

EDINBURGH POLICING PLAN 2014-2017 CONSULTATION

COMMENTS FROM SPOKES, THE LOTHIAN CYCLE CAMPAIGN, 30.11.13

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1. Introduction

Thank you for the opportunity to respond to the consultation. Spokes is the Lothian Cycle Campaign¹ – a non party political, voluntary organisation founded in 1977, with a membership of over 1000 people in Edinburgh and the Lothians. Our core objectives are:

- To promote cycling, as part of a sustainable transport and access strategy, and to ensure that councils and government actively do the same
- To publicise the benefits of cycling for the community and individuals – like walking, it is cheap, efficient, enjoyable, healthy, non-polluting and intrinsically safe.

Policing, both in terms of specific priorities and the implementation and enforcement of these priorities is a key element of how the built environment and our communities can be better supported towards the realisation of these objectives. With that in mind, we are grateful for the opportunity to comment on the Edinburgh Policing Plan 2014-2017 as below. Should you have any questions in relation to our submission or would like to receive further details on any part of it, please do not hesitate to contact us.

2. Road Safety – tackling dangerous driving is a priority

Road safety is an important priority for cyclists (especially in the light of a recent rise in serious injuries²) and we call for the police to make it a priority to tackle those motorists' traffic offences that endanger cyclists, pedestrians and other road users.

Particular priority for cycling is justified by the fact that Edinburgh's cycling casualty figures, after declining for many years, started to rise again in the middle part of the last decade (see Table 1, Appendix 1). Quite apart from the resulting pain and distress, should the trend continue it will have a negative impact on road safety statistics for both the police and City of Edinburgh Council. This should be a catalyst for change to both organisations.

¹ www.spokes.org.uk

² 'Reported Road Casualties', Transport Scotland, 2012, www.transportscotland.gov.uk/files/documents/reports/j285660/j285660.pdf

It is an established trend internationally that, when cyclist numbers increase, there is often no concurrent increase in the rate of road casualties³ - perhaps as a result of drivers becoming more alert to the presence of cyclists and adapting behaviours accordingly. In contrast, while cycle use is rising in Edinburgh, the number of casualties has risen at a faster rate in recent years – and at the same time motoring casualties continue to fall. This suggests other factors are present. One theory is discussed below under 'Safety Campaigns', whilst it may also be that policing priorities and enforcement are not sufficiently appropriate to deal with dangerous driving.

This is especially important around road junctions, which statistics show to be where cyclists are most vulnerable⁴. The road traffic offences of relevance in these circumstances include:

- Advancing into Advance Stop Zones (ASZs)
- Motorists running red lights
- Bus lanes encroachment (while they are operational)
- Speeding (city-wide, but particularly at junctions and quiet neighbourhood roads).

The benefits of reducing dangerous driving would be felt by all road users, as well as making our communities safer and more pleasant places to live and reducing pressures on Accident & Emergency services.

3. Enforcement

Amongst the myriad offences committed daily, Spokes considers that enforcement of road traffic regulations is of paramount importance and would benefit all road users.

Speeding is acknowledged even by drivers to be extremely common⁵, and intimidates and endangers other road users, especially pedestrians and cyclists⁶. A zero-tolerance approach should be adopted in acknowledgement of the severity of the problem and its consequences. Effective enforcement is critical. Speed detection mechanisms are typically sited at locations which quickly become known to drivers, with behaviours altered only whilst they remain in the scope of that detector. Elsewhere, with few enforcement personnel visible, drivers know they can comfortably flout the law. Thus there is little incentive for motorists to obey the law and few consequences should they break it.

Running red lights is also commonplace, with motorists' low general adherence to basic driving techniques meaning that junctions are often approached with a mentality of passing at the earliest opportunity, instead of safely and steadily. Motorists should approach a junction cautiously, anticipating changing priorities, but elevated speeds make it more difficult to bring vehicles to a controlled stop behind ASZs. Again, enforcement is far too limited; with drivers knowing there is little likelihood of being caught or penalised.

³ University of New South Wales. "A Virtuous Cycle: Safety In Numbers For Bicycle Riders." & others

⁴ www.rospa.com/roadsafety/adviceandinformation/cycling/facts-figures.aspx

⁵ www.rac.co.uk/advice/reports-on-motoring/

⁶ www.transportscotland.gov.uk/strategy-and-research/publications-and-consultations/j267571-01.htm

4. Priorities as between cycling and motoring offences

Spokes does not condone reckless or inconsiderate behaviour by cyclists – indeed, we have consistently called on cyclists to lead by example and obey the rules of the road⁷. However, in terms of casualties caused to pedestrians or other road users, errant behaviour by cyclists represents only a minute fraction of casualties, with the vast majority arising from motor vehicles impacts⁸.

