



Roads Policing Back to the Future?

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About the Author

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Roads Policing

Reading the recent DfT call for evidence and the recent reports from PACTS (2020) and HMICFRS (2020), against the background of the last few years' trends in road casualty statistics, has led me to the firm conclusion that roads policing is at a crossroads. Actually, it is back at a crossroads. And that feels daunting because behind every one of those casualty statistics is a real life human story, but also frustrating because I know from personal experience that we've been here before. But now the challenges are more complex and the choices are more difficult.

Both the PACTS and HMICFRS reports are thorough and impressive documents, but as an informed observer I'm not sure that either of them did justice to the impact on the police service of the years of 'austerity'. Acknowledging the reduction of roads policing officers (or even of all operational police officers/staff) is all very well, but it also seems to me to be important to assess the impact of the removal of policing infrastructure on the capacity of the service to deliver effective roads policing.

There could be many interpretations of the graphs showing the stark reduction in enforcement efforts against seat belt, mobile phone and drink driving violations (three of the so-called fatal five) but a persuasive explanation could simply be the corrosive compound of there being fewer officers available to do the work, together with reduced infrastructure supporting those fewer officers.

For instance, over the past few years I've read, with increasing alarm, many press articles reporting the closure of custody suites in a range of different police force areas. I know from experience that for several decades there has been a trend towards fewer and larger custody suites and worry that a tipping point has now been passed whereby the task of convicting drink drivers has become too time-consuming for a local officer, who is faced with the unwelcome decision of whether or not to commit to making a lengthy trip, which might be letting other equally or even more dangerous behaviour pass. HMICFRS observes that response cops don't feel that they are esteemed by their leaders for going after drink drivers. If those officers have to travel half the length of the county to a custody suite for an offence which ultimately doesn't track through into the force priorities, is there any wonder?

I fear that, marbled through the recent publications, there remains a vein of sentiment among some stakeholders that goes something like, 'if only everything could go back to "traffic policing" as we know it used to be'. Well even if that sepia-tinged nostalgia was accurate, the cold, hard truth appears to me to be that it can't and it won't. The world has moved on, and the realities of modern policing and funding of modern public services have moved on too.

This is surely the time for new thinking, which properly reflects both the shortcomings of the present and challenges of the future.

The Safe Systems Approach

Effective, real time, integration of Roads Policing into the DfT Safe Systems approach (Department for Transport, 2015) to managing roads appears to me to be crucial to making progress on casualty reduction and appears to provide an ideal starting point for developing policing doctrine.

The recent analysis of the decline in roads policing tends to focus on the decline in numbers of dedicated roads policing officers (despite the fact that modern policing has moved on somewhat from the siloed roles of old), declining enforcement (other than enforcement that can be largely automated through the use of cameras), and the consequences for accident causation (i.e. that if drivers tempted to break the rules of the road think there is little prospect of being caught, the temptation for them to do so goes up).

But on my reading, the Safe Systems approach demands a greater focus on reducing actual levels of offending – the outcome – before jumping to conclusions about the means. And, if so, this suggests we should consider the full spectrum of possible crime science interventions with the level (and threat) of enforcement action being the final answer to behavioural/mechanical non-compliance.

The PACTS report evidences the extent to which there is now an impressive body of academic work on roads-related offending and it is right that this should inform the thinking of those in Whitehall - in the DfT and the Home Office - charged with formulating policy. Having said that, I would also encourage DfT to augment this evidence base with consideration of the wider thinking within mainstream criminology.



Policing the roads is, in essence, no different to policing in any other context, in that its key outcome must be that people can go about their day to day business in safety and security. *Broken Windows Theory* (Kelling and Wilson, 1982), from which one could reasonably infer that offending behaviour is more likely in places that are perceived as neglected and unregulated, is as applicable to the roads as to any other public space.

Can we really say that every road or, as a minimum, every dangerous point or stretch of road, communicates a strong message of being a well-regulated, well cared for space where compliant behaviour is the norm? Think how effective the road worker safety campaign was a few years ago, with its myriad of messages about the human dimension of the health and safety challenge. Picking up the litter, keeping the lines and signs clean and clear and all of the road furniture in good working order may well be more important than we think in conveying the message that the road is a curated space worthy of being treated with respect.

Viewing the Safe Systems approach through the filter of *Routine Activity Theory* (Cohen and Felson, 1979) might also offer insightful perspectives on regulating behaviour on the roads.

