

Northampton

31 October 2014

Dear David Davies,

We are writing in response to the questions posed by the Commission in relation to transport safety. In 2008 our 18 year old daughter was tragically killed in a road traffic collision. We appreciate the terms of reference for the Inquiry request for submissions not to contain personal information. We have therefore concentrated on the lessons we have learned rather than the detail of our experience and as a result we have not always provided evidence to support our observations. We are willing to share our experience <http://www.brake.org.uk/about-our-campaigns/10-whats-happening/take-action/882-ntaylor> and hope in doing so fewer families and friends suffer the loss of a loved one and those that do will be better supported.

Leadership, responsibility and coordination

We want to state upfront that we are very disappointed by our experience of the justice system and do not believe it adequately serves road traffic victims. *"The purposes of such an investigation are clear: to ensure so far as possible that the full facts are brought to light; that culpable and discreditable conduct is exposed and brought to public notice; that suspicion of deliberate wrongdoing (if unjustified) is allayed; that dangerous practices and procedures are rectified; and that those who have lost their relative may at least have the satisfaction of knowing that lessons learned from his death may save the lives of others"* Lord Bingham.

We believe the investigation into many road deaths is insufficient for lessons to be learned and this directly impacts road safety. Initiatives that reduce road deaths reduce road danger for all road users and this reduction provides a simple way to measure their effectiveness. By concentrating on road deaths we appreciate our focus is narrower than the remit of the Inquiry. Nevertheless lessons from road deaths can be applied to the wider context of road safety. For example, road deaths demonstrate where leadership is lacking and where there is insufficient responsibility and coordination in investigating and learning from these deaths.

The Ministry of Justice does not treat road traffic victims like other victims of crime <https://www.gov.uk/government/news/a-bold-new-vision-for-the-treatment-of-victims> http://www.roadpeace.org/change/rights_for_crash_victims/ and though locally in Northamptonshire there has recently been an important development <https://www.northants.police.uk/#!/News/24332> support is generally patchwork.

The Police are responsible for taking the lead on investigating road fatalities <http://www.app.college.police.uk/app-content/road-policing-2/investigating-road-deaths/>. However, the guidance on how to investigate road deaths is just that "guidance" and, like its predecessor the Road Death Investigation Manual, the

Authorised Professional Practice on Investigating Road Deaths does not have to be applied universally by Police forces in the United Kingdom.

No one acts as an advocate for the deceased. This is not the role of the Police, CPS or Coroner. As a result there are issues with the Police taking the lead role. The route for making complaints about a Police investigation is via their internal complaints process. If this fails to adequately address the issue the only recourse is to make a complaint to the IPCC. Complaints to the IPCC relate to the individual police officers, rather than the overall quality of the investigation and the process seeks to “blame” individuals rather than deliver a satisfactory outcome.

No one authority takes responsibility for or coordinates investigations. The DfT has accident investigation branches for air, marine and rail, but not for roads. It argues this role is provided by the Police, though why this is different for other modes of transport is unclear. However, the DfT has more direct responsibility for the highways than air, marine and rail and as a result this may impair its impartiality.

The Police’s investigation expertise relates mainly to the Road Traffic Act and vehicle maintenance. The On the Spot study commissioned by the DfT was better at identifying the important environmental factors that contribute to road deaths <http://motorcycleminds.org/virtuallibrary/statistics/roadaccidentdatabaseOTS.pdf>

Until 2005 the HSE was responsible for rail investigations. Although the HSE is one of the partner organisations referred to by the Police in its Investigating Road Deaths, there has never been a prosecution for a road death under the Health and Safety at Work Act. <http://www.hse.gov.uk/foi/internalops/oms/2009/002.htm>

Where a road death does not result in a criminal or civil prosecution, the only opportunity for the bereaved to understand the death of their loved one is at the Inquest. Pursuing a civil prosecution is not always an option for the bereaved and unless the deceased has dependants there is no economic value to claim.

