

**STATES OF JERSEY**  
**Environment Scrutiny Panel**  
**Speed Limits Review**  
**TUESDAY, 8th MARCH 2011**

**Panel:**

Deputy P. Rondel (Chairman)

Deputy D. Wimberley

Deputy S. Power

Senator A. Breckon

**Witnesses:**

Senator I. Le Marquand, Minister for Home Affairs

Acting Superintendent, Head of Uniformed Operations

Head of Planning and Research

Road Safety Officer

**In Attendance:**

Scrutiny Officer

**Deputy P. Rondel (Chairman):**

Minister, as a starting point, the Panel would welcome some background on the level and type of road accidents occurring in Jersey, if possible comparing this with relevant UK statistics, to give some idea of Jersey's performance in terms of overall road safety.

**Senator I. Le Marquand:**

I am not prepared on the technical side and I am reliant upon my colleagues on that.

**Deputy P. Rondel (Chairman):**

Yes, thank you.

**Head of Planning and Research:**

I have actually prepared a separate submission, which I can give you copies of after, or if you want them --

**Deputy P. Rondel (Chairman):**

No, that is fine. Thank you.

**Head of Planning and Research:**

In terms of injury, RTCs in Jersey, last year we had 325, and that is -- looking back over the past ten years, the highest in 2000, 387.

**Deputy P. Rondel (Chairman):**

May I stop you before starting. Could you please tell us what "RTC" is.

**Head of Planning and Research:**

Road traffic collision.

**Deputy P. Rondel (Chairman):**

Thank you.

**Head of Planning and Research:**

Looking back, a low of about 307 and a high of 387 and the numbers have moved around between those parameters over the last ten years. It is difficult to draw comparisons with elsewhere largely because you are looking at issues of definition and recording practices, which you have to be very mindful of. I have figures from Guernsey and the Isle of Man, which show -- I think we need to be very careful about the recording practices, as I say. For fatal collisions, for example, Jersey, looking at -- if I just take last year -- three; Guernsey had three; the Isle of Man had five. Serious, Jersey, 66; Guernsey, same, ten; Isle of Man, 57. I think we may have issues, as I say, around recording practices. For example, I think Guernsey may still be using a paper based system of recording their information. We went to a computerised system in 2008 and I think we found it gives us a better way of auditing what the officers have initially said around the level of injury and getting that right. So I think there may be some issues around that. I know that when we looked at some -- we were provided with some figures from Guernsey for 2006, which showed disparity between what their hospital was recording in the way of RTC injuries coming in and the police figures. So there is a word of caution around the Guernsey figures.

**Deputy S. Power.**

May I just ask a question? When you say 325 road traffic collisions in 2009, was it?

Head of Planning and Research:

325 -- sorry, it was in 2010.

**Deputy D. Wimberley:**

With injuries

**Deputy S. Power:**

With injuries

**Head of Planning and Research:**

With injuries.

**Deputy D. Wimberley:**

May I ask whether you focus more on injury road traffic collisions in general or KSIs, killed and seriously injured road traffic collisions? Which is your sort of priority area between those? Is it investigation and looking at things and drilling down to find out what happened?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

We investigate all of those.

**Deputy D. Wimberley:**

All of them.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Yes.

**Deputy D. Wimberley:**

You investigate, but when you analyse, and so on, where would you put the -- would you put bigger effort into the KSIs, killed and seriously injured, or would you put sort of equal effort --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Equal effort into the serious and fatal road collisions, I would say.

**Deputy D. Wimberley:**

But just the injury RTCs where someone is grazed or --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

That is right.

**Deputy D. Wimberley:**

Would have the same level of investigation?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

They would still be investigated to an appropriate level.

**Deputy P. Rondel (Chairman):**

Did you want to pass the reports around, or we will get them later. Okay. Fine.

**Deputy D. Wimberley:**

Just on that comparison, you have given us some Jersey, Guernsey and Isle of Man

figures. Do you have figures standardised to per hundred thousand? Or different jurisdictions?

**Head of Planning and Research:**

I have not done that, no. As I say, in particular, I think there are issues around with UK, because you are looking at motorway traffic and such like. So, although I can give you figure, there would have to be so many caveats with what we are looking at that it is difficult.

**Deputy P. Rondel (Chairman):**

Okay. In the States police submission to the Working Group, speed is identified as a main contributory cause to only three per cent of the local road accidents. This figure is apparently very low compared to or compared with the UK norms. In your view, is this primarily to the result of low speeds locally, or are there other factors, such as the nature of the road, driving behaviour, et cetera, et cetera?

**Head of Planning and Research:**

Basically, what we do, when we record a road traffic collision, we have an officer who essentially looks at -- the officers will record details of the injuries. We will confirm those according to some national standard around whether it is serious, slight injury, and such like. So that is recorded centrally. There is a list of contributory factors which are on the back of that page, which we then apply to the road traffic collisions. What we did -- those are based on national standards. We have adapted them for local purposes and in 2009 we took what initially just said excessive speed, and we split that into two. One was "excessive speed", breaking -- i.e., there is evidence that the driver was breaking the speed limit; and the other we then use

"inappropriate speed for the conditions", i.e., you are doing 40 miles an hour on black ice or something -- to use an extreme example for the point. So the figure we have given you there, I think in the UK it just uses the single thing about excessive speed and it encompasses both. So we were trying to get a better analysis of what was going on by making that distinction in our figures. So what we did there was we have given you a three per cent, which was referring to evidence that the speed limit was being broken. That research was initially done for us by a university student, who went back into our records in 2008 and looked at a six month period. We have actually done 2009 and 2010 as well now and those figures -- they are around here somewhere -- I think you are looking at about excessive speed ended up at five per cent in 2008, three per cent in 2009 and six per cent in 2010. I would say that it can be -- it is an element of subjectivity in making these assessments as to what has gone on, particularly when we look at the inappropriate speed for the conditions. The contributory factors include things like weather conditions. So that might go down as the principal contributory factor, but it is likely that inappropriate speed would have been applicable there as well.

**Deputy P. Rondel (Chairman):**

So, given that the records only started in 2008, and the review was conducted in 2008 to 2009 --

**Head of Planning and Research:**

The report that we submitted to the review group in 2009 used a sample of 170 odd injury RTCs from 2008 the university student had done that work on. Then this submission will give you the subsequent data where we have then been (inaudible) the information on that basis.

**Deputy S. Power:**

May I just ask, so that is an extrapolation of -- the five per cent you referred to, which is an extraction from the 2008 figures.

**Head of Planning and Research:**

I think it was three per cent we said in 2008. That was based on 172 injury RTCs, which was about 50 per cent of the total number for that year

**Deputy D. Wimberley:**

I understood you to say five per cent in 2008.

**Head of Planning and Research:**

Sorry, it ended up, when we -- the submission that went to the review group in August 2009 said three per cent. That was based on the 172 incidents that had been reviewed at that time. We have subsequently completed more information. We have done 350 odd RTCs and it came out at five per cent overall for the year. So the submission we put into the review group was based on a smaller sample which had been completed at that time, but we then went and completed the rest and it came out at a higher figure.

**Deputy S. Power:**

The point that is interesting here is that, in the fluctuations between five and three and six in the three years, the database is so low that that is the reason for that, the incidence of these accidents in this particular category is very low

**Head of Planning and Research:**



Yes, and that is what we tried to do, to separate out and get more precise information about where was breaking the speed limit a factor in a RTC, as opposed to the general issue.

**Deputy D. Wimberley:**

I was going to ask that. When you say excessive speeds and then five per cent, three per cent and six per cent, which definition were you using of excessive speeds, because you have given us two?

**Head of Planning and Research:**

We regard excessive speed as breaking the speed limit for that road, as to inappropriate speed. So they may have been within the speed limit, but, given the particular weather conditions at the time, whatever, it was deemed that that was an inappropriate speed.

**Deputy D. Wimberley:**

Would it be both of those? Or just the first?

**Head of Planning and Research:**

We would tend to put a primary contributory factor and use one of them.

