



Risk control

Taking Pride in Zebra Crossings



In partnership with



Taking Pride in Zebra Crossings

Overview

A hate crime may be defined as 'any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'¹

According to Home Office statistics² in year ending March 2024, there were 140,561 hate crimes recorded by the police in England and Wales (excluding Devon and Cornwall Police). This represented a 5% decrease compared with the previous year although there was a 25% increase in religious hate crimes compared with the previous year.

There are likely to be contextual factors which may have a material effect on police recording, however, there is still a significant problem within the UK.

Committing to the Cause

Organisations around the world have found many ways to demonstrate their commitment to inclusiveness and the LGBTQ+ cause, including:

- Taking part in local Pride parades and LGBTQ+ events throughout the year
- Giving LGBTQ+ employees a platform to share their stories with the broader workforce
- Highlighting the accomplishments of LGBTQ+ employees
- Including Pride colours in organisational branding
- Ensuring strong LGBTQ+ representation on management teams
- Displaying the Pride colours in social and public-facing areas

A method that some Local Authorities have chosen to adopt to visibly demonstrate their commitment to inclusiveness is through the repainting of Zebra crossings in the rainbow colours of the Pride Flag or Progress Pride Flag. The Progress Pride Flag also includes black and brown stripes to represent the marginalised LGBTQ+ communities of colour, along with the colours pink, light blue and white, which are used on the Trans Pride Flag.

A quick internet search can identify a rising number of these initiatives being implemented globally, including across the UK. Some of these initiatives install temporary colour

schemes to celebrate the annual Pride Month, whereas others are more permanent in nature.

Promoting LGBTQ+ equality and inclusiveness is without doubt the responsibility of every person and every organisation. However, this guidance note seeks to present factors for consideration to any Local Authority currently contemplating the installation of Zebra crossings in the rainbow colours of the Pride flag or one of the many variations.

Regulation

One of the principal regulations to consider in respect of Zebra crossings on the public highway is The Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 (the Regulations).³

In summary, the Regulations seek to prescribe standards for the construction and use of road crossings within the UK, specifying standards for traffic and warning signs, road markings, crossing dimensions, lighting and the behaviours of both motorists and pedestrians when approaching or using a crossing.

For example, Regulation 25 states: "Every pedestrian, if he is on the carriageway within the limits of a Zebra crossing, which is not for the time being controlled by a constable in uniform or traffic warden, before any part of a vehicle has entered those limits, shall have precedence within those limits over that vehicle and the driver of the vehicle shall accord such precedence to any such pedestrian."

This point is endorsed within the Highway Code⁴ which states that motorists:

- Should give way to pedestrians waiting to cross.
- Must give way when a pedestrian has moved onto a crossing.

Of course, for a driver to give way in accordance with expectations, they must first be paying attention, recognise that they are approaching a designated crossing and also identify pedestrians who are either exhibiting an intention to use the crossing or who are indeed in the act of using it.

Sadly, there are still a high number of road traffic collisions involving pedestrians and vehicles on the UK's roads.

According to statistics published by the Department of Transport⁵, averaged over the period 2019 to 2023:

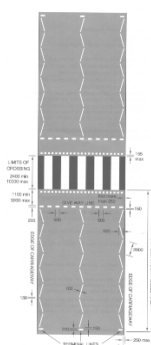
- An average of 8 pedestrians died and 106 were seriously injured (adjusted) per week in reported road collisions.

- Nearly three in five (56%) of pedestrian fatalities were in collisions involving a single car.
- The most common contributory factor allocated to pedestrians in fatal or serious collisions with another vehicle was 'Pedestrian failed to look properly'.
- The most common factor allocated to the vehicles involved was 'Driver or rider failed to look properly'.

Within the aforementioned Regulations, 'Schedule 1 Part 2 Road Markings 6 (a)' states: "within the limits of a Zebra crossing the carriageway shall be marked with a series of alternate black and white stripes...of the size and type, and generally in the manner, shown in the diagram at the end of this Part of this Schedule."

'Schedule 1 Part 2 Limits of the crossing 8 (1)' seemingly provides some limited variability in construction by stating: "If it provides a reasonable contrast with the white stripes, the colour of the surface of the carriageway may be used to indicate the stripes shown coloured black in the diagram."

