

Keith Prince AM, Chair
London Assembly Transport Committee
City Hall
Kamal Chunchie Way
London E16 1ZE

15 December 2023

cc: Members and Staff of the London Assembly Transport Committee

Attachment: M Liebrich - Letter to Navin Shah - 2020-01-24 Bus Safety Submission - Redacted

RE: Written Evidence Submission

Dear Keith,

Thank you for asking me to contribute to the London Assembly Transport Committee's current Bus and Tube Safety Investigation. I was honoured to be a panellist on 7 November and request that this written evidence submission and its attachment also form part of the public record associated with the Committee's important and timely Investigation.

Background

Since 2016, TfL has announced *three different* Bus Safety Strategies—

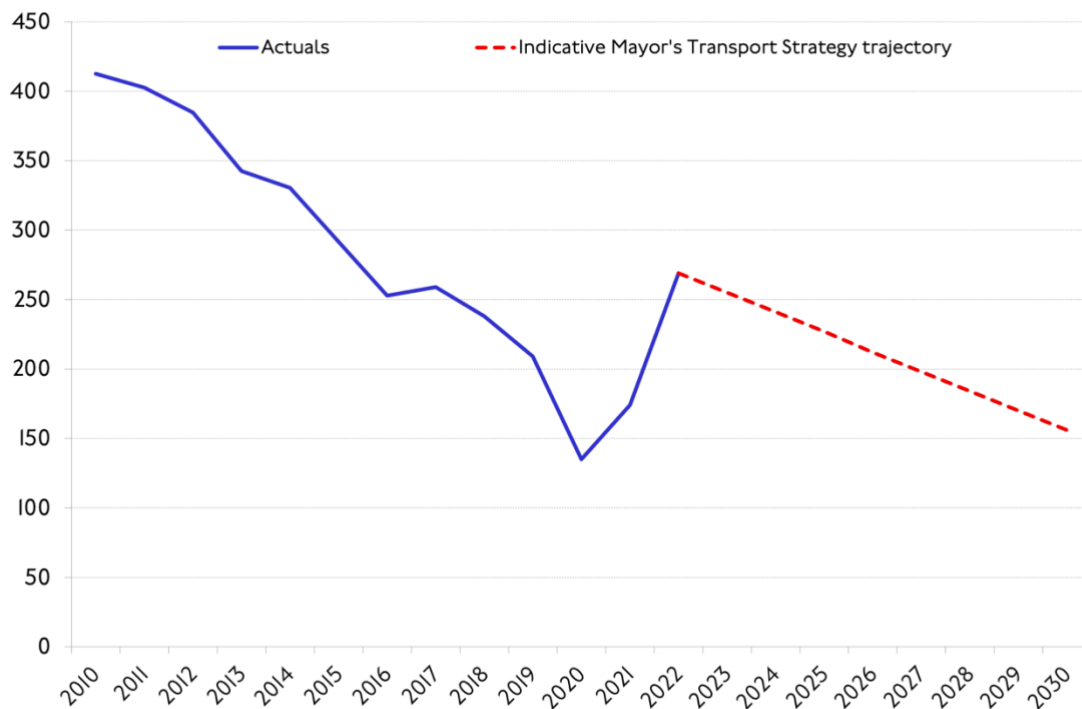
1. 1 February 2016 — [‘World Leading Bus Safety Programme](#)
2. 16 October 2018 — [‘World Leading’ Bus Safety Standard](#)
3. 7 September 2023 - [Bold New Bus Safety Strategy](#)

Since 2017, the London Assembly has published two Bus Safety Investigations—

1. 31 July 2017 — [Driven to Distraction](#)
2. 30 June 2020 — [Bus and Tram Safety in London](#)

—and since TfL has recently published data in two separate documents (cf. Figure 3 in the ‘Bold New’ Bus Safety Strategy and Figure 20 in [13 December 2023 TfL Board Report](#)) showing London's Bus Casualties are now higher than before the current Mayor and TfL Chair took office—

Figure 20 People killed or seriously injured on or by a London bus, 2010-2030.



Source: TfL Insights & Direction, Safety, Health & Environment.

— the current London Assembly Transport Committee Investigation is both timely and necessary.

Introduction

As part of his evidence submission to *second* London Assembly Investigation, on 24 January 2020 former TfL Board Director and Safety Panel Chair [Michael Liebreich](#) submitted a letter (attached, for ease of reference) addressed to then-Chair Navin Shah AM *that was never published* by the Committee, and thus does not form part of the public record associated with that investigation.

While I won't recapitulate the entirety of Liebreich's prescient analysis, his [self-published evidence submission](#) concluded:

"TfL's current system of contracting out operations to bus companies is institutionally unsafe. The fact is that no amount of operational tweaks, no number of good people, no amount of hard work, will substantially improve matters unless it is fundamentally reformed."

Liebreich's evidence highlighted two areas of particular relevance for the Committee's present investigation:

1. **Unsafe Bus Contracts**
2. **Complete Absence of Credible Bus Safety Incident Investigations**

Liebreich saw the financial incentives ‘in respect of the reliability of the services’ embedded into TfL’s contracted Bus Operation’s [Quality Incentive Contracts](#) (QIC) since 2001 as a root cause of Bus Collisions and poor Bus Driver Working Conditions.

“as long as you remunerate bus companies for maintaining headway, and do not penalize them meaningfully for safety breaches, pressure to drive unsafely will be transmitted to drivers, and the results will continue to be tragic.”

Liebreich also saw TfL’s outsourcing of Bus Crash Investigations to its Bus Contractors as a systemic safety failure—

“Proper accident investigations, like bus company safety audits, need to be carried out by a team – whether independent of TfL or behind a robust Chinese Wall – which is completely separate from the day-to-day oversight of bus operating contracts. This too should be a core recommendation of your report.”

Liebreich’s frustration with TfL and the Mayor’s ‘[predatory delay](#)’ on implementing meaningful Bus Safety policies to reform Bus Contracts and Bus Crash Investigations was palpable, especially since—

— on 1 February 2016, Mayor Johnson had already committed TfL—

- ***to changing London Bus Contracts to incorporate safety incentives within “three months”***

“Update TfL's bus contracts to include new safety incentives - Over the next three months TfL will be updating their bus contracting system and will develop incentives to encourage an even greater focus on safety. Through a series of workshops TfL will look at how incentives can be used to help reduce the number of people killed or seriously injured (KSIs) on the London Bus network.”

- ***to taking leadership on Bus Crash Investigations***

“Provide greater transparency on bus collision investigations - For the first time, TfL will clearly set out how fatal and serious injury collisions on the bus network are investigated and the processes that are followed by TfL, the bus operators and the police. In addition, TfL will be reporting annually on the legal outcome of all fatal and serious bus collisions.”

— the London Assembly’s July 2017 Driven to Distraction Investigation echoed Mayor Johnson’s 2016 Commitments—

- ***Recommendation 1:*** “TfL should set safety targets for bus operators. We suggest the best way to do this is to integrate safety targets in the QICs performance target structure as soon as possible. If safety

EVIDENCE SUBMISSION BY TOM KEARNEY, #LONDONBUSWATCH
 BUS & TUBE SAFETY INVESTIGATION
 15 DECEMBER 2023

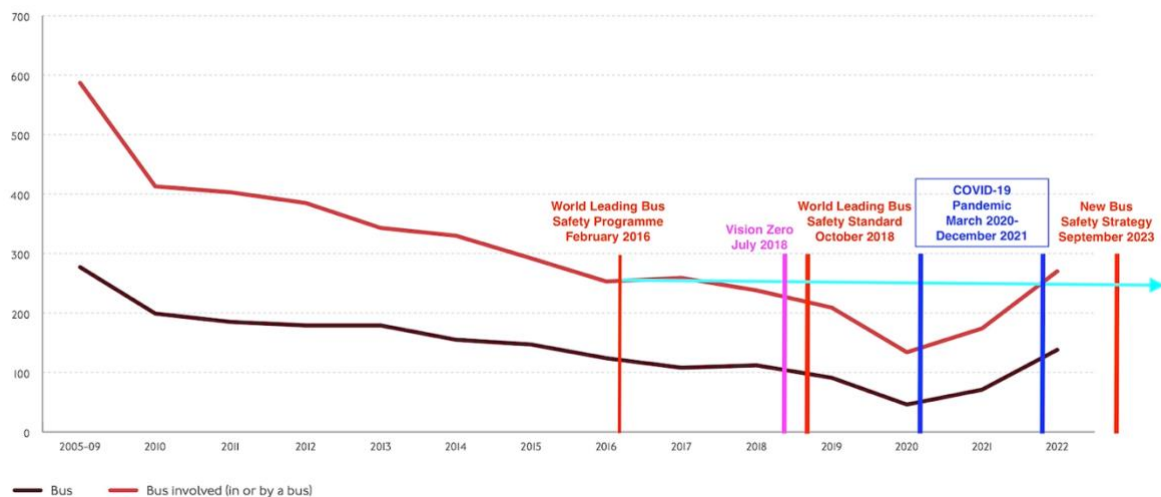
performance targets are adopted, the proposed safety scorecard may be redundant and TfL could consider ceasing work to develop it. TfL should write to the committee, setting out how it will take this forward by the end of October 2017”

- **Recommendation 10:** TfL should carry out a review into how bus incidents are investigated in London. In particular, it should consider:
 - whether serious incidents should be investigated by an independent body, as occurs in the rail industry
 - how to make incident reporting more consistent between operators
 - how to ensure that lessons are learned from all incident investigations and shared between all operators

— and furthermore, on 30 July 2018, Mayor Khan announced [Vision Zero](#) “boldest ever plan to eliminate deaths on London's roads” which included a “comprehensive Bus Safety Programme”

With all the (a) PR noise about Bus Safety coming from the Mayor and TfL and (b) sensible recommendations from the London Assembly and former TfL Board Members, why are KSIs from TfL’s contracted Bus Operation worse today than they were in 2016?

Figure 3: People killed or seriously injured on or by a bus^{13,14}



As (a) Mayor Boris Johnson realised in 2016 (b) the London Assembly advised in 2017 and (c) Michael Liebreich *warned* in 2020, I believe the answer lies, firstly, in TfL’s long-standing and unreformed Bus Contracts.

A. 'Institutionally Unsafe' Bus Contracts

Since 2001, TfL Bus QIC's *first and only priority* has been to ensure that London's Buses are both timely and reliable. TfL's sole measurement of Contract Performance has been "Excess Waiting Time (EWT)" or "Headway" Targets, cogently explained in this Bus Driver Training Slide produced some years ago by one of TfL's largest Bus Contractors.

What Is Headway/EWT??



Headway is the gap in-between buses on **High Frequency** routes.

We must try and keep this gap as even and as close to what is scheduled as possible.

Why is Headway important??

We are set targets by TFL called EWT that we must achieve.

EWT stands for **Excess Waiting Time** and is calculated by the average gap in-between buses over the QSI period.

If we fail, we can be fined up to 10% of the contract price for that route.



How can I tell if I am the correct headway??

