

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

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Your reference:- PCC_4209_BURGESS

Please quote this reference:- 4648
20th July, 2019

Alison Hernandez,
Police and Crime Commissioner for Devon, Cornwall and Isles of Scilly,
Alderson Drive,
Exeter
EX2 7RP

RAILWAY RECONSTRUCTION

Dear Ms. Hernandez,

Drink-Driving: Still a Laughing Matter

In November last year, I wrote to you at length on the subject of drink-driving, particularly in rural areas. You replied saying that one of your assistants would take the matter up within four weeks. I heard nothing more.

As a result, I have posted the enclosed item on my web pages without being able to let readers know what you think.

Since I published the piece, the last of the inquests into the deaths on Clay Pits Way, Kingsteignton, last year has concluded. A young man, a drug user, probably known to Chudleigh police, killed himself, his passenger and the entirely innocent driver of another car. Today, some faded flowers and a patch of new tarmac mark the spot where two young men, trapped in their car, were consumed by fire.

This carnage goes on and on all across the country, and it is worsening.

There is a public *Facebook* page essentially to enable residents of the Teign Valley to discuss events and make connections. While most of its content is harmless, if mindless, stuff, it often descends into the not uncommon nastiness of "social" media, with men making provocative comments and veiled threats.

One contributor referred to cyclists as "road vermin;" another insinuated that he would use his car as a snow plough if riders in the recent *Dartmoor Classic* held him up. A man whose camera had been stolen vowed to kill the thief.

These are posts made on the modern equivalent of the soapbox in the park, often by cowardly wretches. In my view, anyone who can describe a fellow human being using the most efficient form of transport there is as "vermin" has become detached from decent society.

Not one of the 1,239 subscribers to this group took exception to these comments and the administrators took no action. There is no longer any hierarchy of elders and seniors that would once have checked the hot-heads and given a moral lead.

Even this grubby little fraternity may shrink from publishing its thoughts on drink-driving. However, if a *Facebook* thread were started on the subject, it would not surprise me to read a post from someone,

perhaps a man generally thought of as an upright member of the community, saying: "The drink-driving law is not there to stop working men calling at a wayside inn for a few pints on the way home."

And those very men, whose trade vans can be seen parked outside pubs in the early evening, no doubt with others, would click "like."

You say it yourself in your video: "... we need to bring enforcement back into play."

Yours sincerely,

Colin Burges

Encl.



This photograph of the young men's friends was taken at the scene of the collision on Clay Pits Way days after two bodies were recovered from a burnt-out car.

Do you get any other impression from this image than that the group sees the way of life of the deceased as a great lark and the drug-driving as a laughing matter?

Mr C Burges
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Our Ref: PCC_4209_BURGES
Your Ref: 4513

8th January 2019

By E-mail: christow@teignrail.co.uk

Dear Mr Burges

Thank you for your letter of 29th November 2018 regarding drink driving and road safety. I am grateful to you for setting out so clearly your views on the current status of the safety of the roads and the missed opportunities in the past for improving the provision of public transport in this country.

Whilst I am not in a position to comment upon the transport system generally, the safety of our roads is of great importance to me. The number of people killed or seriously injured is unacceptably high and urgent action must be taken to address this. In 2017, 1793 people lost their lives in road traffic collisions. This is both entirely unacceptable and shocking that it doesn't generate public outrage.

Shortly before Christmas, I addressed the national Road Safety Conference in Brighton. I was struck by a line in a speech given by David Davies of the Parliamentary Advisory Council for Transport Safety in which he said that if there was a similar loss of life anywhere else than on the roads there would be a public enquiry.

I recognise that roads policing resources have been too scarce in recent years. Police forces have been subjected to budget pressures meaning some chose to cut dedicated roads policing resources. Enforcement is not the only thing that makes roads safer but it is a key part – as you readily point out.

In Devon and Cornwall I am pleased that we have recently been able to invest in the number of dedicated roads policing officers and staff including the introduction of a

'No Excuse' team. This is a team of specially trained Devon and Cornwall Police officers, including a sergeant and six police constables who will concentrate on tackling the so-called 'Fatal Five' traffic offences that cause an unacceptable level of harm on our roads. These are excessive or inappropriate speed, not wearing a seatbelt, distracted driving such as using a handheld mobile phone, driving under the influence of alcohol or drugs and careless or inconsiderate driving.

