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ROADS AHEAD

Welcome to the second edition of our Roads Ahead newsletter.



GEMMA FOX
PFEW's National Roads Policing Lead,
Roads Policing Forum

I wanted to start by highlighting the fantastic work of each of our Roads Policing Forum members and lead representatives – without their hard work and passion, we would not be making the progress we are in 2021.

Work continues across several areas within the roads arena and it's important to be reminded of how broad this is – driver training, pursuits, fleet, operations and intelligence, motorcycle, the list goes on.

As always, our Roads Policing Forum is here to listen to you, our police drivers, who cover millions of miles every year to keep the public safe. Our forum members continue to raise issues from across England and Wales for us to discuss – your views are vital and play an important role in the work we do.

Our 2021 Roads Policing conference will be held virtually later this year (see page 16 of this newsletter), which will be an exciting opportunity to utilise technology and connect with colleagues and stakeholders, with the ability to reach out internationally.

Most importantly, it's an opportunity to showcase the incredible work of our members and raise important issues on a national platform.

I look forward to the remainder of 2021 and continuing with our efforts to support you and ensure you have the right training, skills and equipment. It's crucial that the true value of policing our roads is acknowledged and the contribution this has to making our roads a safer place.



Driver Training: Q&A with DCC Terry Woods

PFEW's National Roads Policing Lead, Gemma Fox, speaks to Deputy Chief Constable Terry Woods of Lancashire Constabulary about his role as the National Police Chiefs' Council (NPCC) Driver Portfolio Lead and his priorities for 2021.



DCC Terry Woods

How long have you been in the police service?

I've been at Lancashire Constabulary since the day I joined the police service 25 years ago. I've always had an interest in roads policing and have been involved with various specialist roles during my service and have even maintained my advanced driving permit to date. I took over as NPCC Driver Portfolio Lead in January 2020.

What are your top three agenda items this year?

Firstly, we must remember this portfolio extends far wider than just driver training – it's police driving in its wider context.

UK police driving has the best training and the highest standards worldwide, but what we need to do now is get a higher consistency of what's being trained. Therefore, our top agenda items are:

1. Licencing of driver training centres.
2. National training standards.
3. Smooth implementation of the new legislation.

Licencing of police driver training centres is new. If you look at other areas of police training, like firearms and public order, this is already well established and in place. As a service, we've got a duty to our workforce and to the public to meet these standards. We also need to ensure our centres are licensed to deliver training and that they are regularly inspected.

Every driving school has a self-assessment process in place, whereby they're asked a series of questions to ensure they meet the national standards. We are currently discussing these responses with experts and will shortly be writing to every force with our views on where they stand in relation to health checks on their training centres. This will ensure consistent course delivery against national training standards.

The final piece of work is around the implementation of two key pieces of legislation in 2021. The first is the Exemption legislation, which is a refresh of Section 19 from the Road Traffic Regulations Act 2006, giving police officers certain exemptions



when driving and allows them to claim these exemptions. The other is the Protection legislation, which is new and aims to better protect officers driving on duty under emergency conditions. This comes after the PFEW's [Protect The Protectors](#) campaign and fundamentally makes allowances for the enhanced training of police drivers.

There's a commonality between both these pieces of legislation in that you, as an individual, can only claim the exemption and the protection if you fulfil the following criteria:

- that you have undertaken a course delivered by one of the recognised training centres;
- the course you attended is in line with national standards;
- that you are in date with your training and accreditation.

What are your top priorities for 2021?

Our first priority is a refresh of the College of Policing's Authorised Professional Practice (APP) and the national standards to ensure there is consistency. The second is around the increased move towards licence accreditation for police driver training centres.

The final two priorities are new areas of business for the driving portfolio. The first is the introduction of a working group to look at police driver fatigue

alongside the National Wellbeing Service. The second is the electrification of police vehicles. We're conscious that the Government has announced plans for vehicles to be electric by 2030, so we're working with the National Fleet Lead on how the police service addresses this and works towards the electrification of our police fleets.

What key message would you give officers who drive police vehicles?

My own view is that police drivers do the highest risk work. You're driving millions of miles every year on blue lights. I strongly believe that officers deserve the best training and equipment to do the job and the right protections in law when doing it. I'm committed to trying my very best to make sure officers get the best training in the world and we will strive towards continual improvement.

