



Transport Select Committee

Oral evidence: Road traffic law enforcement, HC 518

23 November 2015

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Members present: Mrs Louise Ellman (Chair), Robert Flello, Mary Glendon, Karl McCartney, Stewart Malcolm McDonald, Huw Merriman, Iain Stewart, Graham Stringer, Martin Vickers

Questions 100-209

Examination of Witnesses

Witness: **Roger Geffen**, Campaigns and Policy Director, CTC, gave evidence.

Chair: Good afternoon and welcome to the Transport Select Committee. Mr Flello would like to declare an interest.

Robert Flello: I declare my usual interest: a member of my staff is funded by the RHA.

Q100 Chair: Mr Geffen, would you give us your name and position, please?

Roger Geffen: Roger Geffen, Policy Director for CTC, the national cycling charity.

Q101 Chair: Thank you very much. Could you tell us if you would like to see drivers educated about how they should share the road with cyclists, and how you think that might be done?

Roger Geffen: That is certainly part of the solution. It is not the only part of the solution. There are all sorts of things that need doing for cyclists' safety, such as better road design and enforcement, as well as education.

Q102 Chair: I would like to focus on education to start with. How do you think drivers should be educated?

Roger Geffen: The important message that drivers need to be aware of in relation to cycle safety is, first, about overtaking and leaving sufficient space, particularly on a left-hand bend or when turning left. They should look out for cyclists at any kind of junction and

make sure they give way. They should not open car doors—that is obviously a message for passengers as well as for drivers. They should have respect for the rule of law, understanding as well as knowing that they should not break the speed limits or use mobile phones, for instance. That is a point about driver training: the driving test expects you to know that those are the rules of the road but does not expect you to know why it is so important to respect speed limits and not to use mobile phones. It would be good to have that incorporated in driver training.

Q103 Chair: What should cyclists do better to share the road with car drivers?

Roger Geffen: The main thing that cyclists need to know about in current conditions is good road positioning and eye contact. Cycle training teaches cyclists, when they are able to keep up with the traffic stream or when traffic is light, to move out into the lane so that they are able to be seen and to prevent them being overtaken in situations where it would be unsafe for them to overtake. I should have included in the things that drivers need to know the fact that there is a good reason why cyclists move out into the traffic lane: it is for their own safety. A lot of drivers do not appreciate that. That is part of the answer to my previous question.

Another thing is pulling into the left when traffic is going fast so as not to cause a nuisance. They need to be aware of not riding up on the left-hand side of lorries. That is a particularly dangerous thing to do. Far too many cyclist fatalities involve left-turning lorries.

Q104 Karl McCartney: I want to pick up some of the things in your answer to the first range of questions in relation to what cyclists, as well as drivers, need to do better. You mentioned the driving test. We could argue about whether everybody who is behind the wheel of a car has actually passed a driving test and how often they might have to do that, rather than just once in their lifetime. Currently, as a percentage, how many cyclists on the roads at this point in time—I am not nailing you to this figure at all—have passed a cycling proficiency test or its equivalent?

Roger Geffen: I do not know the answer to that one. Part of it depends on what you mean by a cyclist. There are people who ride a bike less than once a year and people who ride a bike several times a week, so the definition of cyclist is itself a fluid thing. CTC created the national proficiency test way back in the 1930s. We then restructured it in the late 1990s and finally got the Government to adopt the idea of Bikeability cycle training; I think they endorsed it in 2005. That is teaching people not just not to fall off the bike when wobbling around bollards in a playground, but to have the confidence and skills to handle busier traffic conditions. We would like to see far more cyclists doing that cycle training, to give them the confidence and skills to handle the roads safely and lawfully.

Q105 Karl McCartney: Indeed we all would, but in my time at junior school—I am talking pre-decimal now, and presumably we are roughly the same age—between the ages of seven and 11, we took cycling proficiency lessons. We were given a certain modicum of road sense. I do not know what the percentages were then of children at various schools doing their cycling proficiency, but I hazard a guess that it has gone down rather than up since then. Can I ask you the same question again? Roughly, how many people who regularly ride a bike, say once a month, do you think have tucked away in their folder or hanging on the bathroom wall at home a cycling proficiency certificate?

Roger Geffen: I am not going to hazard a guess. I know that Bikeability cycle training is made available to over 50% of children passing through schools now. I do not know what percentage of children were going through that test at the time when you and I would have been doing it, so I do not know whether it has gone up or down. What I can say is that the quality of cycle training being delivered today has greatly improved because, as I said, it is now giving people the confidence to handle real road conditions. A lot of the old cycling proficiency test that was being done when you and I were at school was simply about learning not to fall off when riding around bollards in a playground, which does not give you the confidence and skills to handle real traffic and to know how to interact with drivers.

Q106 Karl McCartney: Similar to what you tagged car drivers and vehicle drivers with, do you not think it should be illegal for cyclists to use their mobile phone or break the speed limit when cycling?

Roger Geffen: We looked into that. The first thing to say is that we are not in the business of defending unlawful cycling any more than you would expect the AA or the RAC to do so. Of all the things that cause deaths to cyclists, we have seen no evidence that mobile phone use is particularly significant, or any more so than it would be for pedestrians. We are seeing about one cycle fatality a year involving headphone use—not mobile phone use—and two of those occurred at level crossings off the road network. Just to make that clear, it was two out of four over four years. It is not clear that it is particularly important for cycle safety, any more than it is for pedestrian safety. In general, we support lawful behaviour and respect for the rules of the road and for other road users.

Q107 Karl McCartney: My final question is this: looking to the future, what impact do you think it might have if everybody who used the road, including cyclists, needed some form of insurance?

Roger Geffen: Again, it would be very difficult, because you would have to work out how it would affect children. You would also have to work out why it is more important for cyclist safety than for pedestrian safety. We encourage anyone who is cycling regularly to have insurance. It is one of the benefits we provide—membership of CTC provides that insurance. As I say, if we are talking about what action makes a difference to cyclist safety—

Q108 Karl McCartney: It is currently not compulsory for cyclists, is it?

Roger Geffen: It is not compulsory for cyclists. The Association of British Insurers has told me that they do not see that as a major issue. They do not have to make significant payments for uninsured cyclists. They are much more concerned about uninsured drivers.

Q109 Robert Ffello: Mr Geffen, I probably should declare that I have my own cycling proficiency certificate buried away in a drawer somewhere, and the little lapel pin that went with it. More seriously, coming back to your list of things that you felt drivers should be educated about, what evidence do you have that the elements you said drivers need to be educated about were a factor in more serious accidents and serious injuries, and indeed tragic fatalities? For example, how many of those serious incidents involved a driver not

giving enough space to a cyclist, or speeding? I am thinking about London, where I would suggest that it is almost impossible to speed a lot of the time.

Roger Geffen: You are right that the most common factor, certainly for cyclist injuries, is failure to look. We also know that for a collision involving a cyclist and a single motor vehicle the police are about three times more likely to attribute responsibility to the driver than to the cyclist. That varies depending on the casualty severity. They are more likely to blame the cyclist if the cyclist is a child, which seems somewhat harsh, or if the cyclist has been killed, which seems harsher still as they are not there to tell their side of the story.

The contributory factors that tend to get attributed to drivers are, first and foremost, failure to look properly and failure to have regard to rights of way, either jumping a red light or a give way line. That is a far more common factor in cyclist and, indeed, pedestrian injuries than cyclists themselves jumping red lights. For instance, in London, of the pedestrians injured by a vehicle jumping a red light, 2%—it might have been 4%—involved a bicycle jumping a red light; the other 96% or 98%, I cannot quite remember, involved motor vehicles jumping red lights. Cyclists should not be doing that and we are in no way condoning those who do, but this is an issue of respect for the rules of the road rather than a really significant road safety issue.

Q110 Robert Ffello: I am not sure you quite tackled my original question. You came up with a list of things that you felt drivers should be trained in. I would suspect and suggest that most of the things on your list would not apply somewhere like London, simply because of the layout of the roads and the way the roads work.

Roger Geffen: I included looking at junctions, and that is a significant factor, particularly in London. For the more serious cyclist injuries, the left-turning lorry is the major killer of cyclists in London, but speeding, particularly fast driving at night, is the major killer outside London on rural roads. There are different factors, depending on the severity of the casualty and also whether it is urban or rural. They have different causes.

Q111 Chair: Would better enforcement of traffic laws—legislation to do with road safety—make cyclists safer?

