

*The Thinking Woman's Railway
Centre of the Campaign for Real Railways
Home of the Camping Vans, TOAD & TADPOLE*

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Alison Hernandez,
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RAILWAY RECONSTRUCTION

Dear Mrs. Hernandez,

Drink-Driving: Still a Laughing Matter

If you had a local railway station and you were not a Police and Crime Commissioner who is without an hour to spare, you may be moved to volunteer as a "Station Friend" to help keep the place tidy. If you did, you would not be surprised to find, in the stifling conditions of today, that you could not simply turn up as you pleased and get on with watering the plants and sweeping the platform, alone or in company with equally noble folk.

You would need to prove your identity, declare that you were fit and provide the names of two referees. Before putting on your pink "Station Friend" tabard, you would have to have read the 48-page "Community Rail Volunteer Handbook" and signed a declaration for each of seven policies. Among these is the "Centralised Safety Brief," which would prohibit you from using power tools and chemicals, and from going within eight feet of the platform edge.

You would have to have been briefed on station security and to have understood the "Volunteer Code of Conduct," and policies on data protection, respect and dignity at work, and what to do if you spotted someone who may be about to take his life.

Ten pages of the Handbook, not surprisingly, are devoted to First Greater Western's "Drugs and Alcohol Policy," which starts with: "FirstGroup recognises that the misuse of drugs and alcohol is a nationwide problem, and in the interests of safety, it must not be allowed to enter into the workplace."

Now, since you have volunteered only to water the tubs, collect the litter and put the broom around, you may think that you would not be subject to the rules governing employees occupying safety critical positions. You may think that there would be a different standard, or even no defined standard, for those giving up their time to help make stations look attractive for the benefit of passengers; especially as volunteers, by their nature, are likely to be mature and steady individuals.

But you would be wrong. Everyone entering railway premises to work is treated the same: employees, contractors and "Station Friends." And the limit for alcohol is not the 80mg that has been deemed since 1967 to be acceptable for the motorist. The bloodlimit for everyone active on railway premises is 29mg, effectively meaning that a volunteer should not

have touched a drop of liquor in the hours before coming through the gate, just as if he were a driver or signaller, or he were about to take up any safety critical role.

Extraordinarily, the volunteer could have been in the boozer at lunchtime and had the two pints of beer which most think of as the limit. He could have driven his car through town or country and along Station Road and reported for "duty."

But he would not be allowed to pick up a watering can or a broom and even his being present on railway premises with that level of alcohol would lead to him being "sacked," for, unlike drink-driving, alcohol abuse is heavily "policed" within the railway industry.

And it is the same now throughout commerce and industry. Firms' responsible approach to alcohol in the workplace is a stark contrast to the thoroughly irresponsible state's tolerance of drink on the public road network. The limit arbitrarily set in 1967 was never safe and was deeply flawed; nearly 60 years on, this horrifying allowance is completely at odds with the times, the corporate world and every neighbouring country.

Quite obviously, there is one overriding reason for government having failed to correct what has long been a glaring anomaly and this is the devastating effect changing the law would have on pubs, especially those in the countryside which depend on custom from beyond their locality. It is a very rare case of an economic consideration outweighing the endless striving for safety.

Look at the array of notices on the gate of any building site. Everywhere there are more and more restrictions governing movement or behaviour. I can no longer stand by an open window on a train. If anyone dare stray beyond the yellow line on a station platform, he is quickly admonished. The image of commuters disgorging from a moving train at London termini, as they once did, would make a modern manager shudder. Notices and announcements hector and cajole at every turn, lest someone slip or stray. Children's playgrounds must not cause grazes or bruises. Freedoms of movement and activities have been curtailed. Shows and rallies have ceased because insurers' demands could not be met. Everywhere, costs of implementing improved health and safety measures have had to be borne by business and industry, regardless of their economic impact.

