

## STATES OF JERSEY POLICE

### SUBMISSION TO THE TRANSPORT AND TECHNICAL SERVICES WORKING PARTY ON SPEED LIMITS IN JERSEY

#### Speeding above Prescribed Limits in Jersey

- 1.1. Speeding above the prescribed speed limits is an endemic problem in Jersey. Just three examples from speed monitors deployed by Transport and Technical Services at sites with 30mph speed limits in 2004 demonstrate the scale of the problem.
  - On La Grande Route de la Cote, a five day period saw a daily average of 1,060 drivers speeding at 36mph or more. 270 drivers were recorded speeding at 46mph or more over the five day period.
  - On La Grande Route de St Laurent, a sixteen day period saw a daily average of 1,755 drivers speeding at 36mph or more. Over 1,300 drivers were recorded speeding at more than 46mph over the 16 days.
  - On La Route de la Haule, an 18-day period saw a daily average of 1,570 drivers speeding at 36mph or more. Over 800 drivers were recorded speeding at more than 46mph over the 18 day period.
- 1.2. An estimated 166,000 vehicle journeys are made each day in Jersey. Aggregating figures such as these from different locations suggests that tens of thousands of speeding offences are committed each day in Jersey.
- 1.3. This is not to say that gross speeding is widely prevalent. Analysis of ten major roads identified that about 2% of drivers were exceeding the speed limit by more than 10 mph and about one in a hundred were more than 15mph over the speed limit for the location.
- 1.4. The effect on public safety of this widespread abuse of prescribed limits can be monitored by the impact on –
  - *actual* road safety as determined by the number of road traffic collisions and injuries
  - people's *perceptions* of road safety
- 1.5. Historically, it is not possible to provide a full analysis of the role played by abuse of

speed limits in causing injury road traffic collisions in Jersey as previous contributory factors collated by the Police have focussed on excessive speed for the conditions. A recent study entailed a detailed analysis of the circumstances of 172 injury RTCs in 2008 (randomly selected from a total of 357). This showed that less than 3% involved speeding as the main contributory factor. Over 78% of incidents involved carelessness with about one in five of these 'carelessness' RTCS occurring at junctions. It should also be noted that the roads highlighted in paragraph 1.1 are not experiencing high levels of RTCs, notwithstanding the fact that a significant number of drivers are breaking the specified speed limits on these routes.

1.6. With regard to people's *perceptions* of safety, when asked what issue they would want the Police to tackle in their neighbourhood, the majority of people say speeding motorists. Residents want the speed limits outside their homes to be properly respected. Chronic abuse of those limits creates a perception of danger and affects people's quality of life. This is likely to manifest itself in behaviour changes, especially for the most vulnerable road users – children, other pedestrians and cyclists. It will also be forcibly expressed through demands for Police action, as evidenced by the surveys, and public pressure to keep reducing speed limits on local roads.

1.7. The problem with this perception that reducing speed limits will make roads safer was summarised by the working group which developed the speed limits policy last agreed by the States in 2005. In its report, the group noted that –

*'Evidence showed that speed limits in themselves are ineffective in significantly reducing traffic speeds without strict enforcement....'*

1.8. Amending the current speed limits as agreed in 2005 will not fundamentally alter this situation unless the means is found to change current driver behaviour.

### **Changing Driver Behaviour**

1.9. There is an expectation that more speed enforcement will ensure compliance with speed limits by –

- exerting a deterrent effect on driver behaviour;
- detecting and reporting offenders so their offending behaviour can be addressed

1.10. States of Jersey Police and the Honorary Forces are generally equipped and trained to

deliver roadside speed enforcement using handheld laser speed guns. Up until 2006, the number of motorists reported for speeding in Jersey using this conventional equipment had remained relatively constant at about 860 a year over the previous two decades<sup>1</sup>. These results need to be considered in the context of the figures highlighted earlier. An estimated 166,000 journeys are made each day in Jersey. Fixed speed cameras located on just the three roads identified in paragraph 1.1 would, with no changes in driver behaviour, net over 4,300 offences a day. The inevitable conclusion from these statistics is that conventional methods of policing speed in Jersey have had minimal impact on driver behaviour either through deterrence or the prosecution of habitual offenders.

- 1.11. Promoting greater use of conventional technology is unlikely to deliver the desired results. There are 600 miles of road in Jersey. An officer using a hand-held laser gun needs to flag down the driver and deal with them at the side of the road. In practise, they are unlikely to process more than three offenders per hour. The resources required to deliver strict enforcement of the Island's speed limits would be prohibitive.
- 1.12. There are an increasing number of demands on a Police establishment which is reducing relative to the population of Jersey. The Force is having to prioritise the allocation of resources between competing demands such as incident response, the policing of the night time economy, financial crime investigation, child protection and pro-active targeting of prolific offenders and organised crime networks. There are public and political demands for a greater Police presence in the town by day and night. The Force does not have the resources at its disposal to mount a sustained conventional speed enforcement campaign on the scale that would be required to manage driver behaviour in Jersey. Given the opportunity cost of redeploying officers to speed enforcement activity, the low productivity they can achieve with conventional equipment and the lack of evidence to suggest that speed limit abuse is the critical factor in road traffic collisions locally, the Force must focus on road safety policing activity that will have the greatest effect in increasing public safety. The focus is therefore targeted at those drivers who pose the greatest threat of harm to other road users through their flagrant and persistent disregard for road safety. The Force is seeking to develop its capacity and capability to identify and target these individuals through a proactive intelligence-led tasking process.
- 1.13. It should be emphasised that the physical detection of speeding offenders is only one part of the criminal justice process. Productive capacity in speed enforcement on the street needs to be matched at each stage of the prosecution process or else systems designed

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<sup>1</sup> Contrary to some public misconceptions, the disbandment of the Police Motorcycle Unit in August 2004 had no impact on the Police enforcement effort. In fact, 2004 and 2005 saw a significant increase in the number of people reported for speeding offences.

and resourced to cope with a smaller volume of work will become log-jammed and fail. This was demonstrated by the deployment of LASTEC in 2006 and 2007 - a manually operated speed detection device linked to a camera that photographs the offending vehicle and records its speed. The process dispenses with the need to stop the driver at the roadside and allows the operator to concentrate solely on speed detection. Whilst a police officer using a hand held speed gun might be able to detect three offences in an hour, LASTEC operators can record up to sixty speeding offences in the same time.

