

Cycling and the Justice System



appg

THE ALL-PARTY PARLIAMENTARY GROUP
cycling

Background to the Inquiry

In the APPCG's Get Britain Cycling report in 2013, the Group made several recommendations on the workings of the justice system, in particular the quality of police investigation and the court system. Since that time progress has been observed in a few areas, however the workings of the justice system were identified as a key area of focus the Group's follow-up inquiry in 2016. This inquiry therefore examines the subject of cycling and the justice system in more detail, making 14 recommendations for changes to police procedure, sentencing and government policy.

Thanks to all those who gave written and oral evidence to the inquiry.

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References for each source cited can be found on page 37.

May 2017



Summary

The justice system is failing to protect cyclists, both by allowing dangerous and inconsiderate driving to go unchecked, and by letting down the victims of road crashes.

Cyclists are too often the victims, but in a few cases they are also the perpetrators of road crime. Stronger legal grounding for a hierarchy of road users, in which children, pedestrians and people with disabilities take the highest priority, followed by cyclists, and finally drivers of vehicles, would help make the roads safer for everyone.

In this report, the APPCG sets out fourteen recommendations for how the justice system can be improved. We believe that hundreds of thousands of crimes - committed by a small minority of road users - are going unrecorded by the police each year, resulting in a feeling of lawlessness and aggression that is deterring many people from cycling.

Of our recommendations, one stands out as a priority: there has been a collapse in the number of drivers disqualified from driving.

The licence to drive is a privilege, not a right.

In addition, the adoption of the West Midlands Police 'Be Safe, Give Space' campaign has led to widespread support amongst the cycling community, and now needs to be rolled out nationwide.

The justice system serves two roles: upholding the law and redressing wrongs. Stable, well enforced laws enable people to lead the lives they wish. When it comes to cycling, this means:

- creating conditions in which both non-cyclists and cyclists feel confident that they are not endangered or threatened, and;
- ensuring that offenders are brought to justice and that cyclists who are victims of traffic collisions are satisfied and compensated adequately.

The first of these criteria has clearly not been met. Whereas 41% of people agree that they could just as easily make short 2 mile car trips by bike as they can by car, only 3% of those trips are actually made by bike (DfT, 2015). Lack of safe conditions is the chief barrier to more of these short trips being made.

The following fourteen recommendations are structured around these two areas: preventing harm and danger in the first place, and ensuring justice where injury has resulted.



Reducing danger

1. The Highway Code should be revised to give clearer priority to cyclists (and other vulnerable road users), particularly with regard to the issue of close overtaking and the need to give way to cyclists and pedestrians at side road crossings, which would support the introduction of new cycling infrastructure.

2. The driving test must be changed to help improve driver behaviour towards cyclists, including questions about overtaking distances and advice on adopting safe methods of opening car doors. This is particularly important for those attending an extended retest following disqualification.

3. Professional drivers should be **retested more frequently**, with better testing of skills and eyesight. Being able to drive should not be considered as a right - it should be seen as a responsibility and privilege that can easily be forfeited, particularly for those whose jobs require them to use a vehicle.

4. Specialist roads policing has greatly reduced in recent years, with a 37% reduction in officer numbers over 10 years. **Roads policing should be given a higher priority** by police forces, Police and Crime Commissioners and Her Majesty's Inspectorate of Constabulary. Effective deployment and use of surveillance technology should be used to support the reduced manpower and to enhance productivity and public awareness that road policing remains a priority. Only through adequately resourced roads policing will bad drivers - and bad cyclists - be apprehended and cycling feel safer.

5. Large vehicles present a disproportionate risk to cyclists. In London, TfL, the DVSA, the Police and other enforcement agencies work together to target illegal freight operators. The Government and other local authorities should **adopt similar partnerships in other parts of the country to counter the risk posed by illegal freight operations**. Stronger sanctions are needed to tackle the offending associated with some commercial operators.

6. We welcome the focus some police forces are showing towards close passing of cyclists, particularly the West Midlands Police. Close passing by drivers not only represents a significant danger, it also makes cycling feel unsafe and risky. More police forces should **adopt close passing enforcement practice** on a wider scale, and the NPCC should clearly endorse this approach.

7. There appears to be systematic under-reporting of all road casualties, especially those of cyclists, both in terms of severity, and in number, which **is presenting** an inaccurately favourable picture of the decline in road crashes. The Department for Transport and Ministry of Justice should research the **growing discrepancy between road casualty figures**, and track those cases through the justice system.



Ensuring justice

8. The police must ensure that a **higher standard of investigation** is maintained in all cases where serious injury has resulted. This includes eyesight testing, mobile phone records, assessment of speed, drink and drug driving. We have received many examples of the police failing to investigate properly or even interview victims or witnesses. Too often weak investigations have undermined subsequent cases.

9. All police forces should ensure that **evidence of common offences submitted by cyclists, or other witnesses, using bike or person mounted cameras or smart phones is put to use**, and not ignored. The confidence of cyclists that their safety is a priority of the police will be undermined if this evidence is dismissed and no action is taken. In some cases just a written warning may be enough to change behaviour.

10. The length of time required by the Police to serve a Notice of Intended Prosecution for a road traffic offence is currently just **14 days and must be extended**. This period is too short to enable many cases to be adequately processed and in some cases may enable offenders to escape justice.

11. Confusion and overlap between 'careless' and 'dangerous' driving means that often bad driving does not receive the level of punishment that the public feel it should. New offences introduced over the last few years have started to plug some of the gaps in the legislation, but many problems remain, particularly where cyclists are the victims. **The Ministry of Justice should examine in more detail how these offences are being used, including the penalties available for offences of careless and dangerous driving.**

12. The police and CPS should ensure that **victims and bereaved families are always kept adequately informed throughout the process of deciding charges**. While in many cases this is done, heard we have heard of victims being ignored and only informed at a much later date that cases have been dropped or guilty pleas for lesser offences accepted.

13. The number and lengths of driving bans appears to have declined, with a 62% fall in driver disqualifications over the last ten years, double the fall in convictions for driving offences. Furthermore, very large numbers of drivers are escaping disqualification upon reaching 12 points or more. **The Ministry of Justice should examine the reasons behind the decline in the use of the penalty of disqualification**, and in particular the effect of the 'exceptional hardship' scheme.

14. The Soft Tissue Injury Reforms - the 'whiplash reforms' - **should not include injuries to cyclists or pedestrians**, whose cases should be subject to the small claims limit of £2000, rather than £5000. These cases are more complex, more often contested, and are therefore much more likely to require the assistance of legal representatives which would be impossible to obtain under the small claims limit.



Why is this inquiry needed?

In 2013 the APPCG convened an inquiry to explore how to 'Get Britain Cycling' (APPCG, 2013). Alongside recommendations to commit substantial funding and improving design and planning of cycle infrastructure, the report expressed concern about many aspects of the justice system.

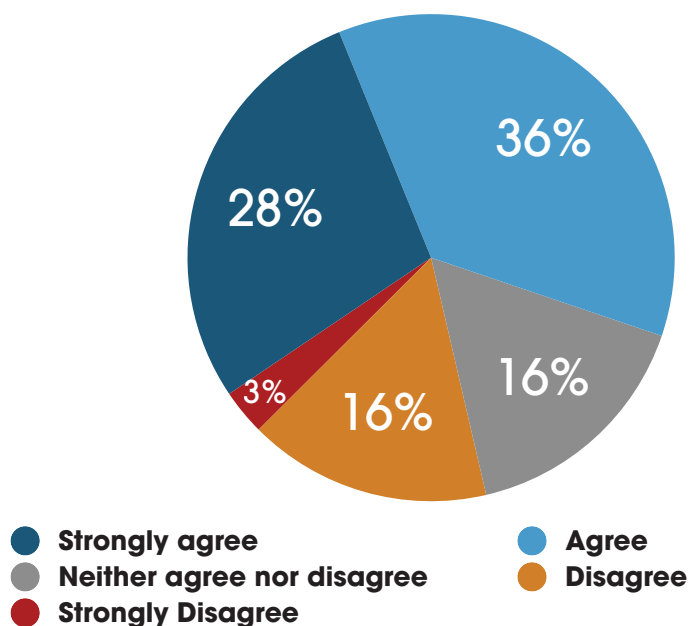
Since that time limited progress has been made on the 'Get Britain Cycling' recommendations, as the APPCG found in last year's follow-up inquiry (APPCG, 2016). Of the 15 main areas identified, three were flagged as 'red' for lack of any substantial progress - one of these was:

"Strengthen the enforcement of road traffic law, including speed limits, and ensuring that driving offences - especially those resulting in death and injury - are treated sufficiently seriously by police, prosecutors and judges."