Yet, in this radically changed world, it is still possible to drive away from a pub car park onto the public road network in a two-ton *Wankmobile* after having consumed an amount of alcohol that every study has shown impairs concentration and reactions. And this is when the law is obeyed. In reality, motor vehicles made extra lethal because their drivers think that they are capable of driving after drinking – and are emboldened by the law allowing them to have drunk *some* alcohol – are often at large amongst vulnerable road users, in daylight and darkness, in all weathers and on all types of road.

The power of industry lobbies to resist or force change is well understood by anyone who knows the history of modern transport, but the process is not always overt. Witnessing practised spokesmen at work is a useful revelation. Their strength was amply demonstrated after the outbreak of plague led to a national stoppage.

When pubs were ordered to close in March, 2020, it was said that they would likely not reopen until Christmas. There was quiet for a while but when the curfew was extended and the original three weeks became months, the clamour started.

Alcohol limits

You will be in breach of the Company policy if you drink any alcohol while on duty'

For testing purposes, you will exceed the Company alcohol limit if you provide a sample with a concentration equal to or above 29mg of alcohol per 100ml of blood.

Be aware, this limit is considerably lower than the national alcohol limit for driving, which is currently 80mg of alcohol per 100ml of blood.

Unannounced random testing

Unannounced random testing can be carried out on any employee in a position critical to safety at any time that the employee is at work or on duty.

Tim Martin, the outspoken boss of *Wetherspoon*, which he claims provides £1 in every thousand of all tax revenue, was reported to have said that he would be preparing to reopen his pubs in late June. Though he did not actually say this, it is strange that he and others were allowed to open their doors again on 4th July, a new thanksgiving day for drinkers. Far from being the last to reopen, as had been predicted, pubs beat buses and trains, where it was thought that infection would likely spread more readily than in the boozy confines of pubs.

The ban on making non-essential journeys on public transport was not lifted until 17th July (17th August in Wales), although no one I have spoken to remembers there being any announcement of this relaxation. Public transport was crippled and the damage was worsened by government's effective stigmatization, which made the recovery of leisure traffic, needed to make up for lost business and commuter journeys, slow to develop.

If a listener were to absorb all that the spokesmen for the breweries and "hospitality" spout, he may easily think that the licensed trade provided absolutely essential centres of the community, pervaded only by fellowship and conviviality, and that these establishments were utterly blameless and the cause of no ill effects whatsoever.

The best run places in the nicest areas certainly have some value. I cite those like the Stoke Canon Inn, taken over the villagers. But the principal attraction is always alcohol, with its devilish ability to change character, mood and behaviour, and overcome normal inhibition.

On the whole, the reality of the trade is very different. The claims of the industry spokesmen mask the inescapable truth, which is that all licensed premises will have untold stories of alcoholism, self deprivation, family neglect, domestic violence and petty crime; not to mention the colossal damage done to health, the burden on Accident & Emergency departments, and the destruction and disturbance on the streets of what is euphemistically called the "night time economy."

It would be very damaging to the takings at country pubs if the existing law, slack as it is, were enforced. If the drink-drive limit were reduced to that adopted by every neighbouring country and most of Europe, then isolated pubs would suffer.

If the limit were reduced, as it should be, to what commerce and industry see as the only safe level, then the rural pub trade would probably be ruined. I would certainly not mourn its passing, for I doubt that pubs actually contribute much of what is claimed by "hospitality" spokesmen and that the harmful effects far outweigh any good. If we were to be honest and not adhere to a fable, most pubs would be classified, along with sex shops and gaming parlours, as nuisance businesses.

But government responded to the incessant wailing from big brewers to plebby publicans with many forms of assistance and reliefs, which have only recently come to an end; and which in many cases only interrupted the steady decline that had started years before the outbreak of plague. Such is the power of a self-interested lobby.

Repeatedly during the railwaymen's protracted pay claims, reference has been made to how much it cost to maintain public transport services over the stoppage, which government had imposed, at the same time as warning people that buses and trains were dirty and dangerous. Indebting generations to come, vast sums were handed out in grants and support payments, not least to the "hospitality" trade, yet government chose to beat up ordinary railwaymen for a situation that was none of their making, during which, to their credit, they carried on calmly.