1.14. The limited use of LASTEC highlighted a number of issues with the capacity of the prosecution process to cope with a high volume of speeding offences –

- Traditionally, speeding offenders who have been reported for prosecution must attend a Parish Hall Enquiry. They can either be dealt with at this stage or charged to attend court in the case of more serious infractions. The administration entailed in servicing the Parish Hall Enquiries is provided by the Police Criminal Justice Unit (CJU). Experience has shown that the CJU does not have the resources to cope with the additional administration generated by a greatly increased volume of speeding offences. For example, Article 89 of the Road Traffic (Jersey) Law requires a person (a) convicted of speeding within the last three years or (b) speeding more than 15mph over the limit to appear at court (unless the Centenier chooses to issue a caution). CJU must therefore check the offence record of every individual reported for speeding in order to provide the Centenier with the information required by law as well as checking insurance and license details.
- Experience also showed that the Parish Hall Enquiry system struggled to cope with the additional workload generated by LASTEC. One hour's deployment of the equipment can generate sixty Parish Hall Enquiries. More speed enforcement to the level required to change driver behaviour and ensure widespread compliance with speed limits, will have a significant impact on Parish Hall Enquiries, and because of Article 89, will also see many more speeding cases being referred to court.

1.15. Given the capacity and capability issues with (i) the front line delivery of an enhanced speed enforcement (ii) the administrative support processes and (iii) the prosecution system, it is unlikely that the traditional approach to speed enforcement will deliver the desired result of greater compliance with speed limits.

1.16. An alternative to traditional roadside speed enforcement would be the introduction of an automated speed camera network but there are significant implications in terms of legislation, capital investment, practicality of deployment, and the cost of maintaining the

system. Consideration would also have to be given to the administrative support and the prosecution process issues raised by the deployment of LASTEC would become even more significant.

1.17. Neither the staff resources nor the technology are currently in place to deliver sustained speed enforcement on the scale required to deliver widespread compliance with the Island's speed limits. The alternative, therefore, is to develop different approaches to changing driver behaviour. These options may not be within the remit of the working party but it is suggested that the combination of the following measures are more likely to deliver the desired result of reducing speeds and improving road safety –

- The introduction of a penalty points system for drivers. Evaluation has shown that the penalty points system works well in reducing reconvictions in the United Kingdom. In Ireland, the introduction of penalty points for speeding offences in 2002 led to a 61% reduction in the need for emergency maxillofacial operations in the following year
- The introduction of driving improvement courses as an alternative to fines and penalty points. Again, evaluation suggests that these courses are effective. An evaluation by Staffordshire University of a scheme run by Lancashire Council since 2001 reported -

*'There is evidence that the speed awareness course had a positive impact on drivers' attitudes to speed and self-report measures of violating behaviour... What is more, there is evidence to suggest that drivers were not simply reducing their speed to avoid punitive measures. First, drivers not only reduced their self-reported actual speed, but also their preferred speed. Second, an improvement in drivers' attitude to speeding was observed. Finally, often changes in speeding behaviour did not immediately follow being caught offending. Rather they followed course attendance.'*

1.18. If the fundamental purpose of the review is to improve road safety, then the changes most likely to impact on driver behaviour are not changes to current speed limits but changes to legislation, the prosecution process and the sanctions available to deal with offenders. States of Jersey Police recommend a fundamental review of these issues to facilitate a more streamlined process for processing speeding offences and the development of more effective interventions by the prosecuting authorities. Should the working party maintain the view that speed enforcement remains key, the administration involved in processing offenders is a significant obstacle. The challenge will be to develop an administrative process for dealing with offenders that maintains the integrity and value of the Parish Hall Enquiry system with the efficiency and cost effectiveness of Fixed Penalty Notices.

## **Conclusion**

1.19. States of Jersey Police's position can be summarised as follows –

- There is chronic abuse of speed limits in Jersey but only a very small proportion of drivers flagrantly abuse speed limits
- There is scope to rationalise speed limits in Jersey having regard to speed and RTC data collated by the Transport and Technical Services Department
- Despite the widespread violation of speed limits, this is not a significant cause of RTCs in Jersey
- Speed will nevertheless always be an aggravating factor in determining the severity of an RTC and any associated casualties
- People in Jersey are concerned about the perceived threat posed by speeding motorists
- Changing speed limits will do nothing to change these perceptions, unless driver behaviour changes. Speed enforcement is instinctively seen as the answer to changing driver behaviour but –
  - Neither the front-line Police resources, nor the administrative support are in place to deliver speed enforcement on the scale required to change driver behaviour through deterrence
  - Diverting policing effort into speed enforcement can only be achieved at the cost of other competing demands for Police resources. The available resources are best focussed on those drivers who pose the greatest threat of harm to other road users
- If the fundamental purpose of the review is to improve road safety, then the changes most likely to impact on driver behaviour are not changes to current speed limits but changes to legislation, the prosecution process and the sanctions available to deal with offending drivers.

**States of Jersey Police**

**7 August 2009**