**Deputy P. Rondel (Chairman).**

Okay. Given that you could be travelling around a main road and there is a 30-mile an hour speed limit in that area and then you shoot off into a side lane, which is a 40-mile an hour speed limit, you take that 40-mile an hour as the speed for that road and you do not use what common sense would be, this road should only be driven at

25 miles an hour. You take the assumption that, because the law says it is 40 miles an hour, that is where you get your -- you take the speed limit from. You are not using the common sense approach, a road should be driven, as in the Highway Code, at a certain speed safe for the conditions on that road.

**Deputy D. Wimberley:**

So someone comes out and you hit them -- this person hits them at 35. You would not count that as excessive speed because it is under 40?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

What we are saying is that these percentages, the three, five and six, is referring to those where we can prove that the person was breaking the speed limit. There is another percentage of inappropriate speed for those conditions.

**Head of Planning and Research:**

Bearing in mind that you have also got all these other contributory factors which might be -- I am trying to think of the junction -- turning left carelessly, crossing a road junction carelessly. So all those other factors come into play as well.

**Deputy D. Wimberley:**

Yes. So, if I give a couple of examples, the Chairman has given one example of going too fast in normal terms down a small road. If, say, somebody was driving down a road that is in the urban area and a child comes out between two parked cars and comes out of a shop and runs in front of the car and the car hits them, would you say in your nominal analysis process -- where would you put speed in there? Would you say that it was the main contributory factor, or a contributory factor, or nothing?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It depends on the speed of the vehicle at the time of the collision, because you can be crawling along at 5 miles an hour and a child could have gone out in front of you, or you could be driving at perhaps an inappropriate speed of 30 for that particular section of road and time of day

**Deputy D. Wimberley:**

The judgment as to whether it is inappropriate, say the person was going at 20 and they were going along outside this row of parked cars and then a child runs up. Now, where do you make that judgment as to whether that is a contributory -- I am trying to get on the when is a contributory factor? Where is speed a contributory factor in your view?

**Head of Planning and Research:**

I think it is worth saying, in this paper we are making a general observation that vehicle speed is invariably going to be a contributory factor in many road traffic collisions. The slower a vehicle is travelling, the more time a driver has to react to unforeseen circumstances.

**Deputy D. Wimberley:**

Exactly.

**Head of Planning and Research:**

So if a child runs out between two parked cars, if he is doing 15, he has more chance of stopping than if he is doing 30. So that we accept per se and we talked about safe

stopping distances here. So, logically, if speed limits were lower in Jersey and the majority of drivers abide by those limits, the number of road traffic collisions you would have would be less.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

And the consequences would change.

**Deputy D. Wimberley:**

And the consequences would change. So a broken leg, as opposed to a graze.

**Head of Planning and Research:**

That is right. So we accept that per se. What we are trying to do with the contributory factor data that we are collecting is talking about the prevailing conditions that apply. So is it snow, ice, heavy rainfall, those sorts of issues? Then also looking specifically at saying, as far as we can tell, has speed limit been broken as a contributory factor to this particular road traffic collision? So was someone doing 50 when they went off the road?

**Senator I. Le Marquand:**

May I just comment, just playing around with the figures is my point, and there are two elements in relation to speed, as my colleagues have described it, being the main factor. One is in excess of the speed limit, and the other one is simply wrong for the conditions but not in excess of the speed limit. If you add those two up, you probably get the total size of the situation where speed is the main factor. I add that up in 2008 to 11 per cent; in 2009 to seven per cent; in 2010, nine per cent. But I think that probably explains why the figures actually get -- which was quoted, just for one of

those years, 2009, for the speed in excess of the speed limit at three per cent appeared to be so low. There is still quite a wide fluctuation year to year, 11, seven and nine.

**Deputy P. Rondel (Chairman):**

The same submission gave three examples, though, of speed measured at different sites in the Island. So it illustrated that speeding is a problem locally. Is it possible to give a more global view of how speed limits are or are not being observed in the Island based on the smiley signs in other data?

**Head of Planning and Research:**

That is me again. What I have done, in this paper we looked at speed monitor sites that TTS have made over the past few years and we took a dozen major roads. I have Grande Route de St Laurent, Route Orange, (inaudible) et cetera. I have a range of roads. A mixture of 30s and 40s in there.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Would it assist the Panel to circulate the documents so you can see what we are talking to?

**Deputy D. Wimberley:**

It would be useful.

**Head of Planning and Research:**

So that is on page 4, under paragraph 14. It is just downloaded from TTS speed monitor information. That is more up to date information, I think. The others came from 2004.

**Deputy P. Rondel (Chairman):**

Questions, gentlemen?

**Deputy S. Power:**

On page 4, it is interesting to see that on the Grande Route of St. Pierre junction with the Grande Piece, 92 per cent did not speed, which is heavily enforced speed area -- a speed limit area

**Deputy D. Wimberley:**

Sorry, where are we talking about?

**Deputy S. Power:**

It is the second line down on the speed monitor data. So that actually proves -- that statistic proves that, if the town or if a village or an area of the Island is heavily policed or is known to be heavily policed in terms of enforcement of speed limits, such as a 20, in that particular example, 92 per cent were recorded as not having speeded.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It is not an area because that data is as it is -- it is not an area that we prioritise as where we would apply our resources to enforce it. The honorary police of St. Peter might.

**Deputy P. Rondel (Chairman):**

That shows it can be monitored and it actually does have an impact

**Acting Superintendent, Head of Operations, States of Jersey Police:**

The correlation of that is that I do not recall any serious injury or road traffic collisions in that 20-mile an hour limit.

**Senator I. Le Marquand:**

I am puzzled by that because I thought the main St Peter's was 20 miles an hour and this is down as 30.

**Head of Planning and Research:**

The zone there I think is just outside of the 20, is it not?

**Senator I. Le Marquand:**

Just beyond the 20.

**Deputy P. Rondel (Chairman):**

The Panel understands that for some time a form of speed checks have not been taking place as frequently as they used to. Has this had any noticeable in effect in terms of speeding behaviour?

**Senator I. Le Marquand:**

The first part, the answer is yes. The police have been putting far less resources in the last few years, due to pressures elsewhere. It is something that we are trying to reverse. In fact, numbers were up last year and will be up again this year, but it is correct that there has been less enforcement

**Deputy P. Rondel (Chairman):**

Minister, you have been on the bench. You have obviously seen over many years the effects of people speeding and having to deal with an awful lot of people. What is your -- what do you consider is a factor to an increase in speed limits, given your background, if this, as we see here, heavy policing in one area and we only have one per cent or two per cent of people going over 40 miles an hour and 21 per cent over 30, et cetera? How would you consider as Minister for Home Affairs, i.e., with responsibility for policing our roads -- will you in future be having a bigger presence of your officers on police duties to do with speeding and road traffic coverage, or will they stay currently as they have been for several years, doing other duties?

**Senator I. Le Marquand:**

Well, I mean, from my point of view, I certainly want to see more emphasis put into this. Having said that, the advice I have been receiving from senior officers has been that the key issue was to try to prioritise particularly individuals, but particular danger spots in order to actually achieve an improvement, rather than a scatter gun approach. That is the advice I have been receiving

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I can add to that. We are promoting this month a road safety campaign that is going to run throughout the year, concentrating on a variety of issues, not just speed and speed awareness, but also other road traffic matters, such as drink driving, seat belts and the like. Now, Ian has done some work on the data from 2004 and last year, where we did quite a lot of checks in 2004 and far less in 2010. The data actually shows there is no evidence that it has changed speeding behaviour. If you want to talk about that?



**Head of Planning and Research:**

Yes, I can do. I think what we need to bear in mind is, if you look at we were doing about 860 speeders a year. That is an average of a 20 year period and sort of 2004 would have been that sort of number. So you are looking at about -- well, it is two to three a day on average over that period. If you look at the number of speeding offences that we sort of extrapolate out and that is the submission we put to the speed limits review, where you have thousands a day going on individual roads, that I think logically you would say that that level of enforcement was not having significant impact on driver behaviour overall. Where we have also -- on page 7 of the submission, in the Jersey Social Survey, we have asked the public around policing priority and gave them 18 different options of what they -- how they prioritise what the police do. It is quite interesting. Strict enforcement of speed limits comes quite low down the public's priorities. They are more concerned if you look further up the list about tackling motorists who drive at very fast speeds, which comes higher up.