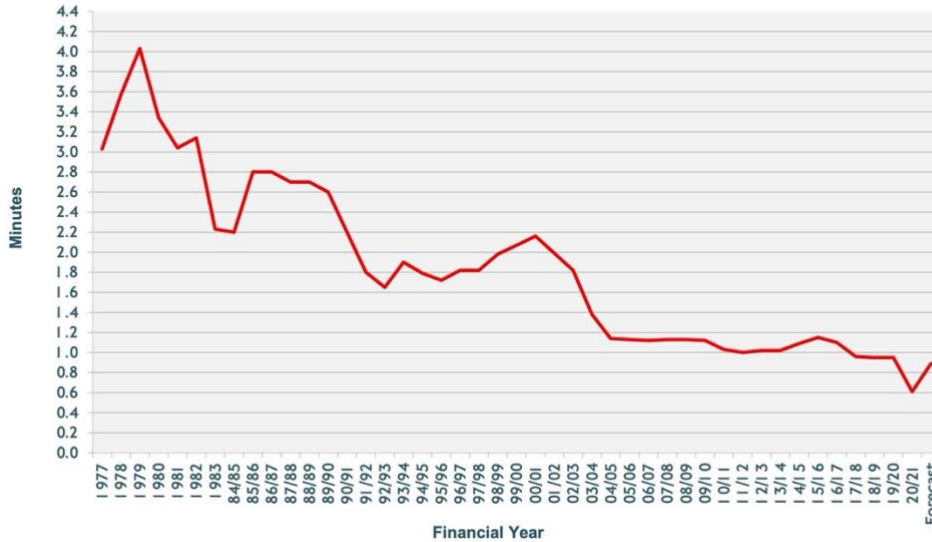
By using the iBus Headway indicator in the cab.

You must keep your bus as close to the **Middle** of the indicator as possible.

The following [TfL-published graph](#) proves that Headway Targets have worked out well both for Bus Users—whose Bus Services have been punctual and predictable over the years—and Bus Operators—who've generated profits by meeting TfL's contracted Headway Targets.

Long Term Trends to 2020/21

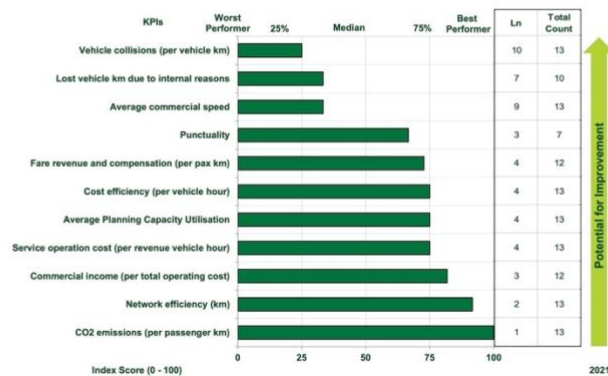
Excess Waiting Time for High Frequency Bus Services



My conclusion is confirmed by Imperial College’s Annual [International Bus Benchmarking Group](#) Data [published by TfL](#), which consistently shows that, when compared to its ‘world city’ peers, London’s public bus operation scores well for punctuality”, “cost efficiency per bus per hour”, and “commercial income, all highly-correlated to the financial incentives found in TfL’s Bus Contracts.

Performance Dashboard (absolute): How Does London Buses Rank Relative to Other Group Members on Several Dimensions in 2021?

► Relative performance of London Buses to other organisations in 2021



B. Headway: “almost like a religion”

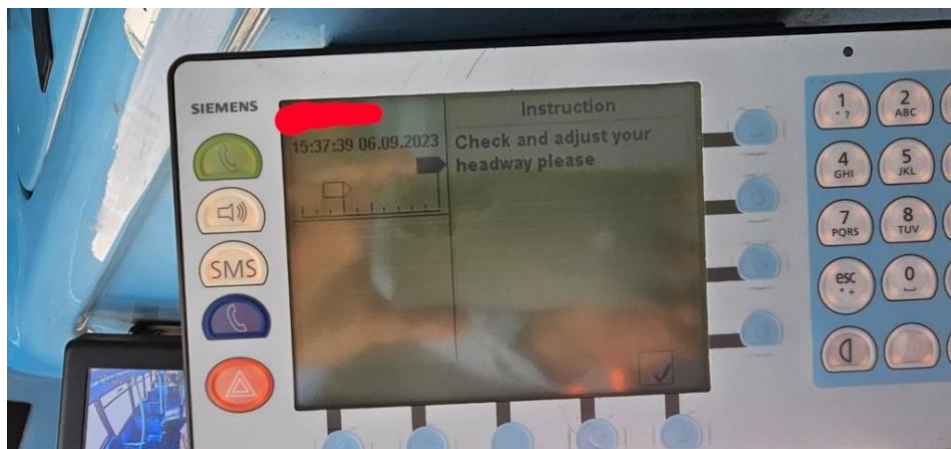
The *overriding priority* of maintaining Headway to TfL and Bus Operators was confirmed in writing by (then) Go-Ahead London managing director John Trayner in 2014 in an article which appeared in Singapore’s *The Straits Times* (cf. [Operating public buses: Lessons from London](#) by Royston Sim, *The Straits Times*, 20 June 2014) —

"We maintain 'headway' almost like a religion. We're looking at every vehicle, when it's going to be held up, what do we need to do - communicating to the people and making sure that it works."

—and recently re-confirmed by the Mayor in December 2022 in his response to [Question 2022/5399](#) from Neil Garratt. If the only “fair” way to compare Bus Contractor performance is limited to Headway Targets, then that unambiguously shows that performance metric serves as the Mayor’s and TfL’s only priority.

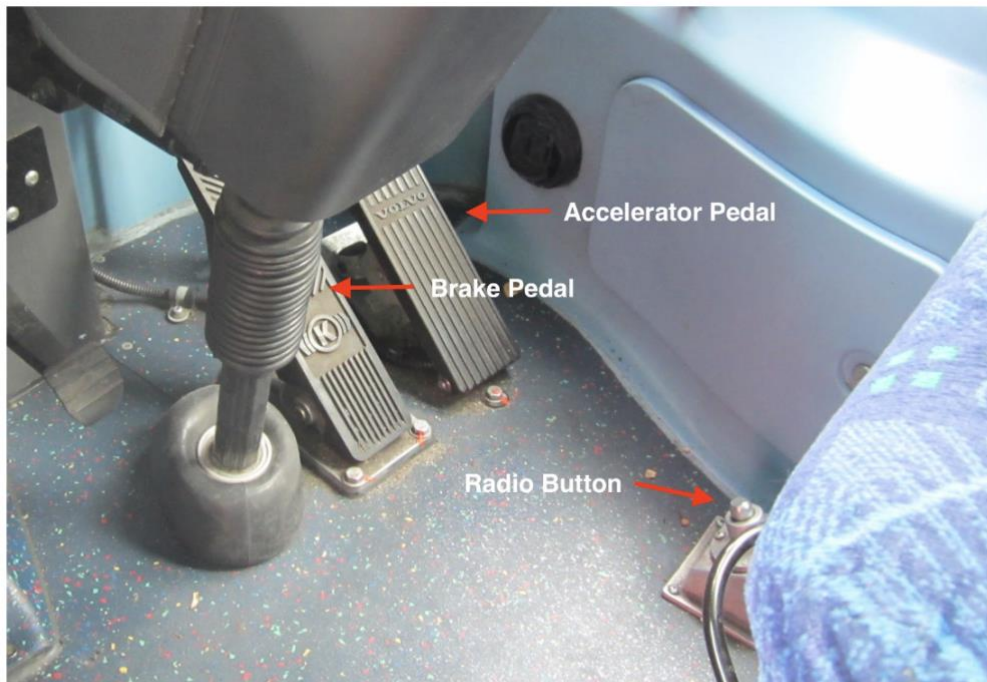
C. Institutionally Unsafe Working Environments for Bus Drivers

Headway Performance is monitored by (a) Bus Drivers via a Headway Monitor found near the driver in each London Bus Cab—



iBus Headway Monitor Displaying Headway

and (b) via Bus Company-employed iBus Controllers who monitor the all their Companies’ Buses’ Headway remotely and through direct communication with the Bus Driver via a communications system that allows the driver to respond via a *foot-activated* radio communications stud:



The Footwell of a TfL Bus

(a) Distracted Driving

Concerns about the ‘religion’ of Headway overwhelming Bus Drivers’ Cognitive Load and degrading their ability to concentrate on driving a Bus full of passengers safely on London’s congested streets was raised as a key concern of the London Assembly’s 2017 Bus Safety Investigation—

Figure 5: Bus drivers face a wide range of distractions which may affect their ability to drive a bus safely



(b) Fatigue

The 2017 Loughborough Fatigue [Bus Driver Fatigue Report](#) found that “stress and mental overload whilst driving” and “time pressure” from, inter alia, “headway” contributed to a working environment where 1 in 5 of the London Bus Drivers surveyed by Loughborough indicated that they had to fight sleepiness at least 2-3 times a week, and about 1 in 4 had a ‘close call’ due to fatigue in the past 12 months.

(c) Pedal Confusion

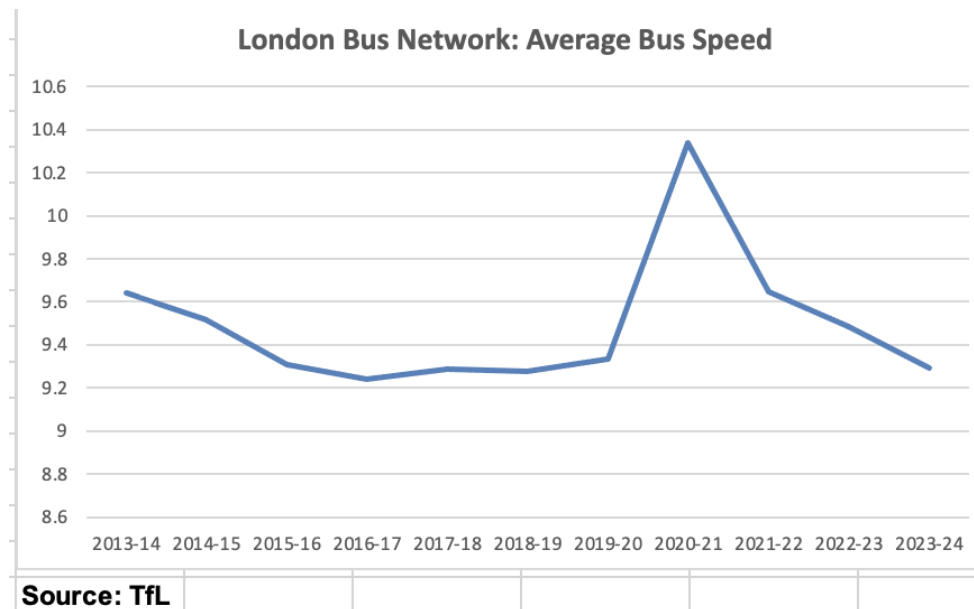
An average of about [two people per month](#) are injured in incidents where Bus Drivers mistake the gas pedal for the brake pedal. Over the past decade, TfL has spent large sums “investigating” the causes of Pedal Confusion (cf. [Identifying Solutions to Pedal Confusion in Buses](#) (2011) and [“Pedal Application Error Prevention & Recovery”](#)), a phenomena whose destructive frequency is—I would wager—[probably unique to London](#) and more than likely attributable to a lethal combination of human factors including—but not limited to—

- Driver Fatigue, Overheated Cabs, Lack of Toilet Dignity
- Distractions from iBus Controller Communications
- Distractions from Bus Cab iBus Control Monitor located above Driver
- Bus Cab iBus Communication located on 3rd Foot Pedal
- Requirement for Bus Driver to achieve contracted Headway/EWT KPIs

TfL’s lack of interest in benchmarking Pedal Confusion Incidents to [its ‘world city’ Peers](#) or even having any data from [other UK Bus Operations](#) suggests to me that TfL knows that pedal confusion is an externality unique to a London contracted Bus Operation that prioritises timeliness over safety.

D. Institutionally Unsafe: Bus Timetables and Headway Targets

For years Bus Drivers have reported that Contracted Timetables and their associated Headway Targets have not been adjusted to account for [declining average Bus speeds](#) in London.



