Justice and Post-Crash Response concept note

Key points
- The Post Crash Response pillar in the global road safety plan covers both medical care and justice.
- To date, the focus has been on medical care with little priority given to the Post Crash Response pillar’s justice related activities.
- The role of the justice system in helping deliver safer roads has been overlooked, partly due to the view that crashes were unintentional and did not involve criminal culpability.
- Five possible topics are proposed for justice and the post crash response fringe event at the Second Global High Level Conference on Road Safety in Brazil in November 2015; including
  - Support and rights for road crash victims
  - Self financing criminal prosecution
  - The role of the insurance industry in protecting those walking and cycling
  - Collision investigation for prosecution and prevention
  - Road traffic law: correct criminal charges?
- All involve data being collected via surveys of members of the Global Alliance of NGOs for Road Safety.
- All are believed needed and should be addressed during the second half of road safety’s decade of action.

1. Introduction

The Post-Crash Response is the fifth pillar of the UN’s Decade of Action Road Safety Plan (DOA RSP). The other four pillars are road safety management, safer roads and mobility, safer vehicles, and safer road users.

The DOA RSP was launched in May 2011, with Pillar 5: Post-Crash Response having seven activities, which are summarized as:
1. Develop prehospital care systems.
2. Develop hospital trauma care systems and evaluated the quality of care.
3. Provide early rehabilitation and support to injured patients and those bereaved by road traffic crashes, to minimize both physical and psychological trauma.
4. Encourage the establishment of appropriate road user insurance schemes.
5. Encourage a thorough investigation into the crash and the application of an effective legal response.
6. Provide encouragement and incentives for employers to hire and retain people with disabilities.
7. Encourage research and development into improving post-crash response.
See Appendix 1 for the Post-Crash Response Pillar work plan.
To date, implementation of this pillar at the international level has focused primarily on the first two activities, with medical care WHO’s core work. It was at FEVR’s initiative that the post crash –care pillar was extended and renamed Post crash response with Activity 5 and its focus on collision investigation and justice included.

The recent report by FUNDACION MAPFRE on “Response after traffic accidents in Ibero-American countries was much welcomed. Covering 11 countries in Latin America and Spain and Portugal, its’ 36 question survey covered the six areas of:

- Emergency and post-accident chain of assistance
- Data collection
- Assistance to victims and relatives
- Compensation and financial coverage of insurance policies
- Legal
- Institutional framework and reinforcement

The report’s regional proposals are presented in Appendix 2. Whilst many of the proposals relate to trauma care, three key justice related proposals include:

- Guide for victims and units (centres) of assistance
- Specialist road traffic crime prosecutors
- Victims’ Law

These are longstanding calls of RoadPeace and the European Federation of Road Traffic Victim Associations (FEVR) and seen as key to improving the post-crash response by the justice system. FUNDACION MAPFRE’s report also highlighted how the current Pillar 5 Post-Crash Response indicators were all trauma related.

The justice system featured more prominently in the NGO Brussels Declaration, which was launched in May 2009. See Appendix 3 for the Post Crash Response section which contained recommendations on

- Collision investigations and importance to prevention
- Civil compensation for vulnerable road users (Strict/Presumed liability)
- Proportionate and deterrent legal response (criminal prosecution)
- National reviews which surveyed collision investigation capability, criminal prosecutions and standard of services for crash victims.

As requested by the Global Alliance of Road Safety NGOs, this concept note focuses on the justice related activities in Pillar 5. See Appendix 4 for a summary of how justice has been incorporated into London’s road safety plans, after campaigning by RoadPeace.

Whilst Britain is well known internationally for having one of the lowest road death rates in the world, internally, there is widespread recognition that the justice system does not protect road crash victims or vulnerable road users. Nor is Britain unique. These are common problems amongst FEVR member countries. In 2012, FEVR undertook a survey of victims’ rights in its member countries (FEVR’s Victims’ Right to Information: A FEVR Survey, 201). And for the Second Global Road Safety Week in 2013, FEVR published the findings of its survey on strict/presumed liability (Strict liability: A FEVR survey, 2013).

