The forgotten victims: support for road crash victims

Road deaths and serious injuries cause horrendous suffering every day. Every day five families in the UK must face the unbearable news that their loved one will never come home because they have been killed in a road crash. 65 more families each day must come to terms with a serious injury in a road crash, many of them life-shattering and some causing permanent disability.

These needless casualties are sudden, violent, man-made and often result from criminal behaviour. The bereaved and injured victims commonly experience long-term and acute emotional suffering and other serious implications such as debt, health problems and social isolation.

Victims of burglary automatically receive an offer of face-to-face support, through a service funded by government. Road crash victims, whose loved ones have been violently killed, or who have suffered appalling life-changing injuries, do not. Brake supports bereaved and seriously injured crash victims through a national helpline and packs, part-funded by government. But this remains a grossly under-funded area, with many unable to access a clear pathway of support.

Brake urges the government to rectify this, by funding comprehensive, integrated specialist support that is automatically offered to all families bereaved and seriously injured by crashes, and enshrining these families’ right to support in law.

There is a need to invest far more in road crash victim support, and an opportunity to achieve this with no additional cost to the taxpayer, through the Department for Transport’s planned increase in motoring offence fines. This increase will generate an additional £30 million that is already earmarked by the Ministry of Justice for supporting victims and witnesses. Brake believes it is highly appropriate to spend fines from law-breaking drivers, who risk causing casualties, to ensure appropriate support is available to families devastated by road death and injury.

Inequality in support

Millions are invested annually by government in offering face-to-face support to victims of crimes where no one is badly hurt or killed, most of whom neither want nor need support\(^1\). Grievously suffering road crash victims receive no such offer.

Although there has been an increase in government funding for supporting victims of criminal road death in the past decade, including Brake’s services, we are a long way off having the resources to provide professional face-to-face support service for these victims nationwide, as is now the case for

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\(^1\) Review into the needs of families bereaved through homicide, Victims Commissioner, July 2011
homicide victims. For every £10 spent on homicide support, less than £1 is spent on supporting bereaved victims of road crime, despite the fact there are far more deaths on roads than homicides\(^2\).

Victims of road death face similarly acute emotional and practical upheaval and suffering to homicide victims, since they are also victims of sudden, violent and preventable deaths (and which disproportionately affect the young). Research into the impact of road death has demonstrated the profound and long-term suffering that results\(^3\).

In a report last year, then Victims’ Commissioner Louise Casey recognised that those bereaved through road death suffer similarly to those bereaved through homicide, and have similar support needs. She said "the Government should make it a high priority for those bereaved by culpable road death to receive a service similar to the offer ... for those bereaved through homicide [Victim Support's Homicide Service, which offers professional face-to-face support]."\(^4\)

What support is available to road crash victims?

Brake’s support services are accessed by thousands of bereaved and seriously injured crash victims each year. Our support packs are given to families by police following all road deaths in the UK (funded by the Ministry of Justice in England and Wales, Scottish Government in Scotland, and PSNI in Northern Ireland), and our helpline (part-funded by the Ministry of Justice, and part-funded by commercial sponsors) receives about 1,600 calls each year. These services provide crucial emotional support plus information and advocacy on practical procedures, and signposting to local and specialist sources of help, such as group support by other charities and counselling.

Although these services provide a lifeline to many, they are not nearly as comprehensive or well-funded as those afforded to other victims bereaved or injured through criminal acts. Brake’s packs remain the only government-funded support automatically provided to bereaved road crash victims.

Aside from Brake, a few other charities offer specialist support for road crash victims, such as face-to-face support and group resilience sessions. While valuable, these services are only available in a few locations across the UK. Brake works with these charities through a Road Victims’ Working Group, to share good practice and promote cooperative working, particularly referrals between our services. Between the five specialist road crash support charities on this Group, we received £273,880 in government funding for the year 2011-12. This compares to £2.75m invested in homicide support in the same year\(^5\). Brake believes there is a desperate need for government to inject significantly more funding in supporting bereaved and seriously injured crash victims, to enable the development of a comprehensive and integrated support offer that is available to all these victims, across the country.

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\(^2\) Based on £821,643 funding awarded for road crime victim support over the three year period 2011-14 (Organisations Awarded Funding in the Victims and Witnesses General Fund, Ministry of Justice 2011) and £2.75m invested in homicide support during 2011-12 (Getting it right for victims and witnesses, Ministry of Justice 2011)

\(^3\) “Psychological suffering by the victims [of road crashes] and their relatives is often extreme and long-lasting.” Impact of road death and injury, FEVR (the European Federation of Road Traffic Victims), (1995)

\(^4\) Review into the needs of families bereaved through homicide, Victims Commissioner, July 2011

\(^5\) Based on £821,643 funding awarded for road crime victim support over the three year period 2011-14 (Organisations Awarded Funding in the Victims and Witnesses General Fund, Ministry of Justice 2011) and £2.75m invested in homicide support during 2011-12 (Getting it right for victims and witnesses, Ministry of Justice 2011)
Why are some crash victims excluded from government funding?

