



Reply to Alison Hernandez, Police & Crime Commissioner, Devon & Cornwall Police  
From Exeter Cycling Campaign 14 December 2018

Dear Alison

Thank you for your email of 6th November replying to the open letter in September from the Exeter Cycling Campaign. Allow us to offer you a few responses from the Campaign.

### **New Road Safety Strategy**

The Exeter Cycling Campaign welcomes the recently published Road Safety Strategy with its emphasis on vulnerable road users and the increase in the numbers of police officers. Of critical importance in making this strategy a success will be **the cultural change** needed across the Force to recognise and sensitively police harm to vulnerable road users. In the Campaign we regularly hear of people intimidated and hurt when cycling, and this is, as often as not, never reported to the police.

### **Video evidence**

We look forward to the introduction the SNAP camera system and hope this can be achieved soon, with appropriate resources for reviewing footage. Having experience of the failings of the current ad hoc system we'd like to suggest that the police invite:

1. stills/screenshots of the key points of the footage as well as the entire film and
2. user-self-assessed priority for action.

These simple steps will help the police triage material in a timely way and ensure the 14 day NIP timeframe is not exceeded for material submitted. If officers are unable to expedite prosecution of demonstrably poor driving this will undermine confidence in the system.

### **National Lead on Road Safety**

We are delighted to hear of your position as road safety lead for the National Association of Police and Crime Commissioners and note the survey you are currently undertaking on increasing road fines.

We have also received a reply from the police. We attach below our response to Adrian Leisk.

As well as the nearly 700 Exeter Cycling Campaign members we know that there are groups in Truro, Plymouth and Torbay who represent people who cycle and who are watching our correspondence on these topics closely. We all look forward to seeing the new road safety strategy making a difference to how vulnerable road users are protected on our streets and treated when reporting incident.

Let me assure you that the Exeter Cycling Campaign will continue to engage with you positively and offer support and proposals for making the aspirations of the new strategy a reality.

on behalf of the Exeter Cycling Campaign



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*Sent on behalf of the Police and Crime Commissioner 6th November 2018 to the Exeter Cycling Campaign*

Thank you for your email. Unfortunately your email dated 11<sup>th</sup> September did not reach this office as the email address you sent it to is no longer in use.

I'm grateful for the Exeter Cycling Campaign in setting out a number of their concerns in the open letter. I welcome the open and constructive way you have approached the important matter of cycle safety and the unacceptable occurrences of intimidation faced by some cyclists.

Firstly, I want to stress the importance I place on road safety. Far too many people are involved in collisions on our roads and the number of people killed is tragically getting higher. In Devon and Cornwall last year the number of people killed on our roads increased. I am determined to do all I can in my capacity as Police and Crime Commissioner to improve matters and make our roads safer.

As you will be aware, this is no easy matter as it requires the investment in time and money from a number of agencies – highways, the police, the council and of course compliance from the public in the Highway Code and road laws. That should not be a reason for not trying though and one of the actions I am determined to bring about is a better co-ordination across the Devon and Cornwall peninsula of road safety approaches.

Unfortunately, cyclists are amongst the most vulnerable of all road users and aside from expensive road re-engineering works, cycle safety relies heavily on motorists being aware of all road users, giving cyclists extra space and having a considerate approach to shared road spaces. I am pleased that the Government has announced a review of the Highway Code to include more of a focus on cycle safety as part of its wider work under its Cycling and Walking Investment Strategy.

Since becoming Police and Crime Commissioner, I have been very aware that roads policing resources have been too scarce. That's why I have agreed with the Chief Constable an increase in the number of dedicated roads policing officers and staff including the introduction of a No Excuse team in our area. This is a team of specially trained Devon and Cornwall Police officers, including a sergeant and six police constables who will concentrate on tackling the so-called 'Fatal Five' traffic offences that cause an unacceptable level of harm on our roads. These are excessive or inappropriate speed, not wearing a seatbelt, distracted driving such as using a handheld mobile phone, driving under the influence of alcohol or drugs and careless or inconsiderate driving. These officers will be supported by a researcher to identify significant intelligence trends on road users and areas with specific issues.

As well as the No Excuse team, we will have an additional inspector, sergeant and 15 police constables, all of which are dedicated roads policing officers and some of whom



will be specialist roads casualty reduction officers too to provide advice and guidance to the public and partners.

These officers will help deliver the newly published Roads Policing Strategy that I have worked with the Chief Constable to develop.

The strategy has the following objectives

- Prevent killed and serious injury (KSI) collisions on our roads.
- Improve public confidence in the safety of our road network.
- Provide effective and efficient post collision investigation.
- Ensure high quality support for victims and families.
- Reduce the economic impact of collisions on our roads.
- Ensure a resilient and sustainable roads policing workforce.

The strategy focuses on vulnerable road users and advocates a move towards a 'safe system' approach, with road designers working hand in hand with emergency services to reduce the vulnerability of road users. The strategy is available from our website if you wish to read it in more detail [www.devonandcornwall-pcc.gov.uk](http://www.devonandcornwall-pcc.gov.uk)

Importantly, we will look to introduce the technology that will allow the public to submit dash-cam footage to the police so that acts of dangerous road use can be followed up. The police will also adopt the Close Pass scheme whereby motorists are warned and advice provided if they are witnessed overtaking a cyclist too closely or dangerously. Both these schemes will increase the safety of cyclists.