This inquiry was therefore designed to look in more detail on this subject, including taking evidence from members of the public. Why does Britain fall so woefully short of other countries when it comes to the number of people regularly using bikes? The answer seems clear: too many people feel unsafe using Britain's roads - 64% agree with the statement that 'it is too dangerous for me to cycling on the roads' - see figure 1 - yet roads are too often all that people have available to them (DfT, 2015).

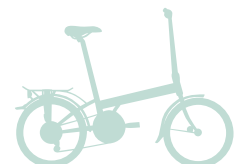
Figure 1.

Is it too dangerous for me to cycle on the roads?



Source: DfT, 2015 - ATT0313

"Too many people feel unsafe using Britain's roads"

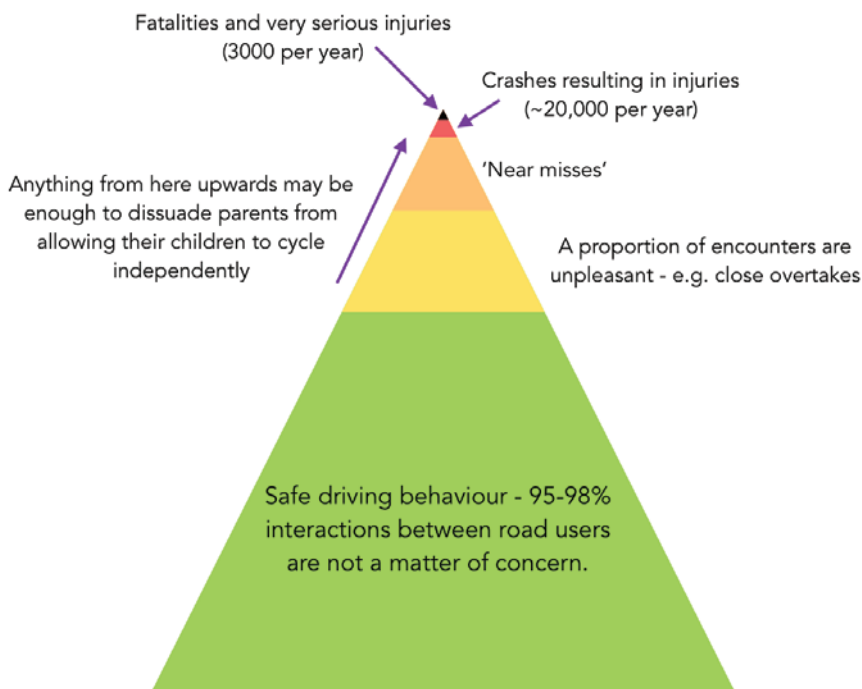


In 2016 the Group heard from academic **Rachel Aldred**, whose Near Miss Project crowdsourced evidence of what makes cycling feel dangerous. This found that, a regular commuter cyclist riding 2,500 miles per year can expect over 1 incident per day, one in seven of which is described as 'very scary'. Almost a third of these incidents were found to be 'close passing', associated with around 20% of all cyclists' deaths (Aldred, 2016). This can be explained as a 'pyramid' of traffic interaction, **see figure 2**, adapted from work by Hyden (1987). At the base are interactions that are safe and comfortable, but a certain number of interactions become uncomfortable or unpleasant. A proportion of these can be characterised as unsafe, near misses, and an ever decreasing number represent actual collisions.

By concentrating only on the very top of the pyramid, as the justice system has tended to do, we miss out on important - and perhaps simple - methods of reducing the bulk of poor interactions from which more serious incidents escalate into collisions, injuries and fatalities.

Figure 2.

The 'pyramid' of traffic interaction and cycling casualties (adapted from Hyden, 1987)



The conclusion from Aldred's work, and from many of those who submitted evidence to our inquiry, was that better cycling infrastructure will undoubtedly make people feel safer. Although in recent years local and central Government has committed some additional funding to dedicated cycling infrastructure, progress is slow. Making roads which - for now - must be shared by all forms of transport safer will therefore always be crucial if the much-vaunted 'cycling revolution' - promised under the previous government - is ever to crank into gear.

So how do we make existing roads safer while we wait for the infrastructure to come? Well, one suggestion might be to reduce the conflicts with other road users that make cycling feel risky to those returning to cycling. Cyclists are more likely to be injured in collisions with other road users, and yet this vulnerability is - it is alleged - not reflected in the protection afforded by the legal system.

The APPCG began this inquiry in December 2016, with an opportunity for members of the public and organisations to submit written evidence. In total 198 individuals and 12 organisations submitted evidence. A summary of the points raised in this evidence can be found in Appendix A; a list of respondents in Appendix B.

Five oral evidence sessions followed, each addressing the themes outlined below.

27th December 2016	Inquiry opened
16 January 2017	Written evidence submitted
31 January 2017	Oral evidence session 1. Road user and victims organisations
7th February 2017	Oral evidence session 2. Victims of road crashes
21st February 2017	Oral evidence session 3. Police enforcement and investigation
28th February 2017	Oral evidence session 4. Driver awareness and civil justice
21st March 2017	Oral evidence session 5. Crown Prosecution Service
2nd May 2017	Publication of the report

“how do we make existing roads safer while we wait for the infrastructure to come?”



Reducing danger

Creating safer conditions on the roads will need considerable investment in new cycle specific infrastructure and accompanying changes to the way we plan for traffic in urban areas. While some local authorities are making steps towards this, progress is still slow: London's Cycle Superhighways can be found on less than 1% of the major road network in the city.

Alongside improvements in infrastructure, there are steps that can be taken to make the existing road feel safer and enable more trips to be made by bike. Presently too many people's experiences of cycling on the roads involve an unpleasant or dangerous interaction with another road user. Reducing these incidents is a crucial aspect of the way that the justice system can contribute to better cycling conditions.

As **Andrew Tomkins**, who carries his children to school by cargo bike, asked us: *"what steps can be taken to ensure that motorists don't feel that they exclusively 'own' our roads, and that they continue to feel the normal human kindness, patience, empathy and care for fellow human beings on a bicycle, that they normally display outside of their vehicles?"*

Typically, the discussion of the legal system resolves principally on what happens in the gravest cases: where death or serious injury has resulted. For each injury crash, however, hundreds of near misses have occurred, and thousands more conflicts between road users are likely to have taken place. If we are to try to stop the incidents that cause harm and injury from occurring, the justice system needs to focus on preventing danger throughout the system.

The **West Midlands Police** explained to us that most drivers' behaviour is of a good standard - see figure 2. Inconsiderate driving, let alone deliberate aggression, only occurs amongst a minority of drivers, but unfortunately, in many cases, a cyclist using a busy road will - on nearly every trip - encounter an example of inconsiderate driving. Such behaviour - or even the threat of such behaviour - is enough to deter most of the population from using their bikes. Despite survey respondents suggesting that 41% of short trips could be made 'just as easily by bike as by car' less than 3% of them are (DfT, 2015).

Either we accept that daily close overtakes and weekly aggression is a standard part of life as a cyclist in Britain, or we tackle the minority of drivers who are the source of the problem, by identifying them, re-educating those that might benefit from it, and prosecuting the most serious of offenders.