We believe there is an excessive focus within policing priorities upon areas which do not reflect the relative threat of the activity in question, thus reducing the resources available to tackle those behaviours which have the greatest impact on public safety. The casualty statistics suggest that illegal parking, speeding, the use of electronic devices while driving and similarly dangerous or unlawful behaviours should be the priority, particularly when, as now, resources are scarce.

We do understand that there is very heavy pressure on the police and politicians to tackle illegal or inconsiderate cyclist actions but, given the relative dangers presented, any such actions should only be as part of a wider campaign tackling the primary sources of danger, as above.

Tackling some major underlying causes of illegal cycling

Much illegal cyclist activity results from dangerous and/or frightening traffic conditions, potholed roads or badly designed infrastructure, and is most effectively tackled by reducing those causes. In the same way that Health authorities argue for reduced cigarette availability and greater physical activity opportunities, so the police should urge Edinburgh Council and the Scottish Government to invest further in road maintenance and in infrastructure which is safe and welcoming for pedestrians and cyclists.

We also suggest that Police Scotland should publicly support the campaign for Strict Liability. Although this is primarily intended to reduce pedestrian and cyclist injuries it would also give cyclists a presumed liability towards pedestrians which could greatly reduce the prevalence of illegal urban pavement cycling and the genuinely inconsiderate cycling which does exist on some shared pedestrian/cycle paths.

5. Road Safety Campaigns

Spokes urges Police Scotland to discuss and research with the City of Edinburgh Council the impact of campaigns which strongly urge the wearing of helmets and other safety equipment. Such campaigns make cycling look unduly dangerous compared to other transport modes and do little to contribute towards the establishment of a safer cycling culture. Indeed, over the very same period that more people have been using safety equipment – and when the message to use it is becoming ever more prevalent – cycling casualties have been rising - and at a faster rate than cycle use⁹. This trend is not just specific to Edinburgh and so we urge both Police Scotland and CEC to push for research by the government into the causes of these anomalies.

⁷ www.spokes.org.uk/wordpress/documents/advice/considerate-cycling/

⁸ www.transportscotland.gov.uk/files/documents/reports/j285660/j285660.pdf

⁹ See tables on P5 of Spokes Bulletin 117 - www.spokes.org.uk/wordpress/wp-content/uploads/2009/09/pall5.pdf

In contrast, Police Scotland should emphasise the relative safety of cycling, presenting it as an everyday activity for trips on local roads and paths, wearing ordinary clothes. Such themes could be interwoven with messages regarding bicycle maintenance, rules of the road, and other issues which treat cycling as an everyday utilitarian activity.

With respect to campaign content, where helmets and protective clothing are mentioned, people should be given a full picture of the arguments on both sides. For example, while a cyclist could be told that wearing a helmet may help if they fall and hit their head, they should equally be told the evidence that motorists on average pass closer to cyclists who are helmeted¹⁰ and that helmets are designed for closing speeds of merely 10-12mph.

A theory highlighted by the London Cycling commissioner, Andrew Gilligan, suggests that some people may feel if they are fully equipped with 'protective' clothing they are more likely to use faster roads, despite this being precisely where most of the serious injuries occur. Yet choice of road has a far greater impact on safety than choice of clothing¹¹. Thus safety campaigns which unintentionally encourage some cyclists to use faster roads, because they feel safely equipped, could in fact cause increased serious casualties.

Conversely, other people (generally perhaps those who do not cycle or who feel nervous) may be put off cycling at all because it appears too dangerous as a result of the emphasis on the need for 'protective' clothing. You aren't told to dress up to walk or drive to the local shop, yet this is presented as vital if you decide to cycle. Again, this ignores the fact that cycling on local roads is in fact very safe¹².

If the previous two paragraphs are correct, this could explain why cycling casualties, particularly serious casualties, are rising faster than any rise in cycle use.

In summary, educating cyclists about the relative safety and risks of different road types is likely to be far more effective - both for casualty reduction and for cycling promotion - than campaigns focussed on protective clothing. We urge Police Scotland to take these issues seriously and to lobby for the necessary research. Of course, people are free to choose on which roads to cycle, but they need full awareness of the issues if they are to maximise safety where-ever they choose to cycle.