Members of the Transport Committee will recall that issue [was raised by Bus Driver Lorraine Robertson](#) at an evidence-gathering session of the London Assembly Transport Committee on 14 December 2021):

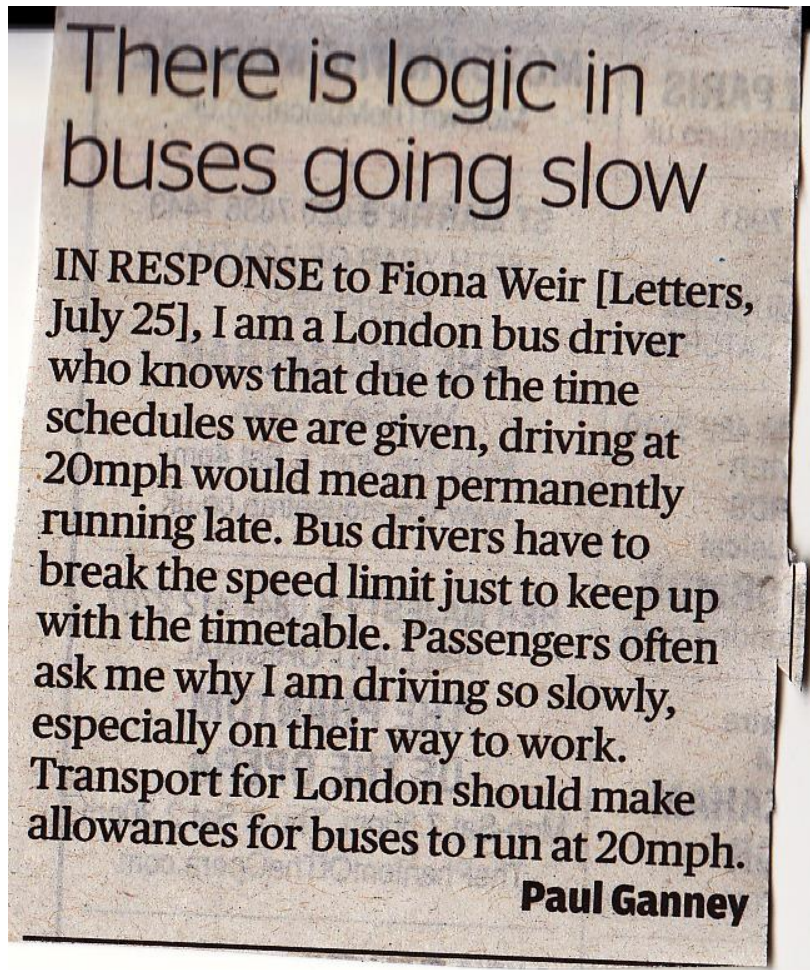
“The problem that we have with speed limits as a bus driver is that we drive to a timetable, what is called a headway. Now that we are coming across roads that have the 20mph speed limit, our timetables have not been changed to take into consideration that we are going 10mph less, doing 20mph as opposed to 30mph. That is a problem that we are having.”

Yet, when the problem was [brought to the attention of the Mayor](#) (and TfL Chair) on 12 October 2013 by Neil Garratt, the Mayor appeared to know nothing about the issue.

If a Bus Driver is running ahead of the Bus Route’s Contracted Headway Target embedded in the Timetable, it seems logical that the Driver’s iBus Controller will instruct the Driver to *slow down*. However, if a Bus Driver is running *behind* the Headway Target—as is often the case in an increasingly congested city—it also seems logical that the iBus Controller will instruct the Driver to “make time”: and the only way for the Bus Driver to do that is to *speed* (or *skip bus stops*, [which wheelchair customers report](#) with alarming regularity on social media).

Based on years of Bus Drivers complaints about iBus Controller Pressure (some of which were [submitted as evidence](#) to the Transport Committee in 2017) and Bus Driver Paul

Ganney's 2017 admission to the *Evening Standard* that "Bus Drivers have to break the speed limit just to keep up with the timetable"

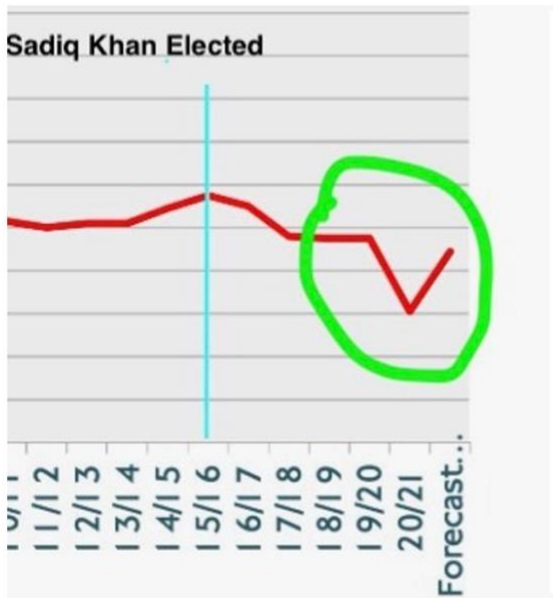


—it seems very reasonable to assume that, statistically speaking, EWT/Headway Targets must incentivise Bus Companies to pressure their Bus Drivers to speed 'to close the Headway gap' as much as they do for Drivers to slow down. And on a bus network where average Bus Speeds have not been increasing, it also seems logical that Bus Drivers are probably speeding to make time to meet Contracted Headway Targets more often than they are slowing down.

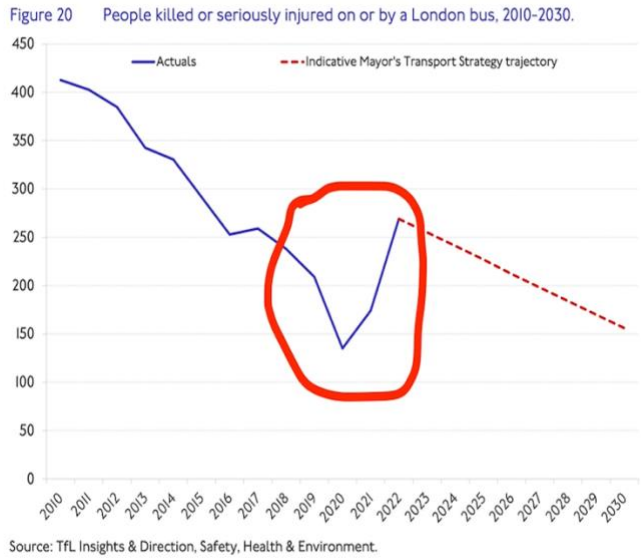
E. Is there a Correlation between Declining EWT Performance and Increasing Bus KSIs?

Further to Bus Drivers' reporting that Bus Running Times (Headway) aren't adjusted to changing road conditions, I couldn't help but notice that the recent spike in Bus-related KSIs correlates quite nicely with a sudden decline in the Buses meeting EWT Targets.

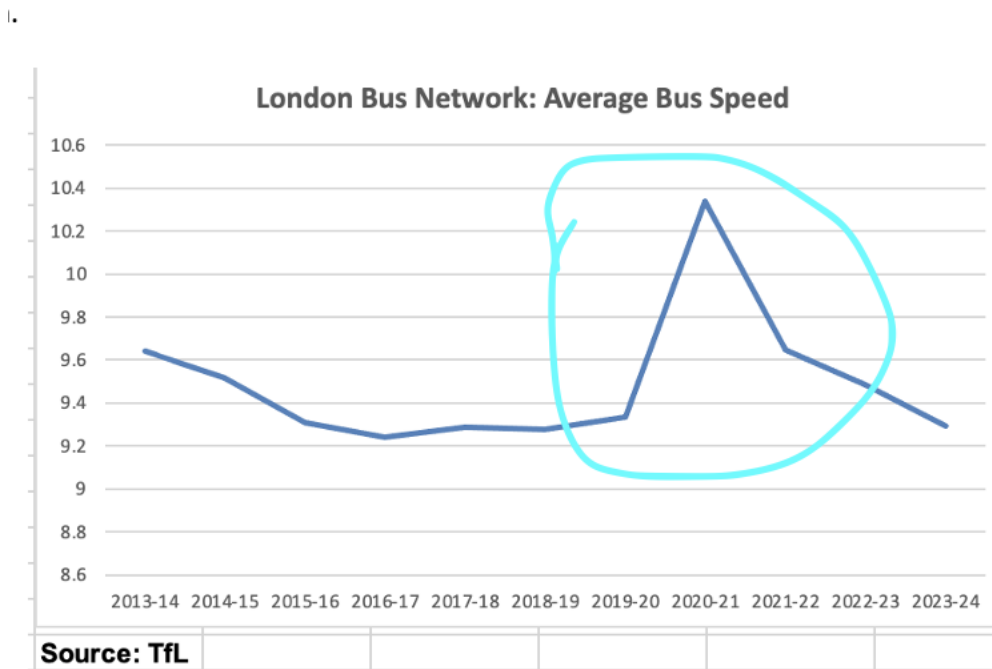
EWT PERFORMANCE



BUS SAFETY PERFORMANCE

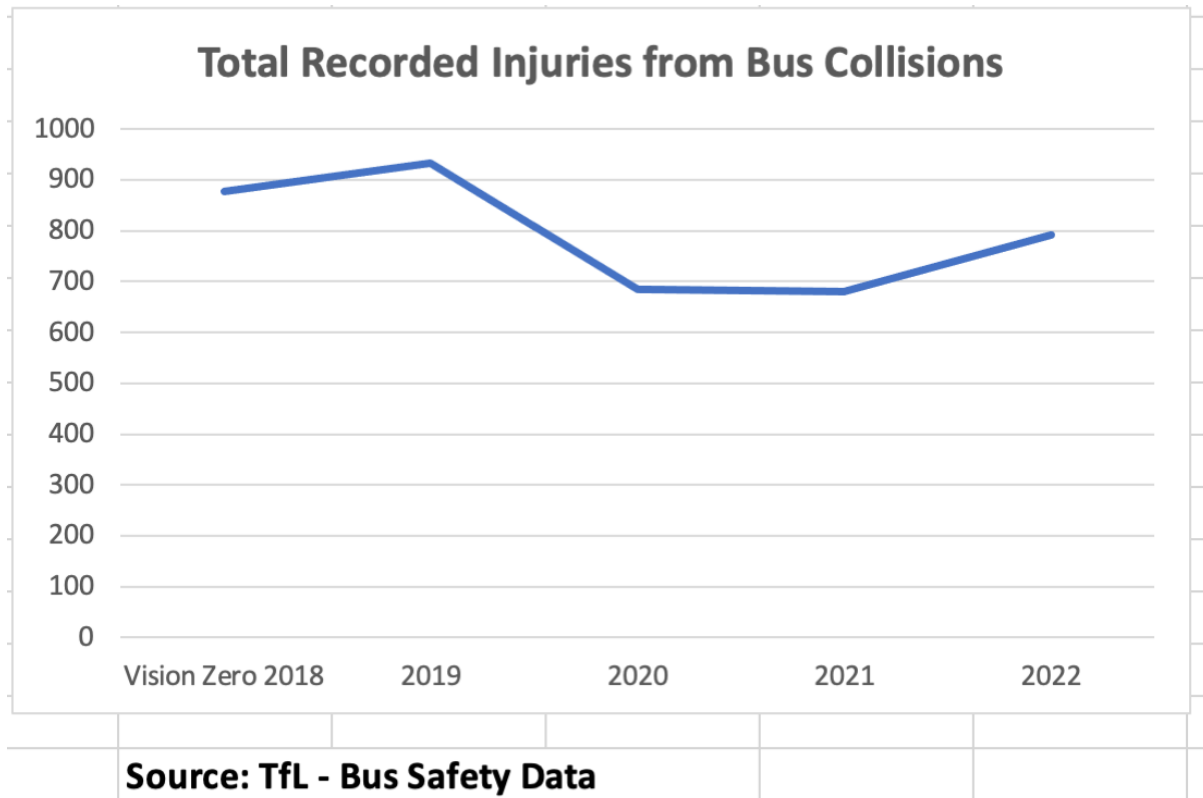


Compare those two graphs with the shape and timing of Average Bus Network Speeds—



— I can't help but think Headway Targets aren't playing a role here.