"the justice system needs to focus on preventing danger throughout the system"



Turning the corner - how the law can help

75% of crashes involving cyclists occur at junctions. In many cases these crashes involve a driver overtaking and turning left in front of the cyclist (the 'left hook'), turning into a side road without checking carefully ('right hook') or pulling out failing to look carefully enough. While each of these can be interpreted as careless or dangerous driving, the rules in the Highway Code are ambiguous and fail to explicitly place responsibility on the driver to give way in certain circumstances, unlike in other parts of Europe, where there is clear legal protection to prevent vehicles turning across the path of a cyclist riding parallel to them in a lane or cycle track.

For instance, rule 170 of the Highway Code explains that drivers should give way to pedestrians who are already crossing side roads have priority, but rule 8 advises that pedestrians need to look out for turning vehicles. Removing or clarifying this and other ambiguities by giving clear priority to vulnerable road users would strengthen the legal status of these users, and, say British Cycling, could support the design of cycle tracks.

In total, Turning the Corner recommends 14 changes to the Highway Code to better protect cyclists, and further changes to the law and regulations around traffic signs to further support the safety of pedestrians and cyclists.



Improving driver awareness and education

For the justice system to function, it requires a wide public understanding of and support for the law. From the evidence given to us from the police, from other witnesses, and from the public, it appears that there is a widespread misunderstanding of traffic law on how to drive around cyclists, and a failure of the driver education system to evolve in step with changes in cycling infrastructure and numbers of cyclists. There is also evidence of deliberate aggression shown towards cyclists, including 'punishment passes' - close overtakes designed to intimidate or frighten cyclists, some of which may result from ignorance of the rights of cyclists to be on the road, or some other antagonism from having to share the same space at very different speeds. Aldred (2016) found a very similar pattern, with the average cyclist likely to experience some sort of harassment every 3 weeks or so, in addition to weekly frequency of incidents considered 'very scary'.

Evidence from the general public in particular emphasised that improving driver behaviour and designing better road infrastructure must go hand in hand. In this regard, **British Cycling's** 'Turning the Corner' report, published in December 2016, provides solutions, which **Martin Key** explained in his evidence. The report identified a problem with the confluence of design and road traffic law: a lack of priority for pedestrians and cycles over vehicles turning into out of or into side roads. The report explains that changes to the Highway Code (accompanied with changes to the way traffic signal control operates) would improve the feeling of safety for pedestrians and cyclists, as well as releasing junction capacity in urban areas - **see above**.

The Highway Code is also fundamental to assisting vulnerable road users with obtaining justice under civil law. The ambiguities and divided responsibilities expressed in the Code lie at the heart of the problems some cyclists find when attempting to secure compensation in the event of a collision. The Code must be clear that those with the greatest capacity to cause harm be the ones on whom responsibility to take care ultimately rests. We heard from **Paul Kitson** of **Slater and Gordon** that many civil cases involving cyclists are challenged by drivers' insurers which often delays compensation to the victim. A clearer, less ambiguous Code would help prevent the most vulnerable victims losing out financially because of contributory negligence claims made against them on the basis of spurious interpretations of the Highway Code's advice. In addition, he suggested that advanced stop/bike boxes at traffic signals should be re-designated as having the same legal status as yellow box junctions.

"The Highway Code must be clear that those with the greatest capacity to cause harm be the ones on whom responsibility to take care ultimately rests."



Martin Porter QC urged that any “element of victim-blaming should be removed” from the Code, and that references to wearing high visibility clothing and helmets should be accompanied by clear statements that these are not legally required.

1. The Highway Code should be revised to give clearer priority to cyclists (and other vulnerable road users), particularly with regard to the issue of close overtaking and the need to give way to cyclists and pedestrians at side road crossings, which would support the introduction of new cycling infrastructure.

Drivers learn about safe driving techniques when they take the driving test, with usually no formal re-education thereafter. The **West Midlands Police** felt that younger drivers were more considerate of cyclists than older ones. The **Metropolitan Police** told us that they wished to see more frequent testing of drivers, with **DCS Paul Rickett** told us: “retesting and re-qualification on a regular basis would be a hugely beneficial.”

Presently re-education is mainly restricted to the use of diversionary courses for a variety of offences, administered through the National Driver Offender Retraining Scheme, but the evidence for the effectiveness of these schemes is not yet clear (Smith et al., 2015). As discussed below, one measure might be to impose more frequent retesting on drivers who have committed offences - at present only a handful of offenders are banned until they successfully pass a driving test.

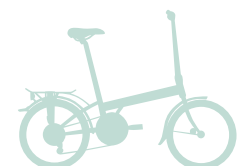
The driving test offers the best opportunity to communicate vital information on how to behave around cyclists and reinforce messages around safe road user. Unfortunately, while the content of the driving test may have improved over the decades, it still fails to deal with the responsibilities towards cyclists other than in a cursory manner. In a country where 61% of the population never ride a bike, there is a risk that fundamental misunderstandings will emerge between road users unless the educational system is not used to help reduce these differences, which often lie behind aggressive and inconsiderate behaviour.

We heard worrying evidence that driver eyesight was going unchecked, even after major incidents. Gradual deterioration due to eye disease can often go unnoticed beyond the legally acceptable level. Regular retesting of professional drivers should also include assessing eyesight.

2. The driving test must be changed to help improve driver behaviour towards cyclists, including questions about overtaking distances and advice on adopting safe methods of opening car doors. This is particularly important for those attending an extended retest following disqualification.

3. Professional drivers should be retested more frequently, with better testing of skills and eyesight. Being able to drive should not be considered as a right - it should be seen as a responsibility and privilege that can easily be forfeited, particularly for those whose jobs require them to use a vehicle.

“retesting and re-qualification on a regular basis would be a hugely beneficial. - DCS Paul Rickett”



A higher priority given to roads policing

At the heart of the concern from the members of the public was the lack of enforcement of basic road traffic law. For instance, **Cycling UK** pointed to the collapse in roads policing numbers as a serious concern - overall police force numbers have fallen by 12% over the last 10 years, but that has been outstripped by an even faster decline in road traffic policing numbers outside London (Home Office, 2016).

Stronger roads policing would benefit all road users, including - in certain circumstances - cracking down on dangerous or inconsiderate cycling where this is considered a source of concern. Cyclists are much more likely to be the victims of illegal road users than the perpetrators. In many cases, those people committing these crimes are likely to hold similar attitudes whatever mode of transport they are using, whether on a bike or in a car (Christmas et al. 2010). The level of danger to others is far greater when they driving than when they are cycling.

DCS Paul Rickett from the **Metropolitan Police** maintained that resourcing of roads policing in the capital was good, but suggested that the decline in prosecutions nationwide might be linked to the fall in road traffic policing, saying: "the fall in disqualification and prosecution probably tracks the levels of policing." Nearly all the drivers stopped during a nationwide crackdown on mobile phone use while driving were in London. Even in London, however, **Amy Aeron-Thomas** pointed out basic problems with roads policing such as the fact that only 27% of drivers involved in crashes were tested for drink driving in the capital.

One solution offered by several witnesses was to include roads policing in the 'Police Effectiveness, Efficiency, Legitimacy programme' used by Her Majesty's Inspectorate of Constabulary to evaluate police force. This might help focus attention on roads policing amongst Police and Crime Commissioners and senior officers. In addition, Police and Crime Commissioners and police forces should include perception of the dangers of illegal road use as part of way they measure local satisfaction with their services.

4. Specialist roads policing has greatly reduced in recent years, with a 37% reduction in officer numbers over 10 years. Roads policing should be given a higher priority by police forces, Police and Crime Commissioners and Her Majesty's Inspectorate of Constabulary. Effective deployment and use of surveillance technology should be used to support the reduced manpower and to enhance productivity and public awareness that road policing remains a priority. Only through adequately resourced roads policing will bad drivers - and bad cyclists - be apprehended and cycling feel safer.