How valuable is the Police Federation to the NPCC driving portfolio?

I'm grateful for two key things – one is the challenge that the Police Federation puts on me. You hold my feet to the fire to ensure that your members are getting the best out of us. The challenge is there and it's completely legitimate. With that also comes advice, guidance and support. The Federation is a crucial part of the driving portfolio and I encourage members to have confidence that if they raise any ideas or concerns with their local representative, they will get through to us and we will listen.

Bill welcomed, but more work needed to properly protect police



TIM ROGERS
PFEW's National
Driver Training
and Pursuits Lead

The formal introduction to Parliament of the Police, Crime, Courts and Sentencing Bill on 9 March 2021 is a “significant step towards giving police drivers the legal protections they need when doing their job”, says West Midlands Police Federation Deputy Secretary, Tim Rogers.

But Tim, who is also PFEW's National Driver Training and Pursuits Lead says that more work still needs to be done to ensure the new legislation does not serve to further criminalise officers if they breach national driving policies.

“After more than six years of campaigning for a change in the law to ensure that officers' specialist training and skills can be taken into account when their driving is assessed, I was pleased to see this Bill unveiled in the House of Commons,” says Tim.



“It's been a long process to get to this point and I'm grateful to the home office, Government and everyone else who has listened to the Federation's concerns and acted in support of this campaign. The proposed changes to the law set out to ensure that officers are no longer assessed by the standards of the careful and competent driver, which was clearly not right.

“But, as the Bill progresses through the various stages of becoming law, we have to ensure that there is scrutiny of the wording of the new legislation. The current wording will see officers' driving assessed according to the standards of the careful and competent police driver and could serve to criminalise breaches of driving policy.

“So as this Bill passes to the committee and report stages, we need to further engage with the Government to ensure all the finer details of the legislation are as they should be to make this truly fit for purpose.”

Tim adds that as the initial draft legislation stands, it has the potential to see more officers being charged under the very changes being introduced to offer them better legal protection.



“Police officers should not be singled out for criminal prosecution for behaviour which, if it occurred in any other profession, would be a matter for regulation and a civil action,” Tim explains. “Under the current provisions of the Bill, a police officer driving above the standard of a careful and competent member of the public, but below that of an elite class of police driver, would potentially render themselves liable to criminal prosecution.”

By way of example, Tim explains that a police officer who delivers a sub-standard commentary during a pursuit could fall foul of the new standard and risk being prosecuted for driving without due care and attention. When there’s no provision within the Approved Professional Practice (APP) or the tactics directory, this could again lead to an officer being charged with a criminal offence. There must be an acceptance that officers are expected, on occasion, to react instinctively to protect the public. Tim is now seeking to have this matter raised with policing minister, Kit Malthouse.

“We need an exemption to the offence to be included on the legislation, to reflect the fact that there will be occasions where an officer is expected to act outside of their licensed training,” says Tim. “This is something I raised almost three years ago as part of the public consultation on this legislation. We have to be able to prevent situations arising whereby police officers could be criminalised for acting to protect the public.”

Tim is suggesting wording that would set out reasons why officers could depart from the usual standard by which they would be judged, including the departure being ‘reasonable’ and ‘proportionate’ in the circumstances.

Amendments must relate to the new standard for police drivers and the expansion of powers under section 163 (exit from vehicles on demand) and the expansion of circumstances in which officers are not obliged to report collisions to their insurance companies (Tactical Pursuit and Containment is already excluded from this requirement due to lobbying in 2014).

Our proposed amendment is as follows:

When a vehicle is being used for a policing purpose, the driver may depart from the standard of the careful and competent driver (or cause another to do so), or depart from the direction of any mandatory road traffic sign if, and only if:

- a. driving the vehicle in accordance with road traffic regulations or relevant policy would be likely to hinder the use of that vehicle for the purpose for which it is being used;
- b. any such departure is reasonable in the circumstances as the responder reasonably believed them to be;
- c. the departure was proportionate to the circumstances as the responder reasonably believed them to be; and
- d. in deciding whether the departure was reasonable, the following should be considered, so far as is relevant:
 - i. the relevant policy and training received by the driver (if applicable);
 - ii. that a driver reacting to circumstances as they occur may not be able to judge to a nicety the exact measure of any necessary action required;
 - iii. evidence of a driver having only done what the driver honestly and instinctively thought was necessary in the circumstances constitutes strong evidence that any departure from the relevant standard was reasonable.