While Figure 20 ("Bus Safety Performance", above) includes all Safety Incident Categories (Collision and Onboard Incidents), TfL's published quarterly data also shows an increase of total injuries from Bus Collisions.



While I fully recognise that “Correlation doesn’t imply Causation”, I think Randall Munroe’s cheeky extension of that adage “....,but it does waggle its eyebrows suggestively and gesture furtively while mouthing ‘look over there’” applies and further investigation of these trends by the London Assembly Transport Committee and perhaps an independent Human Factors Specialist might yield some interesting results.

F. Are Buses Speeding to meet Headway Targets?

As evidenced in some recent Mayor’s Questions from Neil Garratt AM, there is a lot of evidence to show that TfL knows its Bus Contractors’ Drivers are speeding.

October 2023 - [Question 2023/3652](#) *Bus Speeding Data*

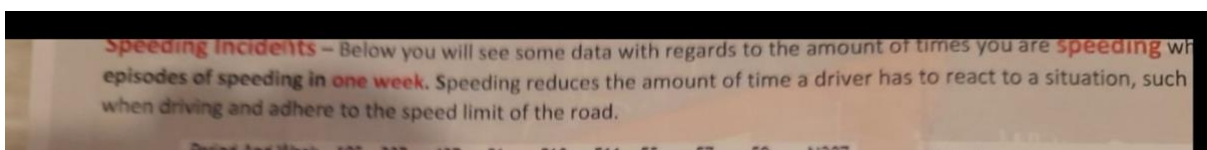
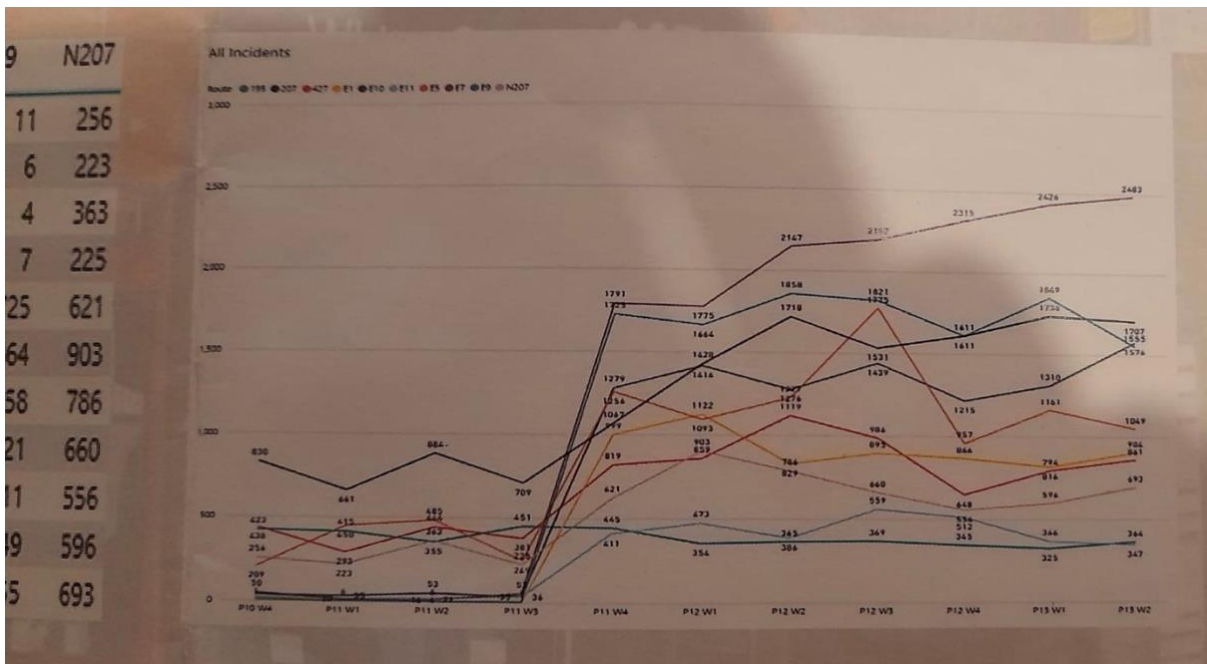
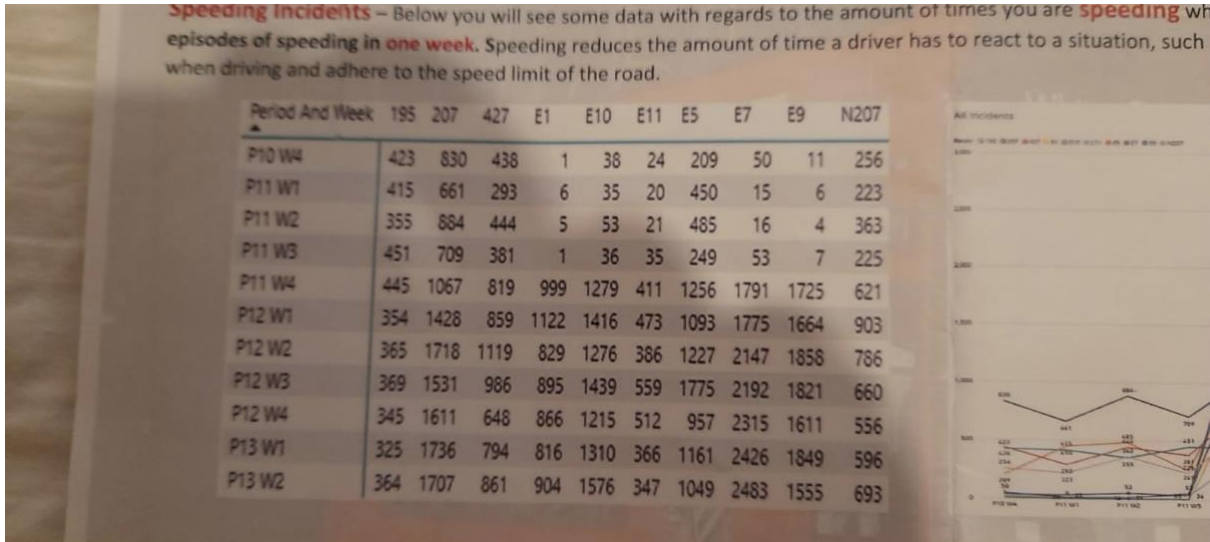
“I was recently provided with bus speeding data that, allegedly, TfL collects and sells to bus operators which showed one bus route with an average of over 400 speeding incidents per week over a 10 week period. This number was not a one-off: other bus routes operated by the same bus contractor showed speeding incidents of 1000 per week over the same period, with the 10 bus routes in the sample I saw averaging 2000 speeding incidents per week for a total of over 20,000 speeding incidents over the 10 week period across the 10 routes. If one bus operator is committing over 20,000 TfL-recorded speeding incidents in a 10 week period, I can only assume that speeding by London Buses is systemic across London’s 675 TfL bus routes.”

“Will you commit TfL to publishing this bus speeding data on their website for all London bus routes on a weekly basis so that Londoners can (a) scrutinise this

EVIDENCE SUBMISSION BY TOM KEARNEY, #LONDONBUSWATCH
 BUS & TUBE SAFETY INVESTIGATION
 15 DECEMBER 2023

dangerous behaviour; (b) identify the bus operators and routes posing the greatest danger from speeding; and (c) hold both TfL and the bus operators to account?"

Through my extensive network of London Bus Drivers who are concerned about safety, I've managed to acquire some of the data set to which Neil Garratt refers—



If you consider this data—which shows a rate of 20,000 speeding incidents over a 10 week period on 10 bus routes as an average—so 200 times per Week per Bus Route—and then

EVIDENCE SUBMISSION BY TOM KEARNEY, #LONDONBUSWATCH
BUS & TUBE SAFETY INVESTIGATION
15 DECEMBER 2023

multiply that weekly average by the number of London Bus Routes (675) and weeks in a year (52), you get the incredible possibility that there are over 7 million incidents (7,0200,000) of TfL Buses speeding in any given year.

In his response to Question 2023/3652, the Mayor revealed that Neil Garratt's data was indeed valid, but undermined its significance and TfL's willingness to make it public.

"The figures you are referring to are a data export from Transport for London's (TfL's) Speed Compliance Tool, which enables TfL to analyse data from the iBus system fitted to every bus. Bus operators have access to the Speed Compliance Tool, but TfL does not charge for this access and has never done so.

There are known issues with the quality of the data that the Speed Compliance Tool accesses and therefore TfL and bus operators only use it as a general guide. Where possible, TfL encourages operators to use other data sources, for example their own telematics systems, to validate results from the Speed Compliance Tool.

The source data is from the iBus system which continually records speed, with a data refresh every 24 hours. The dataset is therefore extremely large. For this reason and the data quality issues outlined above, it is not appropriate or feasible to publish this data on a regular basis."

So, as a general guide, I think it is reasonable for the Transport Committee to assume that TfL has evidence that its Bus Contractors Drivers speed at *least 7 million times a year* to meet its Contracted Headway Targets.

The Mayor was *even less helpful* with Neil Garratt's two follow-up questions on TfL's Speed Compliance Tool—i.e, from the Mayor's Responses to:

November 2023 - [Question 2023/4111](#) *Vision Zero: Speed Compliance Tool Data and KSI Incidents*, we learned that ' In any incident where someone is killed or hospitalised by a bus'...'Transport for London (TfL) does not automatically supply [Speed Compliance Tool] information to the Metropolitan Police.'

November 2023 - [Question 2023/4112](#) *Vision Zero: Speed Compliance Tool Data and KSI Incidents (2)*, we learned that even though 'TfL's 'Bus Safety Dashboard' showed since May 2016 that 62 people had been killed and 2651 hospitalised from bus collisions, data from the speed compliance tool was not used in any of these 2713 individual incident investigations 'given known limitations and inaccuracies in the dataset.'

But in this [Training Video](#) recently published by one of TfL's largest Bus Contractors, it would seem that speeding is a common occurrence even if I'm told—in direct contrast to what the Bus Company Officer states in the video—TfL's Speed Compliance Tool has been around since 2018. Extrapolating from the statement made by Bus Contractor in the Training Video, if one multiplies "1472 incidents of speeding in November 2023" by 12 months and then by 675

EVIDENCE SUBMISSION BY TOM KEARNEY, #LONDONBUSWATCH
 BUS & TUBE SAFETY INVESTIGATION
 15 DECEMBER 2023

London Bus Routes, there might be nearly 12 million (11,923,200 exactly) speeding incidents across London’s Bus Network in a year.

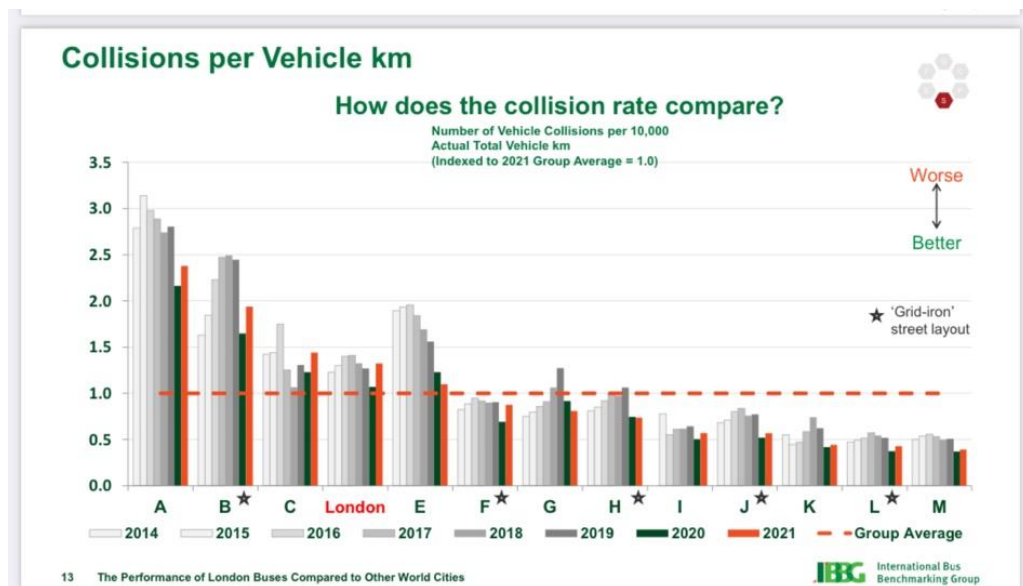
G. Are Buses *Crashing* to meet TfL’s Contracted Headway Targets?