In urban areas, cyclists are particularly at risk from conflicts with large vehicles. In London, around half of cyclists fatalities occurring in crashes with

"Only through adequately resourced roads policing will bad drivers - and bad cyclists - be apprehended and cycling feel safer. "



large vehicles, which make up just 5% of traffic. **The Metropolitan Police** operate a well established education scheme - 'Exchanging Places' to inform cyclists about the risks associated with large vehicles. **Transport for London** explained the intra-agency working arrangement with the Metropolitan Police, Driver and Vehicle Standards Agency (DVSA) and other organisations to target enforcement against commercial vehicle operators. Since 2013, over 20,000 vehicles have been targeted, of which 11% had infringements - 120 vehicles have been seized. Similar partnerships between local authorities, police and the DVSA could help raise standards in freight operators elsewhere in the country.

Siwan Hayward of **Transport for London** expressed concern that the enforcement activities undertaken through their partnership working was impeded by the uneven penalties handed down in the Magistrates' Courts. In some cases the levels of fines imposed in some parts of London were 10 times higher than in other areas for vehicle defects and other offences. Transport for London wants to see "stronger sanctions that reflect the seriousness of the offences and the danger these pose on London's roads."

5. Large vehicles present a disproportionate risk to cyclists. In London, TfL, the DVSA, the Police and other enforcement agencies work together to target illegal freight operators. The Government and other local authorities should adopt similar partnerships in other parts of the country to counter the risk posed by illegal freight operations. Stronger sanctions are needed to tackle the offending associated with some commercial operators.

"Stronger sanctions are needed to tackle the offending associated with some commercial operators"



Tackling close passing

One of the most encouraging submissions we received was from the **West Midlands Police** who explained the development of their 'Be Safe, Give Space' initiative which targets inconsiderate driving on key cycle commuting routes in Birmingham. This has been very well received by the cycling community and - according to **PC Mark Hodson** and **PC Steve Hudson** - has resulted in noticeable improvements in driver behaviour.

The close passing initiative began in association with Birmingham City Council, which was investing in measures to improve cycling conditions. The initiative has not taken officers away from their core work of general enforcement and attending the scenes of crashes. One officer cycles in undercover clothing and directs colleagues to intercept drivers who have given him too little room when overtaking. Offenders are then offered the opportunity to take part in a short demonstration of how to overtake around cyclists, or face a summons for careless driving. Of around 200 drivers so far stopped, only 1 has refused the roadside demonstration, a further handful have been issued a summons for careless driving.

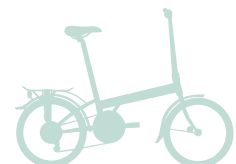
"I experienced some loss of confidence in getting back on the roads and have since been heartened by West Midlands Police's increased activity to protect cyclists exposed to poor driving."



Even though this was a limited scheme, over a small area, the impact has been considerable, including on attitudes to policing. Many witnesses specifically mentioned the effect it has had on their confidence in the police. **Toby Draper** was injured in 2015 while cycling in Birmingham, told us: "I experienced some loss of confidence in getting back on the roads and have since been heartened by West Midlands Police's increased activity to protect cyclists exposed to poor driving."

Such has been the success of the programme that the officers have demonstrated it to many other police forces, and similar enforcement operations have commenced in several other areas, including London, Hampshire as well as half a dozen other forces that are planning to start. This appears to have been an excellent example of road traffic police officers working together to share a successful scheme, but it remains a very small initiative. We were disappointed to hear that there has yet to be a formal endorsement of this approach by the National Police Chiefs' Council, which might help establish it as a standard roads policing tactic.

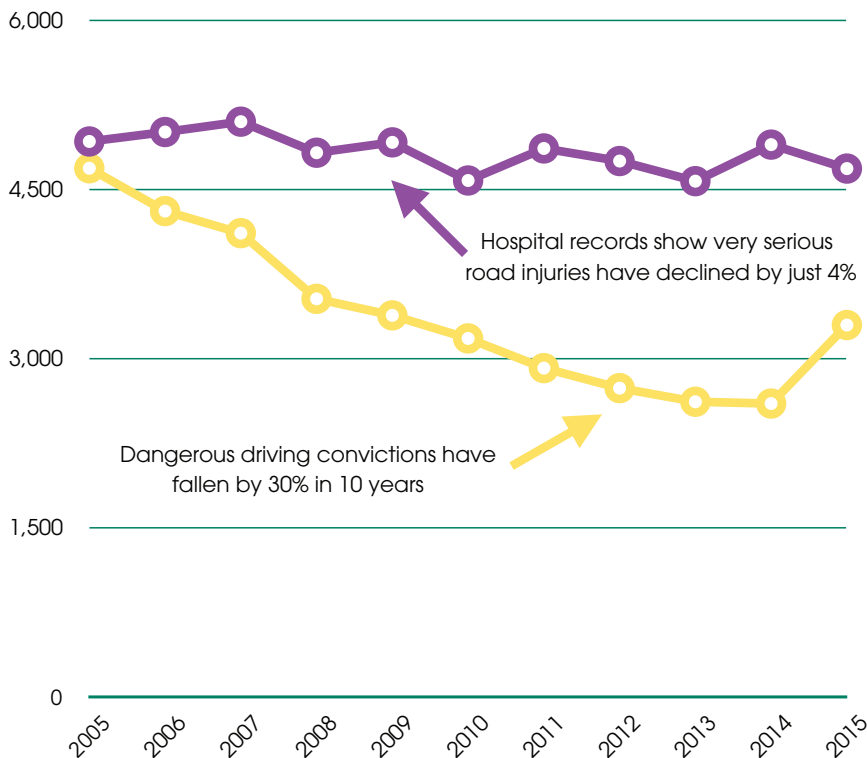
6. We welcome the focus some police forces are showing towards close passing of cyclists, particularly the West Midlands Police. Close passing by drivers not only represents a significant danger, it also makes cycling feel unsafe and risky. More police forces should adopt close passing enforcement practice on a wider scale, and the NPCC should clearly endorse this approach.



More accurate data

Besides the problems of measuring near misses, aggressive incidents and dealing with these, the lack of adequate police resources and falling police numbers may also lie behind the growing discrepancy between reporting road traffic casualties and hospital recorded serious injuries. Police recorded serious injuries (to all road users) have fallen by 24% in the last ten years, but hospital records for very serious injuries (MAIS3+), which should make up part of the serious injury count reported to police, have only fallen by 4%. The divergence between these two figures can only be attributed to cases that were once recorded as serious by the police being treated as slight injuries.

Figure 3.
Convictions for dangerous driving and seriously injured road casualties as recorded in hospital (MAIS3+)



Source: DfT (2016) RRCGB, Table RAS55050; MoJ (2016) CJS, Table 6.2

These figures appear even more worrying in the context that convictions for dangerous driving have fallen by 30% - **see figure 3**. In 2005, one person was convicted for dangerous driving for every person seriously injured on the road. Today that ratio has dropped to 0.7.

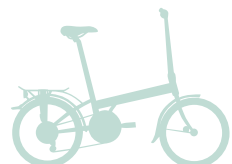


The police reported casualty figures can further be checked against survey data collected in the last few years, that suggests that instead of the 191,000 injuries on the roads (average 2011-2015), there were approximately 710,000 road casualties. The discrepancies are greatest for cyclists, with 90,000 reporting injuries to the National Travel Survey against 17,000 recorded by police - five times greater (DfT, 2016 - Table 54004). While many of these are single vehicle incidents, the figures confirm the evidence we have received from some members of the public that their crashes with cars are ignored or trivialised by the police.

Transport for London explained that they have committed to producing annual reports of road traffic enforcement, but drew attention to the problems with obtaining accurate data from all parts of the justice system. It is very difficult to track cases from initial incident through to eventual judicial outcome.

7. There appears to be systematic under-reporting of all road casualties, especially those of cyclists, both in terms of severity, and in number, which appears to be helping to present an inaccurately favourable picture of the decline in road crashes. The Department for Transport and Ministry of Justice should research the growing discrepancy between road casualty figures, and track those cases through the justice system.

“some members of the public that their crashes with cars are ignored or trivialised by the police”



Ensuring justice

Ensuring the police are adequately resourced to uphold the law is crucial to prevent crashes from happening, but where crashes do occur, the justice system must then ensure that offenders are held to account and compensation for damages obtained for victims.