This concept note builds on the justice related calls made at the recent meeting of the Global Alliance for Road Safety NGOs. These included:
• Road deaths to be professionally investigated (as homicide), with the bereaved treated as victims of crime, until the contrary is proven. This principle should be extended to the seriously injured with victims receiving full information.

• End the complacency within the justice system towards driving offences. Road crime should be treated like other crimes.

2. Need for the post-crash response

Though road safety is a multi-disciplinary problem, it has suffered from a silo approach with the transport sector focusing on prevention. Little thought was given to the wider effects of traffic or the need for prosecution or mitigation efforts. As road collisions were traditionally viewed as “accidents”, the role of criminal culpability and thus the justice system was marginalised.

There has been an increasing alignment between road traffic injury prevention and public health with the promotion of active travel (walking and cycling). But this has yet to extend to the justice system. Instead it has highlighted the gap with how other vulnerable victims are prioritized, but not vulnerable road user victims. The justice system remains neglected in road safety programmes.

And the justice system has contributed to this situation. Most crime involves intent which makes it easier for society to condemn and the justice system to prosecute. Not road crashes. Intent is rarely involved but this is not the same as lack of culpability. Road deaths can range from the involuntary deaths of drink drivers or pedestrians crossing at the wrong time to those deaths caused by momentary and minor mistakes of others up to criminal culpability high enough to justify a murder charge. This will be the case in all countries.

The safer system approach, promoted by the World Bank and WHO, is based on shared responsibilities. The responsibility of the road user is to comply with road traffic regulations. Thus the justice system should have a key role in ensuring safer roads, with the key areas of:

• Collision investigation and reporting
• Criminal prosecution
• Civil compensation
• Support services and victims’ rights

2.1 Collision investigation and reporting

A thorough investigation is essential for determining (any) criminal liability so that offenders can be prosecuted, ensuring fair compensation, and enabling injury programmes to be based on accurate understanding of collision circumstances. Both (criminal and civil) justice and prevention depends on thorough investigations, but national standards and training programmes for collision investigators are rare. Investigations do not always check such key risk factors as speeding, impairment including through drink/drugs or mobile phones. Thus offenders are able to escape detection and prosecution and victims denied compensation and justice.

Road safety projects do regularly try to improve collision reporting. But this has not included linking collision and conviction data. Thus it is rarely possible to know how many drivers were held responsible for causing the death or injury of children, cyclists, etc.
2.2 Criminal prosecution and sentencing

A key issue is getting the balance right between consequences and culpability. A minor error can have the worst consequences whilst the worst driving can be casualty free. And police and courts are often reluctant to prosecute drivers at court for minor or commonplace offences such as speeding. Thus countries may rely on “On The Spot” fines but these carry the risk of corruption.

Whilst sentencing discussions and debates often focus on custodial sentences, in reality prison is rarely used and alternative sentences are needed, with greater use of fines, driving bans, vehicle confiscation and remedial training programmes.

Another key issue is how the justice system treats road traffic crime. Is drink driving treated as seriously as drunken assault? Most likely not. In Britain, a drunk punching a pedestrian will be convicted of assault and the injured pedestrian treated as a victim of crime. But if a drunk drives into a pedestrian, this does not qualify as “notifiable” crime, there is no mention of the injury in the drink driving charge. And the injured pedestrian will not be offered any support as they do not qualify as a victim of crime. This discrimination exists in other European countries and is believed to be the situation in most countries. RoadPeace and FEVR have long campaigned against the discrimination of road traffic crime and its victims by the justice system.

2.3 Civil compensation

The importance of financial compensation cannot be overemphasised. After a crash, the bereaved and injured are often unable to earn income whilst also incurring extra costs, including medical expenses. To many victims, civil compensation will understandably be more important than criminal prosecution.