A major pillar of Routine Activity Theory is the concept of 'capable guardianship', i.e. the people or things that deter others from offending. In the sphere of roads policing, clearly, traffic cops are capable guardians, but so are enforcement cameras, so are community speedwatch volunteers and so, arguably, is the growing army of 'dashcammers', submitting their footage to 'Operation Snap'. Of equal importance to the DfT should be the notion that capable guardianship can also be performed by in-car technology which prohibits or restricts driving if certain conditions aren't met, e.g. all occupants with fastened seat belts, sobriety of the driver, excessive speeding constrained, etc.

It should be borne in mind that, by virtue of their sworn status, their level of training and their vehicles and equipment, traffic cops are likely to be the most expensive form of capable guardian available. The nature of their capability dictates that there will always be calls made upon their time by the demands of counter terrorism and non-traffic crime (and that is, in my view, exactly as it should be). Perhaps more consideration should be given to how the full range of potential road-safety-capable guardians - obviously beat cops but also PCSOs, special constables, council wardens, traffic wardens, firefighters, roads maintenance staff, DVSA patrols and Highways England Traffic Officers - could be fully harnessed to their capable guardianship role.

Probably the biggest innovation to emerge from the 'noughties' debate on roads policing was the (now) Highways England Traffic Officer Service. It was a privilege to take part in that work and I feel a great sense of pride at what they have achieved. But I also feel a sense of missed opportunity. At the time of the inception of the Traffic Officer service I genuinely believed that we were sowing the seeds of what would ultimately become a fully-fledged 'Highway Patrol', with investigative capability and enforcement powers and it is disappointing to me see that not only hasn't this happened but it doesn't appear to be anywhere in current thinking.

Whilst I don't underestimate the enormity of the challenge of expanding the role of Traffic Officers, they are the only national (in England at least) body of public agents charged with the role of patrolling the strategic road network. In many areas they are often the only body providing high profile patrols on that network. They are every bit as skilful as PCSOs and council wardens and yet do not possess the powers to enforce even the most minor offences. Given the challenges described by the DfT consultation, I question how long this position will remain sustainable.

Enforcement

In an ideal *Routine Activity Theory* guided world, all potential ‘capable guardians’ would contribute to a credible enforcement capability, and focusing them on enforcement against the fatal five still seems to me to be as relevant as ever.

It would be difficult to argue that more or different could/should be done in respect of speeding. Having said that, HMICFRS’s warning about the flow of funding from camera enforcement to driver education MUST be heeded. We very nearly lost the argument about enforcing speed limits designed to save lives on the altar of suspicions that raising money was the hidden agenda. Drivers (and journalists) need to be able to see very clearly that camera enforcement income is going toward reducing dangerous driving, not bolstering local or national government coffers, however pressed they may be.

In addition, can it really be credibly argued that only a highly expensive traffic cop can enforce seat belt offences or driving whilst using a mobile phone? Properly informed and directed, all of the range of possible capable guardians could regulate or collect evidence of these offences, leaving the traffic cops to focus at the highest/most dangerous end of offending.

The enforcement of drink/drug driving laws feels like a more troubling issue. Undoubtedly, the reduction of numbers of traffic cops will have had an impact on enforcement levels, but the question needs to be asked about the extent to which the ‘rationalisation’ of custody suites has also contributed. Clearly, when one looks at the extent to which the number of overall arrests has fallen in recent years (Home Office, 2019) and then adds to that the fact that all positive/refused drink or drug tests require an arrest, there seems, to my suspicious mind, to be a possible link. This is an extremely important issue and, if the current trend is to be reversed, there needs to be a greater understanding of this point otherwise potentially all of the hard-won investment in improved roadside testing for drink and drugs could be largely wasted.

Having gained a more robust understanding of exactly what is happening, perhaps it will be timely for the Home Office/DfT to revisit the law and process for dealing with drink/drug driving. If the dearth of custody facilities really is an inhibitor to enforcing drink drive laws, is now the time to experiment with the provision of US style sobriety checkpoints or Australian style drug or booze buses? Is the technology really so lacking, at a time when cars are about to drive themselves, that clever designers couldn’t give us genuinely portable devices that could generate robust, court-admissible roadside evidence? A programme being run by PACTS on behalf of the DfT to find a provider of such equipment for identifying drink drivers is showing promising signs, but the kit is still at least a year away from being ready for deployment.

Future Shape

Whilst acknowledging the full range of police forces visited by HMICFRS in the course of their fieldwork, it is interesting to note the extent that praise is given to the Metropolitan and West Midlands police services. To me this suggests that forces with a certain critical mass may have been better able to protect roads policing from the impact of austerity. Whilst such a conclusion would clearly have been outside the scope of the inspectorate's work, it does make one wonder if this isn't indicative of a wider truth.