Police investigation of road crashes

As discussed above, better resourcing of roads policing is fundamental to ensuring that the justice system protects vulnerable road users. Without adequate resources to investigate road traffic crashes, there will not be enough evidence to successfully charge or convict offenders.

Of the 110 cases from individuals who had experienced an incident, 75 (68%) told us they had experienced problems with the police recording or investigation their cases properly, although it should be noted that the appeal for evidence may have encouraged only those who had encountered difficulties to come forward. Problems encountered by witnesses included the failure of the police to speak to witnesses - and even the failure to take evidence from the victims themselves.

Andy Rushton, who was seriously injured when he was hit by a driver on a pedestrian crossing, said: *"The police claim there are no witnesses willing to give a statement but I know they only took down two witness names (there were many more people present than that) and I also know the name and contact details of one witness who has not been asked to give a statement. I have been lied to about the circumstances."*

Lawyers representing the victims of road crashes told us that in their experience relatively few of the slight injury cases they deal with have been dealt with satisfactorily by the police.

Sally Moore of **Leigh Day** told us that of the police investigation files they obtain as part of their civil claims on behalf of injured cyclists, "we see some shockingly bad ones and we see some good ones. Some of the poorer investigations arise because the police do not appreciate how serious the injury is... where it is a slight injury our clients feel that the police treat them dismissively."

8. The police must ensure that a higher standard of investigation is maintained in all cases where serious injury has resulted. This includes eyesight testing, mobile phone records, assessment of speed, drink and drug driving. We have received many examples of the police failing to investigate properly or even interview victims or witnesses. Too often weak investigations have undermined subsequent cases.

"Where it is a more slight injury our clients feel that the police treat them dismissively. Sally Moore - Leigh Day"



Camera evidence submitted by road users

We received considerable evidence from members of the public, as well as hearing oral evidence from **Jatinder Sangha** and **Stuart Pratt** about weaknesses in the way that the police handle evidence submitted from cameras mounted on bikes or people. **Jatinder Sangha**, had submitted 23 pieces of video evidence, which he assured us represented only the most egregious of incidents. If every incident which he felt was illegal was reported, he said that this would take him an hour or more each day. In his case, the police had written letters to some of the drivers involved, but in some cases disputed how close the driver was passing. **Neil Moore** of the CPS told us that he felt such evidence should be admissible in court.

The **West Midlands Police** explained that they had taken action against many drivers through evidence submitted by cameras, while the **Metropolitan Police** also acknowledged that such prosecutions were possible. It appears that progress is being made therefore in some locations, but that this is far from uniform around the country. Common and easy-to use standards for formatting and downloading camera evidence should be developed and implemented as quickly, and consistently, as possible.

“The confidence of cyclists that their safety is a priority of the police will be undermined if video evidence is dismissed and no action is taken.”



9. All police forces should ensure that evidence of common offences submitted by cyclists, or other witnesses, using bike or person mounted cameras or smart phones is put to use, and not ignored. The confidence of cyclists that their safety is a priority of the police will be undermined if this evidence is dismissed and no action is taken. In some cases just a written warning may be enough to change behaviour.

Martin Porter QC and **Ralph de Kanter** drew attention to one specific problem that had been encountered with evidence submitted by the general public about bad driving incidents: the requirement under the Road Traffic Offenders Act 1988 to give notice of intended prosecution to the offender within 14 days of the act being committed, if no crash has occurred.

This very narrow window makes it harder for the police to act on evidence supplied by third parties, unless they act fast. With more and more evidence of bad driving being supplied by cameras (both from cyclists, and other sources), the police should be given greater flexibility to serve the driver with the Notice.

10. The length of time required by the Police to serve a Notice of Intended Prosecution for a road traffic offence is currently just 14 days and must be extended. This period is too short to enable many cases to be adequately processed and in some cases may enable offenders to escape justice.



Eilidh Cairns

Eilidh Cairns was killed in February 2009 when she was hit from behind by tipper truck driver Joao Lopes. The only charges driver Lopes ever faced in connection with Eilidh's death related to driving with uncorrected defective vision. The police delayed testing his eyes until three months after the crash, and then only at the request of Eilidh's family. He received three points on his licence, and a £250 fine.

Eilidh's family were critical of the investigation claiming errors, omissions, assumptions and conclusions contrary to evidence. After asking for two reviews, the police admitted two years later that the investigation had been inadequate. Sixteen months later, Lopes ran over and killed Nora Gutmann, a 97-year-old fit and active woman on a zebra crossing in Marylebone. Lopes was not wearing his glasses at the time. Tampering of his tachograph, the device which records the speed, distance and hours driven, had also taken place. Only at this point did the police re-open the investigation into the death of Eilidh. Lopes was eventually sentenced to 4 years imprisonment, and disqualified from driving for 6 years for killing Nora Gutmann.

There was still no charge in relation to the death of Eilidh.



Charges and penalties for driving offences

Too often drivers who have injured - or killed - cyclists and other road users appear to be going unpunished, or escaping with very light penalties. Police files of cycling collisions indicate that in up to 75% of cases the driver is deemed to be wholly or partly at fault, and only in a quarter of incidents did it appear that cyclists are at fault (Knowles et al., 2009). Although it is difficult presently to disaggregate cases where cyclists were the victim from all cases, it is clear that the number of offences prosecuted is far lower than the number committed.

There were 1,619 fatal crashes in 2015, but only 419 cases in which a driver was proceeded against for driving involving death. This supports the evidence we have had from organisations and the general public that there are cases in which drivers who have been at fault have escaped justice. In some instances this may be due to a lack of evidence, in other cases due to procedural failures. **The Bristol Road Justice Group** monitored these cases in their area and found that in 2015 of 18 serious injuries to cyclists who were travelling straight ahead when they were hit (which should be the clearest type of collision to establish guilt), only 4 had resulted in a prosecution.

It was very clear from the evidence received from the general public, and from organisations like the Chesterfield Cycling Campaign, Bricycles (the Brighton and Hove cyclists' group) and others that there is widespread concern that the current framework of offences is not delivering justice in the eyes of the general public.

Ivan Viehoff explained to us in his written evidence that *"(There is a) lack of an enforceable definition as to what is negligent driving. In any other safety management situation involving dangerous machinery, there would be a set of clear red lines that machine operators would know was negligent, and which left a large safety margin. This does not exist for car operation...The meaning of "careless" or "dangerous" driving lies entirely in the discretion of the jury. The meanings given to the terms in legislation are so vague that wide discretion lies in their hands."*

The Ministry of Justice's recent consultation into driving offences advanced the idea of a new offence of 'causing death by careless driving'. This adds to other recent offences introduced in recent years to fill perceived gaps in the law, including 'causing serious injury by careless driving' (introduced by the Road Safety Act 2006) and 'causing serious injury by dangerous driving' (introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012).

The continual addition of these new offences suggests that there is an acknowledgement by Parliament that the system of road traffic law for dealing with these offences is inadequate. Instead of the present pattern of patch and mend, a wholesale re-evaluation of the workings of existing road traffic law should be undertaken by the Ministry of Justice,

"There is widespread concern that the current framework of offences is not delivering justice in the eyes of the general public"

