assume this includes warnings but are waiting for the data to be published, as promised.

## 5. Best practice including working group

As with speed offences, there are many more careless and dangerous driving offences that can be detected. We want London to demonstrate best practice with third-party reporting and AVZ have drafted good practice standards to be met (attached separately). This would include working closer with the community, especially those citizen volunteers who are detecting bad driving. A working group should be established. This would include reviewing video submissions and helping improve understanding of what qualifies as careless driving (or other offences) in terms of culpability as well as requirements for videos, e.g. length of clip, etc.

This could build on the London Vision Zero Enforcement Reference Group which has been recently recommenced. Magistrates should be represented on working groups and their training should include more information on what qualifies as dangerous as opposed to careless driving.

The number of mobile phone offences have fallen in recent years, due to the problems with legislation. This should be corrected by next year and we expect to see many more mobile phone offences detected, including by third-party submissions.

## Key Area 2 Increasing trust and confidence

We welcome the draft plan stating:

*...MOPAC will work with the MPS to encourage greater openness, responsiveness and transparency to help Londoners wherever possible to understand more about the work of the police and the reasons behind the decisions they make. P13*

But, as with the section on violence prevention, there is no mention of road traffic crime in this section or in the survey questions.

## 6. Road crime dashboards

There is much less transparency with road traffic crime enforcement than other types of crime as discussed in the December 2021 [London Assembly meeting](#), Data is published very belatedly. And it is incomplete. The MPS does not report the number of cautions given for road traffic offences. Nor does the MPS report to the Home Office the number of breath tests undertaken.

TfL/MPS have said they will publish quarterly statistics on road traffic offences but these are not expected to be as detailed as MOPAC's crime dashboards. A road crime dashboard should present up-to-date data on offences detected by speed limit and by borough. It should also include data on CRW and third party reporting submissions.

## 7. Perceptions of safety

We welcome the Mayor's commitment to everyone feeling safer in their city but that should include whilst using the road. MOPAC Public Attitude Survey plans to ask additional questions on the experience of crime in local areas (p5). This should include how safe vulnerable road users feel on London's streets. For example, it is very welcome that women's feelings of safety during the day and night are to be monitored by the MOPAC Public Attitude Survey, but so should the feelings of safety of female cyclists.

## 8. Accountability

The police are to be monitored on quantitative and qualitative measures. (p4) As previously noted, there are no outcome indicators included in the plan that refer to road traffic crime. We would like to work with the MPS and TfL on identifying key indicators for traffic law enforcement. These would include both numerical targets and qualitative measures, i.e. such as meeting the good practice standards we have drafted.

## 9. Cycle theft

Cycle theft must be included in the neighbourhood crime category of the Policing and Crime Plan. While cycle theft is considered a low-level crime, its impacts on the Mayor's active travel commitments are pernicious. A recent survey for TfL found that cycle theft, and fear of cycle theft, was the second highest barrier to cycle use, for those open to cycling, after fear of road danger. More than 22,000 cycle thefts are reported each year and the police estimate that the actual number could be four times higher (circa 80,000). In some cases personal safety is impacted. Police also report that cycle theft is used as an "entry level" crime activity for young boys. Disrupting organised cycle theft and online sales of stolen bikes must form part of crime reduction.

## 10. Training

The London Vision Zero Action Plan is based on road danger reduction. But this is not always seen in practice, as seen in the recent "See their Side" ad. Road danger reduction campaigners have offered to help train officers in how road danger reduction differs from traditional road safety and why it is so important to active travel and decarbonising transport. With the introduction of a new Highway Code and a proposed road user hierarchy, it will be even more important that police are trained on road danger reduction.