6. Investigative Procedures

There is concern that, in collisions involving a cyclist or pedestrian, insufficient priority is placed on detailed investigation. We have heard that whilst 2-3 police officers may typically be allocated to investigating a road death crash, the number for a typical murder case might be 20 or so. Yet in both cases a person has been killed and there is the potential for further death or injury if the cause(s) and offender(s) are not fully investigated. This feeds the perception that road deaths are not as serious as other unlawful killings

We accept, however, that there is a disincentive on the police to investigate these incidents fully because there is little likelihood of the Crown Office & Procurator Fiscal Service (COPFS) pushing for prosecution. Therefore, Spokes urges Police Scotland to work with COPFS to emphasise the need to secure prosecution in these cases, both in terms of closure for victims and to serve as a deterrent for other motorists.

¹⁰ Dr Ian Walker, University of Bath - www.bath.ac.uk/news/articles/archive/overtaking110906.html

¹¹ See tables on P5 of Spokes Bulletin 117 - www.spokes.org.uk/wordpress/wp-content/uploads/2009/09/pall5.pdf

¹² *ibid*

7. Urban Development

Although perhaps beyond the scope of this consultation, we would like to see Police Scotland, in Edinburgh and elsewhere, supporting planning developments which encourage permeability, based on the principle that pedestrians and cyclists should have the quickest routes to amenities, rather than the present situation where walking/cycling routes from residential areas are often circuitous and entail using significantly trafficked roads.

While urban designers now accept these principles, the police sometimes object to what are regarded as 'back-door' entrances on grounds of possible undesirable behaviour. This may deter occasional wrongdoing (or may transfer it elsewhere) but at the expense of reducing safe walking/cycling opportunities and encouraging yet more road traffic. 'Secure by Design' is a very laudable document, but it does bring into conflict these two aims and maybe could be revised to be more amenable to aiding government policy regarding active travel and development permeability.

8. Bicycle Theft

Many cyclists believe that the police have a poor response to stolen bikes, and that the crime will typically have a low priority. Many bicycles can be extremely valuable – often more than £1000 – and yet the priority the theft is given would suggest the value is not recognised. Even more importantly, if people believe their bicycle is at risk of theft, whether at home or at their destination, this will deter cycle use. The deterrents of visible policing profiles and of appropriate consequences for conviction are insufficient for the scale of the problem in parts of Edinburgh.

A particular problem in Edinburgh is domestic bike security in tenement, flatted and terraced housing. Spokes has done significant work on this¹³¹⁴ and we suggest a police priority should be to work with the council to ensure more secure domestic bike storage. Specifically, in terms of preventing bike theft, Police Scotland could be campaigning to change householder Permitted Development Rights which currently make installing secure cycle storage in front gardens (or any gardens for flatted developments) very difficult. A change in the law relating to this would enable householders to install sheds for the purpose of cycle storage which would drastically reduce the opportunity for bike theft.

¹³ www.spokes.org.uk/wordpress/documents/advice/spokes-tenementsflats-bike-storage-project/

¹⁴ www.spokes.org.uk/wordpress/documents/advice/bike-storage-gardens/

9. Spokes and the policing plan

The policing plan will involve working with local communities and voluntary organisations. Many Spokes activities contribute to improved safety and to bicycle security and our work will continue. For example:

- Lobbying for safer road conditions through improved infrastructure
- Lobbying the council and providing practical advice to householders to improve domestic bike security [our factsheets, referenced in 8 above]
- Factsheets and other initiatives on considerate cycling [referenced in 4 above]
- Co-operating with Edinburgh Council and former L&B police in safety campaigns. Our purpose was to try and ensure that where campaigns targeted bikes, the much greater danger from motor vehicles was targeted in parallel; and to try and ensure safety campaigns did not suggest cycling is unduly dangerous.

APPENDIX 1

Table 1. Edinburgh Cycling Casualty Figures

	2004	2005	2006	2007	2008	04-08 Average	2009	2010	2011	2012
Fatal	2	0	1	0	1	1	1	1	2	2
Serious	20	30	25	32	29	27	33	30	33	40
KSI	22	30	26	32	30	28	34	31	35	42
Slight	144	140	172	141	154	150	173	178	205	200
Total	166	170	198	173	184	178	207	209	240	242