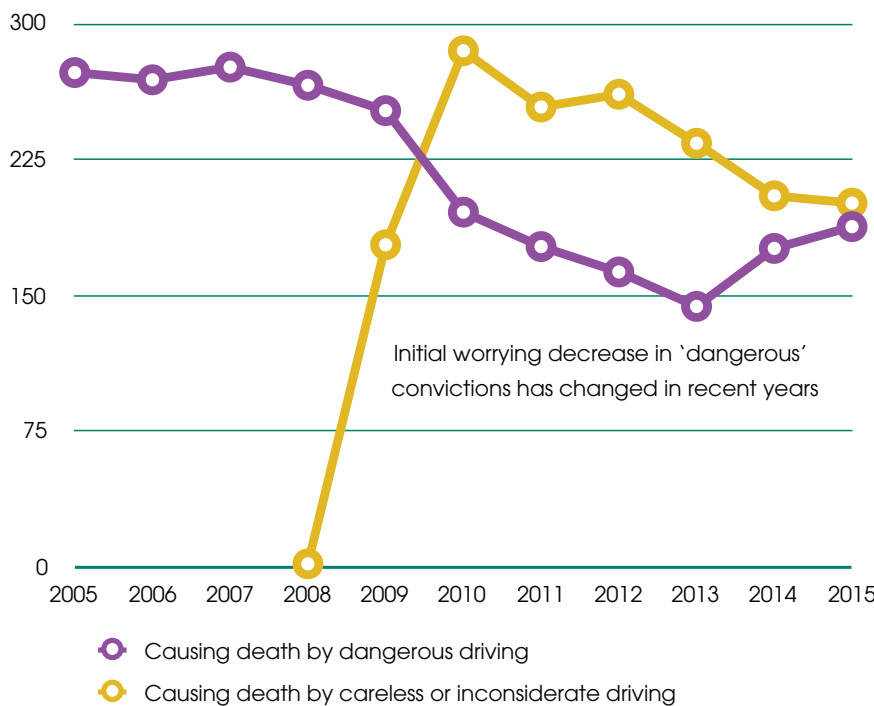


particularly for more common offences, such as careless and dangerous driving, including a substantial review of the definition of those offences to examine whether or not justice is being seen to be met.

Neil Moore of the CPS explained that the proportion of drivers being proceeded against for careless and dangerous driving involving death had stabilised, and increased in recent years and indeed, figure 4 supports this view, however, this only refers to cases involving death. Most injury cases are dealt with entirely by the police. **RoadPeace** and **Cycling UK** drew attention to their concern that given the apparent overlap between definitions of 'careless' and 'dangerous' driving, many cases involving apparently very serious lapses in driver behaviour are being dealt with by the lesser charge of 'careless' driving, leading to weak penalties, such as just a few penalty points, rather than re-testing or disqualification that would be imposed with a dangerous driving conviction.

“Many cases involving apparently very serious lapses in driver behaviour are being dealt with by the lesser charge of ‘careless’ driving”

Figure 4.
Proceedings at magistrates' courts for causing death by careless/dangerous driving - 2005-2015



Source: MoJ, 2015

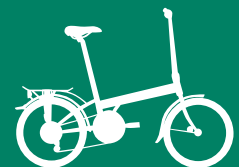


Julie Dinsdale

Julie Dinsdale was hit by a Tesco lorry in October 2015, and lost her leg above the knee. The incident was witnessed by her husband, Keith Bontrager, a leading figure in the world of mountain biking.

Although the police investigation was thorough, the driver was in the end only convicted for careless driving. He was fined just £625 and given five points on his licence in August 2016. Julie wanted a more significant penalty, and was particularly concerned that he was continuing to operate HGVs.

The driver had been working in the UK for four months and just days before the collision, when he started working for Tesco, a driving assessor recommended the driver needed to use his nearside mirrors more when driving. The day of the collision was his first day working alone and it was alleged he was not following the route provided by his employer, and instead was using his phone to navigate.



We heard from **Julie Dinsdale** of an example case in which even where the police investigation has been perfectly adequate, a lesser charge of careless driving was still offered to the driver, leading to a paltry fine and no disqualification for what was a very significant, life-changing injury. In many other cases submitted to us by members of the general public, there was deep concern that very serious incidents were treated merely as 'careless' rather than 'dangerous', on the basis that it was easier to secure a guilty plea and divert the driver to a remedial course.

A solution suggested by **Cycling UK** was that the definition of 'careless' or 'dangerous' driving should be aligned with the driving test 'major faults' of 'serious' and 'dangerous', either of which would constitute an instant fail. Such a definition would give a much clearer objective understanding of what constitutes the difference between careless and dangerous driving.

11. Confusion and overlap between 'careless' and 'dangerous' driving means that often bad driving does not receive the level of punishment that the public feel it should. New offences introduced over the last few years have started to plug some of the gaps in the legislation, but many problems remain, particularly where cyclists are the victims. The Ministry of Justice should examine in more detail how these offences are being used, including the penalties available for offences of careless and dangerous driving.

Many of the statements from the public we heard complained about the opaque nature of decision-making on charging. While the system of Family Liaison Officers appears to be working effectively in serious cases, for minor cases, victims were often left out entirely, and only informed after the case had come to trial, or charges dropped.

Since the APPCG's inquiry in 2013, the right of victims to appeal CPS decisions has come into force, and this is in some cases extended to police decision making. However, the operations of the courts, particularly for more common offences, has left victims dissatisfied. **Jill Libby**, who was very seriously injured in a crash in 2012, told us how she only found out a month afterwards that the trial of the offender had taken place, and even then received only a £300 fine and 6 points: "I feel completely ignored by the legal system and it has let down society, because a bad driver continues to use the road."

12. The police and CPS should ensure that victims and bereaved families are always kept adequately informed throughout the process of deciding charges. While in many cases this is done, we have heard of victims being ignored and only informed at a much later date that cases have been dropped or guilty pleas for lesser offences accepted.

"I feel completely ignored by the legal system and it has let down society, because a bad driver continues to use the road. - Jill Libby."



Driver disqualification

An issue raised by several witnesses was the infrequent use of the penalty of driver disqualification for those who have been found guilty of traffic offences. Currently disqualification is obligatory for a range of serious offences, ranging from those causing death, to dangerous driving and a mandatory 12 month ban for driving whilst under the influence. It can also be imposed as a penalty in summary offences, such as careless driving. However, as **RoadPeace** told us, levels of disqualification for these obligatory offences have been dropping: in 2005 97% of these cases resulted in a ban; by 2015 this had fallen to 93%.

Disqualification is also required for drivers who accumulate more than 11 penalty points within a three year period. However, up to a third of drivers who receive 12 points - or sometimes even more - escape any form of disqualification by pleading 'exceptional hardship' in court (Mustafa, 2011). Currently 8,594 drivers retain their licences despite having 12 or more points, though in not all of these cases have these individuals successfully pleaded for 'exceptional hardship' in the magistrates' court, and there are other reasons why drivers may still be legally driving despite having accumulated points (DVLA, 2016).

The recent doubling of the penalty for mobile phone use while driving from 3 to 6 points will - if enforced - lead to many more drivers reaching the 12 point limit, yet the effect of this will be limited if drivers continue to retain their licences. **RoadPeace** also pointed out that the total number of endorsements for mobile phone use has halved in the last 5 years, while only 33 out of 15,000 drivers taken to court were banned outright for using their mobile phone.

'Exceptional hardship' was raised with us by many of the witnesses as a topic where it was felt that the justice system was failing to protect cyclists and other road users. The driving demerit system operates by giving offenders chances to redeem their behaviour before the sanction of disqualification is imposed. By offering yet another chance the system risks losing its effectiveness in modifying behaviour - the example of the French system provides a salutary lesson, **see below**.

In written evidence to us **Nick Moss** explained that in his experience as a solicitor he "found it very easy to persuade a Court not to ban somebody because they had collected 12 points. You were almost pushing at an open door. There seems to be lack of appreciation within the judiciary that points are collected because of a repeated failure to understand or be willing to comply with basic rules of the road."

Martin Porter QC - who also has professional experience in dealing with the outcomes of road crashes - suggested that "a whole industry has arisen of lawyers specialising in permitting motorists who would otherwise face a mandatory period of disqualification to retain their driver's licences... These loopholes should be closed. Every driver should think through

***"A whole industry has arisen of lawyers specialising in permitting motorists who would otherwise face a mandatory period of disqualification to retain their driver's licences.
- Martin Porter QC"***



Lee Martin - the failures of 'exceptional hardship'

The case of Lee Martin was brought to our attention by several witnesses as one which epitomises the problems associated with the 'exceptional hardship' process, though which drivers who have accumulated 12 points or more can retain their licence by arguing that disqualification would impose exceptional hardship on their family.