The Bill will progress to committee stage and then to report writing when there is the opportunity for amendments. Tim believes the effective use of the legislation will be backed up by the driving standards units within forces, a move already followed by West Midlands Police and the Kent, Essex, and Lancashire forces.



Forensic Collision Investigation Network update



ANDY SMITH
PFEW's Collision
Investigation Lead



As many of you will be aware, police forensic collision investigation is currently going through significant change, with lots of work being conducted by the Forensic Collision Investigation Network (FCIN).

The way in which Forensic Collision Investigators (FCIs) work on a daily basis has already started to see some changes in preparation for achieving accreditation and adhering to a number of the Standard Operating Procedures (SOPs) – some of which have already been published and we anticipate more to follow soon.

While many of us are adjusting to the standardisation of numerous procedures, some of these will take time to get used to. For instance, many FCIs are now becoming familiar with the various new national forms relating to attending collision scenes and the subsequent 72-hour quality assurance checks that follow.

Additionally, many units have been acquiring new and improved equipment. This is something we're doing in my own force, Northumbria, where we've recently purchased our first scanners. This is a new way of working for us, which we're hoping to be fully up-to-speed with soon.

Many FCIs are currently studying for either the University Certificate of Professional Development (UCPD) or Certificate of Higher Education (CertHE) qualification, some of which will no doubt then move onto the degree course in the future.

Competency testing is set to be introduced at some point in the future, which will involve FCIs being assessed on their scene examination skills by the United Kingdom Accreditation Service (UKAS) at a new purpose-built facility currently under construction.

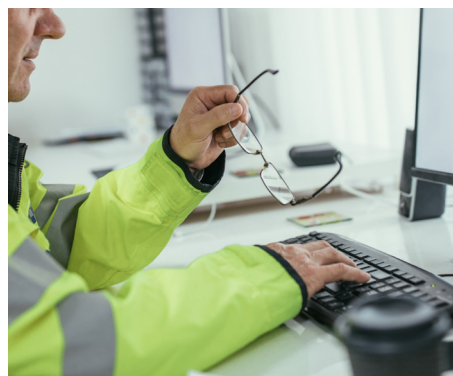
From personal experience, I know how time-consuming studying can be in addition to our already busy and often

stressful roles as FCIs. Therefore, it's imperative that unit supervisors recognise just how much work is involved so they can allow their FCIs appropriate study time to assist with achieving their qualifications.

Regional and technical managers are now in place around the country, working with forces to prepare for accreditation. However, due to the impact of Covid-19, the deadline is likely to be extended by 12 months, meaning all forces would now need to achieve accreditation by October 2023 at the latest.

While there's clearly some positive progress being made throughout the country, I'm sure there will be FCIs who may have concerns regarding some of the developments and possibly their own futures within their roles. As a Federation representative and FCI myself, my prime concern naturally relates to the wellbeing of colleagues who work within collision investigation and how the changes being introduced may affect them.

PFEW's National Roads Policing Lead, Gemma Fox and I recently held a meeting with the NPCC National FCI Lead, Sacha Hatchett, who reassured us on a number of concerns raised and welcomed the views of the Federation and myself as an FCI 'on the ground'. Therefore, I encourage colleagues who may wish to provide feedback for future meetings to please contact Gemma or myself.



Humberside trialling new process for MOT offences



DAVID WILLIAMS
Humberside Roads
Policing Forum
Representative

“At Humberside, our roads policing officers are currently trialling a new way of dealing with Ministry of Transport (MOT) offences because of public confusion around the expiry date of their MOT. Due to Covid-19, some had been granted MOT extensions by the Driver and Vehicle Licensing Agency (DVLA), but when that ended, some continued to believe it was valid.

“It was clear that in a number of expired MOT cases it was a clerical error and people weren’t trying to avoid having their vehicle tested. It then seemed harsh to issue a Traffic Offence Report (TOR) and have individuals fined £100.

