



# Stopping Bad Driving: Outlining our campaigning strategy

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# Campaign priorities 2008-11

- Road Safety – esp 20mph and tackling bad driving
- Online map-based tools to improve local conditions (e.g. “Fillthathole II” will address cycle parking)
- Stronger local campaigning:
  - Nationally coordinated local campaigns (e.g. 20mph speed limits, make one-way streets 2-way for cycling, Local Transport Strategies)
  - Locally-based campaigns of national importance (e.g. where cycling is excluded from road schemes / ped areas / bus lanes, or banned by schools / workplaces)
  - To discuss at next conference?

# Tackling Bad Driving

## The problem: 1



- Traffic laws, enforcement and sentencing fail to underline the unacceptability of bad driving
- Lack of incentive to drive with respect for others' safety
- Cyclists and pedestrians (including children and older people) worst affected - health, environment, independent mobility all suffer
- Yet stereotypes remain: “persecuted motorist” and “two-wheeled terrorist”
- No political or public support for “strict liability”

# The Problem (2)

## Road Safety Act 2006

- Government thinks the problem is now fixed: “Causing Death by Careless Driving”
- No appetite for new legislation
- Yet inconsistencies remain: long sentences for killing, short sentences for maiming, under-use of driving bans

# Inconsistent sentencing

	<b>Fatal outcome</b>	<b>Non-fatal outcome</b>
<b>Dangerous</b>	<p><i>“Causing death by dangerous driving”</i></p> <p><b>Max 14 years</b></p>	<p><i>“Dangerous driving”</i></p> <p><b>Max 2 years</b></p>
<b>Careless</b>	<p><i>“Causing death by careless driving”</i></p> <p><b>Max 5 years</b></p> <p><i>(“...under the influence...”</i></p> <p><b>Max 14 years)</b></p>	<p><i>“Careless driving”</i></p> <p><b>Max fine Level 5</b> (currently £5000).</p>

# Aims of our strategy

- Changing attitudes: make bad driving socially unacceptable
- Raise public awareness of need for tougher and better-enforced traffic laws
- Overturn stereotypes: cyclists as victims not perpetrators of irresponsible road use
- Changes in policing, prosecution, courts and ultimately the law itself

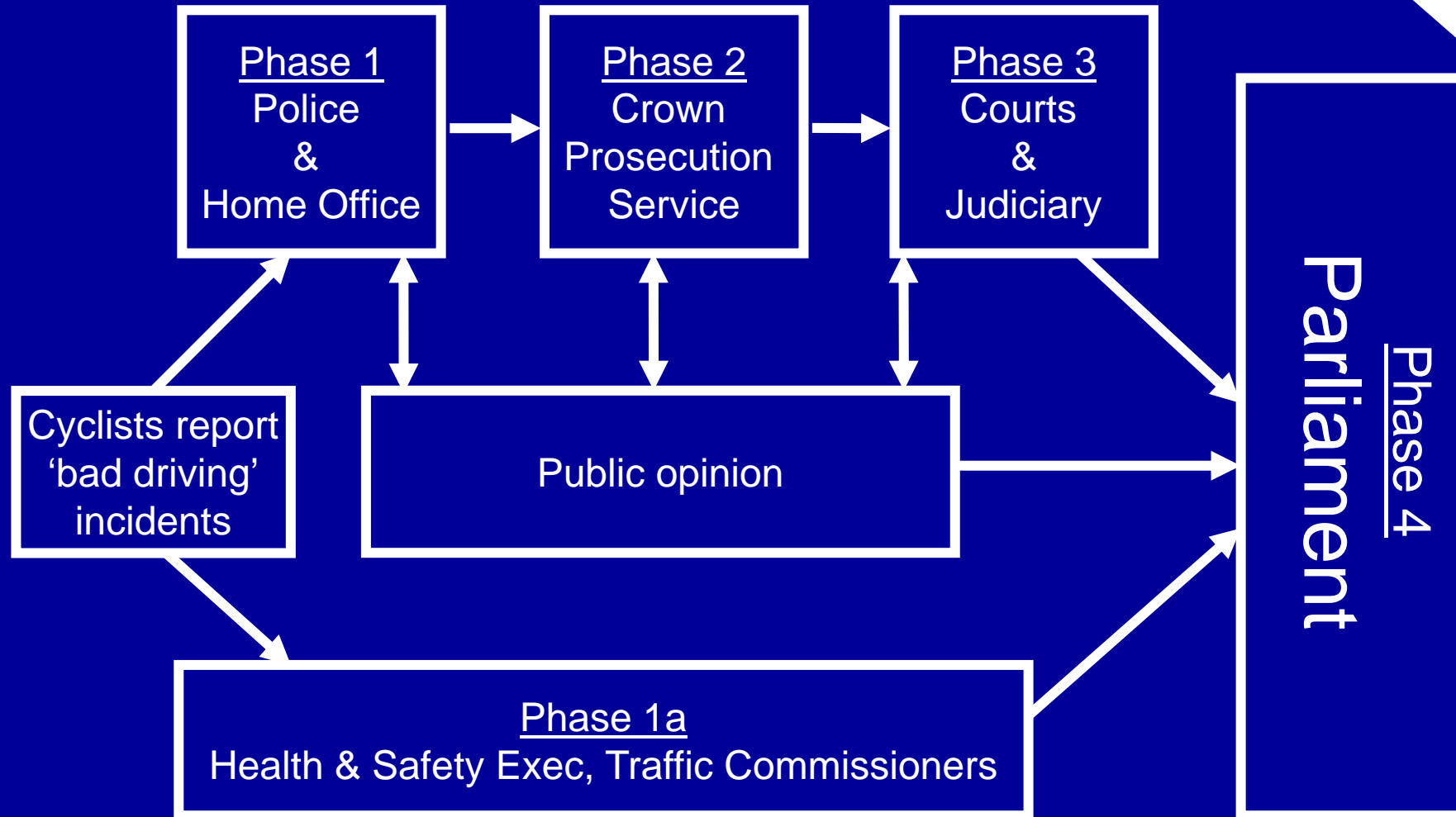
(“Strict liability” is a long way off, but we can get there!)



