

20.10.06

3 Deputy S.M. Ahier of St. Helier of the Minister for Home Affairs regarding the measures available to deal with cyclists who injured pedestrians (OQ.252/2020)

Will the Minister advise of any measures he is able to take to prevent incidents of pedestrians being hospitalised after being hit by a cyclist travelling downhill on the pavement against the flow of traffic?

Connétable L. Norman of St. Clement (The Minister for Home Affairs):

I would not wish to take any measures to prevent incidents of pedestrians being hospitalised after being hit by a cyclist, on a hill or otherwise, against the flow of traffic or otherwise, if the injury justifies such hospitalisation.

3.3.1 Deputy S.M. Ahier:

The person in question had 3 broken ribs, a punctured lung, and a gash to the head, she was detained in hospital for one week. Will the Minister consider introducing legislation to ensure that all cyclists have third party insurance so that those who are injured by cyclists can receive just recompense?

The Connétable of St. Clement:

I hope the lady concerned has fully recovered. The matter of insurance for vehicles on the roads is a matter for the Road Traffic Law, I think, and it is a matter for the Minister for Infrastructure, not the Minister for Home Affairs.

The Bailiff:

I think that must be right, Deputy Ahier.

3.3.2 Deputy I. Gardiner of St. Helier:

I would like to ask the Minister, would he consider extra measures to enforce when cyclists are riding on the pavement, as we have increased complaints from the parishioners in St. Helier and the enforcement, from their perspective, does not work well.

The Connétable of St. Clement:

Normally, riding a bicycle or any other vehicle on a pavement or against the flow of traffic is an offence in any event so such incidents should be reported to the police, and that is the Honorary Police or the States of Jersey Police. I believe that it is an offence. The matter does get a little more complicated as there are some pavements where some cyclists are encouraged to use the pavement. One of them I believe is Beaumont Hill and there are some roads in town where cyclists are also encouraged to drive against the normal flow of traffic.

3.3.3 Deputy I. Gardiner:

Would it be possible for the Minister to provide the statistics of cyclist offences that happened during the last year so we can see what has really been happening and not just anecdotal evidence from parishioners?

The Connétable of St. Clement:

I will see if I can get that information. I imagine that many such incidents will be dealt with at Parish Hall Inquiry level so I would not have those statistics, but I can find out what statistics are available.

3.3.4 The Connétable of St. Helier:

I am sure the Minister is intimating that this question should perhaps have been addressed to the Minister for Infrastructure. Does the Minister for Home Affairs believe that the absence of a cycling strategy, which is long overdue, is frustrating the ability of various enforcement agencies to spell out to cyclists what is and is not acceptable as they make their way around the Island?

The Connétable of St. Clement:

I do not really think so. The law exists. The law is clear. Cyclists should be aware that generally they should not be riding on pavements or being a nuisance or riding dangerously on any road. One of the things which concerns me a little bit is cycles and electric cycles now seem to be going faster and faster, and they are not subjected to speed limits and I would like to see them subject to speed limits in green lanes, for example, where they can go faster than the cars are allowed to do, which not right in my view.

3.3.5 The Connétable of St. Helier:

The Minister appears to be suggesting that he believes the Road Traffic Law is fit for purpose in this regard. Does he believe there is enough of an understanding out there in the public that cyclists should always give priority to pedestrians? Certainly this is not the case in the currently closed Broad Street, despite my asking the Minister for Infrastructure to make the signage more clear. Will the Minister for Home Affairs undertake to speak to his colleague in the Council of Ministers to see if, together, they can make the situation clearer to all road users?

The Connétable of St. Clement:

I really cannot speak for my colleague Minister, but I am always happy to talk to him about any issues. But of course the Constable, himself, really has the ability to speak directly to the Minister rather than using me as conduit and a third party.

3.3.6 Deputy R.J. Ward:

Does the Minister believe that rather than more punitive laws towards those wanting to take sustainable methods of transport, what is necessary is a more informed and understanding of the use of shared space on the Island and that is something that perhaps his police force and other members who are in contact with the community could be absolutely crucial in promoting?

The Connétable of St. Clement:

I can assure you that all members of the Home Affairs Department would quite happily work with any agencies to help improve understanding of the regulation and laws regarding cyclists and other road traffic situations. I think perhaps some cyclists should be reminded of the 1956 Cycle Order, which was made by the Minister for Infrastructure regarding the use of cycles and warning devices and so on because I am not quite sure that everyone is abiding by it.