The Justice and Coroners Act introduced a Chief Coroner, who has emphasised the need to prevent future deaths (PFDs). Nevertheless, the number of PFDs reported by Coroners remains a fraction of the total deaths on our roads http://www.roadpeace.org/resources/RoadPeace_London_coroners_preventing_deaths_Mar_2014.pdf. Road death is the second highest category of PFDs reported by Coroners. Most of these PFDs relate to highways (speed limits, signage, layout, road conditions, lighting, etc.) and account for ten times more than vehicles <http://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/coroners/pfds/Summary+Report+of+PFD+Reports+Apr+-+Sep+2013.pdf>.

Whilst road traffic knowledge is useful, it is more important for those investigating road deaths to have investigatory skills. Building these skills would benefit from operating within a national framework and being lead and coordinated at a national level. The British Transport Police and HSE operate at this level and both could be considered as suitable candidates for this responsibility or a model for its delivery.

In developing a national model it would be useful to understand the role of Traffic Officers and the DfT's Air, Marine and Rail Accident Investigation Branches.

Objectives and Targets

When the DfT published its Strategic Framework for Road Safety https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8146/strategicframework.pdf we were very disappointed it did not include a target for reducing road deaths by 2020. We believe this lack of ambition has directly contributed to the low rate of reduction for road deaths since 2010 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/324580/rrcqb-main-results-2013 with the DfT not being sufficiently incentivised to promote initiatives that will reduce road deaths, like the Graduated Driver Licence. http://www.racfoundation.org/assets/rac_foundation/content/downloadables/graduated_driver_licensing_regional_analysis_trl_270514.pdf

Perceptions and Culture

Tragically five people are killed on our roads every day. If these deaths occurred in any other working environment there would be calls for a Royal Commission. We need to break out of a culture that accepts these deaths as an acceptable price for easy access to mobility and adopt and embrace a zero death vision for our roads.

Funding and Promotion

According to the Road Safety Foundation the cost of road traffic collisions is 2% of the UK's GDP <http://www.roadsafetyfoundation.org/news/2013/10/24/measuring-to-manage-2013-results.aspx>. How can we afford not to tackle this issue when there is a "peace dividend" of £50 billion to be earned from reducing road danger?

Funding needs to be directed at evidence based initiatives to reduce road deaths. As well as a Graduated Driving Licence we would highlight tyre treads http://www.rospa.com/roadsafety/info/tyre_tread_depth.pdf, rural speed limits <http://www.brake.org.uk/info-resources/info-research/road-safety-factsheets/15-facts-a-resources/facts/1257-speed-country-roads> and road maintenance <http://www.roadsafetyfoundation.org/news/2012/10/8/engineering-a-safer-future.aspx> <http://www.roadsafetyfoundation.org/news/2014/7/8/uk%E2%80%99s-major-road-network-time-to-make-it-safe.aspx>

Monitoring, Evaluation and Research

We would like the DfT to commit to a target for road deaths by 2020 and reinstate its On the Spot research to drive evidence based initiatives to reduce road danger. In this the DfT has a direct role to play by developing a culture of continual improvement for the safety of road users, vehicles and the UK's road network.

The Information Technology Infrastructure Library published by the Cabinet Office <http://www.itil->

officialsite.com/ http://en.wikipedia.org/wiki/Information_Technology_Infrastructure_Library shares a common origin to quality based methodologies like Toyota's lean manufacturing and GE's six sigma. Companies can achieve ISO/IEC 20000 certification to demonstrate implementation and adherence to quality processes that conform to the ITIL methodology <http://www.isoiec20000certification.com/>.

Having a documented Quality Management System ("say what you do") is the content part of the answer and needs a process to demonstrate and improve adherence ("do what you say"). In comparison to ITIL, the Well Maintained Roads: Code of Practice <http://www.ukroadsliasongroup.org/en/UKRLG-and-boards/uk-roads-board/wellmaintained-highways.cfm> concentrates on quite detailed technical content, rather than the process for delivering quality and continual improvement. The UK should have world class standards for road design and road maintenance. Other than the following: <http://www.irap.org/en/about-irap-3/methodology> we have not found an international quality standard for road maintenance.

We trust you find this information of assistance to your Inquiry. If you require any clarification or further information please do not hesitate to contact us.

Yours sincerely

Nicole and Chris Taylor