These officers are already active and addressing road traffic offences across the two counties. In fact, in the next few weeks you should be seeing more in the press as roads policing officers target those who flout speed limits.

The investment in more roads policing officers is part of a wider roads policing strategy and action plan that my office has worked closely with the police to develop. The action plan has a number of important elements to it including targeted activity to address vulnerable road users, overhauling Community Speedwatch to ensure the public can help keep their communities safe and introducing new technology to enhance roads policing and enforcement.

The strategy is available on the OPCC website via this link

[https://devonandcornwall.s3.amazonaws.com/Documents/Our%20information/Key%20document/PCP_Roads%20Policing%20Strategy_Oct%202018\(v.2\).pdf](https://devonandcornwall.s3.amazonaws.com/Documents/Our%20information/Key%20document/PCP_Roads%20Policing%20Strategy_Oct%202018(v.2).pdf)

You may be aware that I am keen to see an increase in police enforcement of road laws and tougher action taken against offenders so that it acts as a greater deterrent to dangerous driving and the open flouting of the law. I have met with the Road Safety Minister Jesse Norman MP and discussed whether there is an opportunity to see money collected from traffic fines to find its way back to local road safety measures and in particular police enforcement as currently it is all retained by the Treasury. The Minister suggested putting the idea to No.10 which I intend to do but first I wanted to get a sense of the public's feeling on such a policy.

In December I ran a short online poll to gauge views of increasing the levels of fines, more stringent enforcement and whether local areas should receive some of the money collected from traffic fines. In the few weeks the poll was open it received 2680 responses. The results show support for more stringent enforcement of road traffic laws (85% in favour), stiffer penalties for those caught speeding (80% in favour) and for a proportion of the money from fines to come to local road safety initiatives and enforcement (88% in favour).

The current levels of fixed penalty notices for some traffic offences do not reflect the true level of harm that the offence causes or may cause. The fixed penalty fine for throwing litter from your car window is higher than the fixed penalty for speeding. The level of fines for some motoring offences appear to be inappropriately low when compared to other less dangerous offences.

I have set out here a number of the key actions we are taking forward in support of road safety. I hope it provides some assurance to you that the Chief Constable and I take this matter very seriously and are determined to do all we can to make our roads safer.

Thank you for writing.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Alison Hernandez', with a stylized, cursive script.

Alison Hernandez
Police and Crime Commissioner
Devon, Cornwall and the Isles of Scilly

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Our Ref: PCC_4209_BURGES
Your Ref: 4648

7th August 2019

By E-mail: christow@teignrail.co.uk

Dear Mr Burges

Thank you for your letter of 20th July 2019 following on from your letter of November last year. I can only apologise for the administrative error which lead to my response to your earlier letter having not been sent. The letter had been prepared and signed by me but unfortunately did not get sent to you. Please accept my apologies for this oversight.

In writing now, it allows me to provide an update to you on a number of the issues you raise in your letters. I will concentrate on the road safety matters you raise. Your recent letter mentions the use of social media as a means of public discourse. I do not intend to comment upon that and will instead keep my comments to road safety policy. I am happy for you to publish these.

Over the past year I have been working very closely with the Chief Constable in order that we are able to invest in traffic officers. This includes increasing the number of roads policing officers and establishing a dedicated No Excuse team which engages with the most dangerous road users by focusing on the so called Fatal 5 (drink/ drug driving, use of mobile phones, failure to wear a seatbelt, speeding and dangerous driving). Already this year the No Excuse team alone have conducted over 540 breath tests and you may have read about the recent spate of motorists who have appeared in court <https://www.devonlive.com/news/devon-news/20-drivers-found-guilty-motoring-3163311>

The Government is currently working with the Parliamentary Council for Transport Safety to develop a more effective way to administer road side breath tests to

encourage innovation and more efficient processes

<http://www.pacts.org.uk/2019/03/another-step-towards-roadside-evidential-breathalysers-mebti-competition-stage-2/>

This increase in roads policing resources is welcomed but there is more that needs to be done to make our roads safer. I am very committed to Community Speedwatch as it is an excellent demonstration of the public taking a stand to make their local community safer. We have more volunteers in Community Speedwatch than in any other area of policing so it shows how important it is to communities. I have made a substantial investment in Community Speedwatch in terms of kit and equipment provided to schemes and increased back office support to assist with the administration needs. We are not there yet but we are making good progress and the scheme improvement is being overseen by a senior police officer.