**Deputy P. Rondel (Chairman):**

That is quite interesting

**Deputy D. Wimberley.**

I ask on that tackling of individuals, because two of you have mentioned that now. It is my understanding that the smileys, the SIDs can actually enable you to pinpoint that at 6.30 on a Tuesday morning somebody went through St. Mary's at 70. You can pinpoint that. You could actually then use all the data from the various SIDs to build up a pattern of where it would be effective to use your speed guns or whatever. What resource is going into that methodology at the moment?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

To do the analysis?

**Deputy D. Wimberley:**

To do the analysis and then to go out and actually -- if you are talking about prioritising individuals, what are the steps being taken to do so?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

The Head of Planning and Research and his colleagues in the Planning and Research Department will be analysing the data and one or two officers per shift per day, given that there are no other priorities ongoing that particular day, will be out enforcing road traffic law across the Island. So it would depend on what the data says as to where they would go on a sort of scheduled basis to try and give every area of the Island coverage

**Deputy D. Wimberley:**

Have you had success with this? I mean, if you are following the SIDs, as it were, 6.30 in St. Mary's on a Tuesday morning, then that would presumably yield some results in the Magistrates' Court?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It does work, but what we would like to do is actually change driver behaviour through prevention. So visibility and presence on the roads with the fluorescent jackets actually probably has a better effect.

**Deputy D. Wimberley:**

What research shows that two miles, is it, away from a police presence and a fluorescent jacket people just go back to type? Or even when you are not there, they go back to type. So, I am a little bit sceptical about you are standing there one day, a boy goes through at 35 and then the next day you are not there.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

He will not know whether or not we are there or not and we do it in two ways. We either do it in high visibility and we also did a piece with Channel TV just recently where we demonstrated what can happen on Victoria Avenue when you are in high visibility jackets and you can monitor people's speed and behaviour and then when you are not so overt and you are tucked away behind a bush, for example, and we have to do both

**Head of Planning and Research:**

We did look -- a couple of years ago we did an experiment with TTS where we put -- they put speed monitors down for us before we did a campaign and we looked at levels of speed there. During the campaign, we had the results and afterwards, and it did have a lag effect, if you like, or it seemed to, on driver behaviour. We would have to repeat that and do it several times, I think, actually to start getting confident that it is a definite impact

**Senator I. Le Marquand:**

May I just make a comment, Chairman, on the issue of numbers, and this is really going from my experience as a Magistrate. The actual numbers of people caught or prosecuted can be quite deceptive because it is very easy to go out there into a particular area where in fact it will have minimal improvement of road safety and

catch lots of people. The police acquired some years ago equipment which enabled them to set up in a particular locality and to take photographs of vehicles, together with the speed, and I remember them bringing it to the Magistrates' Court to show the Magistrates this equipment and whereupon the Magistrate said, "You will never be able to handle the paperwork", and that was right. The paperwork just could not be handled. The numbers that were being generated were massive in one particular year. I remember particularly an incident of one poor gentleman who was caught doing something like 36 miles an hour going down into the underpass in one direction and then was caught doing 36 miles an hour going down to the underpass coming back. Now, what that was actually doing for public safety I know not, particularly as you tend to speed up going down to the underpass. Then we went for a period when, because of lack of resources, there was not much being done by the States of Jersey Police, apart from in one place, and that was outside La Frégate Cafe and I had endless speeding cases of people outside La Frégate Cafe. Most of them, they had just started accelerating too quickly out of the 30-mile an hour zone, reaching Victoria Avenue, a 40-mile an hour zone. Unfortunately, there was also a problem there caused by the fact that the road signs were in the wrong place and we even had people prosecuted -- one person was prosecuted for speeding in a 30-mile an hour zone in Victoria Avenue and they were, actually, of course -- Victoria Avenue is a 40. So there are all sorts of muddles and the view certainly of the Magistrates at that time was this is boosting numbers, but it is actually not doing very much for road safety overall.

Now, there may be different philosophies on that. Some people might take the view, well, if you just catch more people speeding, it matters not where, but somehow they will be more careful elsewhere because of the fear of losing their licence, et cetera, et cetera, but that is a very crude sledge hammer to crack this particular nut, and I

think it is fair to say that we ought to move away from that sort of approach

**Deputy S. Power:**

Would you not say, Minister, that therefore criminalising people for an offence which is -- the speed limit in that case is not the best approach, that road safety and communication of road safety is a better approach?

**Senator I. Le Marquand:**

It is, yes

**Acting Superintendent, Head of Operations, States of Jersey Police:**

There needs to be a balance between prevention and enforcement and targeting the right drivers in the right areas, in the zones where we think that there is likely to be or where there has been accidents or other injuries.

**Deputy S. Power:**

The Deputy of St. Mary's referred to, say, being in a position where they have gone to St. Peter at 3 o'clock in the morning or 5 o'clock in the morning or 6 o'clock in the morning, or St. Mary or wherever. Likewise, you could easily do the same on Victoria Avenue or on the Five Mile Road at some off-peak time, but one wonders what it would actually achieve in terms of a off-peak time, sitting, lurking in a bush on the Five Mile Road to catch some guy on a motorbike who wants to open it up -- I am not justifying it, but it is not exactly a good use of resources, I would have thought

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I absolutely agree

**Senator I. Le Marquand:**

Curiously enough, some of the highest speeds I ever saw, as a Magistrate, in fact, almost all the highest speeds I ever saw, were on the Five Mile Road when there was a period when officers were operating in a particular place and we had people at massive speeds. I disqualified a whole number of people who were sort of letting it rip in their new vehicle, or whatever, at 70 or more than 70. Now, I think there was a road safety issue there at those sorts of speeds, and people turning out of a junction could not expect it, but it was paradoxical that the worst cases I ever saw were almost all in that area.

**Deputy P. Rondel (Chairman):**

Senator Breckon, I know you have been waiting to put a question

**Senator A. Breckon:**

The paper that was submitted to the Working Group shows that you had monitoring in three areas for five days, 16 days and 18 days and that the general conclusion of that was that there was estimated 166,000 vehicle journeys are made each day.

Aggregating that, different locations suggest that tens of thousands of speeding offences are committed each day in Jersey and that might be for signage, and people just technically, without zero tolerance and total policing, what is the answer to policing that and do we want to police it to that extent? How do we change people's habits?

**Senator I. Le Marquand:**

May I comment on that? There is always an issue as to what speed limits are there

for, i.e., are they there for good road conditions? Or are they there for the worst possible conceivable road conditions? Are they there for something in between? It is a real issue. My own personal view, as Magistrate, and I think I have carried this through to Minister of Home Affairs, is that your speed limits should not be there for your perfect conditions; they should be there for less than perfect road conditions, if you understand what I am saying. Now, that could, therefore, lead to a situation which, in a road of say 30 miles an hour, there would be times when actually 35 is fine, but it is against the law. But that is the difficulty of where you set your levels of speed limits. Unfortunately, in Jersey, we have some speed limits, particularly 15-mile an hour ones in some places, which are completely and utterly arbitrary. You know, there is no correlation whatsoever with road safety in some of the places. In some cases, it is merely for administrative convenience. I mean, for instance the whole of St. Helier is for administrative convenience which has been classified at the moment as 30 miles an hour, apart from Victoria Avenue. There is no logical basis of assessment for this particular road requiring this or whatever. It is just an overall figure. So there is a degree of arbitrariness in the basis on which you set these things. My own personal view is that that should be reflected in police practice. You know, the police practice should be actually reflecting the fact that there are differences of sections of road and going -- there may be some 30 miles an hour areas in St. Helier where it would be extremely dangerous to drive anywhere near 30, but I do not know if --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Well, I do agree and it does depend on what the Assembly wants to do. If it is to slow people down, or make the road safer or both, there are other things that can be done to make the road safer and I have discussed it with the Road Safety Officer and

the Head of Planning and Research. For example, the way roads are engineered and the street furniture. If you think of the example in St. Martin's Village, West Hill, Grande Route de Mont-à-l'Abbé -- in those kind of areas, we do not get any accidents. We do not attend any collisions or injuries in those areas. So there is a whole range of things that could be done to slow people down. I know there is currently some topical debate going on about the three recent collisions in St. Clement's Coast Road. Well, I cannot obviously talk about those particular collisions, for obvious reasons, but what I would say to you, like the Five Mile Road and St. Clement's Coast Road the same, if you had street furniture that caused people to have to stop because of bollards, it would make the roads a lot safer for everybody.

