

ROAD JUSTICE REVIEW

CTC Road Safety Campaigner **Rhia Weston** reports on the ongoing efforts to ensure that vulnerable road users are treated fairly in 'accidents'

TOO OFTEN cyclists are seriously injured or killed because of aggressive, intimidating and dangerous driving. Yet the justice system fails to treat these incidents with due seriousness; police investigations are of poor quality; charging and prosecution decisions are inappropriate; sentences are unduly lenient; and victims of road crime are not given the support they need.

CTC is committed to campaigning for justice for cyclists knocked off their bikes. These campaigning efforts have already borne fruit: we met with the newly appointed Victims' Commissioner, Baroness Newlove, in January to discuss the incorporation of victims of road crime into The Victim's Code. The Justice Review Group, of which CTC is a member, met for the first time in February, following a positive meeting with the Justice Minister, Helen Grant, late last year. The group will meet regularly to discuss a review of the justice system. Other members include British Cycling, RoadPeace, Living Streets, the Crown Prosecution Service (CPS), the Ministry of Justice, the Home Office, the Department for Transport and the Association of Chief Police Officers (ACPO).

One of the most appalling failures of the justice system is the propensity for the courts to issue derisory sentences to motorists who kill and maim vulnerable road users. It must be remembered, however, that in many cases the reason for derisory sentences is the CPS decision to charge with careless driving, which

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“Victims of road crime do not receive the same level of support as victims of other types of crime”



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carries a far more lenient sentence than dangerous driving. The reasons for issuing this lesser charge stem from inadequate guidance on charging standards and offences available to the CPS, and to poor police and coroner investigations, which fail to produce sufficient evidence to support more severe charges.

At the 'Get Britain Cycling' Inquiry, the All Party Parliamentary Cycling Group were highly critical of ACPO and the CPS for derisory sentences, for which the CPS representative attempted to evade responsibility by arguing that sentences are a matter for the courts only. We trust that the grilling ACPO and the CPS received at the inquiry will motivate them to look for solutions to derisory sentencing.

Two cases that highlight how police and CPS failings impact sentencing are those of Tom Ridgway and Kyle Coen. The driver who hit Tom Ridgway wasn't charged for his death because the coroner failed to find a connection between his driving behaviour and the death. The driver was simply charged with 'driving without due care and attention', for which he received a paltry £35 fine and three penalty points.

The driver who hit 14-year-old Kyle

Coen fled the scene and lied to the police to cover his tracks. He also wasn't charged in connection with Kyle's death, only with perverting the course of justice and failing to stop after a collision. He received a short six-month custodial sentence and a 12-month driving ban. It would appear from the outcome of this case that lying to the police is considered a more serious crime than killing a child.

There are some glimmers of hope, however. Under pressure from the Justice for Jamie campaign, led by the family of Jamie Butcher, who was killed crossing a road in 2012, the Sentencing Guidelines Council has pledged to consider a review of their guidelines. Jamie's killer received a mere two-year prison sentence, which shocked and outraged his family and prompted their successful campaign.

Please support CTC in raising awareness of cases where the justice system has failed cyclists. You can send a cheque to CTC Road Justice, Parklands, Railton Road, Guildford, GU2 9JX or donate via the website: ctc.org.uk/donate-to-campaigns

For victim support, visit roadpeace.org