


Deadly Weapon

A number of police officers have lost their lives or been severely injured while carrying out their duties after being mown down by a motor vehicle. In many cases, criminals are using the vehicles as a weapon, with devastating consequences. Paul Tonks, chairman of the West Midlands Police Federation, states why there is a need to change the law to reflect the severity of the crime.

 My view is fairly simplistic; in the wrong hands and for the wrong purpose, a motor vehicle can be turned into a weapon - a weapon that is as sinister as either a firearm or knife - both of which are treated far more seriously. It is a pity that those charged with protecting us, be they CPS lawyers, judges, magistrates or politicians are not of the same opinion. In America there is recognition of this as a problem and as such a specific law exists which recognises the vehicle as a weapon.

My quest for legislative change started some years ago when I was working as a local rep out on an Operational Command Unit [OCU] and a typ-

ical operation was taking place where officers were doing their utmost to rid a 'red light area' of kerb-crawlers. The operation was extremely high profile and officers were deployed to the area on foot. Tragically, a young female officer who attempted to stop a vehicle containing a 'kerb-crawler' was struck by the vehicle driven by an offender whose sole intention was to escape capture at any cost. Our colleague was dragged along the road for quite a distance, suffered awful injuries and was subsequently pensioned out of the service. I do not think that it is possible to ever recover from such an ordeal. At the time of this incident I can remember a furore in the media and one



Campaigning: Paul Tonks, chairman of West Midlands Police Federation

local politician in particular who trumpeted the need for a change in the law. Sadly, and not unusually, nothing came of this but from that day onwards I have kept a watching brief on these types of incidents and I have to say that my opinion is that the increase in the use of motor vehicles as weapons has escalated to such an extent that a deterrent must be found.

Let us be brutally honest, there is currently no deterrent for this type of offence, the mindset of the offender who uses a vehicle in such a manner is such that they do not even give a second's thought to the consequences of their mindless actions.

Statistics will prove that it is

apparent that over the last few years, we in the West Midlands and no doubt elsewhere nationally, have seen a marked increase in the number of injuries where officers have been struck by motor vehicles. The principle and overriding reason being that offenders wish to avoid capture at whatever cost, causing untold injury and misery to officers.

Malcolm Walker worked in the West Midlands traffic department when he lost his life in October 2001 after being rammed during a pursuit. The officer was killed when he tried to stop a speeding car, which knocked him from his motor-bike.

Car thief Nicholas Walters, of Villa Road, Lozells in Birmingham, was at the wheel of the stolen vehicle when he crashed into PC Walker's motor-bike.

Walter's was sentenced to life in December 2002. PC Walker left behind his wife, Helen and four children.

I do not believe that the current legislation provides any sort of deterrent. I recognise that the CPS are under pressure, however, they do not appear to be proactive in pursuing serious criminal convictions against offenders who use motor vehicles as weapons. I am sure that it is because the mindset of the prosecutor is because it's 'only a car'. Would the same mindset exist for a knife or firearm, I believe not.



Helen Walker holds a photograph of her husband Mac, killed when he was rammed by a car

It is my belief that the time has now arrived when this issue needs to be dealt with as an offence in it's own right and that subsequent penalties need to be severe, act as a real deterrent and send a message to

those mindless criminals who use vehicles in this way. I am pleased that the Joint Central Committee has supported this initiative and I now watch with interest as to how it progresses.

Part 4 of the suggested proposal currently before the Lords is that a new clause be added to the Serious Organised Crime and Police Bill: Using a Vehicle as a Weapon. The wording that has been suggested, and this is in no way the finished article, is as simple as follows: "Any person, being the driver of a mechanically propelled vehicle on a road or other place to which the public have access, who wilfully or intentionally uses that vehicle to maim, harm or cause alarm or distress to another person shall be guilty of an offence."

If the above were to be successful in it's passage through Parliament and onto the statute book, then what is vital is that there is a harsh penalty for anyone convicted of such an offence. The purpose of the proposed legislation is predominantly three fold, firstly to reduce the increased numbers of vehicles that are used as weapons against the police and public, normally by offenders trying to flee from crime etc. Secondly with a harsh penalty to act as a deterrent and thirdly to assist the CPS in achieving convictions on our behalf. A specific law, with a penalty that would act as a deterrent, would hopefully focus the prosecutors minds and bring to an end the ludicrous plea bargaining that we currently have to endure. As a police officer I am firmly of the opinion that the CPS do not tend to see us as victims and as such punishments do not tend to fit the crime.

I just keep my fingers crossed that we get the support that our front line officers thoroughly deserve.