**Senator A. Breckon:**

May I ask you to comment on different policies for different times of the day? I say that TTS, if you take Bagatelle Road, there is a speed limit in there where sometimes you will not move at all because it is clogged with school traffic. If you go there at 10 o'clock at night, you know, within reason, you can do whatever speed. So, from a policing point of view, do you think there is an advantage to having a different policy for a different time of day?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I think that will confuse motorists and if you are going to confuse motorists and it is ambiguous, then we are not going to be able to enforce it properly. If the signage is unclear, and what is the definition of day and night? What is the definition of school time? There is all of these doubts that could creep in, if you like. I saw the question about day and night and I have seen the questions about signage. Now, as the Minister will know, if the signage and everything is not clear, we have to give the



benefit of the doubt to the defendant. So we are not going to be able to enforce or prosecute or report people in those areas.

**Senator A. Breckon:**

In the previous answer, you said something about, you know, that the paperwork would just clog the system up if we policed very robustly, let us say. So is there a possibility of another method of dealing with speeding offences, do you think?

**Senator I. Le Marquand:**

You are going to be left with paperwork if you are going to go out indiscriminately, trying to catch everybody in a particular area. I mean, my own view is that what should be final common sense. I mean, talk about night time. I had people who are being prosecuted for speeding at night time on the green lane which runs alongside the golf course at St. Clement's. That was crackers, in my opinion, trying to enforce it at 15 miles an hour in the dark when nobody was going to be walking on it as a green lane. That was just bad enforcement policy, in my opinion. That is where the enforcement policy, I think, has to be sensible

**Deputy D. Wimberley:**

Wait a minute, Minister. You are saying nobody would be walking along a green lane or cycling along in the dark. I would question that.

**Senator I. Le Marquand:**

I am not saying nobody would be, but the point of having it at that speed limit was to operate as a green lane and then to enforce it on that basis at a time when it was not going to be ... I will give you another example. I mean, 20 miles an hour speed limit

at the bottom part of St. Brelade's Bay. People were being prosecuted for breaching that, again, at evening or night time in the winter. Quite clearly, it is really designed for a time in the summer when St. Brelade's Bay is a busy area and people crossing over and having been swimming and so on and so forth. It was being enforced in the same way at a time when there was virtually no traffic

**Deputy D. Wimberley:**

I can see the logic of what you are saying about St. Brelade, possibly, but I just want to put to you, if you like, the Five Mile Road scenario. If you allow the culture to develop that, by default, by lack of enforcement due to constraints and all the rest of it -- that it is okay to have a burn up on the Five Mile Road because you are not going to get caught, then I would suggest that then a culture develops, not amongst the majority of people, but amongst the minority, that excessive speed is somehow okay. It is not going to be -- and then we see a spate of accidents recently. That is what is driving this line of questioning. I mean, I would not have asked this question six months ago and I have a problem here --

**Senator I. Le Marquand:**

I am not saying on the Five Mile Road is acceptable because I was disqualifying people, but there is a kind of tension that starts to arise with some of our speed limits, particularly in relation to the so-called green lanes, because, actually, the speed limits have very little to do with road safety (inaudible)

**Deputy D. Wimberley.**

No, I agree with that

**Senator I. Le Marquand:**

That is the problem. That is the tension when, what is the reason for having speed limits? Really, ultimately, it has to do with road safety, surely, and not to do with some political aspect of the thing that somehow we want to sell tourism on the basis of having X miles of -- I know my colleague wanted to put in an amendment on that line, which I will be robustly opposing, because it is nonsense, with respect. You know, it must be about road safety, surely?

**Deputy D. Wimberley:**

With respect, green lanes is a different issue. I am concerned about the major accidents we have had in the last few months and they arise, at a guess, out of excessive speed in off-peak hours when there is "nobody about" and so I just wonder whether there is an enforcement issue there about the climate and the way that people are approaching getting into a car and driving along at 3 o'clock in the morning

**Acting Superintendent, Head of Operations, States of Jersey Police:**

But the recent spate of accidents are still being investigated and the causes --

**Deputy P. Rondel (Chairman):**

Okay

**Acting Superintendent, Head of Operations, States of Jersey Police:**

And I need to be a bit careful, but there is no common theme running between all of those accidents

**Senator I. Le Marquand:**

The other paradox, of course, with St. Clement's Coast Road, is we have the spate of accidents just after the speed limit has been reduced.

**Deputy P. Rondel (Chairman):**

Right. The report and proposition mentions, Minister, the number of speed limits currently applying in Jersey, with the suggestion that they are confusing to motorists and need to be simplified. Others have said that any confusion is more likely to arise from inadequacies of existing signage. What is the States police view?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I would agree that the existing signage is in some places inadequate. There are some areas where you are coming from -- if you are driving into town, for example, you come into a 30 zone, but then there are lots of junctions where vehicles can come out onto that road, and there is not another sign that says you are into a 30 zone. There is plenty of opportunity for a motorist caught for speeding in those particular areas to say, "Well, I was not aware of what the speed limit was". We will not enforce -- we cannot enforce the law where there is an ambiguity, as I have already said

**Deputy P. Rondel (Chairman):**

Does the Minister have a view on that?

**Senator I. Le Marquand:**

The Minister has very strong views, but no views on this. One of the problems I faced right towards the end of my period as Magistrate was I suddenly found, which I was not aware was there, that there was a statutory duty in the road traffic law on the Minister for Transport and Technical Services that the speed limit of a road should be

on each road; whereas in fact what has been happening in certain parts of the Island is that a zonal system has been operating, particularly that of St. Helier, where, once you have come in past the sign warning of 30 miles an hour, you are somehow meant to remember it is always 30 miles an hour. There were other areas around about Les Quennevais and other areas like that and there was another one on the coast road going to St Aubin's and we have a problem which needs to be addressed as to the current law on signage, which is not being complied with. Now, I am not saying the current law on signage is right or makes very much sense, but it is wholly unsatisfactory that it is blatantly not being complied with. This caused me considerable angst and I produced some judgments, some of which were right and some of which were wrong on this. The Royal Court came to the interesting position of saying, well, it did not matter that the signage was not being complied with if you were still committing an offence

**Deputy D. Wimberley:**

Sorry, the signage was not being complied with by TTS?

**Senator I. Le Marquand:**

By TTS

**Deputy D. Wimberley:**

Okay. So it is okay for the Department not to comply --

**Senator I. Le Marquand:**

That was the effect of the judgments overall, which I was minded to take a stronger view than that on. But that is surely not a satisfactory state of affairs, which is the

state of affairs we have currently. Now, I talked about La Frégate cafe. I discovered, of course, anybody coming out of town and coming down Gloucester Street and turning right received no warning that there were in a 30-mile an hour zone if they had forgotten they had come into it in the global system. That is simply not a satisfactory state of affairs and was not in fact addressed in the proposition and I know there is a separate issue as to how we deal with that. But the other thing on the multiple differences -- I do not know about your good selves, but as Minister and as former Magistrate, I was conscious of the desirability of my not turning up in my own court. Very often, I will be driving around at 30 miles an hour, just in case it is a 30-mile an hour, because I cannot remember what it is. That also is not a satisfactory state of affairs.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

If the Island wants to get people to conform to the existing speed limits, then it needs to be abundantly clear to all motorists what the speed limit is on every road

**Deputy D. Wimberley:**

Either by a default position, which is easy to understand

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Yes, absolutely.