Pillar 5’s compensation related actions address cross border issues and compensation for victims of uninsured or unidentified (hit and run) vehicles. It does not (yet) focus on Presumed liability, despite its importance with protecting and promoting walking and cycling, especially children.

DFID has previously funded research into the role of the insurance industry in contributing to road traffic injury prevention as well as compensating crash casualties. (Aeron-Thomas, 2002)

2.4 Support and rights for crash victims

The bereaved and injured need assistance and information to help them cope with the crash. These needs were acknowledged in the UNDOA RSAP. But support services for victims of crime do not always extend to road crash victims. This was highlighted in the 2012 report by FEVR on the right to information of bereaved families after a fatal crash. This was also shown in the FUNDACION MAPFRE report which showed how, in the region, support services were more readily available for other victims of crime than road traffic crime victims.

FUNDACION MAPFRE recommends a Victims Law. Depending on the definition of victim of crime, Victims Laws can include or exclude victims of road traffic crime. A Victims Law in under development in Britain but it will not apply to the vast majority of those injured by law breaking drivers, due to the current government’s definition of crime.

In November, the EU Victims’ Directive is to come into force and this should help end the discrimination against road crash victims. Its definition of victim includes all those injured by criminal offences and includes the rights:

- To understand and to be understood
- Receive information from the first contact with a competent authority
• Making a complaint
• Receive information about their case
• To interpretation and support
• To access victim support services
• To be heard
• To review in the event of a decision not to prosecute

This EU Victims Directive was the focus at a conference held last November in Dublin which was co-organised by the Irish Road Victims Association (IRVA).

3. Goal/objective of side meeting

This is a key chance to ensure that the justice related activities are revised and prioritized in the second half of the Decade. At a minimum, it should result in an acknowledgement of the importance of justice system in safer systems approach and the need to tackle the complacency of the justice system towards road traffic crime. This would include highlighting how it differs in its treatment of road traffic crime and its victims and how to end this discrimination.

3.1 Support: Who to attend

Aim should be to bring together and connect the existing converts rather than try and convert other high level and over worked officials in such a short time. If possible, timing of side meeting should avoid any conflict with other side meetings which might be relevant for ministers of justice or health or police representatives. The most senior police who appreciate that policing’s key role of protecting life includes those of road users should be invited.

There is a risk that this event and effort will focus on traffic law enforcement and driver compliance and not on how to ensure
• fatal and serious injury collisions are investigated thoroughly
• law breaking detected and offenders are prosecuted and punished appropriately, with
• bereaved and seriously injured have their suffering mitigated, rather than aggravated.

For the suggested hour long side event on the Post-Crash Response, possible themes include:
1. Support and rights for road crash victims (justice and health representatives)
2. Self financing criminal prosecution (justice and transport representatives)
3. How the civil compensation system can protect vulnerable road users (justice and health representatives)
4. Collision investigation for prosecution and prevention (justice and transport representatives)
5. Road traffic law (justice and transport representatives)

These have been listed in order of suggested priority.

Option 1: Support and rights of road crash victims
A review of the support available and rights of road crash victims by region could be presented. Using the FUNDACION MAPFRE survey as a base, the survey could be revised and completed by member organisations
of the Global Alliance for Road Safety NGOs. This should help ensure national road safety reviews include the treatment of road crash victims.

A key focus would be how the support and rights of road traffic crime victims compares with that available for victims of other crime in the same country. This would avoid any claims that improvements were not possible or affordable in the country.

Given the recent review of Latin America countries and the global meeting being held in Brazil, this would be a logical choice for the side event, but data should be collected on other regions in the next six months.

A survey of other countries by region could collect information on
- Support: helpline, befriender services, counselling, peer support groups, CBT programmes and funding sources
- Information: guides and updates on collision investigation and prosecution
- Rights. How these compare to other victims of crime, status of victims rights/Victims Law

**Option 2: Self-financing criminal prosecution**

Research has shown that the risk of detection influences behaviour more than tough penalties. But enforcement is rare with trials costly. Countries need to find a low cost or self-financing prosecution system.