Lee was killed in broad daylight while taking part in an organised cycling event on the A31 in Hampshire. The driver who hit him, Christopher Gard, was found to have been using his phone to send text messages moments before the crash, and had at least six previous convictions for using his mobile phone while driving.

Gard pleaded guilty to causing death by dangerous driving, was sentenced to nine years custody and banned from driving for fourteen and a half years. However, six weeks before the crash, Gard had successfully argued before the magistrates' court that he retain his licence.



the consequences both to other and to themselves of breaking the law before committing the crime.”

Amy Aeron-Thomas from **RoadPeace** revealed that disqualifications have fallen from 155,484 in 2005 to 58,715 in 2015 - a 62% fall, while guilty verdicts have declined by only 31% over that time. This means that overall the proportion of offenders banned after being found guilty of a driving offence has declined from 19% in 2005 to just 11% in 2015. Tens of thousands of drivers - convicted of driving offences - are still on the roads today, whereas in the past they would have been banned.

The Crown Prosecution Service guidance recommends that licence suspension is imposed as a bail condition on drivers charged with serious driving offences, however, it appears from anecdotal evidence that this is very seldom imposed. While this should remain at the discretion of the court, the threat of an immediate suspension would help improve understanding that driving is not a right and it can be instantly revoked.

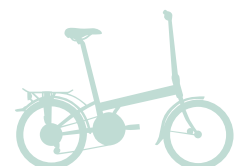
Duncan Dollimore from **Cycling UK** pointed out that the consultation into driving offences conducted by the Ministry of Justice in December 2016 dealt only with extending the minimum disqualification period for offences involving a death on the road, not with the length or number of disqualifications for other offences, such as dangerous or careless driving.

As demonstrated above, more frequent retesting of offending drivers would be of benefit, in particular in helping to refresh understanding of road traffic law and updated good driving practice. Presently, levels of retesting are very low - of 58,715 offenders disqualified in 2015, just 3,983 (7%) must retake their test before getting their licence back (MoJ, 2015). Even in some cases involving the death of another road users, 19 offenders in 2015 convicted of causing death by driving escaped with just endorsement, rather than disqualification.

We were disappointed not to be able to question the Ministry of Justice about these problems, as they declined to send a witness to give oral evidence. We were continuing to wait for written answers to our questions by the time this report was published.

13. The number and lengths of driving bans appears to have declined, with a 62% fall in driver disqualifications over the last ten years, double the fall in convictions for driving offences. Furthermore, very large numbers of drivers are escaping disqualification upon reaching 12 points or more. The Ministry of Justice should examine the reasons behind the decline in the use of the penalty of disqualification, and in particular the effect of the ‘exceptional hardship’ scheme.

“Tens of thousands of drivers - convicted of driving offences - are still on the roads today, whereas in the past they would have been banned.”



Lessons from France: how escaping penalty points is linked to worse driving

The history of the demerit system in France serves a useful lesson of the dangers of allowing people to escape disqualification. Until the mid-2000s, penalty points were periodically expunged by general amnesty after each presidential election, while individuals could furthermore have penalties annulled through personal connections to police officers or elected representatives. These personal connections were extremely common and associated with higher risk taking behaviours. One study of almost 15,000 people found that 29% men and a 19% of women had points annulled. Those with negative views of traffic rules were more likely than those without to have had points annulled, as were those who admitted to risky or illegal behaviour, such as drink-driving, speeding, and that those people were more likely to have a serious road traffic collision (Lagarde et al, 2004).

Escaping disqualification through exceptional hardship, or avoiding acquiring penalty points through attending a diversionary course are very different to the French system, yet there may be a similar consequence in practice: worse drivers, some of whom are ill-suited to the task of driving safely, are continuing to have access to the road.



Compensating for injury or death

For cyclists who have been injured, receiving adequate compensation for their injuries or for damage to their bicycles would often be sufficient. In many cases, moreover, obtaining compensation is the only route to justice left open to injured parties. Indeed, few injuries ever reach the criminal courts. **Paul Kitson** of **Slater and Gordon** told us that *“it is fairly unusual that there has been any criminal conviction prior to the civil case. I’ve dealt with several cases where the motorist has driven into the back of cyclists and killed them but there has been no conviction - in one because the driver claimed not to see the victim, in another a driver was acquitted by the jury.”*

We heard from lawyers representing injured cyclists that the deficiencies with police investigation - and the costs of obtaining police investigation files - often impeded cases, while in other cases, disputes over liability and damages meant that insurers were sometimes slow to compensate. **Julie Dinsdale** had to wait 14 months before interim payments began, which affected her rehabilitation from her crash.

Another concern that arose was the injustice represented by the bereavement damages awarded in cases in England. These are set at a very modest £11,800, and are only available to spouses or the parents of a child under the age of eighteen. **Paul Kitson** compared this to the much more substantive bereavement payments that existed in Scotland, and in other European countries, where all family members receive compensation of much more substantial amounts. Bigger settlements can help families recover from the trauma and financial difficulties associated with a loss.

Lawyers and organisations representing cyclists were both alarmed by the proposals of the Ministry of Justice to raise the limit for small claims cases where general damages (ie, excluding lost earnings or damage to equipment) exceed £1000, to £5000. Meanwhile other types of injury, such as those experienced at work, will be subject to a lower limit of £2000. This increase would have the effect of excluding around 85% of cyclists’ injuries from accessing the support of lawyers, and - thus - making them very unlikely to be able to secure adequate compensation for their injuries. This move is justified by the Ministry on the basis that the type of soft tissue injury associated with these cases has increased (a charge disputed by the lawyers), has attracted fraudulent claimants, and has contributed to the rising cost of insurance.

None of these arguments, our witnesses suggested, justified extending the restriction to cyclists or pedestrians, whose cases tend to be more complex and mostly involve more serious injuries. Whereas whiplash injuries to car occupants are usually very straightforward cases to legally establish liability, pedestrian and cyclists’ cases are more likely to be contested, and thus require the support of a lawyer.

This represents a retrograde step that will further serve to give the im-

“This represents a retrograde step that will further serve to give the impression to vulnerable road users that they are treated as second-class citizens by the justice system”



pression to vulnerable road users that they are treated as second-class citizens by the justice system. As discussed above, through changes to both legislation and the Highway Code, the system of civil justice should be changed to provide priority to pedestrians and cyclists, and ensure that greater responsibility lies with those who have the greater capacity to cause harm, rather than raising the barriers to obtaining justice.

14. The Soft Tissue Injury Reforms - the 'whiplash reforms' - should not include injuries to cyclists or pedestrians, whose cases should be subject to the small claims limit of £2000, rather than £5000. These cases are more complex, more often contested, and are therefore much more likely to require the assistance of legal representatives which would be impossible to obtain under the small claims limit.



Appendix A - Summary of written evidence

The inquiry was publicised through cycling media, cycling organisations and social media, running from the end of December 2016 to mid January 2017.

In total responses were received from:

- 12 organisations
- 198 individuals

Victims of crashes

- 110 reported one or more crashes
- Of these there were 46 serious injuries or fatalities (42%)
- 75 (68%) had problems with police response, either recording the crash, investigation, charging or liaison
- 22 (20%) had specific concerns about the weakness of the charge brought (note - many cases were not charged)
- Only 2 cases reported were pleased with the outcome of their cases (both minor crashes)

General comments

- Of the 87 who gave general comments:
 - 49 (56%) raised issues of aggressive driving “punishment passes” or dangerously close overtaking as a priority for police enforcement.
 - 26 (28%) were concerned about poor police investigation and weak charges.
 - 20 (23%) were concerned about “exceptional hardship” and the lack of driving bans for bad drivers.
 - 15 (17%) raised the issue of presumed liability.
 - 12 (14%) wanted to see changes to the Highway Code to better protect cyclists.
- Another 30 raised other issues, including different ideas about how to improve the legal system, or the role of cycle helmets.



Appendix B - Written and oral evidence

Many thanks to all those who contributed their time to provide written and oral evidence to the inquiry.