If it sounds like I belong to the temperance movement, I should confess that I am partial in summer to rather a lot of Carlsberg's *Special Brew* (colloquially, *Trampjuice*), which, much to my dismay, was



reduced in strength after being partly blamed for the scourge of homelessness in London.

The 220 estimated to have been killed by drunk drivers in 2020 (the year of the plague) is an appalling figure. The number injured, many seriously, greatly added to the impact but it was not enough, and has never been enough, to move government to act, in the way that it did long ago in almost every other area.

The repercussions are far worse than the statistics show, for there is no mention of the perception that roads are made dangerous by drivers who, for various reasons, are unfit to be behind the wheel. Alcohol intake is just one of many: others are illegal drugs, reckless behaviour, age, fatigue, poor health or eyesight, medication and inattention. Added to these, and particularly inattention, are the increasing in-car distractions, not least those associated with control and navigation. And increasingly, attracted by the white emissions from windows, I see a driver holding a vaper and the wheel.

The statistical likelihood of being run over by a drink-driver may be very small, but this is no comfort on the ground when a motorist who has just left the pub, having consumed enough alcohol to have slowed his reactions and dulled his awareness, comes haring around a bend in the road. Anyone would be foolish to be out on the lanes leading away from a rural boozier and not take refuge at the sight of an approaching car, for fear of its driver being "under the influence."

To women who tell you that they feel unsafe on the streets after dark or in certain areas, you surely do not quote the statistics which show that they are really quite safe; you accept what they say and I would hope that you work restlessly though policing to make them *feel* safer. Thus it is understandable if the vulnerable road user demands action which reassures him and leads him to feel that the roads are being made a good deal safer.

Industry and commerce, recognizing that their staffs, who may work in factories and other hazardous installations, are often most at risk on public roads, have acted in the methodical way that the state should have done, to eradicate as far as possible the dangers.

Accidents still occur in workplaces, but nothing like as often as they once did, thanks to painstaking efforts by employers, spurred on by government legislation and fear of liability claims. The idea that after all this long and often painful process of ensuring workplaces are safe, a man should still be able to return after lunch having consumed two pints of beer and operate a machine, or drive a forklift truck between the shelves of a warehouse (the example I used in a previous letter) is quite absurd.

It is possible that firms cannot produce as much or as cheaply; they may be less competitive in world markets because many countries' standards are not as rigorous; some businesses must have wound up because of the burden of health and safety measures. But government never shrunk from acting.

Yet, on the roads, with few of the safeguards and disciplines that industry and commerce can apply in closed and controlled environments, government woefully fails to deal with drink-driving. There must be a reason for this obdurate inaction.

Manufacturers have made continual improvements to the safety and "crashworthiness" of their vehicles. Crumple zones, impact cages, collapsible steering columns, laminated glass, seatbelts and air bags make cars safer for occupants, although arguably are deleterious to safety for others. Cars stop more quickly thanks to improved brakes and brake control. The technical advances are not set at naught by the fact that the wretched things can still be set in motion by drivers who have been drinking, but the effectiveness of design improvements has been reduced; just as all the gains in efficiency were ruined by the arrival of the ridiculous Sports Utility Vehicle.

The first call on a portable telephone was made in 1985. With safety being the only consideration, government acted quickly to ban drivers making calls and sending wires, not long after the phones reached market saturation in the new century. An outright ban on the use of *telescreens* did not come until last year and government is now coming under pressure from experts who have overwhelming evidence that even "hands-free" devices are especially distracting to drivers. Unhindered by economic concerns and meddling lobbyists, government will act. I hope very much that a "hands-free" ban is next.

