

# ROAD NETWORK CRIMES

Guidance on Offences, Penalties,  
and Investigations





# Foreword

## Vip Gandhi, Chair Stamp it Out



Our road network are more than highways and streets – it’s a vital link connecting us all. With this connectivity comes great responsibility. The way we use our roads impacts not only our own safety but also the well-being of others, including the workers maintaining this essential infrastructure.

This publication provides guidance on road network crimes, detailing traffic and criminal offences, their penalties, and the processes of investigation. These offences affect those directly involved plus their families, friends, and communities. A moment’s carelessness or a deliberate violation can lead to life-changing consequences.

Our roads are workplaces for many professionals – engineers, construction workers, and maintenance teams – whose safety depends on responsible behaviour. Abuse of those in public-facing roles is a growing issue on the UK’s road networks, impacting their physical and mental well-being. We proudly support the Stamp It Out commitment to eliminating such abuse across road and transport infrastructure networks. Everyone working in these challenging conditions deserve respect and safety.

By following the rules and we help protect lives and keep our road network safe and efficient. Let’s use our roads responsibly so everyone can travel safely and with peace of mind.

## Chief Inspector Steve O’Keeffe

Lane incursion national lead. National Polcie Chief’s Council.



This booklet is designed to provide an informative insight to the type of traffic and criminal offences you may encounter as a road operative. It details the investigative evidential considerations and touches on the range of support officered. The content is not exhaustive and if you are involved with a traffic or criminal matter, as a victim or witness, the Police will provide additional information, and support bespoke to your case. Your own employer will provide support and instigate welfare mechanisms both immediately after the incident and any during subsequent court hearings.

If you are a victim, you are likely to feel angry, confused, fearful or intimidated by the investigation process – this is totally natural. The Police are professional and caring and will explore all reasonable line of enquiry. You are encouraged to follow any training and use any safety equipment provided by your employer. De-escalation tactics and use of Body Worn Video are proven to prevent incidents escalating and provide strong evidence of any offences.

Despite working in a high visibility environment and accepting drivers may become frustrated with any delays to their journeys – dangerous driving and threats or assault toward workers is not acceptable and will not be tolerated – its simply not “part of the job!”

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# How to Use this Document

**This document is intended for guidance purposes around the types of road crimes and criminal offences which occur across the network.**

Its intent is to clarify under which particular mode of trial / penalty specific offences should be perused.

**The guidance document is intended for use specifically by those with responsibility for the management of each of the following:**

- Ensuring the safety of the workforce
- Those responsible for the enforcement of the law on the public highways.
- Those responsible for perusing penalties and convictions against the perpetrators of offences on the public highways.

**The specific offences referred to within this document relate to:**

- Offences around violent conduct and or verbal abuse to those working on the public highway
- Breach of a road closure by a member of the public with an intent to with commit a crime or cause significant harm to the workforce.

# Types of Crimes Encountered on the Road Network

## TRAFFIC OFFENCES

Type of Offence	Mode of Trial/Penalty	Considerations	Links/More Info
<b>Endanger road users</b>	Magistrates court - fine	Deliberately altering, moving, and discarding traffic management equipment which endangers road users.	
<b>Careless driving</b>	Magistrates court - fine - points	Manner of driving falls below the minimum standard expected of a "competent and careful driver" – includes driving without reasonable consideration for other road users.  Can include lane incursion	<a href="http://www.police.uk">Driving offences   Police.uk (www.police.uk)</a>
<b>Dangerous Driving</b>	Magistrates - fine – points - disqualification	The offence of dangerous driving is when driving falls far below the minimum standard expected of a competent and careful driver and includes behaviour that could potentially endanger yourself or other drivers.  <u>Will include lane incursions.</u>	<a href="http://www.police.uk">Driving offences Police.uk (www.police.uk)</a>

N.B. endanger road users/ careless /dangerous driving must be presented to the court within 6 months of the offences. (Statutory Time Limit). High end Dangerous Driving offence may be heard in Crown Court and will not be subject of the STL. Crown Court hearings can take 1+ years to be heard at court.

## CRIMINAL OFFENCES

Type of Offence	Mode of Trial/Penalty	Considerations	Links/More Info
<b>Public Order Act Sec. 5</b>	Magistrates court – fine  *Directed comments – not just generic complaints /outburst or expression.	Offenders uses threatening words or behaviour, or disorderly behaviour.	<a href="http://legislation.gov.uk">Public Order Act 1986 (legislation.gov.uk)</a>
<b>Public Order Act Sec. 4a</b>	Magistrates court – fine or imprisonment,  *Directed comments – not just generic complaint /outburst or expression."  Intent needs to be proven. Consideration may be given where other road workers present at scene are ignored but for what reason a particular worker in targeted and closed down on, or certain insults related to the workers appearance are made.	A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, he— (a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour.	<a href="http://legislation.gov.uk">Public Order Act 1986 (legislation.gov.uk)</a>

