

3.2 Connétable J. Gallichan of St. Mary of the Minister for Transport and Technical Services regarding the introduction of a penalty points system for minor traffic offences:

Considering the results obtained from a broadly constituted road safety workshop in which of the 27 respondents on the matter of introducing a penalty points system for minor traffic offences, 19 were strongly supportive and 8 supportive, is this matter being actively addressed by the Minister, and if so, what are the next steps?

Deputy K.C. Lewis of St. Saviour (The Minister for Transport and Technical Services):

Following the road safety workshop, a comprehensive package totalling 35 potential measures has been developed that cover engineering, education and of course enforcement. With regard to enforcement, 3 key proposals were supported by the majority at the workshop; increasing the level of fines, introducing a new offence of causing death or injury by careless driving, and introducing a penalty points system for minor traffic offences. The Minister for Home Affairs has chaired a working group which includes the Magistrate, States Police, Honorary Police, Law Officers and T.T.S. (Transport and Technical Services). That group has developed detailed proposals for increased levels of fines and has also considered the introduction of an offence of causing death or injury by careless driving. The working group also discussed the issue of penalty points but made no firm recommendation. I am now considering the recommendation of the working group. The issue of penalty points is not straightforward because of the role played by Centeniers in administering minor road traffic penalties at the Parish Hall level. In any new system it would need to accommodate this. In addition to penalty points, there are a number of other measures within the forthcoming Road Safety Strategy which will require further research and consultation.

3.2.1 The Connétable of St. Mary:

Two things from that, if I might. Firstly, the Minister mentioned the forthcoming Road Safety Strategy. I would be grateful if he could update me on when that is likely to be published, and secondly, can the Minister confirm whether he has looked at the effects of the points system introduced in various other jurisdictions, particularly with reference to re-offending and to young or novice drivers?

Deputy K.C. Lewis:

I believe the panel has done much research elsewhere. Although my officers have made progress with regard to research into the new offence of causing death or serious injury by dangerous driving, legal advice will be needed as, outside my department's control, I cannot confirm whether it will be possible to include it in the amendments to the level of fines but it is being progressed as soon as possible. Also, elements of the Road Safety Strategy require further research and consultation. I anticipate that work being completed so that I can complete a White Paper by the first quarter of next year. The working group chaired by the Minister for Home Affairs compiles residents of all the departments previously mentioned.

3.2.2 Connétable S.W. Pallett of St. Brelade:

Has the Minister at any time considered fixed penalty legislation or spot fines for dealing with minor offences such as speeding and mobile phone offences?

Deputy K.C. Lewis:

Not spot fines but all the other items mentioned are part of the discussions which are ongoing.

3.2.3 The Connétable of St. Mary:

The Minister, in his second response, gave me much useful information particularly about things I had not asked him about, but specifically on the issue of points. My officers are reporting to

me, and I am seeing from my own observations, that for a great many people who are being stopped and prosecuted by officers but who follow through the process to get an outcome for speeding, for example, are driving expensive motorcars. They are simply not deterred by a financial penalty alone, and the real thing that would hit home to them as has been found out in France, for example, is that cumulative points on your licence brings the message home. You are not threatened with losing your licence if it is your lifeline for your job but the recidivism, the, sorry, I am looking for an English word, re-offending is often reduced greatly by the points system.

Deputy K.C. Lewis:

Yes, the points system and the accumulation of a points system is one of the items that is being considered by the panel. There is also the minor issue, as mentioned before, that this must dovetail with the Parishes themselves as many of these incidents are regulated and prosecuted by Centeniers. That was something else from the deterrent value point of view, that it should be, in the future maybe, that if something goes through a Parish Hall Inquiry then this should be released to the media, not necessarily names and addresses but how many people have been stopped and fined, in a particular Parish or area so that there is a deterrent value there.