Perhaps, as one of your publicity exercises, you could visit the family of Maria Perez-Gonzalez, the nurse who was run over by a 21-year old drunk (or dopehead, I think, in this case) driving a *Beamer* while she was crossing Western Way on her bicycle, and tell her bereaved relations that you think the 1967 Road Safety Act is not in need of reform. And after you have done that, you could visit Keyham and tell the families there that the 1968 Firearms Act is equally sound.

While Maria Perez-Gonzalez lay fighting for her life in a hospital bed, the driver, after being arrested, was set free and no doubt went home in his car or resumed driving not long afterwards. I have no idea what happened to him as there was no easy means that I could see of following the case. Such are the derisory sentences handed down in cases like these, I would not be surprised to learn that he was given a rap on the knuckles and a short driving ban, and that prosecutors had been unable to make a case for dangerous driving.

You may respond by saying that lowering the alcohol or drug limit would have made no difference to an immature male driving an extremely fast car through Exeter on a summer Saturday evening. Such people are contemptuous of laws and rules, save those which give *them* protection. But I contend that this killer came from a culture which is partly encouraged by lax laws, insufficient enforcement and inadequate punishments.

He may have seen his father show off in his car; he may have been driving his father's car, or under his insurance; or he may have been trying to impress an equally stupid girl or a dim-witted chum. I know that he will not, and could never, atone for causing the death of a 53-year old woman and two children to be left without their mother.

Cossetted in the cockpit, he may not have had proper visibility; he may have been distracted by the in-car entertainment or gadgetry; and he may have been overconfident that he could handle the speed and power of his vehicle. That evening, stoned, he may as well have had a shotgun. And I expect your lot would happily have let him have one.

Others like him are out on the roads as I write. Loud exhausts, "performance" engines, low suspensions, dangerous manoeuvring and other excesses make them obvious. How can you aim for, or even have, a Vision Zero while turning a blind eye to this rebellious and often lawless behaviour?

Some years ago, I attended the funeral of an old friend whose drinking greatly contributed to his death at the age of 47. Mourners retired to the "Tally Ho!" at Countess Wear, where a buffet was provided. The first to order drinks found that the deceased, a "happy drunk" in life, had laid on a free bar. It being lunch time, I was quite happy with coffee to accompany my nibbles but most quickly started drowning themselves, as only my countrymen can. My sobriety allowed me to watch the change in behaviour of those around me.

The pal I was chatting with at the bar kept urging me to have a beer, as he was lining up the glasses. He drew others towards us, commenting on my refusal of alcohol. "It's an insult to the deceased," said one stranger, seemingly with great conviction. It was no use replying: "But he died because ... "

Out of exasperation, as the taunting grew, I blurted out: "Look, I've corresponded with the Police and Crime Commissioner about drink-

driving and it would not help my cause one bit if she found out that I had offended."

"You've done *what?*" was the response and the language that followed I must not repeat.

When I cycled back to where my truck was parked at Marsh Barton, I was sober, but I must have been the most unpopular guest at the wake for my old inebriated friend. The experience revealed again how so many ordinarily decent chaps do not see drink-driving as a serious matter.

At least the deceased had not been a driver. It was said that he had never been sober long enough to take the test.

The owner of "H8 URS," an old man, overtook me at 30 m.p.h in the twenty zone in Topsham and was still sitting in his car when I pulled in at Dart's Farm. If he had knocked me off my bike, the urgency would have been getting a few groceries or going for a coffee. How could anyone read his registration plate correctly at the set distance, as the "8" is obviously meant to be taken as an "0"? An accredited dealer would not produce such a plate. No doubt this fellow thinks of himself as generally law abiding. But road traffic law is often seen by the motorist as an encroachment upon some God-given freedom.

The man and his wife most likely could have made this journey by bus at no cost, but he will hold on to his right to drive, and continue to drive like he has done since he was an excitable lad. Flouting speed limits he does not agree with and disguising his number plate for the sake of vanity stem from that youthful exuberance and road rebellion which is still being nurtured.