DFID could be requested to fund a representative from the National Driver Retraining Schemes to talk about the programme which over one million drivers attended in Britain in 2013. Instead of getting a Fixed Penalty Notice and three penalty points (disqualification should occur at 12), drivers pay some £150-£200 to attend a remedial training course. Income from these courses pay for the operation of safety cameras with any surplus being invested in a road safety fund.

A survey of countries could collect information on how traffic law prosecution is conducted and funded and the extent to which remedial training courses are used.

**Option 3: How the civil compensation system can protect vulnerable road users**

With a strict/presumed liability compensation system, pedestrian and cyclist casualties are presumed to qualify for civil compensation. If the casualty is a child, elderly or with disabilities, their compensation cannot be reduced, no matter how they contributed to the crash. But compensation can be reduced if the casualty was an adult and without any disabilities. This is considered fair as the injured party will be less able to give evidence, much less likely to have any insurance or legal representative.

This compensation system exists in most European countries and is also common in Asia and West Africa. China introduced it over a decade ago.

A survey of countries should clarify which countries have this compensation system and
- What age limits apply with children and elderly
- What level of disability is required for complete compensation?
- Can compensation be reduced for adult pedestrians and cyclists if they contributed to the collision?

This topic should attract health and transport representatives who are keen to protect vulnerable road users and promote walking and cycling.
The latter two options deserve to be addressed in the remaining years of the DOA but may be too complicated or too specialised for the side event.

**Option 4: Collision investigation for prosecution and prevention (justice and transport representatives)**

Collision investigation has been included in some road safety projects. But as seen by Britain, despite its road safety record, collision investigation receives a fraction of the resources as homicide or violent crime investigation. National standards do not exist and judicial outcomes of collision investigation are not reported.

A survey should cover such issues as it national standards in road death investigation have been agreed, how performance is monitored and evaluated, transparency with the reporting of judicial outcomes, budgets and investigation procedures, including the collection of contributory factors.

An international conference on collision investigation is being held in October in Edinburgh, organised by the Institute of Traffic Accident Investigators. WHO might consider asking a side event be held at this conference on what these experts would propose for actions and indicators for collision investigation. Some of those attending are known to have worked on road safety projects in low income countries.

**Option 5: Road traffic law --correct criminal charges?**

How can road traffic law help deter bad driving? What should the charges be and the penalties? Road traffic law is a complex area. It includes specific offences such as drink driving but also general driving offences covering careless and minor negligence but also reckless and dangerous behavior.

Every country has to wrestle with these issues but there are common themes. Where does criminal culpability start and where does it become a more serious offence? There has just been a book published comparing road traffic law in several European countries (Criminal liability for Serious Traffic Offences). But this may be too academic for general use.

Whichever topic is selected for the fringe event on post crash response, the effort should not stop there. The post crash response has been neglected from road traffic injury prevention programmes and road safety reviews in the first half of the decade of action for road safety. It is time to redress this gap and ensure justice is remembered if our roads are to be made safer.

---

**Note:** This concept note has been written by Amy Aeron-Thomas, RoadPeace, on behalf of FEVR, where she has the lead for justice. It is based on her experience working overseas on road safety projects in 15 countries (1992-2006) and at RoadPeace (from 2000), including her work campaigning for improved investigation and prosecution, victims’ rights, and civil reform in Britain.
References


FEVR (2010, Response from the European Federation of Road Traffic Victims (FEVR) to the European Commission Victims' Package

FEVR (2012), Victim's Right to Information: A FEVR Survey


van Dijk A and H Wolswijk (ed) (2014), Criminal liability for Serious Traffic Offences


Activity 1: Develop prehospital care systems, including the extraction of a victim from a vehicle after a crash, and implementation of a single nationwide telephone number for emergencies, through the implementation of existing good practices.
1.1 Support country efforts to develop prehospital systems models
1.2 Provide training and technical assistance on prehospital care.
1.3 Promote implementation of a single nationwide emergency services telephone number in countries.
1.4 Promote adoption and implementation of Prehospital trauma care system guidelines (2005).