From personal experience, I know that that mass of a bus travelling even at low speed can be incredibly destructive on the human body. And, except for a short period during the Covid-19 Pandemic, recorded crashes from TfL’s Bus Operation have been an eerily-predictable 80 Bus Crashes per day for the past 5 years.



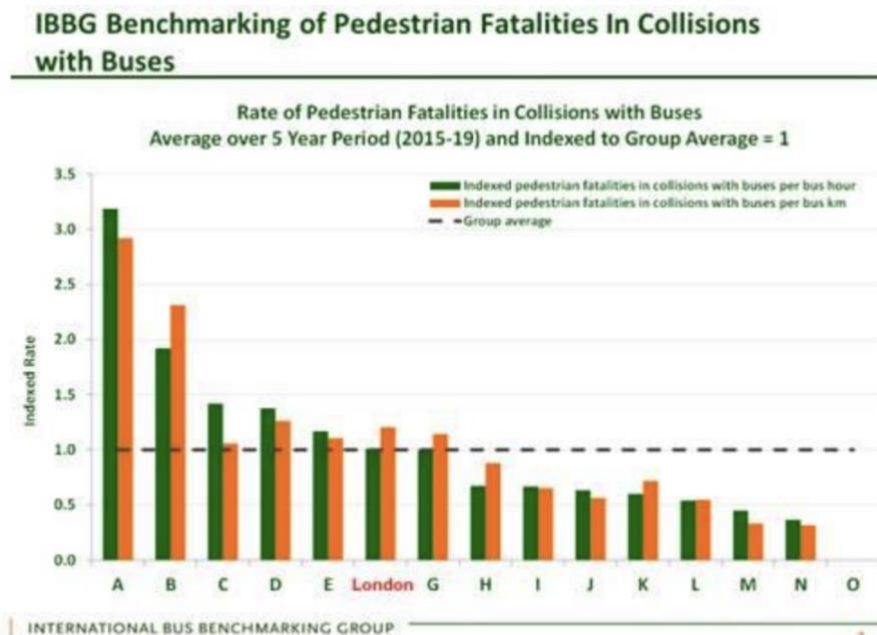
Source: extracted from [Bus Collision Data published on TfL’s Website](#)

Above I showed that IBBG Data reflects well on London’s public bus operation for metrics which reflect EWT/Headway-generated *Targets*. IBBG Data also shows that London benchmarks poorly on, Headway’s ‘evil twin’, Bus Collisions.



London’s below-average position on safety was confirmed when the Mayor [published](#) the IBBG’s Analysis of 5-year Trends on “Rate of Pedestrian Fatalities in Collisions with Buses

(2015-19) in response to a Mayor's Question from Caroline Pidgeon AM in November 2020 ([Question 2020/3828](#) - *Refusal to Benchmark London's Safety Performance to World City Peers*).



Given IBBG's global membership and the fact that it refuses to show the names of the other members, more than a few people have logically concluded that London's appearance at the bottom quartile in the benchmark every year on collisions must signify that London is the only European city to earn that position. As you can see from a recent response to a Mayor's Question from Neil Garratt AM ([Vision Zero: Tfl 2023 International Benchmarking Report](#)), the Mayor has been reluctant to respond meaningfully to that reasonable conclusion (which leads me to further conclude that it's correct).

G. Frequent Bus Crashes have Ghastly Consequences

In his prescient 2020 Evidence Submission, Michael Liebreich also warned about the risks of the Headway Targets embedded in TfL's Quality Incentive Targets—

“as long as you remunerate bus companies for maintaining headway, and do not penalize them meaningfully for safety breaches, pressure to drive unsafely will be transmitted to drivers, and the results will continue to be tragic”

And per Michael Liebreich's accurate prediction, the results have been indeed tragic.

While Sadiq Khan has been Mayor and TfL Chair, about every six weeks someone has been killed in a London Bus Safety Incident, 3 in 4 of these deaths are the result of a bus collision—

TfL Bus Fatalities	Total	Collision	Fall
from May 2016	6	5	1
2017	11	8	3
2018	14	10	4
2019	12	10	2
2020	9	5	4
2021	5	4	1
2022	9	7	2
through Q32023	4	4	0
Total	70	53	17

Source: extracted from Bus Collision Data published on TfL's Website

While Sadiq Khan has been Mayor and TfL Chair every day over 3 people have been hospitalised from a preventable bus safety incidents, 1 of which is due to a collision.

Taken to Hospital from Bus Safety Incidents under Sadiq Khan (9 May 2016-31 September 2023)

8264 Taken to Hospital in Bus Safety Incidents (8264/2700 = 3.06)
 Bus Safety Incidents (Collisions & Falls)

- **Average of 3.06 Per Day (over 3 per day)**
- **Average of over 90 Per Month**

Collisions

2132 Taken to Hospital in from Bus Collision

- **Average of about 1 Per Day**
- **Average of about 30 Per Month**

Source: extracted from Bus Collision Data published on TfL's Website:

<https://tfl.gov.uk/corporate/publications-and-reports/bus-safety-data>

Based on my analysis of TfL's annual data, TfL Buses account for and *again eerily-predictable* approximately 10 percent of all road fatalities and pedestrian fatalities every single year since 2007, which, given the Mayor's cutbacks on mileage and bus numbers since 2016, should not be the case.

EVIDENCE SUBMISSION BY TOM KEARNEY, #LONDONBUSWATCH
 BUS & TUBE SAFETY INVESTIGATION
 15 DECEMBER 2023

London Bus Fatales/Traffic Fatales		Total Traffic Deaths		Bus Deaths as % of Total Traffic Deaths	
Year	Fatales				
Baseline Avg	N/A		211		N/A
2007	21		222		9%
2008	22		204		11%
2009	23		184		13%
2010	13		126		10%
2011	15		159		9%
2012	15		134		11%
2013	10		132		8%
2014	10		127		8%
Baseline Avg	N/A		135.6		N/A
2015	14		136		10%
2016	11		116		9%
2017	12		131		9%
2018	11		112		10%
2019	10		125		8%
2020	10		96		10%
2021	10		75		13%
2022	7		101		7%
Total	214		2315.6		9%

Sources:
 2007-2022 Data extracted from Transport for London, Casualties in Greater London Annual Reports and Bus Safety Data (published since Q1 2014)
 2020 Data from <https://www.standard.co.uk/news/london/london-cyclist-deaths-increase-during-covid-pandemic-b942378.html>
 2005-2009 Baseline Data Data extracted from Transport for London, Casualties in Greater London Annual Report 2022

Yet TfL’s own data shows that its contracted Buses are killing and injuring people —*especially pedestrians*—from collisions disproportionately to its contracted fleet’s presence on London’s roads? Why? Is it because TfL’s allowing its Bus Contractors to speed to meet Headway Targets?

H. TfL’s Bus Contract Incentives were never Safety Risk Assessed

Shockingly, despite the obvious threat to safety presented by Headway/EWT serving as TfL’s sole measure of Bus Contract Performance, in his July 2023 response to [Question 2023/1625](#) *TfL’s bus tendering system and KSIs from Bus Safety Incidents* from Keith Prince AM, the Mayor recently confirmed that these incentives were never subjected to any kind of Independent Safety Risk Assessment.

II: Absence of Credible Bus Safety Incident Investigations

Despite (a) Mayor Johnson’s 2016 commitment for TfL to “Provide greater transparency on bus collision investigations” (b) the London Assembly’s 2017 recommendation for TfL “carry out a review into how bus incidents are investigated in London” which would include considering “whether serious incidents should be investigated by an independent body, as occurs in the rail industry” and (c) the Mayor’s July 2018 Vision Zero announcement, TfL undertakes no systematic investigations into its 24,000 annual bus collisions. If there are fatalities, the police investigate, otherwise the contracted-out bus companies *investigate themselves*.

TfL’s witting ignorance about the results of Bus Crash Investigations is both longstanding and is—given three bus safety programme announcements and Vision Zero since 2016—frankly—shocking. These recent responses Members Questions from the Mayor confirm that TfL’s witting ignorance about the safety of contract Bus Operation is alive and well:

October 2023 —*Bus Drivers prosecuted for Injuring People in 262 Pedal Confusion Incidents, April 2010 - January 2022* ([Question 2023/3441](#))

“TfL does not routinely receive information for all incident investigations undertaken by operators and resultant criminal proceedings undertaken by the Metropolitan Police Service.”

September 2023 –**Vision Zero: Failure to Provide Data on Bus Company Disciplinary Procedures resulting from Safety Incidents that could cause (or have caused) Death or Serious Injury** ([Question 2023/3334](#))

“Our incident reporting system does not specifically collect data relating to disciplinary outcomes”

February 2023 – Bus Driver Fatigue: Rest Day Working and Bus Safety Incidents ([Question 2023/0930](#))

“The type of shift being worked at the time of an incident is not information that is routinely captured as part of the bus operator’s initial incident reporting to Transport for London (TfL).”

I note that TfL’s witting ignorance has caught the attention of the [House of Lords last month](#):

Lord Hampton: “The purpose of a safety inspector is to identify, improve the understanding of, and reduce the risk of automated vehicle incidents through conducting a safety investigation. The Marine Accident Investigation Branch is cited as an example, **but I am led to believe that bus operators, certainly in London, investigate their own incidents.** Is the plan to get bus operators in line with train and air operators, as the noble Lord, Lord Berkeley, alluded to?”

Even though TfL doesn’t conduct its own Bus Crash Investigations, I’ve seen it roll out this response in its defence: “For the most severe incidents that fall under TfL’s Notification and Investigation of Major Incidents (NIMI) process” which, in my view, is deliberately misleading.

Why?

Because the Mayor recently confirmed that less than a half of 1 percent of Bus Collision are subject to a “NIMI”

February 2023 - *Vision Zero: Miniscule Number of Bus Crash Investigations by TfL* ([Question 2023/0907](#))

In my view, TfL’s continued outsourcing of collision investigations to the Bus Contractors entirely undermines the veracity of outgoing Head of Buses Louise Cheeseman’s introduction to TfL’s latest Bus Safety Strategy—

“Safety is our first consideration in all that we do to deliver bus services in London

in direct contrast to statements ascribed to TfL’s Head of Buses, TfL’s own data suggests TfL’s first consideration is not safety.

Conclusion

At a [meeting](#) with TfL’s then MD for Surface Transport Leon Daniels organised by Victoria Borwick in September 2013, I was personally made aware of the “religion” of Headway. After contemptuously dismissing [a list of questions I’d drawn up](#) for him to answer with “I’m not going to be cross examined by you”, Daniel’s rhapsodised proudly about all TfL was doing to ensure TfL’s contracted Bus Operation operated efficiently and, with the fervour of a crusader revealing the Holy Grail to a non-believer, he exclaimed that ‘London’s Bus System was so successful because it works on the principle that ‘Time is Money’.