Another pal of mine stopped at a local crossroads boozier when he saw someone outside he wanted to catch. Two police officers were on the premises, having answered a call. The fellow remarked to my pal that he felt rather uncomfortable because he was certain that he stank of dope. When asked why he did not leave, the fellow said that he had had too much to drink.

Of course, unless he had drawn attention to himself by reversing into the patrol car, he could easily have got away, as he normally would have done. In my experience, preoccupied policemen are not on the lookout for what today is classed as minor offending.

There are two considerations here: the drink (and drug) driving being a laughing matter; and that my pal, a respected senior, did not rebuke the younger fellow for his irresponsible behaviour. Some of today's excesses or bad form could be curbed by seniors, even if speaking up would make them unpopular. I am as afraid as others to do so most of the time and when I have given my view of some thoughtlessness, it was clear from the shocked response that no parent or schoolmaster or anyone in authority had ever done the same.

By the way, the landlord of that pub was told - admittedly some years ago - on the subject of drink-driving that police would leave the premises alone as long as drinkers didn't "take the p--." A legless drunk -driver turning his vehicle over in the road and fleeing, leading to fire and ambulance crews and the police helicopter being summoned - the incident I recounted in my first letter to you - obviously did not quite reach the threshold of p-- taking.

It is striking that whereas vehicles belonging to all the major industries and corporations are never seen in a pub car park, vans and trucks of sole traders, often marked with their names, are a common sight, especially of an early evening, when they stop, tired after a



day's work, to make themselves less fit to drive. They are happy to show the world, or their little world, two things: who they are and what their attitude is towards drink-driving.

My concentrating on drink-driving rather overlooks the greater problem. As a pedestrian, cyclist and driver, I am not comforted knowing that there are people getting behind the wheel who are just under the limits for drink *and* dope; and I am horrified to think that there are people who drive while over the limit for *both*. It should be taken that I am using the term "drink-driving" generically.

As an experiment, I downed one measure of Carlsberg's strongest lager and continued writing.

What everyone of my generation wants to know is, when was it that the boys in blue that we remember became the black-clad, stubbly, shaven-headed, tattooed, pumped up, tooled up paramilitaries of today, carrying a bad attitude, with their teenage daughters on work experience, more concerned with the normalization of moral decay than with applying the immutable laws that we all once understood?

And the horrendous Crime Commissioner's office? Well, there's six million quid down the drain.

How very easily rational argument turns to rant. But that is not what I think; that was not me writing. That came from alcohol turning me briefly into a fool. Yet, in the state in which I would not go into my woodworking shop and pick up an edge tool, let alone start a machine, or do anything that required care and concentration, the law would allow me to get behind the wheel of a motor car.

When I am out alone on my bicycle, most of what you try do with respect to reducing road danger seems to me just window dressing, for my experience much of the time is of being treated as if my life or my health do not matter one little bit. In fact, I often think of myself as being no more valuable than a wild animal, which a motorist would hit and leave for dead without a thought. I feel strongly that a motorist's guilt for taking my life or reducing me to a vegetable would go largely unpunished. I survive, not because there is any law that I can rely upon but by keeping my wits about me; until the day my wits fail or my luck runs out.

Last year's changes to the Highway Code have not been communicated and I do not sense that the motorists who do what I call a "punishment pass," to show that they dislike cyclists or disapprove of them being on the road, know of their supposed new onus, or would give a damn about it if they did.

Adequately policing the road system and its 40-million vehicles, as I have said before, is too vast a task for the number of officers assigned to the duty. By far the greatest regulator is not police monitoring and enforcement, which can only ever catch one in a thousand offenders, but the innate goodness of civilized people, or the tendency even in toughs to limit extreme behaviour. Out on the thousands of miles of Devon and Cornwall roads seldom, if ever, patrolled by police, I can only hope that when someone does for me, it will be through stupidity or carelessness, and will not be a deliberate act.