**Deputy S. Power:**

A follow on question to that, then, would be, is the existing situation confusing, the differing number of speed limits on the Island? Should it be simplified? Is it confusing?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I believe it is confusing.

**Deputy S. Power:**

So you would prefer to see, as a law enforcement agent, you would prefer to see a simpler system? Three speed limits?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Forty, 30 and 20 would seem to be suitable to me.

**Deputy S. Power:**

So you would be, as a professional police officer, you would be comfortable with 20 in green lanes?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I would.

**Deputy D. Wimberley:**

When you said the existing situation is confusing, are you meaning by that that it is not adequately signed or it is not adequately clear? I am driving along and I do not know by just looking which kind of road I am supposed to be in? Or is there some other -- what is the criterion for saying it is confusing?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

The signage. If you pull onto any main road, it will be some distance before you see

an indicator that says what the speed limit is.

**Senator I. Le Marquand:**

It is a minor, subsidiary point, which I also picked up as Magistrate, which is that there is -- there are regulations which indicate what is appropriate signage and it is only the round thing with the number in the middle or smaller ones which are designated. The painting of numbers on the roads is actually not an official notification of signage. Now, I do not see why it should not be, personally. It is not a bad way of doing it. It is cheaper and although it will wear out eventually, but at the moment that is not an official reminder within the law

**Deputy S. Power.**

May I ask the head of Planning and Research on page 8 you have a list of possible reasons for road traffic contributory factors. Has confusion over speed or speed signals and speed limits -- has it ever been an issue on the Island? Is that ever given as a contributory factor? I thought it was a 40, when it was a 30, or I thought it was a 30 when it was a 20? Is it a significant point, or is it irrelevant?

**Head of Planning and Research.**

I do not know the answer to that. It is not something that -- when we are doing that sort of analysis, it is not something that we are picking up from the reports.

**Deputy S. Power.**

We have a report and proposition coming before the assembly very shortly on reduced limits of 30 miles an hour on roads without a centre line, but apparently the proposition is not to signpost this. From an enforcement point of view, do you have a



view on that?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It would be impossible for us to enforce if it was not clear to the motorist what the speed limit is. There are some roads which do have central white lines that then move into narrower zones where there is not. So where would you define where the speed limit is on that particular road, for example? To make it mandatory for a particular speed to be enforceable, we would need to have the signs, as the Minister has said, which is the circular 30 or 20 or 40 -- whatever it might be, with the red line around it.

**Deputy S. Power:**

This proposition effectively would affect about 178, or almost 180-miles of road. As a professional, you are saying that that would be impossible to police?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

To enforce. I believe it would be

**Senator I. Le Marquand:**

I think the difficulty is this: My understanding is, in the UK, that when you come into a town, there are certain implied speed limits. Certainly that is so in France that, once you see a particular sign, you are into a certain area. I also discern in the UK that certain types of lighting in certain areas is a signal that it is another speed limit. Now, what I believe the Committee that first reported on this was trying to do was to try to avoid the need for massive quantities of signage on every road by creating a criteria by virtue of which people would know, you know, in an ideal world you

might say which is a built up area? It is going to be 30 or whatever. But then, of course, you run into practical problems as to how you define that and it attempted to come up with this idea of it does not have a white line down the middle, then it is not. But this unfortunately will probably prove to be arbitrary.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

If I can add to that, the position, we might be able to do that locally, for example, if we went ahead and did that locally, we would get the media on board and so on. Visitors coming to the Island and people that have not passed a test in Jersey, for example, that come to the Island to live or work would suddenly be confronted with a very, very confusing situation, would they not? How would they know what the speed limit is on any given stretch of road?

**Deputy S. Power:**

The point being that, if there is no road signage to indicate that there is a speed limit on that prescribed piece of road, they would not understand

**Acting Superintendent, Head of Operations, States of Jersey Police:**

That is right

**Deputy S. Power:**

So you cannot prosecute, no matter how bad the driver was?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

That is right

**Deputy P. Rondel (Chairman):**

We have been supplied with this map by TTS of the Island and the extent of what is going to happen, which is totally incomplete and we have asked for it to be redrawn, but I presume you have not been consulted all the way through by TTS, or you would have a copy of this and the police and Minister?

**Senator I. Le Marquand:**

I have not seen it

**Acting Superintendent, Head of Operations, States of Jersey Police:**

We are in dialogue, with the TTS, obviously, about the data on the speed monitors, but we have not seen that, no

**Deputy D. Wimberley:**

Has there been some kind of approach to say about the proposal for the 40 down to 30 on roads without a centre line? Have there been any formal discussions with the police about that in the terms you have been talking to us?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Not with me. Have they discussed it with you?

**Senator I. Le Marquand:**

I have had no formal discussions. I have had general discussions on the line of trying to come up with a criteria if we could

**Road Safety Officer,**

I know of it, via the Road Safety Panel, but no formal discussion, no

**Head of Planning and Research;**

I am not sure, to be fair, whether they may have asked the Chief Officer for comment. That might have been provided --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

The former acting chief may have been asked, but I was not aware of that, if that was the case.

**Deputy S. Power:**

There is a distinction out there between actual road safety and people's perception of road safety and particularly people's perception of speeding. Sometimes people's perception of speeding can be misinterpreted or exaggerated. People are likely to overestimate the effect of speed limits. Do you think that is a fair interpretation? Do you think that people's perception is different from the actual?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

People that live on junctions, for example, will hear cars coming to a stop and then starting again and the noise of slowing down and then starting again will always give an impression of speed, where in actual fact the reality is that perhaps they are not speeding. It good example of that is the -- it is another topical area, but driving onto the Albert Pier, where you have to go over a speed bump and then turn right. You physically are probably unable to speed or exceed the speed limit to do that manoeuvre, yet the people that live on that junction, or some of the people that live there think that the people that go around there are going too fast, but it is because of

the engine noise, braking and then the acceleration. The perception of that when you are listening to it on a quiet night is different from the reality.

**Deputy S. Power:**

I think I would agree with that. My own experience, which I should not be objective, but motorcyclists on the (inaudible) loop. They sound worse than they are sometimes

**Road Safety Officer:**

Quite often we get complaints from local residents and police officers have gone up to check and in fact when they checked there is very little in the way of excess of speed that they can prosecute

**Deputy S. Power.**

Talking about policing the speed and using conventional technology has had a minimal effect on driver behaviour and that owing to limited resources, enforcement activities have to be prioritised towards drivers who present the greatest risk to others. So taking this into account in the States police Department, would reducing speed limits as currently proposed, (a) be expected to reduce either the incidents of speeding or the speeds reached? And (b) would it result in any significant benefits to actual road safety?

**Senator I. Le Marquand.**

May I just ask a question? I was not aware that it was being proposed to massively decrease speed limits. Certainly, the proposal was to take the green lanes up –

**Deputy S. Power:**

To 20

**Senator I. Le Marquand:**

I say "so called green lanes", because I just point out that in the law there is no reference to green lanes. It is just a 15-mile an hour road. Paradoxically the only reference to green lanes is in publicity of tourism, plus the Highway Code. So that is actually an increase. So I am not quite sure why you are suggesting a reduction --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Is it the proposal to move from 40 to 30? The proposal to move from 40 to 30 would increase the amount of people speeding, but it probably would reduce the average speed, if you like. But, to quantify that, it is not possible because it would depend on driver compliance with the revised limits. As I have said before, I think if the intention is to make the roads safer, then there is a range of other things that should be done, or could be done, to get people to conform and to slow people down without having to change the law

**Deputy S. Power;**

You seem to be, as professionals, fairly consistent over road design and road signage can play as much a role as white lines, 30-mile an hour speed limits and all of that kind of stuff.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Absolutely

**Senator I. Le Marquand:**

I think the reality is that most people are law abiding, but not entirely, as we see from the figures. Nevertheless, the majority of people will take cognisance of the speed limits and will seek to be below them or near them, so they do have -- they will have some effect on public behaviour. The other difficulty is that many of our worst cases of accidents which might involve speed as a major factor, people are driving so far beyond the speed limit that actually the speed limit has not had an effect on the behaviour of people in that. So there are kind of two tensions there. I do not know if you agree with that

**Deputy S. Power:**

May I just make one comment. You had some statistics there, comparing Jersey to the Isle of Man. I notice in the Isle of Man figure, they actually include fatalities and serious injuries and the TT. So if you take out from the five and the six of 2010 and 2009, the actual incidents of fatalities and serious incidents in the Isle of Man where they have no speed limits outside the big built up areas is lower, much lower than ours and they have a population of 80,000. Is that a fair deduction? If you do away with all the speed limit signs, it becomes safer?