### Key Area 3 Better support for victims

We welcome the draft plan's acknowledgement that:

*Supporting victims is important but alone it is not enough. We must improve the response at every stage of an investigation so that more criminal cases are charged and prosecuted; that more cases reach a conclusion; that victims receive the justice they deserve; and that perpetrators face the consequences for their crimes. P17*

We identify three ways in which London should define and demonstrate best practice with supporting victims

## 11. Crash victim support, surveys and Listening Days

The draft plan proposes increasing specialist support for crash victims. This is much welcomed, as the impact of being bereaved or seriously injured in a crash requires specialist support to help cope and recover following a crash, including with help navigating the justice system. Families bereaved by homicide will have access to a Homicide Caseworker through the Ministry of Justice's Homicide Service, but this is not available for those bereaved in a road crash. Support should be made available to all those seriously injured in crashes. If it was all paid, the victim surcharge from motoring offences in London alone would have generated over £2m in 2020. And if the government's proposed increase in Victim Surcharge (minimum £100) is adopted, the victim surcharge from motoring offences in London could raise over £6m. And whilst MoJ reports 61% victim surcharge is collected, this would still mean over £3.6m being raised from motorists convicted at court in London every year.

We have called for levels of satisfaction surveys to be conducted with crash victims, as they already are with other victims of crime. The draft plan notes that "During the period of this Plan, the Mayor's aim is to increase the overall level of satisfaction victims of all crime have with the service they have received". To achieve this, level of satisfaction surveys need to be instated for victims of road crime. The data that the surveys would provide would not only monitor victims' satisfaction and provide a framework/impetus for their treatment and collision investigation standards to improve, it would also provide a framework for commissioned support for crash victims. Action Vision Zero would welcome working with the police and MOPAC on introducing a survey.

To complement quantitative data from the level of satisfaction surveys, we have also urged the introduction of Listening Days where police, coroners, CPS) and other agencies hear from crash victims on their experiences so that lessons can be learnt and treatment of crash victims improved.

## **12. Collision investigation**

It was good to see the London Vision Zero Action Plan highlight the additional training being provided in collision investigation. But there is still a lack of transparency with the extent of investigation undertaken into road crashes. Currently no standards of investigation are known to exist for either fatal or serious injury crashes. Fatal crashes and some crashes where the victim is thought likely to die (although there is not a systematic procedure for deciding this), are investigated by the Serious Collisions Investigation Unit (SCIU). The SCIU investigation is undertaken by a Forensic Collision Investigator and investigating officer, and is a much more thorough investigation than those which are not investigated by the SCIU. All other crashes, including those where victims are very seriously injured, are carried out by Borough Command Units (BCUs) or at Marlow House. They investigate the majority of the crashes which seriously injure (c.3,000 on London's roads every year).

Improved collision investigation is vital to better understanding the causes of road crashes, but also to improve criminal justice outcomes for crash victims, to deter criminal driving and enable access to civil compensation and much needed rehabilitation for those seriously injured.

With a higher investment into roads policing than anywhere else in the country, London is in the best position to lead the way on collision investigation. Alongside introducing level of satisfaction surveys to understand victims' experiences of the investigation, we are calling for the plan to commit to:

- Introduce best practice and minimum standards of investigation for fatal and serious injury collisions
- An increased level of investigation for serious injury crashes that do not benefit from a Forensic Collision Investigator
- Transparency on what level of investigation is expected for different injury severities
- Quality assurance procedures to be instated for collision investigation, with a yearly review of 'no further action' serious injury and fatal cases conducted with the police and CPS.

We also urge the MPS to work with personal injury solicitors and campaigners to identify opportunities to improve investigation and communication and increase confidence in police.

## **13. Hit and run collisions**

London has the highest number of fatal and serious injury collisions where a driver has left the scene. And whilst the MPS is thought to respond to those crashes involving death or life threatening injuries with priority, there is little transparency as to how often drivers are detected and how thoroughly crashes are investigated. This is another key issue where we would like to work with the police to ensure best practice is delivered and community confidence increased.

We note that some London boroughs, such as Tower Hamlets and Newham, record much higher levels of 'failed to stop' collision incidents. Met officers have suggested this is due to higher levels of un-registered and un-insured vehicles in such boroughs. Addressing the latter may help reduce hit and run incidents.

## **Conclusion**

Our response has highlighted how road traffic crime has been overlooked in the draft plan. It has also highlighted the need and ways in which road traffic crime should be included and treated as crime. We trust that these points will be included in the final plan.