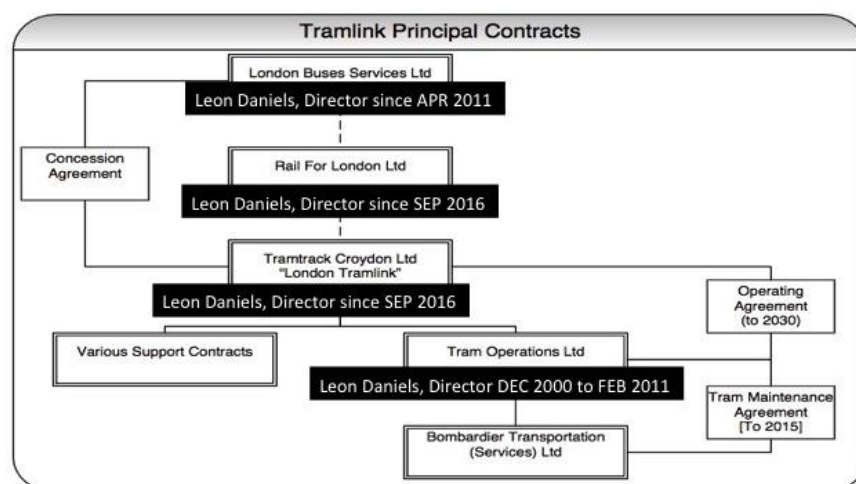
Time is Money. That’s Headway in a Nutshell.

To be fair, ‘Time is Money’ does work on any Transport System where the mode is supposed to be *exclusively* occupying a network path at a specific time—e.g. trains on a railway track, airplanes on a flight path or ships on the open sea or docking at a berth—but Buses continuously share their paths with other vehicles (many of which are driven by workers with similar incentives to Bus Drivers), motorcycles, bicycles and pedestrians. Moreover, the railway, air and maritime industries all have *independent* (a) Network Control (b) Safety Performance Monitoring (c) Safety Standards and (d) Safety Failure Investigation agencies: TfL Buses have none of these: and based on the Mayor’s [continued rejection of Recommendation 10](#) from the Transport Committee’s landmark 2017 *Driven to Distraction* Investigation, TfL has no interest in having its contracted Bus Fleet benefit from the same systemic safety protections the UK’s Rail, Air and Maritime Industries have had for decades.

Until Sandilands, TfL ran the Croydon Tram Operation just like it did the Buses...in fact, it appears that the [Buses ran the Tram](#).

3 CONTRACTUAL STRUCTURE

3.1 When the Concession Agreement was let in 1996 an extensive suite of supporting contractual agreements was also put into place to enable TCL and LRT to fulfil their respective functions. A major factor influencing the equity purchase of TCL was the need to keep these contracts in place and the significant risk to the operation of Tramlink of dismantling the legal and commercial framework.



And similar to Buses, the Croydon Tram had only [one Contract Performance Requirement](#) — "to achieve 98 per cent of 'contracted kilometerage'". And we all know [how that worked out](#).

The closest real-life comparison that I can find for Leon Daniels's "Time is Money" *incantation* about TfL's contracted Bus Operation comes from Domino's Pizza, whose 'Your Pizza Delivered in 30 minutes or it's Free' Pizza Delivery Contracts [were eliminated](#) in 1993 after the company lost a series of lawsuits brought on behalf of victims killed or seriously injured over the years by Domino's Pizza Drivers crashing their vehicles into people while they were driving unsafely to save Domino's Franchisees' the price of paying for a 31-minute-old pizza. Until then, from 1984 Domino's had grown rapidly to become the largest player in the Delivered Pizza Market in the USA. Like Bus Users, Domino's Pizza Customers were happy with the company's "Time is Money" pledge: until Domino's *had to pay*. According to the New York Times, Thomas S. Monaghan, the president of Domino's Pizza Inc. "acknowledged that the verdict had been persuasive in convincing the company to rescind the 30-minute promise, saying, 'That was certainly the thing that put us over the edge.'"

30 years later in London, the essence of pre-1993 Domino's Pizza Transport Policy has been thriving in TfL's Quality Incentive Contracts since 2001: and despite 3 Bus Safety Programmes (2 of these proclaimed as 'world leading' and one as 'bold new'), an 'ambitious' Vision Zero Programme and 2 London Assembly Investigations since 2016, neither TfL nor the Mayor feel under any pressure to do anything substantive to improve Bus Safety Performance. 80 Bus crashes a day for the past 5 years. Like *clockwork*.

And until TfL and the Mayor are "put over the edge" about TfL's contracted Bus Operation's Safety Incident Casualties, increasing numbers of people will be killed and injured just so Londoners aren't inconvenienced by having to wait too long for a bus.

With kind regards,

Tom Kearney
#LondonBusWatch
Twitter: @comadad

Blog: www.saferoxfordstreet.blogspot.co.uk

2018 Winner, Community Hero Award — The Johns Hopkins University Alumni Association
2016 Winner, Transport – Sheila McKechnie Foundation SMK Campaigners Award

Michael Liebreich



Mr. Navin Shah
Chair, London Assembly Transport Committee
City Hall
The Queen's Walk
London SE1 2AA

cc: London Assembly Transport Committee Members

24 January 2020

Dear Assembly Member Shah,

First, let me congratulate you on taking over the chair of the London Assembly Transport Committee. It has played a vital role in scrutinising the activities of Transport for London and successive Mayors, in particular holding them to account over the safety of London's transport system.

I wanted to make sure that this letter got to you before you finalise your investigation into Tram and Bus Safety. As you will recall, I testified before you at the session which Florence Eshalomi held on 11 September last year, alongside Deputy Mayor Heidi Alexander. Unfortunately, the entire time allocated was taken up by discussion of TfL's failure to provide Fatigue Audit IA 17 780 to the police and investigators in the aftermath of Sandilands, and what that should tell you about TfL's safety audit processes. Like many of the Assembly Members, I left that session extremely dissatisfied with the Deputy Mayor's failure to provide answers to the questions I had raised in my letter to the Mayor of 9 September 2019. This is the subject of a second letter I sent to the Mayor on 22 December 2019, which I append hereto, and would like you to consider as evidence submitted to your enquiry.

Today's letter is, however, devoted to the bus safety part of your enquiry. I find it very disappointing that no time was found during your investigation for me to answer questions before your committee on this topic too.

As you know, I was on the board of TfL for six years, the first four as deputy Chair of the Safety, Sustainability and Access Panel, and the last two as Chair of the Safety, Sustainability and HR Panel. What you may not know is that during that time, I was a vigorous champion of the cause of bus safety. I would draw your attention in particular to my September 2016 email to the Commissioner and Head of Surface highlighting weaknesses in the original 2016 Bus Safety Programme; my Q2 2017 correspondence with the then Head of Strategy and Outcome Planning over the need to set ambitious medium-term KSI targets for the bus system; and my January 2018 email to the Chair of the Finance Committee demanding the inclusion of bus-specific targets in the TfL Management Scorecard. ***If you have not obtained copies of those correspondences for your investigation, I strongly suggest you do so, I think you will find them still relevant.***

Since time is running short for the delivery of your report, I have decided to put down following thoughts on the matter and submit them to you as part of the evidence base for you to consider before you conclude your investigation.

1. Cutting through the statistics

For all the endless stream of reports emanating from TfL, it has always been a challenge to get hold of accurate, timely statistics on bus safety. The only reason they are made public at all is due to the efforts of volunteer safety campaigner Tom Kearney. During my time on the board I cannot tell you the number of conversations I had to have over the correct presentation of data – providing enough historic data to draw conclusions, not using misleading chart axes, keeping data up to date, finding errors before publishing misleading figures, using third-party data not internal indices of dubious value, always highlighting the metrics that are going well and ignoring the ones that are not, and so on.

As of today, the most recent quarterly bus safety data on the TfL website dates back to Q1 2019 (of which more below). Let me provide a summary of the past three years, which happens to coincide with the current Mayoral term:

Bus deaths and injuries Q2 2016 to Q1 2019

	Total Q2 2016 to Q1 2019	Annual average	Daily average	Annual probability per bus*	Annual probability per driver*
Deaths	30	10	-	-	-
Taken to hospital with serious or unknown injuries	2,367	789	2.2	8.6%	3.2%
Treated in hospital for minor injuries	2,126	709	1.9	7.8%	2.8%
Injuries treated on scene	<u>14,243</u>	<u>4,748</u>	<u>13.0</u>	<u>51.9%</u>	<u>19.0%</u>
Total deaths and injuries	18,766	6,255	17.1	68.4%	25.0%

	Annual average	Daily average	Annual per bus*	Annual per driver*
Slips, trips and falls	~ 4,880	13	0.5	0.2
Collisions	~ 24,800	68	2.7	1.0
Total all reported incidents	~ 66,000	181	7.2	2.6

* Based on 9,142 buses and 25,000 bus drivers in 2019

Source: STATS19, TfL, ML analysis

It is worth highlighting some of these figures:

- More than 30 people have died in fatal incidents involving London buses. That is a rate of ten deaths, or one-and-a-half Sandilands, per year.
- 6,255 people have been killed or injured each year by London buses. That is 17 per day, or 18,766 in total.
- A total of 1,498 people have been hospitalised by London buses each year, or four per day. The majority of injuries are treated on scene, but two people per day end up in hospital with serious injuries or injuries of unknown severity, and two more require hospital treatment for minor injuries. That is 4,493 hospitalisations caused by London buses.
- Each London bus has a 68% chance of causing someone an injury each year, and a 16% chance of putting someone in hospital. No piece of industrial equipment would be allowed to operate in the UK with that safety record.
- Each London bus driver has a 25% chance of causing someone an injury each year and a 6% chance of putting someone in hospital. No one outside the field of professional contact sports should be expected to harm his or her fellow citizens to this extent in the course of employment.

- There are on average nearly 5,000 reported slips, trips and falls per year (and obviously far more if you include those that are not reported).
- There are on average 24,800 reported bus collisions each year – that is 2.7 per bus or one per driver – and it should be assumed that many minor collisions go unreported. There is no data on near misses; we know that self-reporting by drivers is almost non-existent, and such data as is collected by the bus companies is not aggregated by TfL.

You will note that TfL does not bear the cost of this carnage on the streets of London. The direct costs, which form a tiny subset of the total, are borne by bus operating companies. The disruption costs, which are not measured but surely amount to many tens of millions of pounds per year, are borne by London’s citizens and businesses. And the physical and emotional costs are borne by the victims and their families.

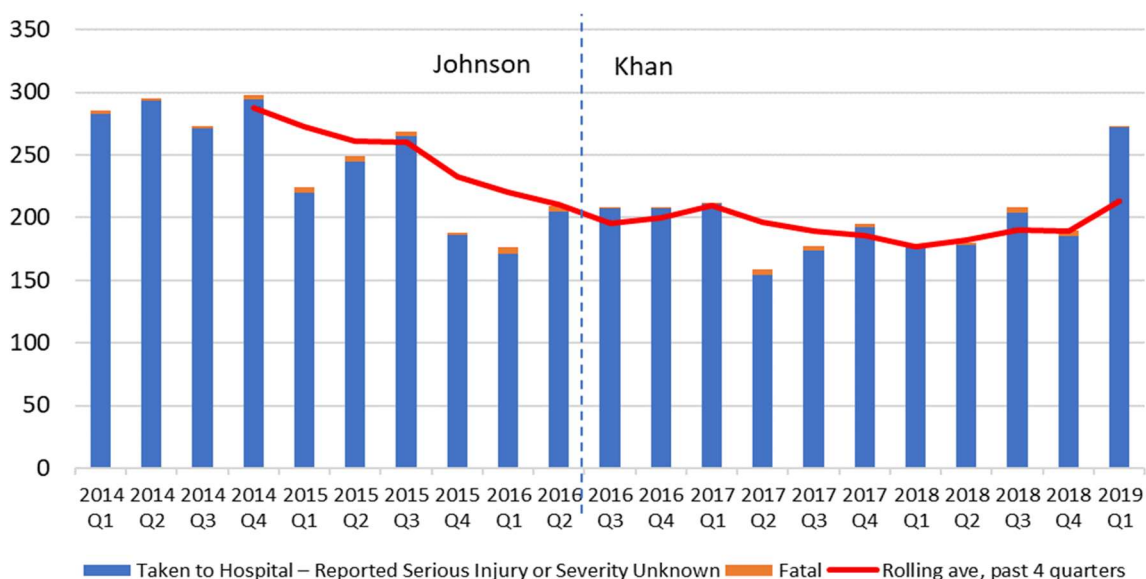
So let’s be clear, the safety performance of the London bus system is unacceptable. In fact, in a benchmarking exercise a few years ago by Imperial College (the International Bus Benchmarking Group), London came in the bottom third of the 15 international cities covered. That benchmarking exercise has been repeated, but the results are under wraps. **You should make sure you obtain a copy for your enquiry.**

Is London’s shocking bus safety record at least improving? On a number of occasions recently, the Mayor has quoted this line from the Casualties in Greater London report for 2018¹, published with much fanfare in July of this year:

“The number of people killed or seriously injured in or by a bus fell by 8 percent between 2017 and 2018, to 239 people which is the lowest number on record. This is 59 per cent down on the 2005-09 baseline.”