# Elements of the Strategy

- Cyclists inform CTC of 'bad driving' experiences via website
- Cyclists receive feedback on how to report incidents: Police, HSE, Traffic Commissioners etc
- Provides material to highlight the problem e.g. via high-profile legal challenges...
- ... and data to highlight the scale of the problem
- Phased strategy: 1) Policing & enforcement  
2) Prosecution 3) Courts 4) Parliament

# Phases of the Strategy



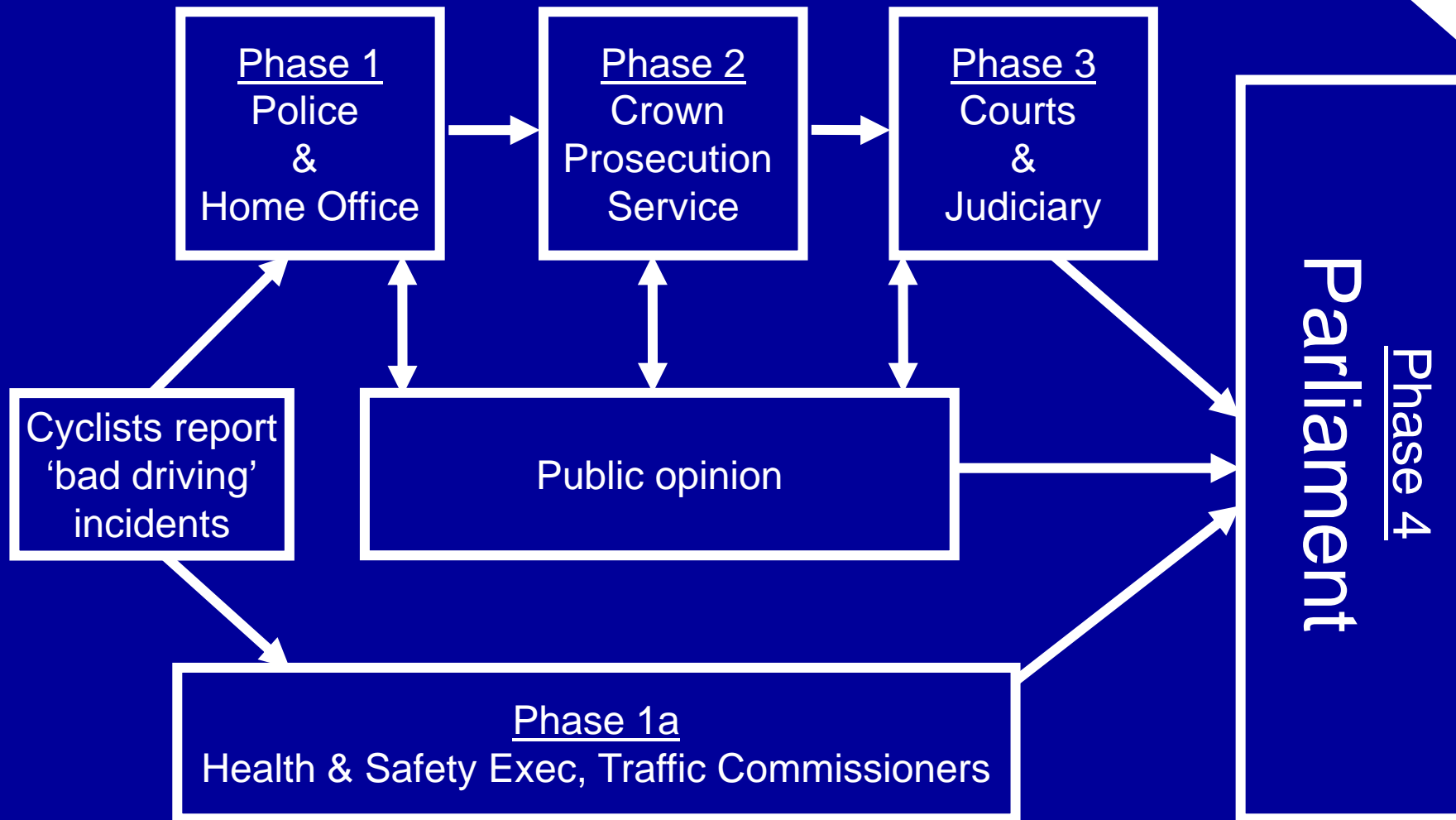
# Phase 1



## Police and Home Office



# Phase 1: Police & Home Office



# Phase 1 Objectives

- Tackling under-reporting
- Providing better data for road safety professionals
- Support ACPO's roads policing objectives: "denying criminals the use of the roads"
- Call for more resources for traffic policing
  - More and better trained staff (i.e. more time, more skills)
  - Better investigations

# Evidence for value of roads policing



- **France:** massive road safety improvements after prioritising road policing since 2002 – 45% of drivers say they have changed behaviour
- **Victoria, Australia:** 16% fewer fatalities through zero-tolerance speed enforcement
- **N Wales:** zero-tolerance policing reduced KSIs by 278 p.a. from late 1990s to 2005
- **Graz, Austria:** Success of 30kmh limits waned after enforcement dropped, but revived when re-instated
- **Britain:** clear link between drink-drive enforcement and offences 1998-2002

# Phase 1: Policing Issues to address

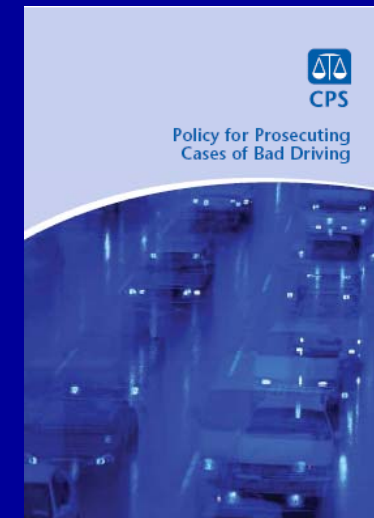


- Failure of police to attend the scene
- Refusal to take statements
- Failure to gather evidence from other witnesses
- Serious injuries being investigated far less thoroughly than deaths
- Failure to investigate / charge drivers who “hit and run”