Roger Geffen: Yes, undoubtedly. Enforcement of road traffic law is known to be very effective as a safety aid. As a generalisation, we know that criminals in general, not just drivers, are far more deterred by the fear of being caught than by the severity of the penalty. Clearly the severity of the penalty matters for the most serious offenders, but in general, particularly given that traffic offences are committed by people who generally think of themselves as mostly law-abiding citizens, it is the fear of being caught that is really important. Therefore, visible roads policing is really important for protecting the safety of non-motorised road users. It is noticeable that since we started to see significant declines in roads policing over the last 10 years, but particularly over the last five, the proportion of injuries of all severities that include pedestrian cyclists or motorcyclists has gone up from about 52% to 60%. In other words, we are doing better at improving safety for the occupants of motor vehicles than for those outside. I cannot prove that that is related to road traffic law enforcement, but of all the other factors I cannot think of one that is more likely to explain it better.

Q112 Chair: Are there any additional road traffic laws that you would like to see?

Roger Geffen: Not immediately. The most important change to road traffic law that we wish to see is a clarification or a change in the distinction between careless and dangerous driving. I know that the terms of this review were to focus on the role of the Department for Transport and this is beginning to stray into the role of the Ministry of Justice, but the Ministry of Justice promised a review of road traffic law and sentencing. It has been a problematic area ever since the 1930s. That review seems to have disappeared into the long grass and we would very much like to see it revived. Driving that has caused obvious danger should be treated as dangerous driving by its legal definition, yet it persistently gets treated by the police, the prosecutors and the courts as if it was mere carelessness. That in turn results in derisory sentencing, which gives out all the wrong messages to drivers about the importance of showing respect for the safety of other road users. We would very much like to see that clarified. There are different ways in which it could be done, but we would like the process to get under way, and the sooner the better.

Q113 Huw Merriman: I used to cycle from Shepherd's Bush all the way to Liverpool Street in London on a daily basis and I can attest to some of the difficulties you have mentioned. Given that you talked about HGVs being a particular cause of accidents and deaths, do you think the time has come to restrict the hours during which HGVs can use the streets in central London at rush hour?

Roger Geffen: There has been a call for that, and I have little doubt that it would prove beneficial, but in terms of national policy, which is what CTC is concerned with, you would have to think about how different laws apply in different places. Rush-hour bans might be suitable in some places but not others. It will depend on the location. Where are the places that lorries need to get to? Where are they within a built-up area and who needs to get there? That will vary from town to town and city to city. We are not looking for a blanket, peak-hour ban; we are looking for laws that would allow local authorities to define a lorry-restricted area and would allow for local circumstances as to what the exemptions might be within that area. The role of national Government would be to step in and say that any lorries that are exempted for this purpose must meet safe design standards. That is a proper role for national Government. Local government should reflect localism and where lorries need to get to. National Government should define what a safe lorry is. The last thing the freight industry wants is different rules for safe lorries, with Birmingham setting one set of rules for a safe lorry and London setting a different set of rules and so on. I will be giving evidence to the HS2 rail Bill on Thursday, and HS2 Ltd are saying that they want different rules from Transport for London as to what is a safe lorry. That is clearly nonsensical. It is for Government to define what a safe lorry is and for local authorities to say where safe lorries are permitted.

Q114 Huw Merriman: I no longer live in London and I do not represent a London constituency, but I am conscious that London has had a very high proportion of cyclist deaths on the streets. That is why I wonder whether in terms of a more radical step, perhaps just for London or some other major cities, you restrict the hours that HGVs can be used. Therefore, you do not have to focus on the additional cost to make sure that the HGVs are all kitted out; you just don't use them during the busy time.

Roger Geffen: There is a good case for it, but doubtless the lorry industry would then plead all sorts of reasons why there have to be various exemptions, including things like 24-hour concrete pours where you just simply cannot stop. This is why, whatever the

exemptions are, there needs to be some provision to make sure that they involve safe lorry operations. Then it will be for the authorities in London, the west Midlands and every other urban area to define what kind of total restrictions they want in place. For most urban areas we reckon it would be perfectly possible to eliminate the largest lorries altogether—the 40 and 44 tonne lorries—which most good operators do not bring into urban streets anyway because they are so unwieldy. If lorries were not of that maximum length, it would be possible to put a safe cab on the front of them; you need a bit of extra length for a safe lorry cab so that you can bring the driver down from sitting above the engine. Lorry design puts the driver above the engine because it saves on the maximum length of a lorry. If you are not up against the maximum length limits you can bring the driver lower down and put more glass around them, and that gives them the same ability to see what is around them as a bus driver has. That is why it would be sensible to define a safe lorry. It would not run into the maximum length limits imposed by EU laws. It could be done, and that would allow for flexibility, as I say, so that local authorities can introduce whatever restrictions they like, including peak-hour bans, but there would be a national definition of a safe lorry that would be acceptable for any exemptions that had to be there.

Q115 Stewart Malcolm McDonald: I apologise for coming in late. All Governments say that they want to encourage more cycling—the UK Government, the Scottish Government, the Welsh Government or whatever. That has to go hand in hand with effective enforcement of the law. Given that we see such high cycle usage on the continent, are there countries on the continent that are better than we are at enforcing the law on road safety and that perhaps take it more seriously?

Roger Geffen: Certainly France achieved spectacular improvements in road safety from about 2002 onwards, when the then President, Jacques Chirac, decided that road safety was a national priority and really stepped up enforcement. That is one of several examples given in the CTC briefing on traffic law enforcement to show that enforcement is a highly effective safety intervention.

The other respect in which road traffic law is stronger in most other countries around Europe is what is known as presumed liability. This affects civil law rather than criminal law and is the assumption that a driver who has been involved in a collision with a pedestrian or a cyclist—it is not purely a cycling thing—is held liable for the injury damages to that pedestrian or cyclist. We genuinely do not know how much difference that makes, because the countries that introduced that principle did so back in the 1920s and 1930s, in the early days of motoring. Some have adapted that legal principle more recently, but it has been there in some form or other in every country in western Europe apart from Great Britain, Ireland, Cyprus and Malta since the '20s and '30s. It probably makes a difference, but I cannot prove it.

Q116 Stewart Malcolm McDonald: In terms of the Government and the authorities, whether urban or rural, do you feel that they are on the side of cyclists? Do you feel that they understand the needs of cyclists in this country?

Roger Geffen: The enforcement authorities understand the needs of cyclists. It is probably very variable. It is very important. We have raised the importance of getting the police, and indeed the prosecutors and the courts, better trained in understanding cycle safety.

Q117 Stewart Malcolm McDonald: Is there a difference between rural and urban jurisdictions as to how effectively the law is enforced and the outcomes achieved?

Roger Geffen: I would not be able to generalise. The one thing I would say is that in London, largely driven by the Mayor, Transport for London has worked very closely with the Met to improve the Met's understanding of cycle safety. In that respect, London is probably ahead of the rest of the country. As to whether I could generalise that to other urban areas, I really do not have the evidence base to go on.

Q118 Martin Vickers: A few minutes ago, Mr Geffen, you said that the police do not enforce road safety laws as well as they did five or 10 years ago. What evidence do you have for that?

Roger Geffen: The ratio of both prosecutions and convictions to serious injuries has gone the wrong way. In other words, the likelihood that a serious injury will result in a prosecution or a conviction has dropped over time quite significantly. There is a chart in paragraph 17 of our evidence that shows the disparity: a drop of around 20% in road casualties but more like 40% in disqualifications in that case. There are similar trends for both prosecutions and convictions.

Q119 Martin Vickers: Many pedestrians feel apprehensive when faced with silent cyclists, particularly in large cities such as here in London. Do you think extra measures are needed to protect pedestrians?

Roger Geffen: We are very strongly in favour of increased road traffic law enforcement because it would benefit all road users, including pedestrians as well as cyclists. Yes, road traffic law is important for the safety of everybody, and yes, we would be perfectly happy to see greater enforcement of the road traffic laws for offending cyclists if there is overall a greater enforcement of road traffic law in general. Cyclists are far more likely to be the victims than the perpetrators of pedestrian injuries, or indeed of everybody's injuries. Road traffic law is important for everyone's safety.

Q120 Martin Vickers: Going back to your comments about restricting HGV movements at peak times and so on, have you as an organisation commissioned any evidence as to the cost to the economy of such a move?