Devon and Cornwall Police are closely involved in a number of initiatives that will make our roads safer. This includes a project we are working on with the RAC Foundation to better understand what causes road collisions by looking far more deeply at the surrounding influences and environmental factors.

We have also helped the Department for Transport distribute £100,000 to a number of police forces to allow them to receive dashcam footage of dangerous road behaviour from members of the public. This will allow the police to take action more easily against the offender where the evidence is clear. This system is now up and running and I would encourage you to publicise this on your website. Further details are here <https://operationsnap.devon-cornwall.police.uk/>

My office is also investing in a competition to invite tech firms to develop a solution that will allow police officers to perform their investigatory work at a crash scene in half the time. Road closures following a crash inconvenience motorists, businesses and can bring our roads to a standstill so we must look to find a way to reduce these closures as far as we can whilst not undermining the integrity of the investigation. Devon and Cornwall Police is also holding regular meetings of road safety experts to see what more can be done to improve motorcyclist safety. These road users are amongst the most vulnerable and it is accepted that more must be done to find ways to make them safer.

We continue to make local improvements but there are some matters that we need support with at the national level – such as changes to Government policy. Last month I hosted a national meeting of Police and Crime Commissioners on the subject of road safety. The then Transport Minister, Michael Lewis MP addressed the meeting and introduced the new Road Safety Statement and 2 year Action Plan which he is looking to deliver by working with PCCs, the police and others. I have been invited to joint one of the national boards looking at this work which will help place Devon and Cornwall at the heart of the Government's thinking.

Along with the Director of Public Health for Devon and Cornwall, I am establishing a south west road safety board. This group will, for the first time, bring elected councillors, Highways Authorities, emergency services and road safety experts coordinate a peninsula-wide approach to road safety by adopting a goal of zero road deaths and an indicative target of a 50% reduction in fatalities by 2030. This is an approach that has been adopted in Essex and has seen success in cutting casualty rates.

Thank you for writing to raise your concerns with me. I hope that you are reassured by the steps being taken locally and those that I am progressing as Police and Crime Commissioner at the national level to improve the safety of our roads. I do not underestimate the challenge ahead but am determined to see a step change in public safety.

Thank you for writing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison Hernandez', with a stylized, cursive script.

Alison Hernandez
Police and Crime Commissioner

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Our Ref: PCC_4209_BURGES
Your Ref: 4666

3rd September 2019

By E-mail: christow@teignrail.co.uk

Dear Mr Burges

Thank you for your letter of 15th August seeking my view on the drink drive limit in England and whether I support reducing permitted blood alcohol levels.

Whilst it is clearly preferable not to consume anything that is likely to impact your performance before driving, I am still to be convinced that lowering the permitted alcohol limit will have a material impact on road safety. As you will be aware, Scotland lowered the blood alcohol limit to 50mg/100ml in December 2014. It is still too early to tell whether this reduction has resulted in fewer casualties and, if it did, whether this could instead be attributed to increased enforcement and the educational campaign that accompanied it.

Official Department for Transport figures show that those who die in road collisions from drinking too much are those who drink far in excess of the legal limit, not slightly over. It is therefore uncertain whether lowering the limit to for example 50mg will have the desired effect of preventing these people from getting behind the wheel after drinking too much.

My position until stronger evidence emerges is that more enforcement of current laws is preferable with the continued educational message that it is unacceptable to drive whilst unfit to do so whether it be from drugs, drink or medication.

The police are committed to enforcing the current drink drive limits whilst discouraging driving after any drinking at all. We also look forward to seeing the results of the competition being facilitated by the Parliamentary Advisory Council for

Transport Safety (PACTS) to develop mobile evidential breath testing instruments which meet Home Office type approval requirements. These devices would make it easier and more efficient for the police to obtain evidence-quality breath samples at the roadside rather than needing to convey the suspect to a police station.


<http://www.pacts.org.uk/2018/06/mebti-competition/>

The competition aims to result in one or more approved instruments which can be operated by police forces throughout the UK by July 2020. It will involve three stages with up to £350,000 awarded to one or more manufacturers at each stage.

The Government has also announced further research into the possibility of using 'alcolocks' in vehicles as a way to prevent reoffending. These would prevent a vehicle ignition being activated if the alcohol level in the driver's breath is too high.

Thank you for your continued concern about the safety of us all on our roads.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison Hernandez', with a stylized flourish at the end.

Alison Hernandez
Police and Crime Commissioner