Part 2 Diagram



No other variability in construction is permitted within the Regulations.

Other regulations relevant to the design and installation of road crossings include The Traffic Signs Regulations and General Directions 2016⁶ which prescribe the designs and conditions of use for traffic signs, including road markings, traffic signals and pedestrian, cycle and equestrian crossings used on or near roads.

The Department for Transport's Traffic Signs Manual 'Traffic Control' (2019) Chapter 6 also specifies black and white stripes for Zebra crossings.⁷

Behavioural Factors

In addition to compliance with the prescribed regulatory standards Zebra crossings highlighted above, there are other behavioural risk factors which Local Authorities should assess as part of their deliberations.

One of the key benefits of a regulated approach to highways infrastructure (including road markings and road signs) is the relative ease at which they can be identified and interpreted, with the intention of creating a consistency in the behaviours of both motorists and pedestrians and the establishment of high standards of safety.

In respect of the installation of Pride Zebra crossings, additional behavioural factors may include:

Ambiguity - could a colour scheme which does not meet the normal expectations of either pedestrians or motorists lead to confusion as to whether the installation is a legal road crossing?

Recognition - how will a Pride colour scheme affect the ability of colour-blind motorists and pedestrians to recognise and respond to the road crossing?

Distraction - could a Pride colour scheme provide distraction to either motorists or pedestrians?

Health - could a non-compliant colour scheme cause confusion or other difficulties for people with certain health conditions such as dementia?

Behavioural factors are an important consideration in the context of established standards designed to protect the safety of motorists and pedestrians, particularly if changes are implemented which may increase the potential of road traffic collisions.

Conclusion

Many Local Authorities are very much at the forefront of initiatives to address the challenges that people in the LGBT+ community face. However, when considering the many initiatives that organisations have adopted to protect and celebrate the LGBTQ+ community, the installation of Zebra crossings in the colours of the Pride Flag or any of its variations does potentially introduce an enhanced risk to pedestrians and road users and is contravening the legislation both in spirit and word.

Local Authorities need to consider the potential legal, financial, and reputational ramifications of installing road crossings which may directly contravene relevant highway

regulations and which may also, in some eyes, be considered to increase the risks to pedestrians and road users at Zebra crossings.

References

1. Metropolitan Police, What is hate crime, available at: <https://www.met.police.uk/ro/report/hate-crime/information/v1/hate-crime/what-is-hate-crime/>
2. Home Office, Hate crime, England and Wales, 2023 to 2024, available at: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-year-ending-march-2024/hate-crime-england-and-wales-year-ending-march-2024>
3. The Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997, available at: <https://www.legislation.gov.uk/ukSI/1997/2400/contents>
4. The Highway Code. Rules for Pedestrians (195), available at: <https://www.highwaycodeuk.co.uk/pedestrian-crossings.html>
5. Department of Transport, Reported road casualties Great Britain: pedestrian factsheet 2023, available at: <https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-pedestrian-factsheet-2023/reported-road-casualties-in-great-britain-pedestrian-factsheet-2023>
6. The Traffic Signs Regulations and General Directions 2016, available at: <https://www.legislation.gov.uk/ukSI/2016/362/contents/made>
7. The Department for Transport, Traffic Signs Manual 'Traffic Control' (2019) Chapter 6, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/851465/dft-traffic-signs-manual-chapter-6.pdf

Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

contact@rmpartners.co.uk



Risk Management Partners

The Walbrook Building
25 Walbrook
London EC4N 8AW

020 7204 1800
rmpartners.co.uk

This newsletter does not purport to be comprehensive or to give legal advice. While every effort has been made to ensure accuracy, Risk Management Partners cannot be held liable for any errors, omissions or inaccuracies contained within the document. Readers should not act upon (or refrain from acting upon) information in this document without first taking further specialist or professional advice.

Risk Management Partners Limited is authorised and regulated by the Financial Conduct Authority. Registered office: The Walbrook Building, 25 Walbrook, London EC4N 8AW. Registered in England and Wales. Company no. 2989025.