Activity 2: Develop hospital trauma care systems and evaluate the quality of care through the implementation of good practices on trauma care systems and quality assurance.
2.1 Promote adoption and implementation of Guidelines for essential trauma care (2004).
2.2 Promote adoption and implementation of Guidelines for trauma quality of improvement programs (2009).
2.3 Promote implementation of Trauma Care Checklist (ER Clinical protocols).
2.4 With Patient Safety Programme (PSP) department, develop a checklist to help the health care staff to improve the process of care.
2.5 Create Alliance on trauma care.
2.6 Develop a guide for trauma care system development and planning.

Activity 3: Provide early rehabilitation and support to injured patients and those bereaved by road traffic crashes, to minimize both physical and psychological trauma.
3.1 Support development and implementation of programs and activities recommendation in the World Report on Disabilities (2011).

Activity 4: Encourage the establishment of appropriate road user insurance schemes.
4.1 Promote adoption of road user insurance schemes

Activity 5: Encourage a thorough investigation into the crash and the application of an effective legal response to road deaths and injuries and therefore encourage fair settlements and justice for the bereaved and injuries.
5.1 Support country efforts to adopt Consolidation Resolution on Road Traffic Crash investigation.
5.2 Advocate for inclusion of crash investigation in governmental response to road safety.
5.3 Improve policy accident reporting systems.

Activity 6: Provide encouragement and incentives for employers to hire and retain people with disabilities.
6.1 Support countries to develop Community-Based Rehabilitation (CBR) programmes and policies using CBR guidelines.
6.2 Encourage countries to hire and retain people disabled as a result of road traffic crashes.

Activity 7: Encourage research and development into improving post-crash response.
7.1 Disseminate research and best practices to improve post-crash response.
Appendix 2: FUNDACION MAPFRE Regional proposals

Emergency Post-Accident Chain of Assistance
- Establish a strict assessment of the emergency services and response times.
- Improve the training of all parties involved and address the need for a protocol of conduct for informing relatives of the “bad news”.
- Promote information campaigns for knowing how to act in the event of a traffic accident. Publicise the unique and free 911 emergency number that should be in operation everywhere.

Data Collection
- The Ibero-American organization OISEVI is performing a fundamental task in data collection, making research possible and establishing interrelationships between the different organisations in the region to promote road safety policies.
- The improvement in data collection continues to be unfinished business, given the absence of data exchange between the organisations involved, especially hospital admissions.

Assistance to Victims and Relatives
- Personalised attention by professionals trained in an unit for assistance of traffic accident victims and their relatives is recommended.
- Establishing an assistance protocol that enables the unification of resources with the professionals involved is recommended so that every victim may receive the same quality guidance and psychological and legal assistance as other victims affected by violent crimes.
- It is indispensable to offer written and/or online information that openly and truthfully guides all the people affected, so that they are aware of their rights and know where they need to go. Better communication of the information available is essential.

Compensation: Financial Coverage-Insurance
- Every country in the region should have a mandatory traffic accident insurance policy (SOAT) with sufficient coverage.
- Every country in the region should pursue and punish with sufficient strictness the drivers lacking the mandatory insurance.
- The services offered in the SOAT should be expanded enough to cover the needs of those victims and their families who are totally abandoned.
- There should be an organization in every country dedicated to compensation for the damages caused by uninsured vehicles, or vehicles that leave the scene or are unidentified.