3.3.7 Deputy R.J. Ward:

Does the Minister think that introducing a legal requirement for third party insurance will inevitably extend to perhaps those going for a walk because they may jaywalk, or those walking their dog because somebody may trip on it or anyone who owns a pet that may trip somebody over and therefore is unnecessarily punitive?

The Connétable of St. Clement:

It is not something which I will consider under my own ministerial remit but of course most individuals who own or rent property will have third party insurance anyway through their property insurance.

3.3.8 Deputy K.F. Morel:

The Minister referred to enforcement and people reporting instances of cyclists on pavements. I regularly see cyclists cycling through the Royal Square and on pavements throughout St. Helier. How would the Minister suggest I report those people given that I do not know their names, I do not know their addresses and I have no means of asking them that when they are travelling at 20 miles an hour?

The Connétable of St. Clement:

If such incidents are reported to the police or to the Parish Hall, the police and the Parish can eventually work out where the hotspots are and check on them, to keep an eye on particular areas.

3.3.9 Deputy K.F. Morel:

Given that one of the hotspots is the Royal Square right outside this building, will the Minister for Home Affairs be asking police officers to monitor that area and enforce the law with regard cycling in that area?

The Connétable of St. Clement:

I am quite happy to inform the Parish of St. Helier and the States of Jersey Police that Deputy Morel thinks that the Royal Square is a hotspot for these incidents.

3.3.10 Connétable M.K. Jackson of St. Brelade:

Would the Minister support a bicycle registration scheme, both for electrified and otherwise, if it were to be brought forward by the Minister for Infrastructure?

The Connétable of St. Clement:

That is a question I would have to give consideration to but I do not think it is ... I am being asked that question as Minister for Home Affairs. When it comes to that debate, if it does occur, I would be dealing with it as an elected Member of the States, the Constable of St. Clement, so I cannot answer that question because at this present moment I do not know, it would depend on what the proposition exactly was.

The Bailiff:

Indeed, Connétable, I would have ruled that question out of order had you not begun to answer it. I do not think that question is in order.

3.3.11 Deputy M. Tadier of St. Brelade:

I was going to ask whether the Minister thinks we should bring back the death penalty for anyone caught cycling on a pavement but I think I will not do that because it is probably too good for them. He may not have the exact stats to hand but could he confirm whether there are more injuries caused by cars hitting pedestrians in Jersey than there are bikes hitting pedestrians?

The Connétable of St. Clement:

As the Deputy implies, I do not know and I am not going to guess. I would suspect that is probably the case but I do not know. He made this comment about me wanting the death penalty for cyclists.

I really do not understand what that is about because I am not anti-cycle whatsoever. My comments this morning have indicated that.

3.3.12 Deputy M. Tadier:

That comment was not directed at the Minister, maybe just other Members. The supplementary is: does the Minister believe, as far as it impinges on the Home Affairs portfolio, that rather than new legislation to resolve any issues that might exist between cyclists and pedestrians that shared use of space and greater awareness of the built environment and how we might allow the 2 to co-exist is probably a more effective way of avoiding these kind of incidents in future.

The Connétable of St. Clement:

I think that is probably right. But the reality is we have all got a part to play in this. Whether we are a motorist, a pedestrian, a cyclist, a horse-rider, a scooter rider, whatever, we have a duty of care to other road users. We should exercise that. We are all responsible.

3.3.13 Deputy L.M.C. Doublet:

Could the Minister just outline what the impact of reduced police numbers is on the ability to do proactive policing, such as catching people cycling on pavements?

The Connétable of St. Clement:

The police, whatever numbers we have, will prioritise what is important at any particular time. As the Deputy knows, speeding was one which the police had an operation on a few weeks ago in co-operation with the Honorary Police and was very successful. If it is decided between the Honorary Police and States of Jersey Police that a purge on cyclists not having bells, or whatever, is a priority for the Island then I am sure they will do that. But police numbers are not reducing, I would say to the Deputy. Police numbers are increasing and we are nearly up to the maximum that was agreed in the Government Plan last year of 215 officers from 190 we were down to at one point.

3.3.14 Deputy S.M. Ahier:

Can the Minister ask the States of Jersey Police to keep a record of each incident of pedestrians being hit by cyclists so that a full understanding of the problem can be evaluated?

The Connétable of St. Clement:

I am absolutely sure that such records of all accidents involving injury are maintained. I am pretty sure that is the case.