Criminal Offences Continued

Type of Offence	Mode of Trial/Penalty	Considerations	Links/More Info
<b>Public Order Act Sec. 4</b>	Magistrates court – fine or imprisonment,  Insulting words will be subjective by the court, but generally taken by modern day standards with the use of everyday swear words etc.	A person is guilty of an offence if he— uses towards another person threatening, abusive or insulting words or behaviour – ..... with intent to cause that person to believe that immediate unlawful violence will be used against him or another by any person, or to provoke the immediate use of unlawful violence by that person or another, or whereby that person is likely to believe that such violence will be used or it is likely that such violence will be provoked.	<a href="https://legislation.gov.uk/public-order-act-1986">Public Order Act 1986 (legislation.gov.uk)</a>
<b>Affray</b>	Crown Court or Magistrates – fine or imprisonment	A person is guilty of affray if he uses or threatens unlawful violence towards another and his conduct is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety. Where 2 or more persons use or threaten the unlawful violence, it is the conduct of them taken together that must be considered for the purposes of subsection (1)	<a href="https://legislation.gov.uk/public-order-act-1986">Public Order Act 1986 (legislation.gov.uk)</a>
<b>Common Assault</b>	Magistrates Court  Imprisonment or fine.	Minor injury/apprehension that immediate force will be used	<a href="https://www.sentencingcouncil.org.uk/assault/">Common assault / Racially or religiously aggravated common assault/ Battery/ Common assault on emergency worker – Sentencing (sentencingcouncil.org.uk)</a>
<b>Assault - Actual Bodily Harm</b>	Subject of the seriousness of the injury can be dealt with at either Magistrates or Crown Court  Imprisonment or fine.	Serious injury	<a href="https://www.sentencingcouncil.org.uk/guideline-survey-in-the-magistrates-courts-and-crown-court/">Assault occasioning Actual Bodily Harm (ABH) / Racially or religiously aggravated ABH Sentencing Guideline Survey in the magistrates' courts and Crown Court – Sentencing (sentencingcouncil.org.uk)</a>
<b>Assault - Grievous Bodily Harm</b>	Crown Court - imprisonment	Serious injury – high level	<a href="https://www.sentencingcouncil.org.uk/unlawful-wounding/">Inflicting grievous bodily harm/ Unlawful wounding/ Racially or religiously aggravated GBH/ Unlawful wounding – for consultation only – Sentencing (sentencingcouncil.org.uk)</a>

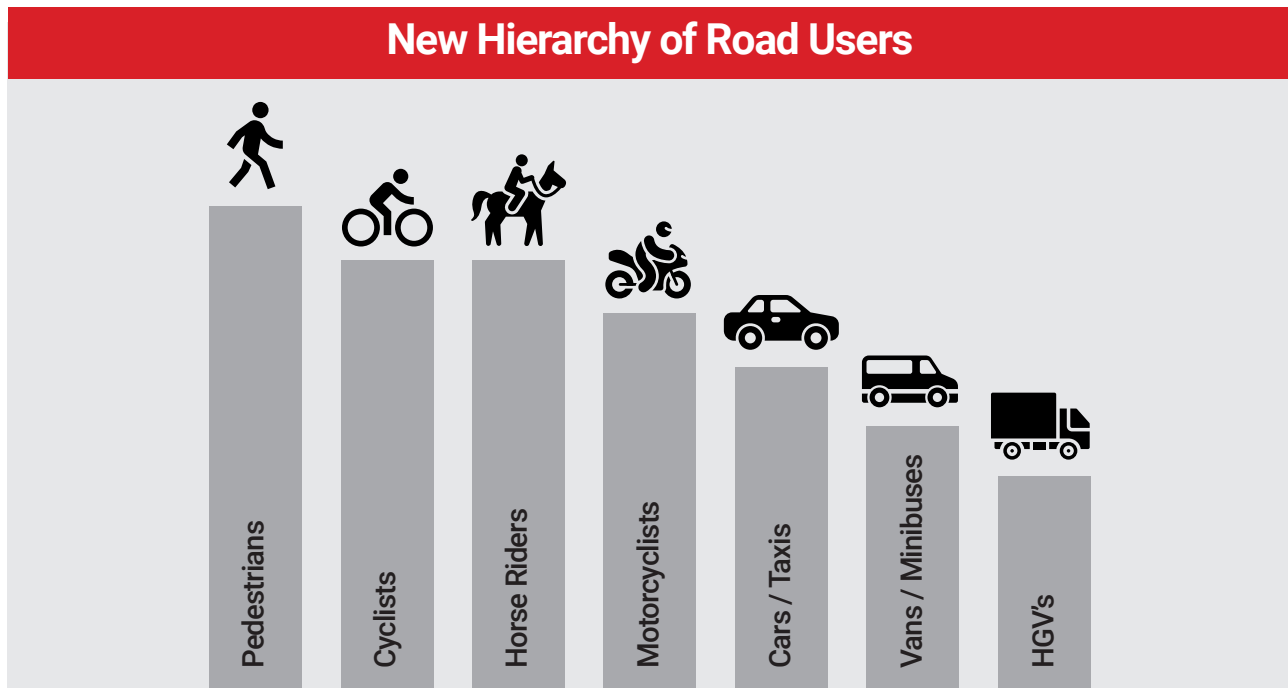
\*Criminal matters being dealt with at magistrates' court must be dealt with within 6 months from the date of the offences (statutory time limit). There is no limit on cases progressing through Crown Courts. Old language uses the word "he", this applies to both male and female offenders.