Let’s unpack that statement and demonstrate its selective use of safety data. The gold standard for injury and fatality data on the UK’s roads is the police’s STATS19 database. Here is the quarterly trend since 2014, straight from the police STATS19 data:

Bus killed and hospitalised with serious or unknown severity injuries by quarter



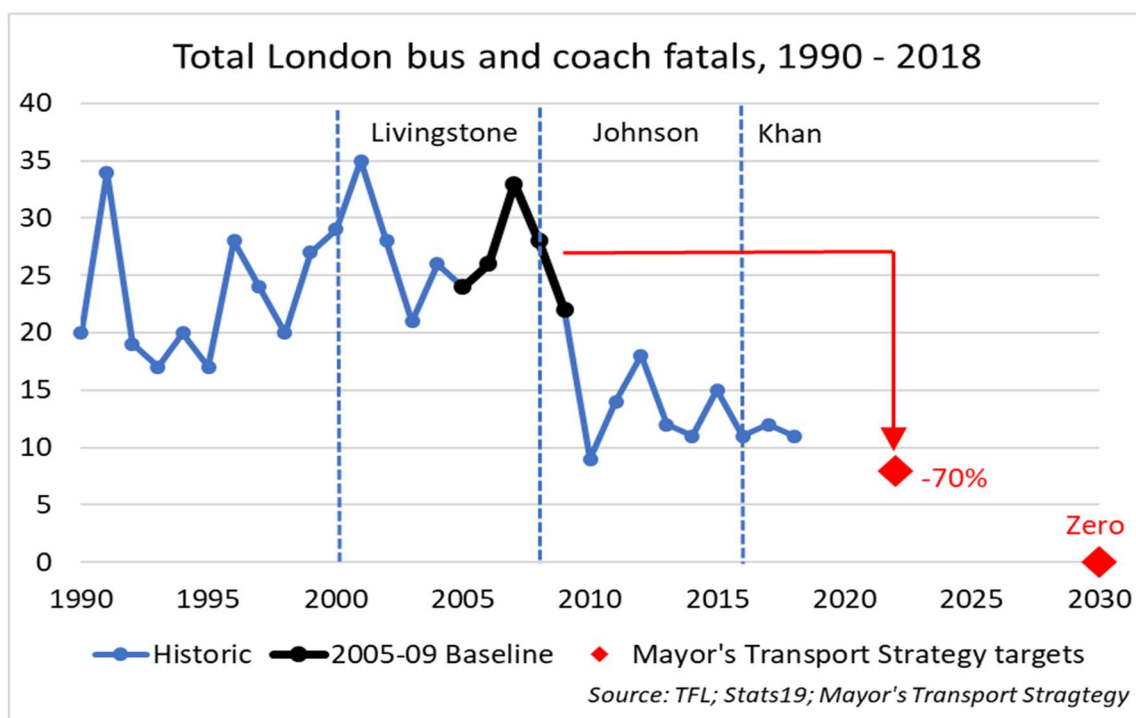
Source: Stats19

¹ <http://content.tfl.gov.uk/casualties-in-greater-london-2018.pdf>

So 2018 was indeed a record low year for bus killed and seriously injured, as you can see. However, the positive trend has slowed over the past three years and now begun to reverse.

We must also look at a longer-term picture, since the targets in the Mayor’s Transport Strategy all relate to a 2005-2009 baseline period. As Chair of the TfL SSHR Panel, I tried hard to move TfL to a more recent and relevant baseline period but there was stiff resistance from management and Val Shawcross, Deputy Mayor. And it’s easy to see why, when you look at the longer-term trend.

The Mayor talks about “a 59% reduction on the 2005-09 baseline”. I defy you to get robust, comparable KSI figures for the baseline period, because of methodological changes and poor record-keeping within TfL, but we can use figures for deaths, which are robust and a good proxy for the overall safety of the bus system:



The 2005-2009 baseline is shown as the thick black line. And, as you can see, there has indeed been a very substantial reduction in bus deaths since then, **however it was delivered during the time in office of the previous Mayor.**

The chart also shows the Mayor’s Transport Strategy Vision Zero targets for buses: a 70% reduction in bus deaths by 2022 relative to the 2005-09 baseline, and their complete elimination by 2030.

In summary, therefore, the starting point for your committee’s understanding of TfL Surface Transport’s safety culture has to be: 1) that the system currently results in an unacceptable level of deaths and injuries; 2) that safety performance is currently flat-lining or deteriorating; and 3) without decisive action, the Mayor’s Vision Zero targets – which I was among those pushing for – seems highly unlikely to be achieved.

2. Actions by the new TfL Surface Transport leadership

New leadership of TfL Surface Transport was put in place at the beginning of 2018. It had a monumental task to turn around the safety culture there, in addition to dealing with the aftermath of the Sandilands tram crash, and it has indeed taken some promising steps. I have confidence that with the right level of support from above, it can succeed. However, the actions taken so far, and those in the pipeline are insufficient.

2.1. Bus Safety Standard, speed limits

The new Bus Safety Standard is an excellent piece of work. However, most of its requirements do not become mandatory for new buses until 2024, and if the service life of vehicles remains around 15 years, the entire fleet will not fully benefit until 2039. Even then, if other endemic safety issues are not addressed, it cannot be expected to eliminate all risks of death or serious injury. 20 mph speed limits will also help, to the extent they are policed, but will by no means reduce bus deaths to zero by 2030.

2.2. Bus Driver Fatigue

As for the recent flurry of work on fatigue, of course I welcome it. As you already know, I have been vocal in ensuring that the role of systemic failures in fatigue management in the Sandilands crash is not obscured. As Chair of the SSHR I pushed harder than anyone for the Loughborough study on bus driver fatigue. The Mayor can promote a narrative about “working with academics and our trade unions to understand fatigue among bus drivers in greater detail than ever before”, but we know from the minutes of the London Buses Tripartite Meetings that Unite’s involvement began only when asked to distribute the questionnaire to members. The Loughborough study into bus fatigue in fact originated as Recommendation 4 of the Driven to Distraction report by you and your colleagues on the London Assembly Transport Committee in 2017:

“TfL should commission a comprehensive and independent investigation or piece of research into London bus drivers’ working conditions (with a focus on the causes of fatigue) in order to determine the scale of the problem. This should involve setting up working groups and surveying drivers as well as others who can offer different perspectives, such as controllers, mechanics and other operational staff.”

Whatever its origins, I commend Unite and the other London bus unions for their commitment to the issue of bus driver fatigue. Of all the people I met with while on the board of TfL, bus drivers have without question the most stressful job, and perform it often without appropriate support from their employers. Unless the issue of driver working conditions is properly addressed – you will find from the records that I was also vocal about access to toilets on every route at all times that route operates – any hope of achieving the Mayor’s Transport Strategy target of zero bus deaths by 2030 is empty talk.

2.3. Appointment of Chief Safety, Health and Environment Officer

I am afraid I must comment here on the appointment of the new Chief Safety, Health and Environment Officer for TfL, reporting to the Commissioner.

This is something for which I began advocating even before accepting the Deputy Chair of the Safety, Sustainability and Access Panel in 2012, so I was pleased to learn of it. However, I was shocked to learn of the decision to appoint to the position – without so much as interviewing externally – a

candidate with neither professional qualifications nor operational experience in safety management. This really tells you all you need to know about the inward-looking, PR-driven, self-congratulatory safety culture which has led to TfL Surface Transport's problems.

In response to questioning by your Transport Committee colleague Keith Prince, the Mayor has said that the new Chief Safety Officer is now in the process of gaining the National Examination Board in Occupational Safety and Health (NEBOSH) and Institution of Occupational Safety and Health (IOSH) accreditation. A NEBOSH general certificate takes ten days of study, IOSH takes four days. Neither of these qualify a candidate for leadership of a major global transportation concern.

If you really wanted to improve the safety behaviour of tens of thousands of employees within TfL's Surface Directorate and across a sprawling network of contractors and subcontractors, you would bring in an experienced operational leader, with a track record of leading safety programmes somewhere with a world-class safety record – such as UPS, a major European airline or one of the global energy companies.

Can you imagine the furore if British Airways were to appoint a Head of Safety who immediately had to go on two weeks of training to get their first ever safety qualifications? It would be on the front page of both the Daily Mail and the Daily Mirror, and rightly so. Should Londoners not hold TfL to the same standard?

3. An institutionally unsafe system

The third and final point that I want to make is that ***TfL's current system of contracting out operations to bus companies is institutionally unsafe.*** The fact is that no amount of operational tweaks, no number of good people, no amount of hard work, will substantially improve matters unless it is fundamentally reformed.

3.1. Senior management incentives

According to the TfL Management Scorecard², safety – measured by reducing injuries and KSIs throughout the TfL system – has a total weighting of 12.5%, compared to 25% for workforce diversity and engagement. Of course, those are also important issues, but ***is workplace diversity and engagement really twice as important as safety?***

When it comes specifically to buses, ***3.5% of senior management bonuses relate to average speed targets, and only 2.5% to reducing KSIs.*** Prioritising speed over safety leads to an institutionally unsafe system.