**Head of Planning and Research:**

As we have been speaking, because I have put this together at fairly short notice for you and I realise there is a discrepancy in those figures which I am going to have to go and look at because I think there may be something -- in the Jersey figures, there may be counts of people, rather than number of incidents in that. So if you bear with me, I will go and reflect on those figures because they do not stack up

**Deputy P. Rondel (Chairman);**

You will send us some revised ones, will you please?

**Head of Planning and Research:**

I will

**Deputy S. Power:**

It is extraordinary that the Isle of Man figures include the TT.

**Head of Planning and Research:**

Basically, they get an awful lot of people come over with their bikes for the TT, watch the races and are inspired and go off on the roads in their own time and crash. That is direct information from the Isle of Man police. In the evenings, they have real problems.

**Deputy D. Wimberley:**

It is the culture, is it not, and the way that it impacts? We will return to the script, but I will depart from it in a minute. Evidence received from the TTS Department states that the change in actual speed of traffic is much less than the change in sign speed limit. This seems to imply that the Department does not expect the drivers to observe and use speed limits. This might lead to reducing drivers' respect for the law and also result in potential criminalisation of motorists. What is the States police view of this? There is quite a package of questions there

**Senator I. Le Marquand:**

I think that there are dangers involved if you have unrealistically low speed limits in



partly criminalising good citizens, if I may put it that way, and partly leading to a situation where people are not treating speed limits that seriously because they do not make much sense in their view. That is particularly I think a problem with the green lane concept in some places. That is a difficult --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

We would not want to criminalise a large section of the community. We want to work with the community. We would rather prevent speeding. We would rather improve road safety as part of a general package of improving safety for all road users

**Deputy D. Wimberley:**

May I come back to you on that. It is about road safety. It is about reducing the number and severity of accidents

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Correct

**Deputy D. Wimberley:**

Then the Minister says that there is a danger in unrealistically low speed limits and there is a tension there because we know from the evidence and, as you have said and the Head of Planning and Research said that the speeds are lower and then the severity is reduced and the incidents of accidents is reduced so is there not a case for moving towards lower speeds, but taking the public with you? Then the question is how do you do it, rather than whether you do it?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I would prefer the prevention and education, rather than enforcement, because enforcement is -- can be bureaucratic and rely on other systems and it depends on what the outcome is likely to be at the end of that. I would rather prevent and educate people, rather than enforce, if possible

**Deputy D. Wimberley.**

Prevention is the name of the game and certainly in speed zones in the UK which are known to have an effect. It is all done by passive -- there are not policemen standing around.

**Senator I. Le Marquand:**

I will give you another example of the road I live in, which is La Grande Route du Mont-à-l'Abbé. Now that has been classified as a 15-mile an hour zone, but the bottom part of it is not in the least green. One side has a B&Q and the other side has actually been classified that because of walking to school, although there are other safety strips there and so on and so forth. Now, in terms of road safety, 15 miles an hour is a ludicrous speed for that road. It suits me because it makes my road safer, but in terms of general road safety, it just is not sensible. It is pretty darned difficult to drive a powerful car at 15 miles an hour in a sensible way anyway

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Because of the street furniture in the way that the street is engineered

**Senator I. Le Marquand:**

Well, the street has also been engineered in a way to reduce the speed. So, actually,

the engineering in itself has probably achieved more than the speed limit, but it is an example to me of a bad speed limit, if you like

**Deputy S. Power:**

I think there are examples across the Island where you have a 15-mile an hour lane, but the road in actual fact -- I know one, if you turn right at the Shell House, coming up from St. Aubins, and instead of going up towards Woodbine Corner go right up that road -- I cannot remember the name of it -- it is a 15 all the way up and there are no houses on it. There are two entrances and that is it.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

On La Grande Route du Mont-à-l'Abbé, after Chestnut Lee, going north, there is very few houses on either side, but it is still a 15-mile an hour limit

**Deputy D. Wimberley:**

It was puzzling what the Minister said just now. He said it suits me because I am safer -- I think I am paraphrasing, but it does not affect road safety to have the limit -- but if it is safer for you, it has affected road safety

**Senator I. Le Marquand:**

I am confusing myself. The layout is actually made safer. When I used to come out of my -- it was a 30-mile an hour -- when I came out of the carpark to turn left or right, I would have vehicles shooting past me. Now, quick close on, partly because it is 30 miles an hour, but actually they cannot do that because they will hit a bollard but you know it is still not the right speed limit. The 15 miles an hour has nothing to do with road safety

**Acting Superintendent, Head of Operations, States of Jersey Police:**

But it is a pleasant road to cycle or walk

**Senator I. Le Marquand:**

Yes, further up

**Deputy S. Power:**

Again, if it was a 15-mile an hour green lane, you could break the speed limit on a bicycle if there was an incline

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Well, the speed -- the road traffic law encompasses people speeding in a motor vehicle, so it does not even encompass pedal cycles

**Deputy S. Power:**

But you can do more than that on a --

**Acting Superintendent, Head of Operations, States of Jersey Police:**

You can on a pedal cycle. You can exceed 15 miles an hour. That is an anomaly.

**Deputy D. Wimberley.**

Okay, can you explain what guidelines, if any, apply to States police enforcement of limits at different speeds?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

We follow the ACPO, which is the Association of Chief Police Officers national guidelines on enforcing speed limits, which is a tolerance level of 10 per cent. So for 40 it is 44. For 30 it is 33.

**Senator I. Le Marquand:**

There was a dispute between the police and the magistrates, when I was a magistrate. Actually, the magistrates did not agree with that. I will explain to you why.

I understand the logic of that as a percentage, but in terms of road safety, it is nonsense because if you are doing 4 miles an hour over, say, 19 in a 15, you can stop very, very quickly, whereas the difference between 44 miles an hour and 40 in terms of stopping distance is much greater. Indeed, there was a tension between what the police were doing in terms of this and still are doing and the magistrates' policy in terms of sentencing, which, if you ever look at the current speeding guidelines, you will see takes into account things like the speed limit as a potential reduction and takes into account road conditions and takes into account all sorts of different things.

So there was a tension in relation to that particular low limits and although

I understand why the police are doing it and following the ACPO guidelines, I actually do think it is actually not a sensible approach. The magistrates' approach is more sensible

**Deputy P. Rondel (Chairman).**

May I come back on that, please. Speed limits are an absolute offence, are they not?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Correct

**Deputy P. Rondel (Chairman):**

As the way the law is written, yes. So, therefore, it is a courtesy on the part of the police or the magistrates that this allowance is made?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Absolutely. If there was a serious collision and the scientific analysis of the speed of the vehicle came in at 42, for example, in an area that was 40, then the person would be likely to be prosecuted for speeding, but we have a general -- if we are generally enforcing speeding, for speed enforcement, then there is a tolerance level of 10 per cent generally

**Senator I. Le Marquand:**

This is a prosecution policy as to when it is appropriate to prosecute or not. It is logical if you come back to what I said before about road conditions and about what do you set -- what road conditions do you set your speed limit for?