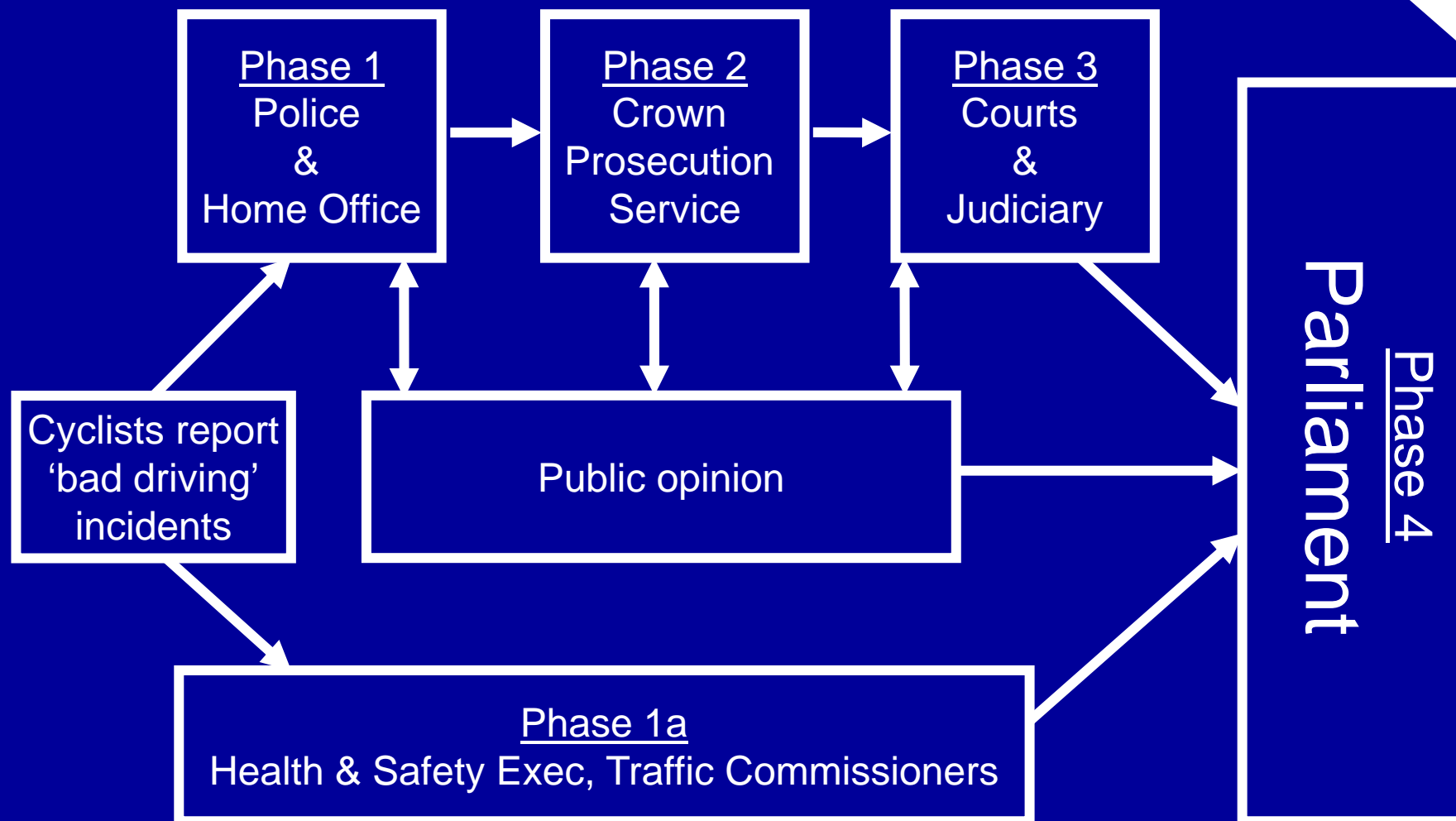
# Phase 2



# Crown Prosecution Service



# Phase 2: Prosecution



# Phase 2 objectives

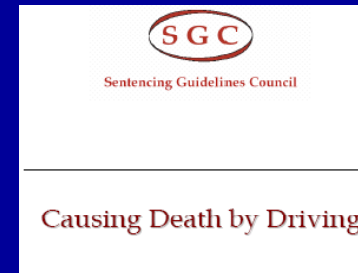
Using media and possible legal challenges:

- Greater willingness to prosecute
- Stop under-charging – if the driving was obviously dangerous, prosecute for a “dangerous” driving offence
- Use of assault or manslaughter where appropriate