Roger Geffen: We haven't. That is exactly why I think it is a matter for local authorities to decide what kind of restriction should be put in place, looking at the geographical shape of their area, where the businesses are that lorries need to get to and at what times they need to do that. That is one of the issues where localism is absolutely the right approach to adopt, but the role of national Government in restricting lorry access is to define the safe lorry that would be exempt from any restrictions. Of course, from a cycle safety point of view, the fewer exemptions the better.

Q121 Graham Stringer: Do you know the percentage of accidents involving cyclists that happen at night-time, when it is dark?

Roger Geffen: I don't, but it is readily available. It is of the order of 20% to 30%, if I recall aright. It is higher in rural areas than in urban.

Q122 Graham Stringer: Do you know what percentage of those accidents involved cyclists who did not have lights or reflectors on their bikes?

Roger Geffen: I do not know that. It might be in the contributory factors data; it is not among the significant contributory factors though, according to the police's listing of contributory factors.

Q123 Graham Stringer: Do you know how many prosecutions there are of cyclists who cycle without reflectors or lights?

Roger Geffen: I don't know the answer, no.

Q124 Graham Stringer: My experience of driving, mainly in Greater Manchester, is that there is an increasing number of cyclists riding without lights. It is very frightening if you are a motorist and you suddenly come across a cyclist looming ahead. It would be useful to have those statistics, don't you agree?

Roger Geffen: Yes. The number of prosecutions for lighting offences will be available, and we can probably unearth that and send it to you. As I said, it is not showing up as a significant contributory factor, certainly not in urban areas. In rural areas, failure to see a cyclist is a significant factor. How many of those involve an unlit cyclist, as distinct from a cyclist who was not adequately lit or a driver who was not paying attention, is not clear. I have no way of knowing how to split those three factors out.

Q125 Chair: Would you send us any information that you obtain in that area?

Roger Geffen: Okay.

Q126 Iain Stewart: Returning to HGVs, is there any evidence in the statistics that would suggest that there is a particular issue with left-hand drive foreign lorries on UK roads? Is that a particular factor in HGV and cyclist collisions?

Roger Geffen: Not that I am aware of. Anecdotally, I can think of a number of cases where it was a foreign driver, but probably not driving a foreign vehicle. What we make of that I don't know. For all I know it might be that the freight industry, particularly the rougher end of the freight industry, makes disproportionate use of foreign drivers. I do not know; I am speculating now, I am afraid. The one thing I have not yet said, and I am conscious that we are short of time, is that having brought up the issue of the rougher end of the freight industry, particularly the construction industry cowboy operators, I want to emphasise the importance of the traffic commissioners. We have been tracking two cases recently: one in Cornwall involving two cyclists; and one in London involving one cyclist. In both cases the driver was found to be committing obvious health and safety breaches, not just driving badly. In the Cornwall case the driver had been working all hours and had hardly slept at all in the previous two days. He was repairing the lorries as well as driving them. Clearly there is something wrong with the lorry operator allowing him to do that. Similarly, a lorry driver in London who killed a cyclist had five driving bans and was unlicensed and uninsured at the time. Again there was a clear health and safety issue. In both cases it came to the attention of the traffic commissioners only when the drivers were convicted; only then did they start investigating. In the Cornwall case, the lorry operator

lost his licence only last Friday, more than two years after the original fatality. I know you are probably focusing on the role of the police, but I would really emphasise the importance of other enforcement agencies such as the HSE, the DVSA and, in particular, the traffic commissioners in taking unsafe operators off the road. Transport for London has recently put arrangements in place to get those enforcement agencies to collaborate better. That is very much in the aftermath of the Alan Neve case. As I say, in both cases dodgy operators continued to operate—in one case for nearly two years and in the other for more than two years—after their drivers had been involved in the fatality and there were clearly unsafe operations going on behind the scenes.

Q127 Iain Stewart: The reason I asked about left-hand drive HGVs is that, if we look at having a national safer lorry scheme, do the same standards also have to be applied to left-hand drive HGVs operating on UK roads? If so, who would enforce them?

Roger Geffen: Yes, it would be good to have a consistent standard. This goes back to what I was saying about the Government stepping in to define a safe lorry. Again, Transport for London has taken a very useful initiative in partnership with all the relevant players in the industry to set up what is known as the CLOCS initiative—construction logistics and cycle safety—and that has cross-organisation agreement. We would like to see the Government step in and basically make that a national standard for lorry safety for all construction projects and for planning permissions everywhere, so that there is consistency in the rules with regard to what defines a safe lorry—to go back to an earlier question. Yes, it would need to cover foreign operators too. How would it be enforced? This is where there are different rules enforced by different agencies. Some of it is the DVSA and some of it is the Health and Safety Executive. Unfortunately, the Health and Safety Executive really does no prosecution work in relation to road-related work and safety. That in itself is a significant issue.

Q128 Robert Ffello: I have several points and hope that the Chair will cut me a little slack on some of these issues. There is a very strong parallel in many ways to what used to be the case with motorbikes. It used to be the case that motorbikes were one of the most dangerous forms of transport and that motorbikers were killed regularly and knocked off their bikes by cars coming out of side roads—all those sorts of issues. Steps that were taken that dramatically cut the number of deaths of motorcyclists were first of all bringing in the CBT—compulsory basic training for a motorbike. If you are a would-be biker, you have to do your CBT before you can even get out on the road with L plates. Having done that there is a period of time you can have L plates before you must do a test, and so on. Previously you could have said that the motorbikers were not doing anything wrong and they were the victims and they were being disproportionately killed, yet as the measures that the bikers have had to take have worked so well, is it not something that you should be promoting and suggesting that the Government go down a similar route for cyclists—CBT and then some sort of test?

Roger Geffen: I would point to a number of differences. First, cyclists can start cycling as soon as they are physically capable, so they could be very small children. If you were to put in place a compulsory testing requirement, you basically stop children cycling. There is no good reason—

Q129 Robert Ffello: Not necessarily—sorry to push in. When my children were five years old and out cycling, I would not have had them cycling down the main road. There are ways of doing it.

Roger Geffen: You then have to explain why cycle safety is different from pedestrian safety. Do we require a pedestrian test too?

Q130 Graham Stringer: Because they are on two wheels.

Roger Geffen: The point I am making is that there is a real difference in the proportion of motorcyclist injuries that involve the motorcyclists themselves. The proportion of motorcycle fatalities that involve no other vehicle is far higher than for cyclists.

Q131 Robert Ffello: But my point is that it used not to be the case. It used to be the case that most motorcyclists were most at risk from other wheeled road users, and therefore, given that those steps made such a difference, why is it not something that CTC are pushing?

Roger Geffen: I am arguing the opposite. The fact that motorcyclists are much more likely to kill themselves through their own actions—with no other motor vehicle involved—is an indication that they are doing more to endanger themselves than cyclists are. As I said, that also comes out from the contributory factor data that I was talking about earlier.

Q132 Chair: Are you saying, Mr Geffen, that there is nothing in this area that cyclists could do?

Roger Geffen: Of course there are things that cyclists can do. I talked about the importance of good road positioning. I talked about the importance of good eye contact. I talked about the importance of avoiding the left-hand side of lorries. If you are asking would obeying the rules of the road be important for cycle safety, it is important that cyclists obey the rules of the road, but the safety infringements that cyclists commit are not major factors in cyclist deaths or serious injuries. Those are overwhelmingly due to motor vehicle driver error. We have seen consistently that 3% of adult cyclists' injuries—that order of magnitude—involve the cyclists themselves. It is slightly higher for children because they ride off pavements into the road and that gets them injured, but for adult cyclists the proportion of their injuries that is down to their own lawbreaking is actually very small.

Q133 Chair: Is that borne out by the available statistics?

Roger Geffen: That is borne out both by the contributory factors data and by other evidence that Transport for London has specifically relating to London.

Q134 Chair: You have suggested a near miss reporting system. How would that change things?

Roger Geffen: There has recently been a near miss study conducted by Rachel Aldred of Westminster University, which found that near misses are a significant deterrent to cycling. If we knew more about near misses, we would know more about both what endangers and what intimidates cyclists, so we would have a better handle on where to target improvement and what kind of advice we should be giving drivers to avoid intimidating as well as endangering cyclists. There are quite a number of things that

drivers do, particularly the close overtake, where they are probably just not aware of the extent to which that intimidates the cyclist and therefore causes people to—

Q135 Chair: How would a near miss system work in practical terms?

Roger Geffen: In terms of police investigations?

Q136 Chair: In terms of what you are advocating. How would it actually work?