## Highway Code

The revised Highway Code highlights the vulnerability of pedestrians on the road / despite high viz and deployed TM, road workers will be considered as vulnerable pedestrians and other road users need to drive with and care and pass safely. The Crown Prosecution Service will consider this when reviewing cases.



### [What is The Highway Code Hierarchy of Road Users?](#)

Where the suspect admits an offence and the evidential threshold has been met then the court process will be quicker, and witness/victims are unlikely to be called to court.

### **Criminal matters only (not driving offences)**

All victims have the opportunity to provide a **Personal Impact Statement** describing any significant impact on their lives including injury, quality of life, confidence, ability to work and wider impact on family / dependants. If the case is proven this will be presented to the court for consideration with sentencing. [Victim Personal Statement - GOV.UK \(www.gov.uk\)](#). All victims will be offered an appropriate level of victim care subject of their need. [Home - Victim Support](#)

**Victim's Code** – all victims have the right to support services and be updated at key point during their investigation. It's important that the victim's voice is heard - [Code of Practice for Victims of Crime in England and Wales \(Victims' Code\) - GOV.UK \(www.gov.uk\)](#)

Key updates from the police /court will be provided to the victim direct and not their employer. **It's at the victim's discretion to share this information with their employer.** Court hearings are "open" to the public & media and results / high profile case can be reported online and in the press. Court results are published online by the police and courts.

A Crime Number will be provided by police. This should be used for any civil insurance claims or health and safety reporting.

# Police Lines of Enquiry

## EVIDENTIAL CAPTURE CONSIDERATIONS

- Victim statement – honest full account
- Witness statements
  - Colleagues
  - 3rd party (public) witnesses
- DNA – where applicable (e.g. spitting/offender's blood on clothing/ link to a weapon)
- CCTV
- **Body Worn Video** (really important) to support victims / witness statement accounts – with sound. To be turned on prior to interaction to fully capture the incident
  - BWV often de-escalate encounters.
  - escalation attempt by road operatives (open plan gestures, walking away, not getting angry, not raising voice, not using foul language etc.) is also strong evidence
- Dash Cam – including public vehicles triggered through witness appeals
- Confirmed identification – i.e. suspect arrested at scene otherwise identification can be disputed
- Capture of suspect's vehicle registration number – owner can be traced through DVLA.

Difficulties arise if a hire car, cloned, stolen or last keep details only

- Recovery of any weapon used
- Admissions made at the scene/during interview by suspect.

Special warnings towards the suspect where there are marks or substance on them. e.g. victim's blood/bruising to knuckles etc.

- Incursions - Assessment of TM deployment. Was the layout professionally laid out – negates any defence with incomplete, confusing or contradictory TM signage.

Blue light service also has exceptions in certain circumstances

- Defences – crime –  
Usually, self-defence and can include a pre-emptive strike- hence the importance of deconfliction training and passive behaviours by workers as this negates this defence, especially where there is BWV.
- Witnessed by Police. (Police also use Body Worn Video)
- Any supporting physical evidence at scene – such as skid marks, broken glass, disrupted / damaged TM
- Photographs of any torn clothing or damage to equipment etc.
- Identification – if disputed. Special identification procedures may be required
- Photographic evidence of injuries.
  - a/ shortly after an assault – i.e. blood / cuts evident
  - b/ after the event – i.e. when bruising emerges
- Doctor / NHS records may be requested with the consent of the victim
- Other digital evidence – 3rd party (phone) video capture.

## WITNESS CONSIDERATIONS

- Willingness of the victim / witnesses to present evidence.
- Witnesses will be supported through the court proceeding by victim care officers especially if they have special requirement such a disability or English as a secondary language.  
[About us - Victim Support](#)
- Where appropriate, support will be provided with any violent crime compensation claim.  
[Compensation in the justice system - GOV.UK \(www.gov.uk\)](#)
- In high level cases, special measures can be considered such a video links / screens in court.

Employers will normally support colleagues with paid time to attend court, travel expenses and usually have their own welfare support mechanisms.

## CPS EVIDENTIAL TEST

This is the evidence presented by the police to the CPS to assess if there is sufficient evidence to provide a reasonable prospect of conviction and it's in the public interest to do so. The burden of proof in court is at the level of beyond all reasonable doubt for criminal matters.

## INTEGRITY OF EVIDENCE

As cases move through the court process, it is essential that nobody takes action that may compromise the integrity of the evidence. For example, no evidence should be shared on social media platforms or promoted by TM company's PR teams until such time the court case has concluded. This is frustrating but strong cases can be discontinued where this occurs.