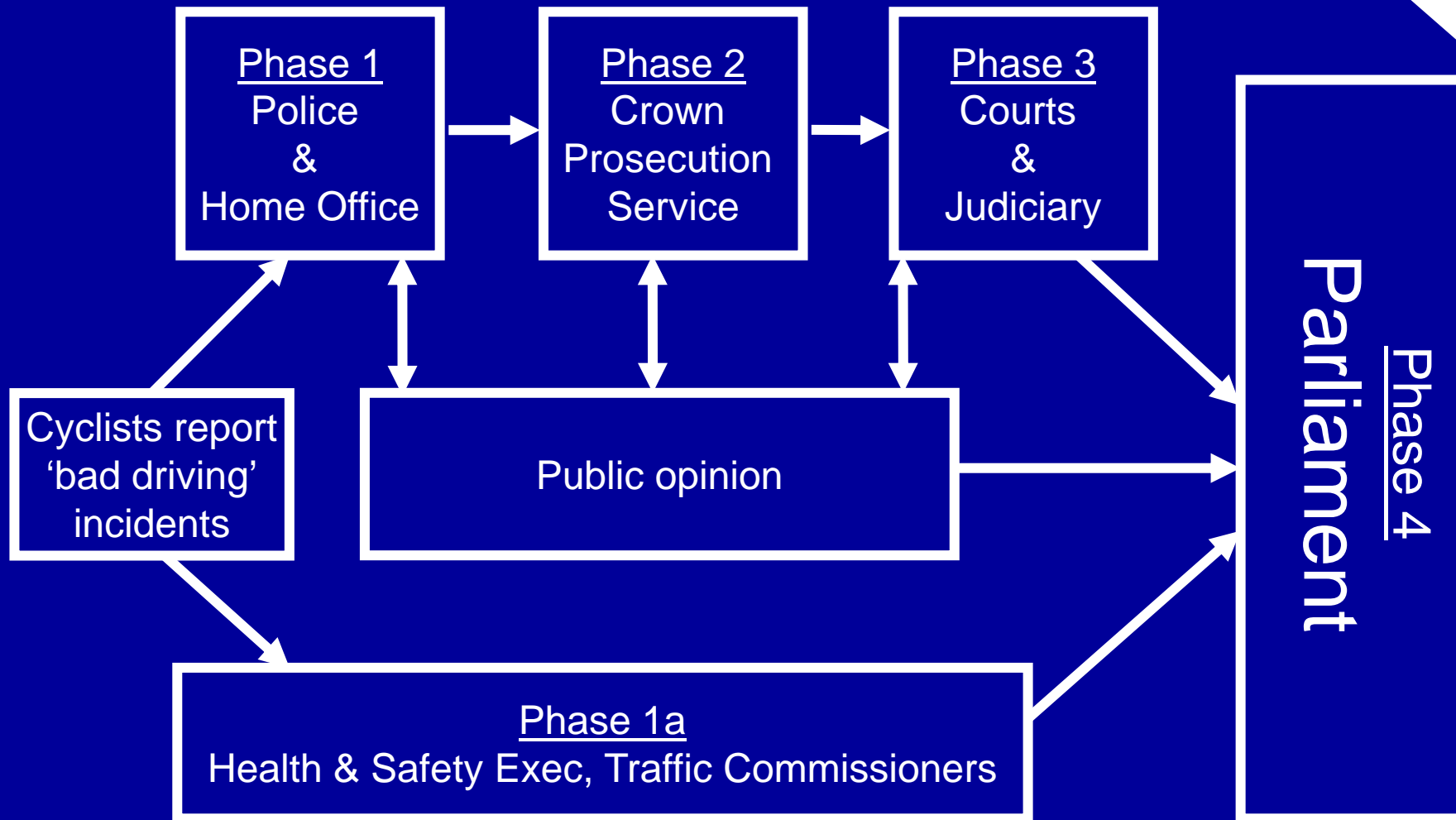
# Phase 3



## The Courts and Judiciary



# Phase 3: Courts



# Phase 3 Objectives

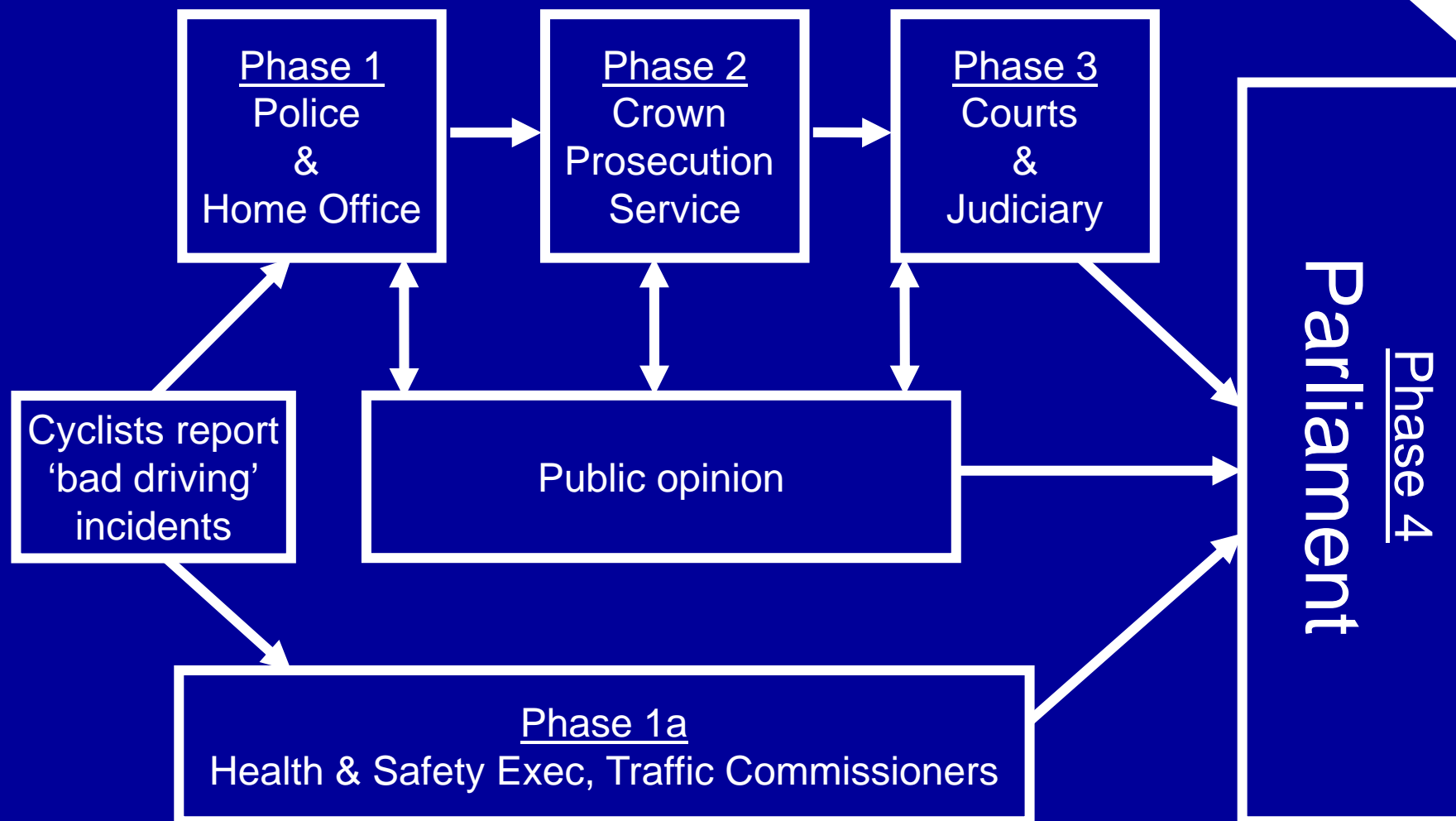
- Higher court hearings for serious and fatal cases
- Sound judicial guidance to jurors on 'careless' and 'dangerous' driving
- Sentencing to reflect mainly the seriousness of the offence, rather than the outcome
- Shift towards driving bans rather than long custodial sentences
- End leniency towards drivers who plead hardship
- End judicial prejudice about cyclists' behaviour

# Phase 4

# Parliament



# Phase 4: The law



# Phase 4: Parliament

Review case for changes in the law – e.g. cases of injustice due to lack of evidence

Options include:

- Abolish the careless / dangerous distinction
- Overhaul sentencing framework
- Continental-style laws on entitlement to compensation: “strict liability”

# Before we launch...



- Dialogue with key players and potential partners: police, motoring groups, ped and road safety groups etc
- Online reporting software: develop and test
- We still need a great name: ideas welcome!



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