Legal
- Legislation must be written so that the laws clearly express the risks involved in certain kinds of behavior while driving, specifying in the criminal code, for example, the blood alcohol levels and speed limits allowed and those considered as a crime or an offense.
- Road Safety Prosecutor’s Offices should be created to protect the rights of victims.
- Legislation must be written to establish preventive checks for blood alcohol levels and speed limits by installing speed cameras and deploying police officers to fine the offender.
- The legal system should be preventive for society, healing for the victims, and re-educate the offender.
- There is a great deal of legislation on these issues but only rarely is it applied, creating occasional feelings of helplessness and distrust of the legal system.
Framework and reinforcement

- It is essential to create leader agencies in road safety with independent budgets which envision working in collaboration with civil society organisations in preparing their strategic plans.
- Reinforcing the civil society organisations is necessary, because they play a fundamental role in increasing the awareness of the general public.
- The writing of a GUIDE TO ASSISTANCE AND ORIENTATION FOR VICTIMS OF ROAD VIOLENCE must be encouraged as well as creating UNITS OF ASSISTANCE FOR VICTIMS OF ROAD VIOLENCE in countries throughout the region.
- We believe the preparation of a Victims Law including the rights of all victims of violence should be considered in the near future.

Source
Appendix 3: NGO Brussels Declaration and Post Crash Response

From the NGO ‘Brussels Declaration’ Recommendations to Governments from NGOs advocating for road victims and road safety - for the Decade of Action for Road Safety

In May 2009, more than 100 representatives of 70 NGOs from 40 countries came together for the first time in Brussels for a meeting hosted by the World Health Organisation. Using their unique expertise and perspective, participants compiled 33 recommendations to improve road safety

C POST CRASH RESPONSE

Serious post crash response is a vital component of effective road safety policy and demands that once a fatal or injury crash has occurred, two parallel actions take place:

a. thorough investigation, followed by measures to prevent a recurrence, along with criminal and civil proceedings where appropriate

b. immediate short-term rescue interventions and longer-term rehabilitation and support for those who sustained injuries and their families and care-givers, as well as for the relatives of those killed

Therefore, we recommend that governments:

1. accord priority to improving emergency services and the immediate post-crash response (golden hour) and the adoption of a global emergency telephone number

2. provide early rehabilitation to minimize emotional trauma, especially in children, and ensure social, medical (psychological and physical) and legal care for injured victims and bereaved families to satisfactory national standards, for as long as this is needed

3. conduct thorough investigations of crashes, especially fatal and injury crashes, in order to identify all causes and employ all available measures to prevent their recurrence, drawing upon existing research and proven reduction measures from other countries – ‘no need to reinvent the wheel’.

4. award settlements to victims, based on a fair and proportionate assessment of short and long-term effects suffered by them, independent of the insurance status of the person or vehicle that caused the crash and according to transparent and timely procedures

5. provide automatic compensation to the most vulnerable users, except in cases of proven gross negligence by them; i.e. apply strict liability law, based on the principle that the party with the greatest “uncontrolled kinetic energy concentration” is likely to cause greater damage, and therefore bears the greater responsibility

6. apply an effective, proportionate and deterrent legal response to road law violations and death and injury caused thereby, commensurate to the offence of endangering life, taking a life or affecting quality of life, with procedures and verdict delivering justice for road crash victims

7. conduct national situational reviews to monitor road collision investigation capability, number of criminal prosecutions in cases of road death and injury and standard of services for crash victims

## Appendix 4: Justice and post-crash response related activities in London’s road safety plans and reports

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2013</td>
<td>March 2014</td>
<td>March 2014</td>
<td>June 2014</td>
</tr>
</tbody>
</table>

### 34. TfL will use focused enforcement activities and technologies to crack down on illegal and antisocial road user behaviour. This will help build public confidence in the safety of London’s roads through policing and enforcement activity that reflects community concerns and has victim satisfaction at its centre.