“My belief was that if they spent that money having their vehicle MOT’d straight away, it would be a win-win all round – the police benefit because they know the vehicle is roadworthy to pass the MOT and the driver benefits as they get their MOT and don’t receive a financial penalty.

“So how do we do this? When we stop someone whose MOT has expired, we establish when it expired and the reason why. Each case is dealt with on merit and officers can use their discretion as to



whether they believe the driver should be fined.

“If they believe it’s an error, they’ll issue the driver with a HORT/1 and request they produce an MOT certificate within seven days. They then report the driver for driving without a valid MOT, but explain that if they produce one at the nominated police station, they’ll face no further action. However, if they don’t comply, they’ll be dealt with as normal.

“The Central Ticket Office (CTO) are on board and supportive of this process, as it doesn’t cause any additional work – in fact, it reduces it slightly.

“We’ve been running this in Humberside since October 2020 to see how effective it is and the feedback from both traffic officers and the public has been very positive, as it applies fairness.

“Current figures suggest that around three quarters of the public who have been dealt with in this way have complied and produced an MOT certificate within the required seven days. As a result, we’re now looking at rolling this process out across the force within the next few months.”



Left to right: PC Nick Capp, PC Gary Hewitt, PC Chris Wallis and T/PS David Williams.

Key updates for awareness

PFEW urges MPs to look at smart motorway death toll for inquiry



JOHN APTER
PFEW's National
Chair

The Police Federation of England and Wales (PFEW) is urging MPs to factor in the smart motorway death toll into a new review as the level of fatalities on these dangerous roads has risen to a record high.

Figures from last year's STATS19 accident database, which provides statistics on road accidents reported to the police, have shown there were 14 deaths on the controversial highways in 2019 and 11 deaths in 2018.

The benefits and safety of smart motorways is to be investigated by the Transport Committee in a new inquiry in the coming weeks. MPs will also consider their impact on reducing congestion on busy sections of motorway and other roads in the strategic road network.

PFEW's National Chair, John Apter, commented: "The Police Federation has always strongly opposed so-called 'smart' motorways. They are inherently dangerous, not only for police officers, but for the hundreds of thousands of members of the public who use them every day. The reported figures for the number of deaths being linked to them are shocking.

"The lack of a hard shoulder makes these roads potential death traps for motorists and their passengers in the event of an accident, and almost impossible for the police and other emergency services to operate on safely. Added to this, the technology to detect obstructions and

issues on the motorway itself just isn't at the level that was promised."

In March 2020, the Department for Transport (DfT) concluded its investigation into the safety of controversial smart motorways. It launched plans to increase the number of emergency refuge areas and upgrade the equipment that automatically detects a stopped vehicle by March 2023. Only 37 miles of smart motorway have been fitted with this vital technology so far.

Mr Apter added: "While we value the DfT's commitment to address these serious issues, its review last year did not go far enough and we are disappointed it has since decided to build more smart motorways before completing the rollout of these new safety measures.

"We appreciate economics are important, but it's deeply concerning to witness it rushing to complete building these dangerous stretches of roads. The safety of motorists and our members, who already work in such a hostile environment, is paramount.

"We welcome the new review launched by the Transport Committee and we are willing to be part of these important discussions. We would urge MPs leave no stone unturned because the death toll does not lie and it must urgently answer the serious concerns that ourselves and other stakeholders have raised, not just on behalf of our members, but for the public and other services that use these roads before more lives are lost," he concluded.





Driving for Better Business

Driving for Better Business

PFEW has signed up to Driving for Better Business (DFBB), a government-backed programme aimed at raising awareness for work-related road risk.

It is being publicly backed by the Department for Transport (DfT), Driver and Vehicle Standards Agency (DVSA), Health and Safety Executive (HSE), Association of Police and Crime Commissioners (APCC), National Police Chiefs' Council (NPCC), National Fire Chiefs' Council (NFCC), Royal Society for the Prevention of Accidents (RoSPA), Ministry of Defence (MOD) and many more associations involved in fleets and commercial businesses.

The programme helps employers understand where they may have gaps in the management of road risk that could put their drivers and other road users at risk, and then provides guidance and resources to help them fill those gaps.