Accepting, however, that the current structure of police forces is unlikely to change any time soon, perhaps the future shape of roads policing will remain locally based and could look something more like this:

- Local multi agency partnerships with:
 - Active strategic direction by senior leaders from all partner agencies at Chief Officer or Director level;
 - Shared information and intelligence (with the CRaSH collision reporting system at its heart);
 - Robust, multi-partner analysis, ideally conducted by staff dedicated to that role;
 - Regular operational tasking and co-ordination of all available resources, led by middle managers with the authority to commit resources; and
 - Accountability exercised by elected representatives.
- A range of taskable resources which encompasses the full spectrum of possible 'capable guardians', (including conventional roads policing officers) many of whom might have other responsibilities but all of whom would have some capacity. The HMICFRS report appears to acknowledge that, with proper systems and processes, this could work. Arguably, it may be the only feasible route to achieving the enforcement 'tipping point' alluded to in the PACTS report.
- A community/enforcement hub which would receive and process evidence from the public and capable guardians without enforcement powers and support the activities of community initiatives, e.g. Community Speedwatch.
- Access to investigative capability with the skills to investigate serious or fatal crashes and organised, systemic offending, e.g. dodgy goods vehicle operators, etc. to the same standard as any other type of serious crime.

Conclusion

There is clearly an imperative for developing a modern vision of what 21st Century roads policing, in its broadest sense and in the context of the Safe Systems approach, might look like in the future. Even though policing leaders are currently recruiting 20,000 additional officers, they will have many pressing reinvestment needs (possibly not least of which will be neighbourhood policing). The argument that a significant proportion of their additional 20,000 officers should go (back) into roads policing will be a very hard one to win.

That said, from personal experience, I believe that little progress will be made on improving roads policing without sustained national leadership and to this end, the leadership being given by DfT is extremely welcome.

The chances of making progress with this issue seem to me to be materially more likely to be achieved by these things:

- Promoting the improvement of local road safety partnerships along the lines described above. Sustaining this improvement is likely to require further inspection activity, but this needs to encompass all partners, perhaps along the lines of HMIC's collaboration with HMCPSP when inspecting criminal justice issues.
- Promoting the development of traffic policing in the context of the widest possible range of capable guardians for the roads. This will naturally include dedicated traffic cops, but also local (more multi-functional) officers and the other possible capable guardians listed above. This should also include capable guardians whose only role may be to maintain all roads as a curated space.
- Making it as easy as possible for all capable guardians to enforce the law (or contribute to law enforcement), by working with the Home Office and Police Service to change the law where necessary and continuing to develop new technology which can prevent offending or assist enforcement.
- Where necessary, targeting funding to kick start or resuscitate strategically significant projects that further support enforcement efforts. Promoting the roll out of CRaSH to all areas might be at the top of this list, but the ramping up of analytical capability to make best use of the resulting data may not be far behind.

I am certain that, if the stakeholders just keep trying to do the same things but better, nothing will change, but I earnestly believe that they have the resolve to succeed by redoubling their bonds of partnership and making some tough choices together.

References

Cohen, L. & Felson, M. (1979). Social change and crime rate trends; a routine activities approach. *American Sociological Review*, 44(3): 588-608.

Department for Transport. (2015). *Working Together to Build a Safer Road System British Road Safety Statement*. Accessed 2 October 2020 from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/487704/british_road_safety_statement_print.pdf

Department for Transport. (2020). *Roads Policing Review. Call for evidence*. Accessed 2 October 2020 from <https://www.gov.uk/government/consultations/roads-policing-review-future-methods-to-improve-safety-and-reduce-causalities/roads-policing-review-call-for-evidence>

Home Office. (2019). *Police powers and procedures, England and Wales, year ending 31 March 2019*, HOSB 25/19. Accessed 2 October 2020 from <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2019>

HMICFRS. (2020). *Roads Policing: Not Optional. An inspection of roads policing in England and Wales*. Accessed 2 October 2020 from <https://www.justiceinspectors.gov.uk/hmicfrs/publications/not-optional-an-inspection-of-roads-policing-in-england-and-wales/>

Kelling, G. L. & Wilson, J. Q. (1982). Broken Windows: The Police and Neighbourhood Safety. *The Atlantic Monthly*, March 1982 Issue. Accessed 2 October 2020 from <https://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/>

PACTS. (2020). *Roads Policing and its contribution to road safety*. Accessed 2 October from <https://www.pacts.org.uk/2020/06/roads-policing-and-its-contribution-to-road-safety-report-from-pacts/>



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