Roger Geffen: The point is that the police should be investigating near misses more than they do at the moment, to identify drivers who are routinely endangering cyclists. Two police forces have done this. The Met police and Sussex have a system where cyclists can report what they feel was dangerous driving without its necessarily having led to a collision. The police will not necessarily act on that unless there is independent evidence, which can include helmet camera evidence, but where they repeatedly see the same motor vehicle reported they have been sending out warning letters. I have little doubt that it makes a difference for the driver to know that they have been clocked.

Q137 Mary Glendon: When we talked about mandatory proficiency tests and so on, you said one of the problems is that very young children cycle. Do you think there should be a minimum age for anyone on a bicycle to be allowed on the road or any public highway? Do you think it should be compulsory for children, if they are allowed on the road, to wear safety helmets?

Roger Geffen: I would not accept either of those propositions. Effectively, both those things are putting the blame on to the victim rather than tackling the root cause of the danger, which comes from motor vehicles. This is the distinction. There are two different interpretations of the sentence, “Is cycling dangerous?” Cycling itself is not dangerous. Left to its own devices, cycling is an entirely safe and healthy activity and one we should be encouraging for the benefit of the environment, and indeed for safer and more efficient roads. The danger comes primarily from motor vehicles. If we want to encourage safer cycling in ways that also encourage more people to cycle and to make cycling a safe and normal activity for children, women and people of all ages and abilities, we need to tackle the source of the danger to cyclists, which is overwhelmingly motor vehicles, particularly lorries or those who drive fast and irresponsibly. We also have to tackle the design flaws in our road network. I know that is beyond the scope of this inquiry, but the point I am making is that we need to tackle the source of the danger rather than the symptoms.

Q138 Mary Glendon: Let me go further with regard to the wearing of safety helmets. We remember seeing the example of the egg with a little polystyrene hat dropped on the floor and the egg did not break. Do you think for safety alone that, even if a bicycle did not collide with a motor vehicle, it would be better for a rider to wear a hat?

Roger Geffen: The cycle helmet debate is very complex. I am conscious that we are running out of time, but the key points are as follows. First, if you make out that cycling is an exceptionally dangerous activity, you deter people from doing it. It is not, and you are about as unlikely to be killed in a mile of cycling as in a mile of walking, which begs the question: if we need cyclists to wear helmets, do we also need pedestrians to wear helmets? By making out that we do—

Q139 Chair: But if cyclists wore helmets would it make them safer?

Roger Geffen: That is the next bit of the question. The jury is out on the evidence on that point. In places where cycle helmet wearing has gone up significantly, such as in Australia and New Zealand, where helmet laws have been introduced, the risk per mile for cycling has not improved. All that has happened is that a lot of cycle use has gone down. You can be absolutely sure that that will have shortened far more lives than helmets themselves could possibly have saved. There is good epidemiological evidence that, because the health benefits of cycling are so large relative to the risks, you only have to reduce cycle use by a tiny percentage to end up with more people being killed due to not cycling than helmets could possibly prevent.

Q140 Chair: If we look at cyclists on the road, is there any evidence that wearing helmets makes those cyclists any less safe, or does it make them safer?

Roger Geffen: The jury is out on this one. As I said, it has made no detectable difference to the rate of injury per mile travelled. All it has done is reduce cycle use.

Q141 Karl McCartney: I have a quick question that may lead to a couple of others. Do you drive, Mr Geffen?

Roger Geffen: I have driven. I stopped driving a long time ago.

Q142 Karl McCartney: At the moment, you take a driving test in this country to gauge how good you are and you have to reach a certain standard. You are then allowed to use the roads. Pedestrians do not use the roads.

Roger Geffen: Except to cross over them and country lanes to walk along.

Q143 Karl McCartney: Cyclists do use the roads, and my argument to you earlier was that cyclists should reach a certain level of proficiency too. Therefore, if in the future all drivers had to retake their test every 20, 10 or even five years, do you not think at that stage that all cyclists who are also using the road should have to reach a certain level of proficiency?

Roger Geffen: First, it would be a very good thing if we were regularly re-testing drivers. The sooner that happens, the better.

Q144 Chair: The question is whether cyclists should be tested.

Roger Geffen: It would provide a significant deterrent to occasional cycle use for the parent who wants to take their child out for the first time in ages—

Q145 Chair: But would it make cycling safer? That is what Mr McCartney is asking.

Roger Geffen: Would it make cycling safer? I have no way of knowing that. It is very useful for cyclists, particularly those who are going to cycle regularly, to do cycle training. Would a test make a difference? I am not sure. It is more important that they get the training.

Q146 Huw Merriman: Unfortunately, the scars on my face and the caps on my teeth bear testament to the fact that cyclists can cause their own accidents by their own stupidity. My question comes back to your point about wearing helmets, which I wasn't. Is it not the fact that highway users are more likely to slow down and take care when they see others also taking care—wearing helmets? I am sure I have seen research to show that that is borne out.

Roger Geffen: No, it is the opposite. Research that has been done by Dr Ian Walker of Bath University found that drivers left less space when overtaking a cyclist with a helmet on than one without. He did the research himself, so he was wearing a wig to make himself look like a woman. When the cyclist appeared to be a woman they left more space. They also left more space when the cyclist was not helmeted. It suggests that there is some subliminal sense among drivers that once the cyclist has a helmet on you don't need to worry as much about their safety, which is actually untrue. It is an example of what is known as risk compensation. When people think they are protected, they are a bit less cautious in ways that may, in fact, erode whatever limited safety benefit a helmet might have. That is one of the many explanations as to why helmets do not seem to have improved cyclist safety. There is also evidence that they increase neck injuries. Let's face it: a helmet effectively increases the size of your head, so something that might have just given you a glancing blow and grazed your skin, or missed you altogether, would actually catch the helmet, causing a neck or spinal injury.

Q147 Graham Stringer: Previously you said that in Australia there was no change in the rate of injuries when people were wearing helmets. That is not really the relevant statistic, is it? It is the severity of injuries that is the key factor, I would have thought. Did the severity of injuries go up or down?

Roger Geffen: I cannot recall figures on that. There have been numerous attempts to quantify whether it shifted the proportion of head injuries and the severity of injuries. Although some studies found that it did make a difference, they were hospital-based studies. You cannot say that the populations of cyclists they were looking at were necessarily representative of anything. The population-level studies, as opposed to hospital-based studies, found no detectable impact in any of the tests that have been done. I cannot say for sure whether any of them did a severity test, but I know that there is a lack of population-level evidence for any detectable benefits from helmets. They provide, and are designed to provide, only limited protection. Effectively, they are designed to withstand a knock from a fall from a bike under gravity from a stationary riding position; they are not designed to withstand impact with moving motor vehicles. If people think that they are better protected than they really are, it may well be that both cyclists and drivers may be risk-compensating and thereby eroding any possible marginal benefit that a helmet might have in the event of a collision, because they increase the likelihood of a collision happening in the first place. We know that cyclists who wear helmets have a 14% higher rate of being involved in collisions per mile travelled, which suggests that there is some risk compensation going on.

Chair: Thank you, Mr Geffen, for coming and answering our questions.

Examination of Witness

Witness: David Davies, Executive Director, Parliamentary Advisory Council for Transport Safety, gave evidence.

Q148 Chair: Mr Davies, welcome to the Transport Select Committee in a different role. Could we have your name and position?

David Davies: I am David Davies. I am the executive director of PACTS, which is the Parliamentary Advisory Council for Transport Safety, an all-party parliamentary group.

Iain Stewart: Before we proceed with this part of the session, I declare my interest as a trustee of PACTS.

Q149 Chair: What can you tell us about the effects of safety cameras on road safety?

David Davies: Safety cameras have been in existence since at least the 1990s. They have played a considerable role. They have been controversial; there is no question about it. The statistics on proving exactly how effective they are have been fiercely fought over, but I think in many ways that has helped us refine the accuracy of the benefit. I point you to the study published by the RAC Foundation in 2013 by Professor Richard Allsop, who is a PACTS trustee and director, which studied over 500 fixed cameras. The conclusion was that there were reductions in fatalities in the order of 22%, and 13% in collisions of all severities.

Q150 Chair: Are hidden cameras more effective than those that are visible?

David Davies: I do not think there have been such clear or definitive studies of those. Most of the studies have tended to be on fixed camera sites. I am not sure that the police would necessarily accept the term “hidden”. Mobile camera sites are an increasing part of the way the police deploy safety cameras.

Q151 Chair: Do you think the funding for road safety cameras should be restored on grounds of safety? It was cut in the last Parliament.