Your much publicized Vision Zero is meaningless to me as long as you do nothing to unseat or disturb, or even get the attention of, the whole cult of motoring machismo which hooks boys at an early age and continues

Motorized road transport is controlled most of the time by the individual's sense of right and wrong, which fortunately in civilized men prevents their behaviour from sinking beyond a certain depth. There is only very scarce intervention by police, whose officers are overly stretched dealing with general offending. Although, it has to be said, that, even without the involvement of criminals and uncivilized types, it often seems, especially to the vulnerable road user, as if the law of the jungle is all that prevails.

Extract from "Drink-Driving: Still a Laughing Matter."

<https://www.teignrail.co.uk/political-campaigning.php#drinkdriving>

to hold them until decrepitude finally slows them, by which time they are usually bumping into things because they cannot even see where they are going.

That young man who killed the mother of two children surely belongs to the set that worships fast cars; fast, powerful and often lethal cars; cars with modifications which nullify the manufacturer's type approval; cars with stickers and embellishments which match the infantile mind of the driver; cars which substitute for individuality or personality, or which make the drivers believe that they are sexually attractive, whether this is a young buck in a "hot hatch" or a bald old coot in an expensive convertible.

Massively reducing motor traffic would not necessarily make roads any safer, because of the likelihood that the fewer motorists would behave even worse, as they did during the stoppage. Over 7,000 died on the roads in 1930 when there were only just over a million cars. This was before the driving test was introduced and when car makers had no thought for anyone's safety. In future, with, say, two million vehicles of a very different type, designed to be safe for everyone, zero road deaths would be a realistic prospect.

The way to remove the danger that motor traffic causes is to reduce vehicles to nothing more than a means of transport and impose upon those granted permission to drive them the same rules that are now rigorously applied in the workplace, to drivers of a rapidly increasing number of company vehicles and across the board in other areas of transport.

The transition from combustion engine cars, which I thought would be a juncture and time of reckoning, after which there would be fewer vehicles designed purely for practicality, has sadly turned into a scramble to replace every vehicle now on the road with even dirtier, heavier and more dangerous contraptions. Depressingly, a smug *Tesla* driver told me, when playfully I suggested that he was "a bit of a petrolhead," that he'd "never driven anything with the performance of this."

The reason that Network Rail staff on the ground has to wear bump caps, goggles, fluorescent clothing and steel-toed boots, even when there are no hazards, is because only this way can the employer ensure everything has been done to protect the workforce. All reputable employers strive to eradicate every possible risk.

Amidst this approach, can you imagine now relaxing the rules and allowing the men to pile into the pub at lunchtime, as they would once have done? Your position, though you may not be aware of it, is that you would never have stopped them having a few at lunchtime, but would still have expected the workplace to be safe.

In signing up your office to the National Highways "Driving for Better Business" initiative, you are most likely to have used the model conditions. I need not ask whether you adopted the zero alcohol policy for your staff when driving on duty because it would have been the only responsible option. My wonder is why you would apply this to your employees but still not use your position to help force it onto drivers at large, when unanimous pressure from Police and Crime Commissioners would carry enormous weight in the corridors of power.

You have, I imagine, a favourite hostelry somewhere. If you started prominently campaigning for a much reduced drink-drive limit, or even for rigorous enforcement of the existing one, you would only be human if you felt a little uncomfortable during the course of an evening because the landlord's welcome was not as warm as it had been and you thought he might be asking with his eyes: "Are you trying to destroy my business?"

This position I would more readily understand, dreadfully weak though it would be, than principled opposition to a change in the law or disinclination to campaign or act in any way that might upset publicans or the breweries; or that might shorten the 70-year lag.

You are a member, perhaps unwittingly, of the establishment which has, over many decades, helped to feed and perpetuate the absurd love

affair with the motor car. You did nothing in all the time you were the lead on road safety among commissioners to press for a reduction in the drink-driving limit and you continue to believe that you can have a Vision Zero without any meaningful change in the law.

From what I hear and see when I am at home, at work or out and about, drink-driving and much awful behaviour and disobedience on the roads remain a laughing matter.

Yours sincerely,

Colin Burges