**Deputy P. Rondel (Chairman):**

May I extend that slightly. Given that speed limits were set in 1956 for the Island, et cetera -- I think it is 1956, but I do stand to be corrected -- and technology has changed. We now have measurements by GPS, in other words global positioning systems, et cetera, that give us an absolute speed in relation to -- if I am driving, shall we say, on the continent, and I have a GPS going, it will tell me what speed I am travelling continually, which would be totally different to what actually is being registered on the speedometer by maybe two or three miles per hour

**Acting Superintendent, Head of Operations, States of Jersey Police:**

That is correct

**Deputy P. Rondel (Chairman):**

Your measurements are adjusted to the vehicle speedometer or to the GPS? How do you take your measurements?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

How do we detect speeding?

**Deputy P. Rondel (Chairman):**

Yes

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It is normally through a laser gun, which we will point at a motorist. The officer that is enforcing in that particular area will have to make a judgment as to whether or not the vehicle concerned is exceeding the speed limit. He will point the laser gun, which is a red dot, at the vehicle and in an instant it will give him a print out of the speed. It is pretty exact

**Senator I. Le Marquand:**

It sends out pulses over a period of -- if memory is right -- 0.3 seconds, and it is going ping, pang, and it is working out the differential of time of how long it is taking the different things to bounce back. It is phenomenally accurate.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

It will give the speed of the vehicle and we will allow 10 per cent. If it is 44, then it

is marginal as to whether or not

**Deputy D. Wimberley:**

Okay. I would just like to point out that there is an option of building that 10 per cent or similar percentage into the law. You do not have to have the situation where you as the magistrate say it is not being complied with strictly and you as the police officer say we are going to give 10 per cent because that is what people psychologically expect. There are ways around that, but I will send you the paper about that. It is off topic, really.

**Senator I. Le Marquand:**

There are two separate things here. There is the prosecution policy in terms of what is prosecuted and what is not. There is sentencing policy of the Magistrates' Court. The way the magistrates signal that they do not think that -- if they do not think the prosecutors are operating correctly, is by giving an absolute discharge. There were a few occasions and they were actually this 20-mile an hour at night down St. Brelade's Bay where I signaled to the prosecution I did not think they were following the right guidelines when they were prosecuting, by giving an absolute discharge. It is one of the few occasions that I can remember as magistrate when I received spontaneous applause from the people who were there, waiting for their own cases to take place, many of whom were much faster than that and, actually, it was quite interesting that the public say, yes, you are absolutely right

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I think the intention of ACPO, when putting that 10 per cent tolerance limit in it, was for exactly what you said, about people's speedometers, Deputy Rondel and for what



they knew that they were doing. So it was to try to be fair to the motorist.

**Deputy D. Wimberley.**

This is about green lanes. Do the States police have any view as to the possible road safety implications, actual or perceived, of raising the speed limits on green lanes from 15 to 20?

**Senator I. Le Marquand:**

You have had a fairly strong indication from me of what I think about it

**Deputy D. Wimberley:**

Right. Now, to go on from that, then, the issue here is road safety and road comfort, is it not? There are people walking for the Sunday walk with their children. They are walking the dog. They are riding their horse and 15 is completely appropriate in some circumstances and 20 is appropriate or 25 is appropriate. In other circumstances, 3 miles an hour is appropriate, or even stopping.

**Senator I. Le Marquand:**

Yes

**Deputy D. Wimberley:**

How can you build that in? Do you have some ideas about how to build in the road safety, as opposed to just sticking a sign of a standard size at the end of the road and assuming that everything is going to be all right?

**Senator I. Le Marquand:**

That is road design and things of that nature where they become very important

**Deputy D. Wimberley:**

Sorry, I do find that is an odd answer because I would certainly, speaking as a country Deputy and I am sure all the other country deputies and Constables will not want the green lanes redesigned to enforce road safety. I am sorry, but there has to be a better solution than that.

**Senator I. Le Marquand:**

I think the serious difficulty -- if I am driving along in a 15-mile an hour zone, or a 20-mile an hour zone, and I see people walking in the road right across the middle of it, obviously, I am going to slow down and react to the road conditions and so on. That is quite a difference, or there is thick ice on the road. Obviously, I am going to be slowing down and maybe doing a lot less than that. This is the difficulty. Speed limits are trying to establish a standard, but the actual road conditions, the actual traffic at the time is going to differentiate between that greatly

**Deputy D. Wimberley:**

Exactly and speed limits -- sorry, green lanes point out this oddity that speed limits do not solve the problem. In a sense, they create a social norm, which in some situations, dead straight road and no side entrances and no house at all -- dead straight and going up a hill, and you cannot -- it would be very, very difficult to do 15. On another case, a young child, on a horse, with a mum in front on a bike. You slow right down to nothing

**Senator I. Le Marquand:**

Of course.

**Deputy D. Wimberley:**

So my question to you is: Is there a better way? I will be putting the same question to Tourism. Is there a better way of dealing with the issue of making green lanes priority for pedestrians and cyclists and horse riders which is the idea -- that is the banner idea -- without necessarily going 15 to 20 or --

**Senator I. Le Marquand:**

I see

**Deputy D. Wimberley:**

Is there a better way of handling the issue of making it comfortable and safe?

**Senator I. Le Marquand:**

That is an interesting question.

**Deputy P. Rondel (Chairman):**

Could we put that question, please, to the Road Safety Officer.

**Road Safety Officer:**

I was busy trying to think what the best solution might be. As the Superintendent said, clearly, road design is the first thing you grab out for because it is the most natural way of slowing traffic down, but I also -- where things feel different. What I mean by that is towns in the UK are heading towards this thing called "naked streets" where everything is much more confusing. It feels very, very different and suddenly

a motorist is left feeling you know actually things are not quite as they normally are and there is this natural tendency to ease up on your speed. The trouble in Jersey is, because people tend to drive up and down the same roads on a regular basis, they believe they know what the safe speed is and, no matter what your speed sign is, they will go at the speed they think is right and, if you like, they are over-familiar with the territory. So if you follow a hire car, who most motorists in Jersey would say are driving infuriatingly slow, actually, they are probably driving at a speed appropriate for the conditions. It is just because we are a little bit over-familiar with the territory

**Deputy D. Wimberley:**

Yes, the case study of without the familiarity, that is what you would do. May I suggest, to see how you react, that one method might be to play around with the concept of liability, which has been done in other countries, so that, similar to your idea of naked streets, you do not need signs, or speed limits but you say if you hit a dog, a person, if you make a horse jump and it throws off the rider, if you do anything like that, you are liable and you are going to get it in the neck from law enforcement and from the courts. Would that be a way of doing it?

**Road Safety Officer:**

It is certainly another way of doing it and I know Holland have a similar situation to that and I do not know -- I honestly do not know the outcome, but in theory, yes. I mean, it would certainly make me as a driver --

**Deputy D. Wimberley:**

There is no way out. You know, if someone comes out of that field entrance, you are liable. So you would know, because familiarity comes in and you know there is a field entrance and you know there is a house there with a drive.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Do you mean liable from a criminal or a civil perspective?

**Deputy D. Wimberley:**

I am not sure. I did have correspondence at home from a German lawyer and I have read things about Holland and Germany and it is hard to remember the details, but there I think a child under ten, I think I am right, cannot be liable in Germany for a road accident. If they hit you or you hit them, then likewise the example of a child running out between the cars, it is down to you, mate. There are just ways of handling it differently, using liability, and then you can get away from these signs. But it is very easy to communicate to visitors, too.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

The only observation I would make just on that particular question is that with the high volume of complacent Jersey motorists that might think that 15 is not appropriate and might drive at 20 or 25. The people that are walking along or cycling or with a horse or with a pram might at the moment have a false sense of expectation of safety. So, actually, if it was put to 20, there might be a better realistic sense of safety.