It's also important for all employers to realise that the number of staff who drive for work may be larger than first thought, and police forces in particular should look after those who drive in a non-operational capacity just as well as the highly trained drivers in operational vehicles.

Common challenges that may impact on driver safety include awareness of legal responsibilities, driving for work policy, reasonable work schedules, management of driver fatigue, mobile phone policy, driver wellbeing and vehicle roadworthiness.

The programme and all its resources are free to both the public and private sector, and many police forces are already signed up. PFEW's next step is to work with DFBB to develop a gap analysis which is for blue light users.

Further information can be found at www.drivingforbetterbusiness.com

Ongoing engagement with the Parliamentary Advisory Council for Transport Safety



SIMON HILL
PACTS Representative
for PFEW's Roads
Policing Forum



PFEW's Roads Policing Forum continues to be engaged with the influential Parliamentary Advisory Council for Transport Safety (PACTS) by regularly attending various events and meetings held, the latter involving Members of Parliament and attendees from other government bodies and external transport agencies.

PACTS are involved in all transport related matters and regularly lobby the government around safety issues, utilising evidence they've gained from their own studies, such as overseas best practice to support their position.

During 2020, Simon Hill, Region 8 Roads Policing Lead, was invited to sit on a heavily attended webinar along with other PACTS members and answer questions on road

safety from a policing perspective. Having this exposure helps to highlight the good work by police officers around the country and the everyday problems they face. PACTS were very supportive of roads policing because of their extensive research into roads policing numbers. The report, in conjunction with the Department for Transport (DfT), calls for evidence into roads policing and the HMI-CFRS review will undoubtedly lead to greater investment in roads policing from the government.

Having PFEW engagement in these areas can be very influential and lead to our members having sufficiently trained and resourced roads policing units around the country.

Specials are making a difference policing the roads in Essex



STEVE TAYLOR
PFEW's National
Board Deputy Lead
for Roads Policing

The new Police, Crime, Courts and Sentencing Bill secured by PFEW not only seeks better protections for police drivers, it also allows for Specials to become Federation members.

Specials have been supporting policing for years and are no strangers to the roads policing role in many forces. One such force is my own, Essex. We introduced a team of six special constables into the roads policing world in 2014, where they worked closely with the Casualty Reduction Section (CRS) on reducing the number of people killed or seriously injured on Essex roads. The team flourished and has grown into a bigger unit consisting of a special inspector, two special sergeants and 15 special constables, all working for the Road Crime Team (the new name for CRS) from three garages.

Specials complete a three-week traffic law course and a roads policing personal development portfolio before they're

signed off as a roads policing special constable. The role profiles mirror those of regular officers. Driver training includes the opportunity to undertake the three-week standard response course and initial phase pursuit, before undertaking the advanced and motorcycle courses.

As Adam Pipe, Head of Roads Policing for Essex, said: "This team has continued to push the boundaries in recognition of the roles it performs and have looked to provide each officer with the skills and opportunities to fully flourish. I've nothing but praise for their professional approach, willingness to learn and overall operational capabilities."

In 2020, the team completed 1,335 duties and volunteered an incredible 10,442 hours, which works out an average of 48 hours per month. The national guidance on minimum hours for a special constable is 16 hours per month.



Above and right: Special Temp. Sgt. Steve Nelson





Front: Special Supt. Leon Dias, far right: Special Temp. Sgt. Steve Nelson

Specials undertake specific taskings on and around the strategic road network, targeting the Fatal Four, intelligence-led criminal use of vehicles, Automatic Number Plate Recognition (ANPR) and other operations, such as car meets, people trafficking and theft from commercial vehicles, as well as responding to calls for service on the road network.

In the words of Special Superintendent Leon Dias: "The current performance of the Essex roads policing special constables demonstrates that where a force increases investment in training and opportunities for volunteer officers, the return that officers provide that force is significant."

A past colleague of mine, Special Temp. Sgt. Steve Nelson, is a trained motorcyclist and has been a special since 2007. He volunteers around 110 hours a month and was one of the first roads policing specials. Managing a team of six, Steve describes his 'meat and gravy' as being drink and drug drivers, and being able to take a

case from roadside through custody and to court with only the input of a supervisor to sign the file through.