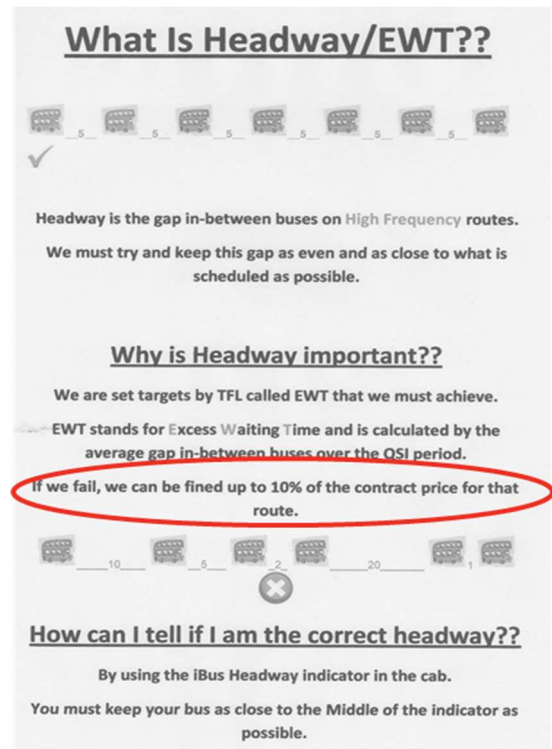
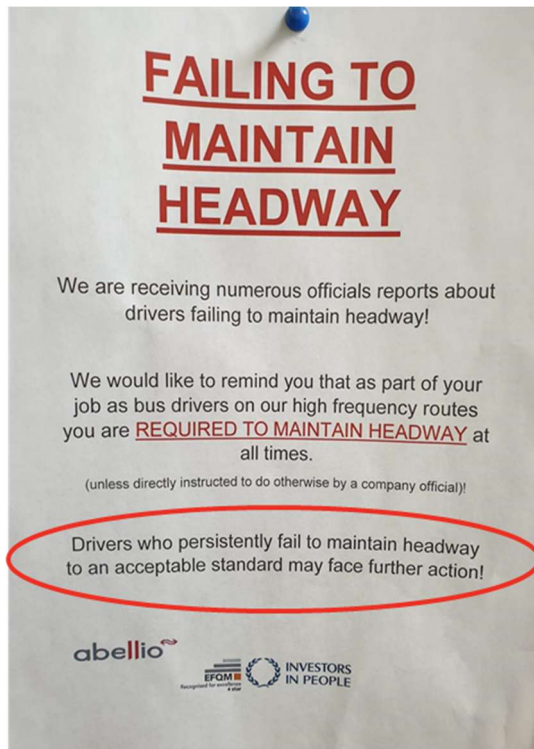
3.2. iBus and the role of headway

As I am sure you know, London buses do not operate to a timetable. Instead, TfL uses a headway system, with each bus meant to remain a specified time interval behind the bus in front, and ahead of the bus behind. The problem is that bus operating company contracts have been designed around remunerating the maintenance of headway, and bus controllers are in no doubt of the importance of this to company revenues.

² Agenda Item3, page 22. <http://content.tfl.gov.uk/remcom-20190618-agenda-and-papers-public.pdf>

iBus is the system used to inform drivers of where they stand relative to the bus in front and behind. Whether or not they are meant to, controllers use it to pressure drivers either to speed up (and I challenge you to think of one way a bus, moving in a flow of traffic, can safely close a gap with the bus ahead), or to slow down or turn around, even when their driving hours should be coming to an end – which of course has implications for the management of fatigue and for driver conditions.

Here are two recent examples of posters from bus depots, which serve to illustrate how the headway system and iBus create pressure on drivers:



You can ban the bus companies from displaying such posters, but as long as you remunerate bus companies for maintaining headway, and do not penalize them meaningfully for safety breaches, pressure to drive unsafely will be transmitted to drivers, and the results will continue to be tragic.

3.3. Safety auditing vs Safety Performance Index

One of the things that became painfully clear during Heidi Alexander's testimony to the London Assembly Transport Committee on 11 September 2019 was that she had failed to understand the importance of a robust and independent safety audit system, without which contractors cannot be held to account.

I shall be writing a separate letter to the Audit and Assurance Committee summarising the long list of anomalies in the two TfL Fatigue Audits of First Group's Croydon Tram operation, one before the Sandilands crash and one after. Documentary evidence shows that they were compromised from start to finish: issues raised by external auditors were ignored; line managers had access to field work and made false public statements; audit reports were watered down after complaints from the contractor; the resulting reports were not passed on in a timely way to the Sandilands investigators

or in full to your colleagues on the Transport Committee; and a poor audit outcome was withheld from the Audit and Assurance Committee.

This long list of anomalies raises very serious questions about the closeness between TfL and its contractors, and **the need for independent internal and contractor safety audits**, which I believe should be one of the core recommendations of your report.

Incredibly, **instead of reforming and strengthening the implementation of safety audits, TfL management is in fact in the process of downgrading their role**. Here is an extract from the papers for first SSHR Panel meeting after I left the board, the 27 September 2018³ (emphasis mine):

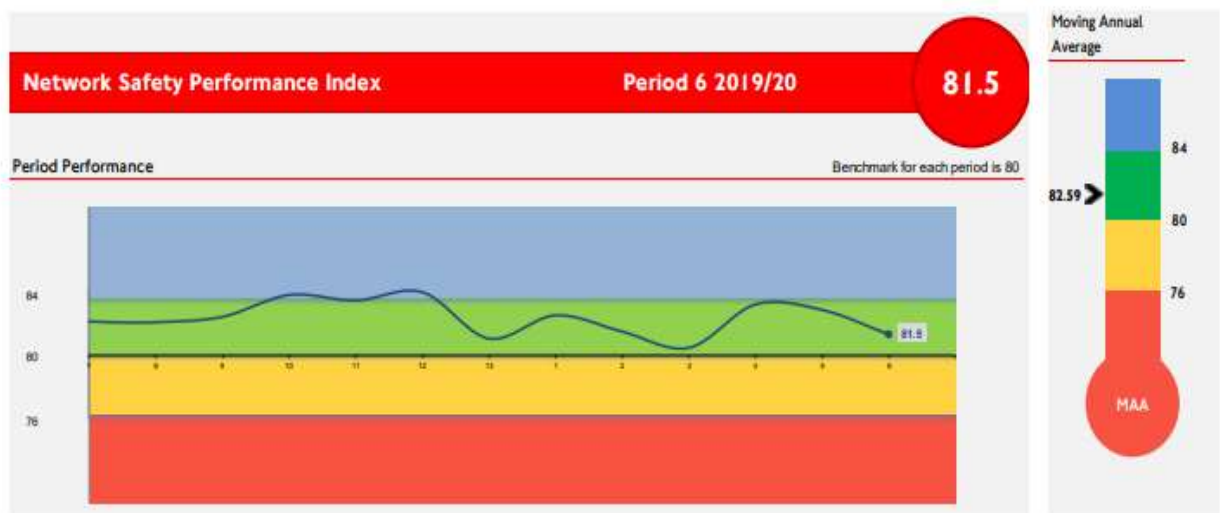
6.2 We have now moved away from an annual health and safety audit to more ongoing measures which assure operator safety maturity (that is, the development of a safety culture) and track progress. Two safety performance indicators were launched over the last year and have been very well received by operators:

(a) the Safety Performance Index (SPI), which looks at 41 metrics relating to safety performance; and

(b) the Assurance Programme, which continuously assesses the maturity (or safety culture development) of safety management and systems.

The problem with TfL's Bus Safety Performance Index is that it does not correlate with safety performance. Based on allocating 177 points across 76 factors⁴, it has clearly absorbed a huge amount of management and administrative time. But despite the dire safety performance and worsening trends described above, since its introduction, the bus SPI has consistently been in the target zone⁵.

Small wonder that it has been "very well received by bus operators". But how do you explain it to those injured and the families of those killed?



³ <http://content.tfl.gov.uk/safety-sustainability-human-resources-panel-agenda-and-papers-27-september-2018.pdf>

⁴ <https://www.london.gov.uk/questions/2019/20678>

⁵ <http://content.tfl.gov.uk/bus-network-safety-performance-index.pdf>

3.4. Transparency

The shift to non-transparent and easily manipulated Safety Performance Indices is symptomatic of the way that in TfL Surface Transport's culture, bus operating companies and their leaders are never held accountable for their safety performance.

Individual bus company Safety Performance Index scores are not published and are only ever discussed behind closed doors. Participation in the 2018 TfL Bus Safety Summit included no industry outsiders⁶. The annual Bus Operator Forum is an invitation-only affair⁷.

The reason given for this secrecy, as we know from answers to recent Mayoral Questions⁸ is the need to create a safe environment for bus companies to share information and ideas on safety improvements. This is manifestly anti-competitive and does not hold water.

It is surely striking that, on the day of writing, we are reaching the end of January 2020, but the most recent quarterly report on bus system safety is dated March 2019⁹. While I chaired the SSHR Panel, these reports used to be published by the end of the following quarter.

It really is not that difficult to publish safety data in a timely way, but you have start with a culture that values transparency over PR.

3.5. Public incident reporting, video retention

The current system for reporting near misses or safety issues could hardly be better designed to discourage the public, had it been designed with that in mind.

Those trying to report incidents or concerns are told that bus companies are responsible but not given their contact details. Complaints are processed so slowly that crucial video and other evidence has been deleted – bus operators are allowed to delete video recordings within 10 days¹⁰. There are no unified protocols across TfL for making evidence available to victims or their legal representatives.

Even the most persistent members of public end up with nothing more than a standard form letter thanking them but providing no evidence of action.

3.6. Failure to gather data and investigate accidents

TfL Surface Transport makes no systematic attempt to collect, store and analyse safety-relevant data in a machine-readable form, or use it to drive dramatic improvements in safety risk understanding.

TfL has access to time-stamped traffic light state data, bus GPS, telematics and accelerometer data, road and weather conditions, and driver rostering and route history. By matching this with accident particulars, vehicle and victim characteristics (suitably anonymised, of course), and image analysis, TfL could create a truly world-leading approach to road safety, saving lives as well as creating a suite of technologies it could sell globally.

Two examples. In TfL's Rail and Underground operation, if a train passes through a red signal, it is classed as a Signal Passed at Danger (SPaD) and always investigated. How often do buses jump red lights? No one at TfL knows. Take bus GPS data, match it to traffic light state, and any competent data scientist could identify every single red light run. Similarly, gather the accelerometer data

⁶ <https://www.london.gov.uk/questions/2018/0030>

⁷ <https://www.london.gov.uk/questions/2018/3426>

⁸ <https://www.london.gov.uk/questions/2019/4038>

⁹ <https://tfl.gov.uk/corporate/publications-and-reports/bus-safety-data>

¹⁰ <https://www.london.gov.uk/questions/2018/2655>

already used by bus operating companies to monitor driving quality, and you could check whether slips, trips and falls correlate with accelerating, braking or swerving; you could teach an AI algorithm to analyse the video and identify what caused the manoeuvre.

TfL Surface Transport does none of this. Instead, it leaves accident investigation to the bus operating companies in all but the most serious cases, when it is taken over by the police and the coroner (and TfL executives claim that they are unable in law to investigate, which we saw from the Sandilands investigations is simply not correct).

In a very small subset of bus incidents, TfL receives a statistical digest called a Notification and Investigation of Major Incident (NIMI). In 2018 – a year in which there were 756 KSIs, 1,452 hospitalisations, 6,176 injuries, around 24,800 collisions and 66,000 incidents, we learned from the recent answer to Mayoral Question 2019/17345¹¹ that TfL Surface Transport received only 144 NIMI reports from bus operators.

Of the 144 NIMI reports from 2018, only 109 related to collisions¹², which means that *only 0.4% of all bus collisions in 2018 were analysed in any way by TfL*. Most NIMI reports are kept confidential (for no good reason), but some dating from 2017 were released under FOI; shockingly 90% recorded the cause of collisions between pedestrians or cyclists and buses as “unexplained”¹³.

Proper accident investigations, like bus company safety audits, need to be carried out by a team – whether independent of TfL or behind a robust Chinese Wall – which is completely separate from the day-to-day oversight of bus operating contracts. ***This too should be a core recommendation of your report.***

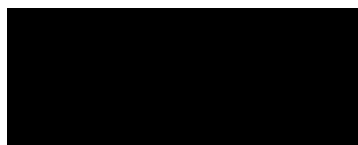
* * *

Let me assure you that, in writing this letter, my only intention is to improve the safety of Londoners. I started pushing for Vision Zero as a member of the TfL Board’s Safety, Sustainability and Access Panel in 2013 because I believe it is the correct – indeed the only acceptable – goal to which we should aspire. I want to see it taken seriously.

I have listed the key areas relating to bus safety, which must be covered in your investigation. If there is still time, I stand more than ready to meet with you and the members of your committee to discuss them before you finalise your report.

Otherwise, you have my permission to publish this letter as part of the evidence submitted to your committee – indeed I would very much expect you to do so.

Yours sincerely,



Michael Liebreich

¹¹ <https://www.london.gov.uk/questions/2019/17345>

¹² <https://www.london.gov.uk/questions/2019/17345>

¹³ <https://www.london.gov.uk/questions/2019/19598>