Jeremy Abram
 Stephen Alexander
 Michael Allan
 David Austin
 Nat Belmont
 Keith Bontrager
 Les Boobis
 Stephen Boyd
 Robert Burns
 Kate Cairns
 Nick Chapman
 Simon Christie
 Kathie Clark
 Richard Clifford
 John Clinton
 Damon Cocker
 Michael Cookson
 John Cossham
 Paul Cotton
 Joe Crofts
 Ian Curran
 Frances Darling
 Jack Davey
 Thomas Davies
 Hugh Davis
 Jeff Dawson
 Martin Dawson
 Ralph de Kanter
 Margaret Doherty
 John Douglass
 Toby Draper
 Graham Dunlop
 Alexander Dutton
 Gabriel Enahoro
 Colin Fawcett
 Russell Forster
 Jeff Glaister
 Tony Green
 Andy Groat

Dave Guy
 Rob Guy
 Graham Halford
 Jason Hall
 Matt Hallett
 May Hamilton
 Stuart Hawkins
 Robert Hick
 Russell Hicks
 Sara Hinch
 Matthew Hoffbrand
 Mike Horseman
 Alison Howell
 Sam Humphrey
 Paul Hyman
 John Jaggard
 Samir Jeraj
 Tim Jessup
 Edward Jones
 Simon Jones
 Richard Jordan
 Carrie Kembleton
 David Kitchen
 Alison Lawrence
 Ted Lawson
 James Leverton
 Jill Libby
 Rui Liu
 Paul Luton
 Will Lyon
 Carole Marshall
 Trevor Mcsparron
 Simon Meadwell
 Paul Midgley
 Mark Mihaljovic
 Glenn Millen
 Alistair Moreland
 Adam Morgan
 Kathryn Morris

Kenneth Munro
 Paul Nixon
 Matthew Polaine
 Colin Purdy
 Adrian Quester
 Zoë Qureshi
 Tony Read
 Andrew Reeves-Hall
 Toby Richards
 Andy Rushton
 Liza S
 Maryka Sennema
 Yair Shahar
 Pip Sheard
 Matt Sparkes
 Dan Stewart
 Thomas Stewart
 William Stewart
 Colin Stratton
 Andrew Sykes
 Anna Tatton-Brown
 David Tidhar
 Helen Toomey
 Catherine Utley
 Angela Walker
 Jennifer Wallace
 William Weinstein
 Phil Wigglesworth
 Neil Wilson
 Rebecca Witcombe
 Daniel Wrightson
 Calum Wylie



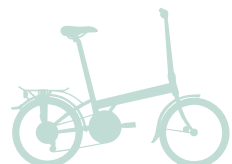
Written evidence - organisations

Bristol Road Justice Group
British Cycling
Cycle Legal
Cycling Embassy of Great Britain
Cycling UK
Chesterfield Cycling Campaign
Leigh Day
Road Danger Reduction Forum
Road Share
Slater and Gordon
Thompsons Solicitors
Transport for London

Organisations contacted

Several governmental and non-governmental organisations were contacted with questions or offers to give evidence. These included:

Association of Police and Crime Commissioners
Criminal Bar Association
Department for Transport
Driver and Vehicle Standards Agency
Magistrates' Association
Ministry of Justice
National Police Chiefs' Council



31st January 2017 - Evidence session 1. Road user and victims organisations

Amy Aeron-Thomas - RoadPeace
Duncan Dollimore - Cycling UK
Martin Porter QC
Keith Bontrager
Julie Dinsdale
Cynthia Barlow

7th February 2017 - Evidence session 2. Victims of road crashes

Carrie Kembleton
Stuart Pratt
Jatinder Sangha
Jilly Libby
Richard Clifford
Barry Winter
Kate Cairns

21st February 2017 - Evidence session 3. Police enforcement and investigation

PC Steven Hudson - West Midlands Police
PC Mark Hodson - West Midlands Police
DCS Paul Rickett - Metropolitan Police

28th February 2017 - Evidence session 4. Driver awareness and civil justice

Martin Key - British Cycling
Siwan Hayward - Transport for London
Paul Kitson - Slater and Gordon
Sally Moore - Leigh Day
Matthew Maxwell Scott - Access to Justice/Slater and Gordon

28th March 2017 - Evidence session 5. Criminal law

Neil Moore - Crown Prosecution Service



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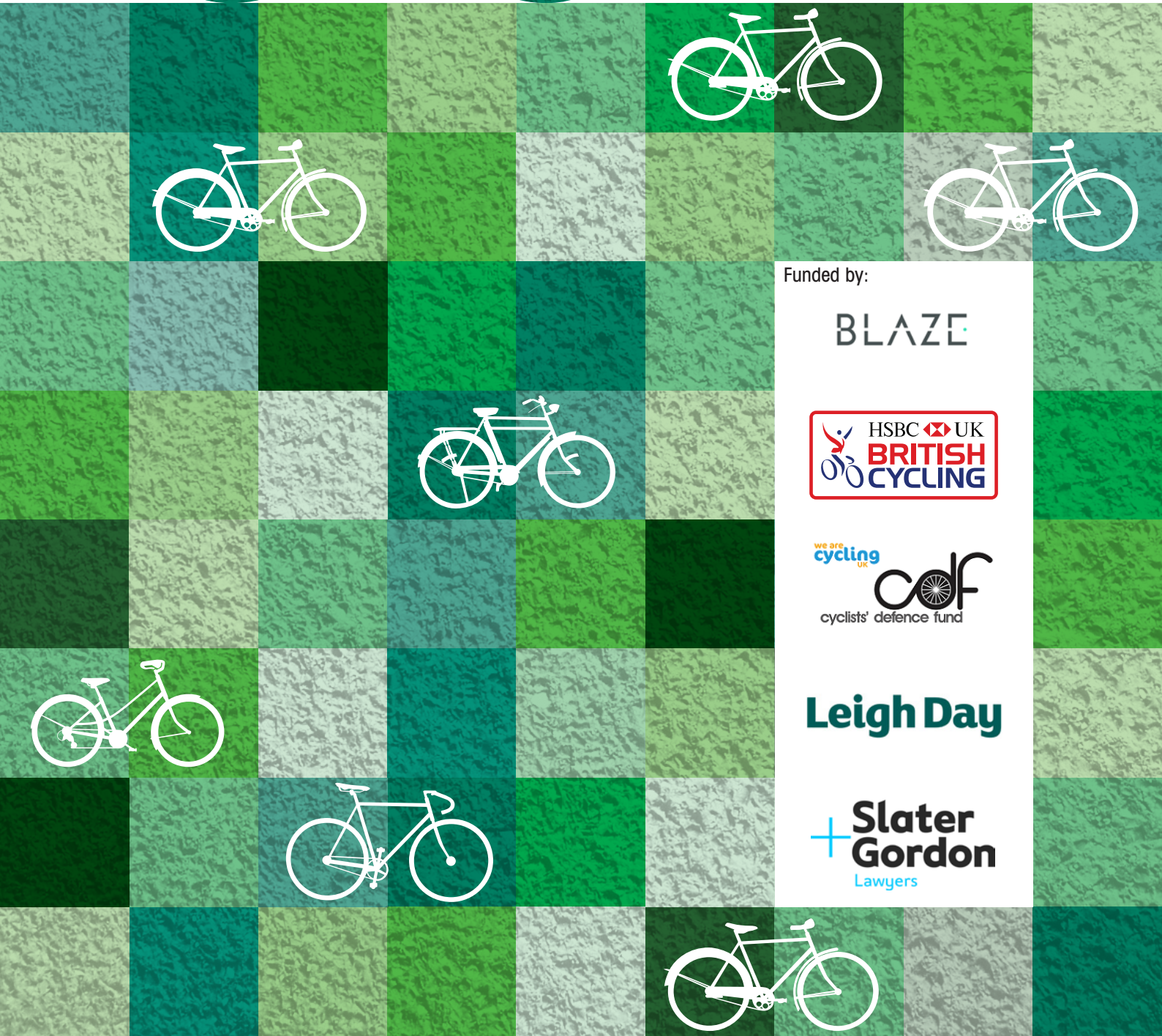
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Leigh Day