David Davies: We would say that funding for all forms of road safety activity should be restored. Partly as a result of the austerity measures introduced in 2010, the road safety grant—capital and revenue—was axed almost immediately. It was not necessarily intended to axe that particular grant; it just happened to be one of the grants that the Chancellor could cut off immediately and he did. It had a huge impact, and not just on safety cameras, but generally on road safety activity across local authorities.

Q152 Iain Stewart: I want to ask about average speed cameras, both those that are temporary, if there are roadworks or some other issue, and those that are permanent, which some counties install on particular stretches of road. Is there any evidence to suggest their effectiveness or otherwise?

David Davies: I think there is. First of all, they seem to be much more popular with the public. Secondly, they generally cover much longer stretches of road, other than the roadwork sites to which you refer. I point to the A9 scheme in Scotland, which is, I

believe, the longest stretch of road with average speed cameras, other than motorways, in Europe. That has now been in operation for about a year. Although a year may not be enough to evaluate it fully, the safety and traffic benefits so far seem to have been substantial. Again, it was quite a controversial scheme. Freight operators particularly felt that being restricted to the speed limit for that length of road would have an impact on journey times, deliveries and so forth. That has proved not to be the case. From the figures I have seen, it has improved the reliability of journey times and only marginally slowed them down, if at all. There are safety benefits.

Q153 Iain Stewart: In an earlier session I asked representatives from the police about the enforcement levels of average speed cameras. They suggested that there was not a uniform level at which point a fine would be triggered—a particular rate above the set speed. Do you think that is a problem? If so, should there be more national enforcement of the trigger point?

David Davies: ACPO as it then was, now the National Police Chiefs' Council, had national guidelines: 10% plus two or three mph. They were only guidelines, so local police forces had the right to set their own limits. We are increasingly in a devolved system, not only to Scotland, Wales and Northern Ireland, but within England as well. The name of the game seems to be to allow local authorities or police and crime commissioners to set their own priorities. Some have made road safety and safety cameras a much higher priority than others.

First of all, it is important to say that if you are above the speed limit you are breaking the law, and the police feel they have the right to enforce the law. It would be dangerous to say that the speed limit plus 10% or whatever is a national rule. Motorists would then say, "Fine, I know I can do 33 or 35 or whatever it is and you can't get me." That would devalue the speed limits.

Q154 Iain Stewart: You mentioned police and crime commissioners. The PCC in Bedfordshire recently suggested—not as a road safety measure but as a revenue-generating measure—that he would like to switch all the cameras on the M1 through Bedfordshire to trigger a fine if a motorist was doing as little as 71 mph. Do you think that is appropriate as a revenue-raising exercise rather than a road safety one?

David Davies: I think that was an unfortunate comment. It was made for a particular purpose. It was not necessarily a road safety purpose. We absolutely believe that safety cameras are there to help achieve compliance. They are not there to catch people, so they should be deployed in a way that encourages people to drive safely. They are not there to try and catch every single transgression. It is absolutely the case that if all cameras caught all drivers once they did one mile per hour over the speed limit, the whole system would simply grind to a halt. Bedfordshire's system might grind to a halt as well, I suspect, if they did that. That is not the way forward. We are also very keen to make sure that people do not think that fines are an incentive for applying safety cameras. They go back to the Chancellor. There is an element that goes to the police to manage the system, but the fine is not an incentive and it should not be an incentive. We have moved away from that.

Q155 Karl McCartney: This touches on my colleague Mr Stewart's questions. First of all, although it is admirable that you call them safety cameras, many of us view them as

speed cameras, because that is what they detect. Some people have given them the moniker of tax revenue-raising cameras because that is what many of them seem to do. Certainly, looking at the increase in national speed awareness course attendees over the last four years, and at the cost of those courses, you might say that motorists are finding themselves being taxed through those speed awareness courses, and the fact that cameras are catching them to a greater degree than ever before, whether they are mobile or static. It was good to hear a dose of realism and that you cannot catch everyone on a motorway at 71 mph, but in your view do you think that speed causes accidents?

David Davies: It is not in my view; it is in the research. It is well established that speed is a major contributory factor towards a crash occurring. In the case of a crash the outcomes are much more likely to be severe. I could point you to studies that have identified that. There are difficulties in using the—

Q156 Karl McCartney: You can have a crash and be doing dangerous driving but not breaking the speed limit.

David Davies: Most crashes involve more than one factor—contributory factor, if you want to use the term in the police reports. It may be dangerous driving. It may simply be distraction or careless driving. There is a whole range of factors. All we know is that the faster you are going, especially if it is an inappropriate speed for the road, the more likely you are to crash, and to have a severe crash. It is a lot more likely that there will be a death—

Q157 Karl McCartney: Then it has a different title from speeding; it is either dangerous driving or—

David Davies: Speeding is almost by definition inappropriate speed. What we are saying is that in some circumstances, typically single carriageway country roads, there is a speed limit of 60 mph, driving at this speed may be inappropriate. A lot of the public think it is 50 mph, and it is probably a good thing to let them think that.

Q158 Karl McCartney: Let's not disabuse them of that then.

David Davies: Indeed. Some have lower speed limits, but 60 mph may not be an appropriate speed for some winding, unlit, narrow country roads. It is a combination of illegality and inappropriate speed.

Q159 Robert Flello: I want to go back to the camera issue and then I want to go on to another point. One of the points I made in a previous evidence session was that sometimes perhaps motorists might feel they are faced with many variable speeds. For example, at the time I was talking specifically about variable speed limit sections on motorways, with overhead gantries warning of incidents up ahead that just don't exist by the time the motorist arrives or that were cleared away a short while before. One of the things I have noticed in particular when driving down the M6 on the new managed motorway sections is that you come to an area where it says 60 and you think, "Hang on, every time I have driven up and down this section it has always said 60." The next one will say 60, as will the next one and then it will be clear. Do you feel there is an issue in terms of the motorist being—I would say—bombarded with information, "No, you must be at this speed or you must be at that

speed,” only to find that somehow it was inappropriate and that therefore there is a risk that the motorist will start to ignore those signs and inadvertently speed?

David Davies: I take the point. Sometimes you go down the motorway and think, “Why is there a particular speed restriction at this point?” It is possibly not so much too much information but insufficient information. You have a limit advertised or posted but not the reason why. I think we will see a change from Highways England, because they are now taking a more proactive and innovative approach to informing motorists about roadworks and speed limits. That is necessary. Some of the motoring organisations have called for more explanation of why a particular restriction is in force.

Q160 Robert Ffello: It happened to me the other day. Congestion was advertised on the sign, yet all the motorists I could see were surfing—slowing down to go through the camera and speeding up again because the congestion was clearly so bad that they were able to do 70 or whatever the speed limit would normally be rather than being controlled. There is a problem and a danger in the making that motorists will just start to switch off.

David Davies: The smart motorways, as they are now called, are relatively new. There is still a lot of learning to be done about setting the limits, informing drivers and so forth.

Q161 Robert Ffello: The other point I want to ask you about is what seems almost to be randomness. In some force areas, or indeed even within force areas, you can have a motorist who exceeds the speed limit and gets fined with points on the licence, and in a different area the same motorist, or another motorist, finds themselves being put on to a speed awareness course. Don’t you think that can be misinterpreted by motorists as being utterly random? They do not know what on earth is going on.

David Davies: There is some variability. You can call it randomness, if you like, as to whether you get a speed awareness course or a fine, or whether you just get away with it altogether. That has always been the case. The use of speed awareness courses has been increasing and the number of people charged with an offence has been declining. That has been a tilt. On the whole, if you are just a few miles an hour above the limit, you are more likely to go on a speed awareness course—if you choose—than to get the three points on your licence, which I think is a sensible approach.

Q162 Chair: Is there any evidence that the variation in what might happen to motorists in different places for similar speeds has any impact on road safety?

David Davies: There is a study, which the Department for Transport commissioned, into the effects of speed awareness courses against getting the three points on your licence, and which one has more impact.

Q163 Chair: Is there any evidence of what works better at slowing cars down?

David Davies: I believe the Department is going to publish something fairly soon on the preliminary study. There is a bigger study going on. I am on the steering committee, but it would be wrong for me to divulge that here, Chair. Forgive me.

Q164 Chair: There is some work under way?

David Davies: There is some work under way. It is very interesting and I think your Committee will want to ask about it.

Q165 Chair: A lot of the evidence we have is very anecdotal and there is not always solid evidence, but there is work under way.

David Davies: There is, to try to compare the effectiveness of education against points.