### 38. TfL will continue its innovative work in understanding and extending the impact of penalties on reoffending. TfL will work with the London criminal justice system, coroners, magistrates, Office of the Traffic Commissioner, Ministry of Justice, Crown Prosecution Service, the police and the Sentencing Council to understand what action can be taken through the promotion of specific technologies, such as alcohol interlocks, targeted interventions such as Bikesafe, and driver, rider and cyclist awareness courses. TfL will actively participate in the DfT-hosted comprehensive review of how the criminal justice system functions when people are hurt and killed on the roads (ongoing).

### 44. TfL will develop innovative new approaches to monitor risk and road safety performance in London. This will be achieved by augmenting collision and casualty data with information on the journeys made, infrastructure data, and behavioural data to

### 8. The Mayor and TfL should work with the police to send a clear message that road traffic offences that endanger life will not be tolerated by:
- Ensuring that road crime is included in Met crime statistics;
- Publishing, on an annual basis, the prosecution and conviction outcomes for drivers who kill or seriously injure pedestrians;
- Undertaking research into the criminal justice system experience of pedestrian KSIs; and
- Supporting a review of the review of the role of driving bans, fines and vehicle confiscation to tackle dangerous and careless driving.

### 27. TfL and partners will work with the London criminal justice system, coroners, magistrates, Crown Prosecution Service (CPS) and the police to better understand and encourage reviews of procedures and processes related to road traffic collisions involving pedestrians by:
- Encouraging the police to learn from scene visits and through targeted training to improve the accuracy of police recording, this may include considering what other details could be recorded in STATS19
- Working with coroners to make greater use of Rule 43 reports to highlight solutions that might prevent deaths and recurrent causes of death
- Working with the CPS and courts to encourage greater understanding of pedestrian road traffic incidents and encouraging greater use of disposal outcomes such as driving bans

### 28. TfL will continue to work with the police to drive

### 21. TfL will work with London’s Police and the Driver and Vehicle Standards Agency (DVSA) to increase enforcement of driver and rider behaviour and vehicle safety by:
- tasking the Industrial HGV Task Force and Commercial Vehicle Unit to take direct action against dangerous drivers, vehicles and operators
- encouraging Police to trial waiving cyclists’ first offence Fixed Penalty Notices (FPNs) on condition of attendance at an Exchanging Places/training hub event
- providing intelligence about where cyclists face high levels of risk to support the Cycle Task Force’s corridor enforcement programmes and wider regular police enforcement campaigns at key junctions on at least two days per month
- supporting the use of alternatives to financial penalties, such as National Driver Offender Retraining Scheme (NDORS) courses (e.g. Capital Cycle Safe).

### 22. TfL will work with the London criminal justice system – the Police and the Courts, to:
- improve understanding and transparency of enforcement action and the criminal justice response to prevent KSIs
- support targeted training to ensure best practice in STATS19 data collection
- write to Coroners to ensure optimal use is made of reports by Coroners which highlight solutions that might prevent deaths and recurrent causes of death
- working with the CPS and Courts to encourage
better understand and reduce levels of
danger. TfL will continue to work with the
police to drive improvements in STATS19 data
quality to ensure an insightful research
programme (ongoing).

51. Using a ‘Compstat’-style approach, TfL will
create a Road Fatality Review Group, working
with partners across London to learn lessons
from fatal collisions. This will bring together
police, emergency services, road designers
and operators, nongovernmental
organisations and others to identify changes
needed to reduce vulnerable road user death
and serious injury.

| improvements in STATS19
data quality to ensure more
accurate collection of data on
pedestrian KSIs and to better
inform future research into
vulnerable road user KSIs. | greater understanding of cyclists road traffic
incidents and encouraging consistent and
appropriate use of disposal outcomes such as
driving bans.

28. Together with the Cycle Safety Working
Group, TfL will coordinate delivery of this draft
plan, by:
• working intensively with freight operators and
industry to improve freight and fleet safety
• working with the Police to learn lessons from
cyclist KSI collisions at high priority junctions
• drawing on intelligence and insight from cycle
safety stakeholders and the Police to deliver
targeted site-specific enforcement, and engaging
with road users to deliver cycle safety messages

Source