Steve and his team are also deployable to traffic and regular police incidents. In one week, he was first on the scene at three separate fatal incidents.

He told me: "When you put on the white hat at a scene, officers, regulars and specials tell you what they've done and ask what you need doing next. They only see the hat, not the status of the officer wearing it."

In a time when specials are not identified as such by their uniform, they do a great job in confounding some old negative stereotypes concerning the special constabulary and play a huge part in keeping the roads of Essex safe.

Back 2 Work



STEVE HARTSHORN
PFEW's National
Board Member
and Chair of the
Operational Policing
Subcommittee

When you join the force, you're not necessarily thinking too far into the future – you just want to get the training done so you can get out there and prove yourself as a good copper.

It's only when you get injured or a colleague is injured – and for this purpose, one who's damaged their back – that you really begin to realise how important looking after your own back is. Driving a police vehicle or being a passenger for lengthy periods of time can be uncomfortable and as we know, car seats are not designed for body armour!

As a joint venture between the Operational Policing and Wellbeing subcommittees, we're seeking to raise awareness of the importance of back care whilst wearing body armour at work. We realise from our own experiences, as well as representing members with back problems in ill health retirement cases, that officers usually only get advice following an injury or how to sit within an office-based environment, but not

necessarily for those wearing body armour for long periods within vehicles. The Operational Policing and Wellbeing subcommittees supported the work of the first National Police Chiefs' Council (NPCC) National Response Policing Wellbeing and Resilience 'Week of Action,' which recognised the role and work of response police officers. It took place from 15 to 22 March 2021.

PFEW are also involved with the NPCC working groups that look at body armour to ensure they can be the best they can in terms of support and protection for our members, and we're also going to be speaking to the vehicle industry in an effort to bring about improved seating within vehicles for officers wearing protective clothing and kit.

Finally, we want to encourage all officers to take time out and remove body armour when they can, such as on a break to prevent potential back strain. Simple stretches can make a real difference and help build up core strength. Keep an eye out for information that supports this and remember, if you're paying into one of the [Police Treatment Centres](#), you can get some really good rehabilitation to help work on your core strength and maybe even prevent future issues.



Case studies and stories shared

Thank you to all those who continue to support our goals through some truly extraordinary stories and videos below:



THE BOY TAKING ON THE SPEED LAWS

NEWS

Seven-year-old Harry from Norfolk taking on speed laws

Harry Cannel appeared on ITV's This Morning when he took the law into his own hands after his cat was killed by a speeding driver.

[Read more](#)

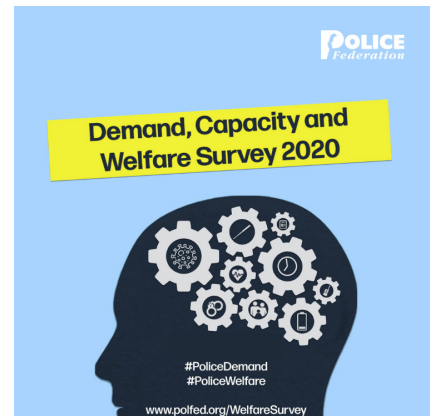


BLOG

The role of a Family Liaison Officer

Lancashire Constabulary's Dave Thomas shares his experiences working as a Family Liaison Officer.

[Read more](#)



SURVEY

Demand, Capacity and Welfare

PFEW's latest Demand, Capacity and Welfare survey results cover topics on resilience, the day-to-day demands facing officers and the stress on mental health and welfare.

[Read more](#)



POLICE MAGAZINE

February 2021

PFEW's latest POLICE magazine includes features on the new legal protections for police drivers and Lissie Harper speaks about her Harper's Law campaign for justice.

[Read more](#)



BLOG

"Who's going to look after the team if you fall over?"

PFEW's National Board Deputy Lead for Roads Policing, Steve Taylor, talks about the importance of mental health and wellbeing for supervisors.

[Read more](#)



NEWS

Police drivers to get greater protection in law

New Bill offers a chance to address a long-standing unfairness against police.

[Read more](#)



SAVE THE DATE

WEDNESDAY 29 SEPTEMBER 2021

ACCELERATING CHANGE: ROADS POLICING VIRTUAL CONFERENCE



More details will be revealed in June's edition of Roads Ahead.

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