Q166 Chair: Do you have any impression of the impact, or is it something you do not want to say, as you are involved in it?

David Davies: It is very helpful that the police have a range of disposals. They find that, and I think the public find that. The public accept a degree of enforcement. If it is only a slight transgression they will go on a course, which generally people quite enjoy doing, ironically. There is obviously the penalty and fines for the more serious offender. It is really helpful that there is a range of disposals.

Q167 Chair: Do you have any idea when the research is likely to be completed and published?

David Davies: I believe the initial stage may be published reasonably soon. The Government are always a bit wary about committing themselves to dates.

Q168 Huw Merriman: I want to ask about speed limits on country lanes. This relates to a question I put to a member of the national policing side of things on speed. I asked whether he felt that the speed limit should be reduced on all country lanes. His view was no, because the issue is based more on the positioning of drivers and how they drive rather than the speed. That somewhat surprised me because, even if that is true, if you are speeding you have less time to correct your bad positioning and the impact if you do not would be that much greater. Could you comment on the same point? Should speeds be reduced on country lanes?

David Davies: The national limit for non-urban roads, single carriageways, is 60, as you know. The last Government—the coalition Government—revised the powers for local authorities to set local speed limits and to vary them. They have given local authorities quite a wide margin of discretion over setting those limits, and some have indeed reduced them to 50 and even 40 in places. On the whole, that is preferable to a blanket reduction, because there will be some roads where 60 is more appropriate. While we absolutely recognise that lower speeds are inherently safer, you need a speed that is appropriate for the road, otherwise it will not be stuck to.

Q169 Huw Merriman: Do you think speed is a factor in why there are so many collisions on country lanes? Again, the police did not seem to think it was, and I found that very strange.

David Davies: It is absolutely a factor. A head-on collision when both vehicles are doing 60 mph is beyond the safety capability of those vehicles.

Q170 Martin Vickers: My question is very similar. Although I am thinking of a particular example in my constituency, there are obviously hundreds across the country where, for example, there is a 50 mph limit on a dual carriageway but when you leave the dual carriageway you are on a B road winding up hill and down dale and so on where the speed limit is 60. That obviously leads people to be rather doubtful about the benefits of 50 on the dual carriageway. Again, this comes back to different interpretations by different highway authorities. You made the point that limits have to be respected in order for them to have an impact on drivers. Do you think there should be a national policy in terms of dual carriageways as compared with single carriageways?

David Davies: We would absolutely welcome a focus on single carriageway rural roads. It is a high priority for safety. A disproportionate number of deaths and serious injuries occur on those roads. The Government recognised that and there is a study under way. They have launched the country roads Think! campaign—you have probably seen the sheep with the paint on their wool. It also goes back to local authorities having the resources to carry out the review. They have the powers now to set limits. They need the resources to carry out reviews to see whether those particular limits are right, and whether there should be engineering or other measures rather than just changing the limit. We would endorse the need for physical measures to go with it, because there will not be police behind every stone wall.

Q171 Chair: Is there any evidence that the 20 mph zones have improved road safety?

David Davies: I will be tedious for a moment, Chair. The 20 mph zones, which were introduced some 10 to 20 years ago, with physical measures, have absolutely reduced casualties and that is well documented. The more recent introduction of just changing speed limits is relatively new. Again, the Department has a major study under way to evaluate that. We are in a situation where powers have been given to local authorities to vary the limits without really having clear evidence about what would result. We know that if there are physical measures they bring down speeds, which is good and safer. If there are no physical measures, it is much less certain. It is clear that the police do not have the resources to be out there enforcing 20 mph limits. The jury is still out on that. We entirely endorse 20 as a more appropriate limit in many urban areas, where you have cyclists, pedestrians, children and all that sort of thing and where people want it on their own residential street.

Q172 Chair: You say that some research is being conducted on that. Who is doing that and when is it likely to be published?

David Davies: It is being done by consultants on behalf of the Department for Transport.

Q173 Chair: Could you give us any idea when it is going to be published?

David Davies: I would have to check. I am happy to let the Committee know about that.

Q174 Mary Glendon: Since 2013, the police have been able to issue fixed penalty notices for careless and inconsiderate driving. Has that had any impact?

David Davies: Road safety is one of those tricky areas where you have masses of data but sometimes it is very hard to prove anything. The Department believes that the change to a fixed penalty notice has been beneficial. Frankly, it was not working before. There were very few prosecutions taking place and it was too much of a time-consuming process. It has given the police a more efficient disposal method. What the research points to is that effective enforcement involves certainty and speed, and only third is it about the size of the penalty. Having a big penalty but hardly any enforcement is not effective. If you think you are going to get caught and you are caught promptly, that is a much more important deterrent to drivers and other road users.

Q175 Mary Glindon: In relation to careless and inconsiderate driving, which I am sure we have all seen examples of—people eating their breakfast while they are driving—do you think people don't think of that as a real crime? Would fixed penalty notices for those sorts of things mean people think it is not a serious issue because it might not cause an accident?

David Davies: I am not sure the driving public really appreciate the difference between a fixed penalty notice and a more serious fine or crime. I think that is the case. They are more worried about whether they will get caught. I agree that some people do not appreciate the responsibility they have when they are driving. I am not sure about eating a meal while you are driving, but certainly distraction is a growing worry— particularly mobile phone use.

Q176 Mary Glindon: Do you think the situation with the police is sufficient enforcement against these particular offences?

David Davies: This is where the ongoing cuts in the roads policing budget are really worrying. You can spot a speeding motorist or a red light offence, but detecting the more subtle things like careless or inconsiderate driving takes, on the whole, human roads police. The coalition Government was very good at introducing a range of new offences. Its road safety framework was largely based around education and enforcement. Although the framework got criticism from some, including PACTS at the time, there were very good elements in it. There were new offences and new powers on drug driving and drink driving and so forth, but it needs the police there to put them into effect.

Q177 Robert Ffello: In terms of cycling and concerns about the safety of cyclists, I raised in the earlier session—you may have been in the room to hear it—a comparison with the motorbike rider. In your experience over the last few years, and in the data you will have seen over the last 30 years, have you noticed how bringing in CBT and those requirements on the motorcyclist have protected them from other road users? Is that something that the data supports?

David Davies: It is a very interesting point. I cannot say that I have noticed how it has protected them from other road users. Motorcycle casualties fortunately have been coming down, but not as much or as fast as we would like them to. There are still worries about CBT, frankly. It is only eight hours of training, of which only three hours is on the bike. The Government are reviewing that because, of course, you can do your CBT and then carry on doing your CBT and never actually take a proper test. Most pizza delivery

companies and pizza delivery riders in London seem to operate on that basis, so I do not think that system is perfect.

On the issue of training for cyclists, we absolutely endorse more cycle training. The Government have put money into Bikeability as a replacement to the cycle proficiency test. That has been extremely welcome. It is one of the few areas of road safety funding that has actually gone up over the last five years. Before there is any talk about some sort of mandatory test or compulsory training, we would say that we need to get to the situation where everyone has at least been offered some training—good training. Previously, the old cycle proficiency was largely in the school playground, which had limited value.

Q178 Robert Ffello: Sadly, there will always be the motorcyclist who decides to take a corner 40 mph faster than the corner will take, with often very tragic consequences. In terms of motorcyclists changing lanes and being hit by a vehicle that they had not spotted because they had not looked over their shoulder, or motorcyclists being hit by vehicles emerging from side roads, certainly anecdotal experience seems to suggest that following the introduction of CBT, things have changed. I agree that eight hours of CBT is not enough but it is still better than zero hours of CBT. Are you saying that research has not been done, or is it just not research you are aware of?

David Davies: I am not aware of any research that points to other road users treating motorcyclists more carefully as a result of CBT.

Q179 Robert Ffello: I was not suggesting other road users. Take the simple example of a motorbike rider looking over their shoulder before moving lanes. Again the anecdotal experience is that that has prevented an awful lot of fatalities. Motorcyclists used to be hit regularly by a vehicle they had not spotted before they changed lane.

David Davies: I cannot refer to any specific research into that other than to say that the number of deaths—the motorcycle casualty rate—per million kilometres driven, cycled or ridden has come down, as it has for all vehicles. The general safety improvements—safer cars, safer bikes and better protective equipment—all work together. It is hard to tease out exactly which one is most effective. There are other opportunities to go further. There has been a lot of attention on cyclists and HGVs, but there is potential for introducing all sorts of new technology into modern vehicles so that they can detect motorcyclists as well. If they come to a junction, they can scan both sides of a T-junction and detect an oncoming motorcyclist at speed. We need to start shifting from enforcement and training to taking more advantage of the technology that is coming on stream.