Of course a number of important road safety matters require alterations in national policy or changes to the law. For this reason, I have taken on the position of road safety lead for the national Association of Police and Crime Commissioners to work alongside the National Police Chiefs Council's roads policing lead. We will explore where we can work together to influence Government to make the national changes that would help improve road safety – such as for example, the introduction of graduated driving licences to require new drivers to learn for longer.

It is in this capacity that last month I met with the Road Safety Minister, Jesse Norman MP at the Department for Transport. I called on his Department to urgently publish the new road safety statement which promises to focus on the four vulnerable road user groups of older road users, the young, rural road users and motorcyclists. These four groups have been identified as being of the greatest risk on Britain's roads. This new statement will provide direction to road safety partnerships and signal where the Government's focus for safer roads will be targeted. All of these four vulnerable road user groups are heavily represented in our area.

The harassment or intimidation of cyclists by motorists, or pedestrians, is of course unacceptable. I would encourage you members to report all incidents to the police – this is easily done via online reporting available through the police website.



I hope you have received a response from Devon and Cornwall Police by now.

Again, thank you for raising these important matters and engaging constructively in this important matter of cycle safety.

My team will be in Princesshay, Exeter on 19<sup>th</sup> November from 10am to 2.30pm to support Brake's Road Safety Week. It would be great if you were able to pop along at some point.

Yours sincerely

**Alison Hernandez**

**Police and Crime Commissioner**

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Original email sent jointly to Chief Constable Shaun Sawyer and Police & Crime Commissioner Alison Hernandez from the Campaign 11 September 2018

The Exeter Cycling Campaign has been encouraged to hear that plans are to be put in place for Devon and Cornwall Police to collect and process video evidence, and additional traffic officers for the area. We've seen how similar actions have reduced dangerous close passes by up to 50% in other areas of the UK,

The Exeter Cycling Campaign is a group of over 600 Exeter citizens committed to enabling safe cycling for people of all ages and abilities, so children can cycle to school and adults cycle for their normal daily activities.

Whilst we support your actions to improve the way your Force processes third party video evidence we are greatly concerned about a number of other areas and wish to highlight these for your attention. The Campaign has heard from numerous people cycling that there is a growing level of intimidation and driving that is below the level that should be expected on our roads. Many collisions have occurred this summer to experienced riders, including several National Standard cycling instructors, despite taking all appropriate precautions to address their own safety on the roads.

Furthermore, we are concerned with the way Devon and Cornwall Police are currently inadequately and inconsistently addressing the near misses, intimidation and collisions suffered by people cycling.

These concerns include:

- A lack of understanding and support from Officers for vulnerable road users.

- Inadequate and inconsistent communications, recording, and follow up, resulting in victims feeling abandoned by the police.
- We understand reports that should have been filed by the investigating officer are not reaching the Collisions Unit. The Collisions Unit appears not to have a facility to identify that these have not been received.
- We learn that police officers are using phraseology that lays blame on the victims:
  - “But it is hard to spot cyclists”
  - “The driver said you were speeding” (12mph in a 30mph zone)
  - “Well, you can replace the bike”
- Officers appear to be unaware of National Cycling Standards, for example, in regards to best practice for safe road positioning.
- There appears to be a lack of will to follow through and prosecute incidents to ensure that drivers face appropriate sanctions for their actions on the road.
- Driver awareness courses are reported to pay scant regard to the need for extra attention needed around vulnerable road users and the appropriate amount of space to afford them on the road. Furthermore, these courses are reported as not insisting on positive engagement from participants and there is no possibility of failing the course if an incorrect attitude is demonstrated.
- Citizens are unable to carry out their lawful right to cycle on the roads because of the intimidating behaviour of drivers.
- Speed limits in the centre of Exeter are not policed effectively. We know that nationally 80% of drivers speed in 20mph zones and this is likely to be the case in Exeter.

These factors together suggest officers have not been trained to overcome the car-centric view of the roads held by wider society and to appreciate the vulnerability of people cycling on the road network. These institutionally car-ist attitudes need addressing with the same system-wide effort and leadership that police forces have given in the past to correct their approach to racism and sexual abuse.

In the light of these observations we call for Devon & Cornwall Police to urgently consider and address these areas that we have raised with both the Chief Constable and Police and Crime Commissioner on previous occasions. Namely that:

1. To acknowledge that being prevented from cycling due to fear is a police matter.



2. Formally recognise that people walking & cycling are vulnerable in the context of both regular road use and if involved in motor vehicle collisions.
3. Take a zero tolerance approach to aggression and intimidation directed at people cycling.
4. Lead on the culture change required within Devon & Cornwall Police to achieve these.
5. Fully adopt West Midlands Police's approach in proactively tackling poor driving around people cycling.
6. Offer full police support for 20mph as an appropriate maximum speed in urban areas.
7. Ensure that all Officers and Police Staff who receive or attend reports of intimidation or collisions are trained in the National Standard and understand the vulnerability and needs of a cyclist when they have been victimised, assaulted or been in collision with a motor vehicle.
8. Adapt Devon & Cornwall Police's road traffic collision processes, FAQ, information leaflets and fees to meet the needs of people cycling involved in an incident.
9. Provide local police officers with cycles for patrolling their area.

The Exeter Cycling Campaign is committed to engaging positively with the Councils and police and we would welcome the opportunity to discuss this with you further.

Yours sincerely,

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Graham Heysett	Exeter Cycling Campaign steering group, qualified Bikeability Instructor, Sustrans Ranger and recent victim of a road collision
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