Government funding is only available for supporting some road crash victims. The Ministry of Justice will only fund services for victims of crime, and the Department for Transport will not fund support for road crash victims at all. This means a significant number of road crash victims fall down the gaps of government funding, despite their profound support needs, and despite millions being invested in supporting victims of less serious crimes where no one suffered a sudden, violent bereavement or injury.

Where there is no government funding available to support families affected by crashes where there is no criminal prosecution, Brake continues to support these families as best it can through sponsorship and fundraising. However, Brake believes all victims of road death and serious injury are entitled to specialist support funded by government – not just those where a criminal prosecution takes place.

All bereaved road death victims and most of those very seriously injured come into contact with the criminal justice system since all fatal and most very serious injury crashes are followed by police investigation and the deployment of a police family liaison officer. In a large proportion of cases a criminal prosecution will follow: there are about 500 successful prosecutions in cases of road death each year.

However, many more road crashes may have involved criminal behaviour, yet this will never be recorded as a crime, nor will a criminal prosecution take place, due to the person who committed the crime being killed or very seriously injured themselves (and being the sole victim).

In other cases, where no crime has occurred, it remains the case that the family will suffer terribly, as a result of man-made, preventable circumstances, and a failure by government. For example, if a child is mown down and killed outside their house in a 30mph limit by someone driving at 29mph, Brake believes the family should receive government funded support on the basis that the road should have been safer, such as through a 20mph limit and better driver education.

What do we need from government?

Brake calls on the government to give priority to developing support for road death and serious injury victims, on the basis that these are victims of serious, violent, and often criminal events who suffer terribly; this is an area of support that has been historically neglected in government funding, and needs development investment. There is an opportunity to provide this through the planned increase in motoring offence fines for law-breaking drivers; this increase will generate most of the extra £50million the Ministry of Justice has said it plans to invest in victims’ services.

Brake urges the government to use this funding to ensure the provision of comprehensive, specialist support and information for all bereaved and very seriously injured road crash victims. This support should be proactively offered in a timely way to all bereaved and very seriously injured victims promptly following a crash, and a clear pathway of professionally-delivered, high-quality, integrated

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6 Criminal statistics annual report 2009, Ministry of Justice, 2010
support should be available and easily accessible, appropriate to victims’ needs. Funding should be provided at national level to enable this support offer to be developed and delivered efficiently and effectively to all who need it.

The government must also acknowledge the needs and rights of all bereaved and seriously injured road crash victims to appropriate support, for the reasons set out above, and provide funding in a way that does not discriminate against those equally-suffering victims whose cases will not result in a criminal prosecution. Brake urges the government to address this in its victim strategy, either by making an assumption that all victims of road death and serious injuries are eligible for Ministry of Justice funding for supporting victims of crime, or by working across departments to ensure all these victims are catered for in government funding.

Victims’ voices

The Taylors

Beccy Taylor was 18 when died. She had dropped her sister Jess at school and was on her way home when the car she was driving skidded on water and crashed. Her mum Nicole, father Chris and siblings Nick and Jess struggled to find answers as to why it had happened and found themselves left without the support the desperately needed.

Nicole said: “How do you find the strength to fight for counselling for your traumatised children when you’re speechless with shock and grief? As a family it’s assumed you will cope, but nobody checks.”

The Elbrows

The Elbrow family were on their way to the seaside when William Elbrow was killed aged eight by a HGV driver who crashed into the back of their family car. Mum Louise and dad Simon were left bewildered and without help to support William’s younger siblings Olivia and Thomas.

Louise said: “You are led through the motions, but no one tells you about the gaping black hole that engulfs your family home once you close the front door. You’re told about court procedures and dates, but no one tells you how to tell a six year old his big brother is dead.”

The Carvins

Primary school teacher and mother of two Zoë Carvin was killed in a road crash aged 42 when a truck driver crashed into the back of her vehicle. Her husband Paul was left to help their two children Ben and Emily to come to terms with their loss, while he struggled with his own grief.

Paul said: “I was stricken with grief. I’d lost my greatest love and best friend. But our kids were grieving too. You can’t rely on family and friends for months on end. You’re left wondering how on earth you are meant to cope.”

Find out more and back the campaign at www.brake.org.uk/justiceandsupport