Q180 Chair: Should road safety targets be reintroduced?

David Davies: We would like to see them reintroduced; absolutely. The strange thing is that most of the United Kingdom has road safety targets. The bit that does not is local roads in England outside London. The situation is a mess at the moment. Northern Ireland, Scotland, Wales and London, and Highways England for the strategic road network, all have road safety targets. The Government set the road safety target for Highways England, and they have of course endorsed the European Union's road safety target of reducing deaths by 50% by 2020. We have quite a lot of targets, but what we do not have is a GB-wide target. We think that would be really useful, because at the moment there is a

mishmash of targets and there is not a target against which to judge the current Government's efforts.

Q181 Chair: Is there anything else you would like to see in any new road safety strategy coming from Government?

David Davies: There is. We would like to see a strategy that includes all the key Government Departments, not just a strategy for the Department for Transport. This inquiry is focused on road traffic law enforcement, which clearly links to the Home Office and the Ministry of Justice as well as the Department for Transport. We would like to see a strategy which says that, if roads policing numbers are to be reduced, how best can we address that? We need some research into what is the most effective deployment, so that every single force does not have to work it out for themselves. We want national research and the Home Office having a proactive programme of type approval for new equipment rather than saying, "We will get on and type approve this particular bit in front of us." Some of that takes a long time. The legislation for mobile evidential breath test equipment was passed more than 10 years ago, and we still do not have type approval for that equipment. That has been slow and we would like to see it much faster and more proactive so that we can make the best use of technology. Similarly, we want to involve the Department of Health in that strategy.

Chair: Thank you very much for your evidence, Mr Davies.

Examination of Witness

Witness: **Gary Rae**, Director of Communications and Campaigns, Brake, gave evidence.

Q182 Chair: Good afternoon, Mr Rae, and welcome to the Transport Select Committee. It is perhaps appropriate that you are here at the beginning of Road Safety Week.

Gary Rae: Chair, you have stolen my opening line.

Q183 Chair: Could you give your name and your position in your organisation for our records, please?

Gary Rae: I am Gary Rae, Director of Campaigns and Communications for Brake, the road safety charity.

Q184 Chair: Thank you. Road traffic casualties are no longer falling as fast as over the last decade. Why do you think that is the case?

Gary Rae: They are no longer falling as fast. They are rising. If I may remind the Committee, five people die every day on UK roads and a further 64 are seriously injured. The latest stats from the Department for Transport show a 4% rise in deaths, a 5% rise in serious injuries and a 6% rise in all severities. I know the Department says that that is not a trend as yet, but the fact that they are on the rise is of serious concern to my charity and other campaigning organisations.

Q185 Chair: Why do you think that is happening?

Gary Rae: There are a number of reasons. Within the remit of this particular session, enforcement is absolutely critical. Perhaps there is also a sense of the driving public thinking and behaving as if they can get away with it. I speak as a driver of 30 years. I am not anti-driving; I am anti-bad driving and I am anti-criminal driving. That is to do with enforcement and, therefore, to do with the availability of our police forces to apply the law. It is also to do perhaps with lack of funding to talk about and promote road safety. I am a great admirer of the work of Think! within the Department for Transport; we support many of their campaigns, but their budgets are not what they used to be. I know that is common across most Government Departments, particularly when it comes to communications work. I used to work in Government communications so I understand that.

There are a number of factors that have set the trend back on the rise. I would also make this very specific point, perhaps the most important point: we are searching for evidence that there is a direct relationship between this rise and the reduction, which previous witnesses have alluded to, and the abdication of GB casualty reduction targets. I met Minister Jones two weeks ago. He was very clear to me that his Government are not in the game of imposing “top-down targets”. I think that is a missed opportunity. Not only does it set targets for Departments, for their officials and for organisations like mine and those of previous witnesses, but it sends out a very clear and strong signal to the driving public that this and previous Governments are taking road safety much more seriously than perhaps they are perceived to be at the moment.

Q186 Chair: Are you concerned that the growth of 20 mph speed limits is not accompanied by enforcement?

Gary Rae: Yes is the short answer.

Q187 Chair: Is it worth having them? Is there any evidence that a 20 mph speed limit without enforcement actually reduces accidents?

Gary Rae: There is some evidence for that, but I would start from the position—

Q188 Chair: Where is the evidence?

Gary Rae: We have some evidence, and 20's Plenty for Us, an organisation campaigning specifically for 20 mph limits, has that evidence as well. My starting point would be that the driving public understand that if they are in a 20 mph area it is likely to be enforced. That is perhaps the only area where there is slight tension between our work and the work of our colleagues in the police force—we work very closely with them, particularly through family liaison work because we are also a helpline charity. On that specific point we would challenge them. That is why they need the resources in place so that they can enforce those 20 mph limits.

Q189 Chair: You have called for fixed penalty notices to be increased to at least £500.

Gary Rae: At the very least.

Q190 Chair: What did you base that figure on? Was there any reason for that figure?

Gary Rae: In this day and age, people think £100 is a fine and a risk worth taking, and we do not accept that. By comparison, you can be fined £1,000, quite rightly, for not having a TV licence. We need to start nudging it at least towards that level: not £500, but £1,000. Let's be very clear—let's be blunt: that starts to hit somebody's pocket. These days—forgive me for repeating myself—£100 is regarded as a risk worth taking.

Q191 Chair: Do you think the diversionary courses that drivers can sometimes choose to go on are beneficial?

Gary Rae: They can help, but if their motives for going on those courses are to get away with not having penalty points imposed upon them, I am not sure that is the right approach. Although going on a driver awareness behaviour course could possibly reduce the fine, we would also wish to see that they were challenged on the points system. The penalty points system must be sacrosanct, as it were.

Q192 Robert Flello: I want to pick up that last point. Is there not then a danger that the person who can afford to pay the £1,000 fine writes the cheque and walks away, while the person who can't has to go on the course, when it could be that both those individuals should be attending a course to improve their driving?

Gary Rae: Absolutely. I take that point, depending on the nature of the offence in particular, but we need to start somewhere with the level of fine. I would need some help with how long it has been set at £100—I do not know that for a fact. We have to start somewhere and move that fine so that the minimum is £1,000.

Q193 Robert Flello: I do not have the evidence in front of me, but I remember seeing it some time ago. More generally, a penalty itself is not seen as a deterrent, whatever that penalty might be. Most burglars do not think they will ever get caught and therefore whether they get a slap on the wrist or 20 years inside is irrelevant. Isn't the same therefore true of the motorist? Whatever the penalty might be is almost a red herring; the enforcement is the important bit.

Gary Rae: Enforcement is key. Brake is in its 20th year, and for 20 years, to pick up your point, we have talked about the three Es: the combination of education, enforcement and engineering, which we are talking much more about, if we include technology in engineering terms—in-car technology and how our roads are designed. It is slightly off the question you were asking, forgive me, but the technological aspect is growing. Education is still vital and enforcement is now of course of concern to us.

Q194 Robert Flello: But in terms of the penalty, to bring you back to the question, if drivers do not think they will get caught, it could be a £100,000 penalty, but if they just don't think they will get caught it is almost an irrelevance.

Gary Rae: I wonder about that. If there was a more serious level of fine, I think they would think twice about committing that offence. The underlying question is that we have to encourage and persuade our legislators and our colleagues in the police force to make

sure that enforcement is a priority. National roads policing needs to be a first-tier priority and not, as it is currently set, second tier.

Q195 Martin Vickers: When I was a cabinet member on a local authority, highways were part of my responsibilities, and my chief officer used to say to me that you have to balance the obvious needs in the local economy of allowing traffic to flow and so on. He used to say, “You should distinguish between roads and streets.” Streets are basically access roads to housing estates and so on, whereas roads are the main arterial network. I suspect you would disagree with that.

Gary Rae: I know what he was saying, but they are all roads. Some are main arterial routes, but we treat them all the same and they are of course all potentially dangerous. That is why I was slightly huffing and puffing about his description. You can be vulnerable around where people live, work and play; hence our call for 20 mph limits, as you were asking a previous witness, Chair. You can certainly be vulnerable on rural roads. I would question the 60 mph limit. You can be vulnerable even on our main motorways and A roads, although I accept they are the safest form of road travel. Danger is everywhere, without perhaps over-dramatising it, so that is why we talk about roads per se.

Q196 Martin Vickers: How important do you think the engineering of the road is? For example, road humps have come and gone in terms of being in favour with the experts. There are other mechanisms for slowing down traffic. What are your thoughts on that? Is it an important part of the solution?

Gary Rae: On our main roads and our managed motorway network—Highways England has been doing a lot of work there—there is evidence that getting somebody on to a motorway and off a motorway more carefully and in a more considered way in terms of road design is paying real dividends on the level of crashes, as are the gantry intermittent cameras. You spoke of that earlier with previous witnesses, Chair. Road design and engineering is becoming more sophisticated. It is expensive but it works. We need to start looking at applying some of that on some of those streets, as you were calling them, and some of the B roads as well. That relates to the engineering aspect of our three Es works, and it is growing in importance. I accept that it is very expensive.

Q197 Mary Glendon: You touched on the technology that can be used to check drivers. Brake advocates a number of mandatory interlocks. Do you think that might go too far in curtailing drivers’ freedom or ability to make decisions on safe driving?

Gary Rae: In what sense? Sorry, I know I am not meant to ask you a question.

Q198 Mary Glendon: If someone gets into a car and they have all these things, whether alcolocks, seat belt interlocks or fingerprint locks, where do you stop with that? How far is it reasonable? Who would bear the costs?

Gary Rae: In-car technology is really important. There is some research that shows that, if speed limiters were introduced, in-vehicle technology could reduce road crashes by something like 48%. That is a big figure and it is something on which we would ask car manufacturers to accelerate—if I may use that word—their investment on research and development. Don’t just put them on the posh cars; put them on the more economical

cars—I had better not name a brand. The underlying point of your question, Mrs Glendon, is absolutely around who is responsible. It is still the driver, and we must not lull the driver into a false sense of security. They are already in a false sense of security by sitting in a quarter tonne of metal anyway, as evidenced by some of their behaviours, which we heard about earlier. The driver and their training—not just passing a driving test but how they use that vehicle—must always be the most important aspect, because the human bit is the most dangerous component in the vehicle.

Q199 Chair: If these devices were put on the cheaper cars as well as the more expensive ones, who should foot the bill? Should it be the motorist or the manufacturer?

Gary Rae: It should be the manufacturer. They make enough money.

Q200 Chair: Isn't the manufacturer going to pass that on to the motorist?

Gary Rae: They should subsidise it in the same way as they are subsidising some of the development costs for alternative fuels, for example. It is the manufacturers. I am not here to do their marketing for them, but there are ways they can start to market that as something of a loss leader so that they encourage much greater take-up of that technology. Before that technology is introduced, we have to make sure that there is a map of speed limits across the UK. It is a bit like GPS and sat-nav. The systems must be in place before the motor manufacturers start to roll it out on a much wider basis.

Q201 Chair: How would that work? What exactly are you suggesting?

Gary Rae: I will have to refer to my notes because I am not an in-vehicle technology person. In-vehicle technology can automatically adjust the speed of the vehicle but that vehicle needs to know, depending on what road it is, what the speed limit is, otherwise the system is not going to work. We need a speed map, as it were, of the UK. That is where the technology can work. If it is 60 mph on a road out there, your vehicle goes at 60 mph, although I have to stress, because that is our line, that 60 mph or any speed limit is not a target to achieve. We are talking about driving well within those limits, but the technical cut-off on the accelerator would be 60 or 40 or 30, preferably 20 in some areas, or 50.

Q202 Iain Stewart: In relation to manufacturers introducing alcolocks and the related technology, that is fine for new cars but who would bear the cost of retrospectively fitting them to used vehicles?

Gary Rae: I do not think there is a programme, and I don't have an answer to that. The lifespan of cars these days is much longer than it used to be, so I accept that there is an issue. I do not have any evidence or any costs as to how much that would be or should be, or indeed who bears the cost.

Q203 Iain Stewart: Would it be the motorist? I have a five-year old car. Would I be responsible for putting all those gadgets on my car?

Gary Rae: I do not see how that could work, to be frank—just to inject a dose of reality—in terms of requiring you, or me as a driver with an eight-year car, to do that. It would probably not be practical or possible. We have to start somewhere; we draw a line and say,

“From here on in new vehicles will have this, this and this gadget on them.” Retrospective fitting of technology, let alone retrospective legislation, is fraught with difficulty.

Q204 Huw Merriman: At the moment, younger drivers can get cheaper car insurance by having limiters. Are you advocating that that be rolled out for all?

Gary Rae: What we are advocating with young drivers is a system of graduated driver licensing. We strongly believe that you cannot drive on the Thursday, pass your test on the Friday as a 17-year-old and not be vulnerable to the dangers that are on the road. We work with insurers and Direct Line Group in particular, if I may reference them. We think that the so-called black box can be an incentive. That is technology helping out. Policy can help out much more, and that is why we are calling for the graduated driver licensing system.

Q205 Huw Merriman: All these measures will become obsolete once, or if, driverless cars come into play. Is that where you are pinning your faith?

Gary Rae: We are on the committee—I think everyone else is too—of the experiment in Greenwich for driverless vehicles. We view that with some excitement. We don’t often get excited about things, given the nature of what we do, but we think there is a huge opportunity to develop safe technology. I can see a day, hopefully still in my lifetime, when there are taxis but not the chatter from the taxi driver. That may be a benefit.

Chair: I think we’ll move on quickly.

Gary Rae: I’m not going to get a taxi home, am I?

Q206 Robert Ffello: Coming back to the issue of 20 mph zones, one of the areas I have really strong concerns about is so-called shared space where cars and pedestrians are supposedly able to live in perfect harmony. A lot of local authorities—Stoke-on-Trent City Council is one of them—have moved to this. What is your take on shared space?

Gary Rae: I love it. More fully, accurately and evidentially, there are 15 million people in the UK living in 20 mph areas, or what will soon be 20 mph areas, and I think that is just the start for a change in behaviour from me, my daughter, my family, my work colleagues, drivers, professional drivers, casual drivers, cyclists, pedestrians and everybody. We need to change the way we think and behave. We need to start creating towns and cities that are built around people and not cars. I recommend to the Committee—I think it is in today’s *Guardian Public*—Oklahoma, a city that was rebuilt around the individual and not the car. That is a grand scheme. Shared space is very particular and very localised at times and in places, but it is a start. We are not at the starting point for so many towns and cities.

Q207 Chair: We have heard a lot of representations from wheelchair users and some other disabled people, who feel extremely vulnerable in shared spaces. They have given us evidence of increased accidents in those spaces. Isn’t that something that concerns you?

Gary Rae: Yes. In fact, we have had representations as well from some organisations representing wheelchair users and others. We are part of a coalition for our GO 20 campaign. One of those campaign members is the Guide Dogs Association, and we have had conversations with them. These are early days for the shared space experiment, and I

use that word intentionally. We need to learn from what other countries are doing, particularly in parts of America and Europe. It is by no means perfect, and we have to get it right because, if one very vulnerable road user feels unsafe or, heaven forbid, is injured, that is one too many and it is not working. I would suggest that the approach and the policy is right. We need to get it right so that we are protecting everybody in that shared space.

Q208 Chair: In terms of traffic law enforcement, what is the most important change you would like to see to make roads safer?

Gary Rae: It is for enforcement to be carried out.

Q209 Chair: The current laws.

Gary Rae: The current laws to be carried out in full. That is the crux of the problem we have in terms of the capacity of our hard-pressed police force to deliver. I will give you a quick stat, which I think the Committee already knows. In 2010 we had 5,635 roads policing officers; in 2014 we had 4,356. We are losing five specialist traffic officers a week. I was with the Met this morning launching Road Safety Week at Horse Guards Parade. They were telling me about the roads and how we have to be careful that we are not turning our roads into corridors for criminals. As a road safety charity, we do not operate in a bubble. We know how, why and when roads are used by others who seek to cause us and others harm, either through theft or perhaps through much more serious and deathly acts, given the news at the moment. For that reason, even if not for pure road safety reasons, we have to maintain and reinstate those lost traffic officers. It is absolutely crucial.

I would add that I am still waiting to hear the report on the law and the Ministry of Justice's review into penalties, fines and the whole judicial system commissioned by the last coalition Government. Frankly, the level of prosecutions across the board for drivers convicted of criminal acts is too low. That is the feedback we get every day from families and from those who have lost victims. Last year, we helped 582 families who had lost loved ones through sudden death, because that is what it is.

Chair: Thank you very much, Mr Rae.

Gary Rae: You're welcome. Thank you, Committee.