**Deputy D. Wimberley:**

I would put it to you that that is saying, because we are putting you in more danger, you will be alert. The whole idea of green lanes is I do not want to be alert; I want to be relaxed.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

What I am trying to say is that if they see it is 15, there might be an assumption on their part that all motorists will conform. So they will be walking all over the road when motorists, as we have discussed, some will not be conforming. That might be more -- that, from a sense of perception or expectation for them, might just make it a little bit more --

**Senator I. Le Marquand:**

I think if you play around with liability in the way you are suggesting that you actually would have a negative effect on insurance premiums. It may be fine, but it must follow. If there is a greater potential liability in civil claims, then insurance premiums will go up

**Deputy D. Wimberley:**

There will be benefits, too, in terms of signage, and I am sure there will be benefits as well. But it is something to look at.

**Deputy P. Rondel (Chairman):**

Senator

**Senator A. Breckon:**

We touched on the road safety and prevention and education. I wonder if, from a road safety aspect, if you could give us some overview of the work you do and the effect for education and there are measures in the UK where people do criminal offences and there is a reference to re-education and things like that. I would not know if you could do that

**Road Safety Officer:**

There is certainly evidence in the UK that people are given an option. It is obviously slightly different over there in that they have penalty points and fixed penalty figures and things like that, but the system, the evaluation of those systems is very positive and it works where the police officer will make a judgment whether this person is likely to respond to a speed awareness course and if they are, then they would be recommended for that and I think it is down to the court to decide whether ultimately that would be okay. The person who is found guilty of the offence then has the option to decide whether they want to take that. They have to pay for the course. So it becomes a self-funding type of issue. They also have to complete the course successfully and honestly. So, if it is someone just turning up to do the course, they would ultimately fail and the penalty would kick in. It has been shown by evaluations I have seen to be an effective way of helping motorists to take a different view on it and they do things such as not only discuss speed and things like that, but they bring in victims who have been affected by speeding drivers, which can have quite a salient effect on people. So I am all for that kind of thing, obviously. But in Jersey, things would have to be adjusted, whether because it is a totally different scenario here in Jersey and whether you would offer that to somebody who has done 35 in a 30 zone or whether you are really thinking of people who are doing excessive speeds who are clearly going to be seen as a much more dangerous individual.

**Senator A. Breckon:**

Do we have enough offenders to set up such a scheme in Jersey?

**Road Safety Officer.**

I do not know. Do you know, with regard to numbers?

**Head of Planning and Research.**

It will probably come down to the level of enforcement activity. If you have more enforcement, you will have more re-offenders.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

We could find it out for you.

**Senator A. Breckon:**

I remember over the years, there has been some fairly effective campaigns, especially leading up to Christmas, about drinking and driving years ago. At (inaudible) there was a crashed vehicle and some fairly robust posters and stuff. For a prevention point of view, for young people especially --

**Road Safety Officer:**

People always have to be reminded and so, for instance, where with mobile telephones is perhaps a good example, where you can have a campaign and then, for perhaps two or three months following the campaign, you will see everybody pulling up onto pavements to answer their phone and it drifts. So there is this educational side of it, where people do need to be reminded of their responsibilities and it is exactly the same with speed. If they are not continually reminded, then it will sink, for sure

**Senator A. Breckon:**

Would you say that -- the Minister cannot answer this one -- would you say, from



your point of view, that you are adequately funded from the police and road safety to actually campaign actively because the Minister is going to say he needs money for everything?

**Road Safety Officer:**

At this moment in time, no. Definitely not. Sorry, everybody. The funds have been cut, but, again, I have to live in the real world and I know that everybody is under a lot of pressure.. It has not been confirmed yet what I have got to spend this year, but it will be roughly half of what it would have been last year. So, from my point of view, it is doing more with less and doing my best on that. But, clearly, when you look at the cost of road traffic collisions in the Island, I think TTS quote in the region of 17 million. Every death or serious injury we can avoid. So, I am giving an example --

**Deputy P. Rondel (Chairman):**

What is your budget, please?

**Road Safety Officer:**

It was £19,500 in total between myself and the Road Safety Panel and it is now £9,000, I believe, for this coming year. Take, for instance, the Road Safety Panel, we have identified last year about 40 per cent of the serious injuries involved powered two wheeled vehicles which costs the economy a lot of money. So we are putting together something and then, of course, we will make a case to, you know, make sure we have enough money to go out and do that. But we would also like to carry on some of the other things that we do, which cost quite a lot of money, which we know, via evaluations are really effective so 'Too much punch for Judy' is something that

has a massive impact on young people and I absolutely believe in that, but it does cost between education and the Road Safety Panel budget in the region of £6,000 . So if we take that one issue alone, a third of the budget has disappeared on that. To run any kind of meaningful campaign, you have got to spend at least three and a half thousand pounds to have any kind of impact in terms of posters and leaflets, adding to websites and things like that that people are going to hook into. So does that answer your question?

**Deputy P. Rondel (Chairman):**

I was flabbergasted at the figure you are mentioning. I would have expected you to put a hundred thousand in front of that because we are talking about saving children's lives and people's lives and we are talking about cutting it down to £9,000.

**Road Safety Officer:**

That is what I understand

**Senator I. Le Marquand:**

That is not by ministerial decision. I was not aware of that. That is by internal police planning. The difficulty I think, and these are things that Ministers will make decisions on the larger picture of things, and then my different organisations are running things at the grass roots level and making their own decisions on that. It does not actually get to ministerial level unless the Minister becomes aware of it, as he just has.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

One of the observations, just to make on the educational point of view, is what we

did see is when they introduced the compulsory basic testing for young motorcycle riders to ride 50 cc motorcycles, that improved road safety in that particular generation of vehicle driver, if you like, rider. I have just commissioned some research last month and I am waiting for the outcome of this and it is into the serious and fatal road traffic collisions that have taken place in the last five years, to look at the drivers who were involved in those collisions to see where they took a driving test. Now, some of the more recent drivers have taken their driving test in other countries, where they drive on a different side of the road with a vehicle that is not right hand drive, but left hand drive. There could be some evidence that arises out of that that might suggest that people that come here that want to swap their licence for a Jersey driving licence should perhaps do a compulsory basic test in a motor vehicle with an accredited examiner. That might help to improve some road safety for sections of the community

**Deputy S. Power:**

This research that you have commissioned is to establish those that do not -- have started their driving career in a vehicle with a left hand drive

**Acting Superintendent, Head of Operations, States of Jersey Police:**

On a different side of the road. They come here and they swap their licence for a Jersey one without having to take any sort of test. They go to the Parish hall and fill in the application form and they can swap it. I am waiting for the outcome of the research. I cannot predict it

**Deputy P. Rondel (Chairman):**

Time is moving on. I am sorry.

**Senator I. Le Marquand:**

I would expect this to indicate an issue. Certainly -- again, this is anecdotally and I do not have objective evidence for this, but magistrates have very strong suspicion that some of the people who were coming and swapping their licences had not been trained to a level of competence which we would expect in relation to people taking their tests. That is, I think you will find, an issue, and of course it is exacerbated if they have learnt on a right hand drive system. But we have been committed for a long time to a situation as part of the European set up whereby people can exchange a foreign European licence, any European ones, for a Jersey licence, but certainly the impression of the magistrates was that there were differences of level of competence

**Deputy S. Power:**

The problem, of course, is with those sections, like the British Isles, where we drive on the left hand side of the road, are very much a minority compared to the rest of the EU

**Acting Superintendent, Head of Operations, States of Jersey Police:** that is

Correct

**Acting Superintendent, Head of Operations, States of Jersey Police;**

Of course, there would be a revenue stream from that to think about

**Deputy D. Wimberley:**

Going back to the submission of the States of Jersey Police to the speed limits review, which I have here, the emphasis seemed to be in that document that you lead off with

non-compliance with existing speed limits and the degree to which people see the existing speed limits and the number of trips there are each year and so on. Then at the end, right at the end in the conclusion, we see a fourth bullet point, speed will nevertheless always be an aggravating factor in determining the severity of a RTC and any associated casualties and the fifth bullet, people in Jersey are concerned about the perceived threat posed by speeding motorists.

Yet in what you have given us today, general observations, straightaway, first point, speed is an invariably a contributory factor in many road traffic collisions and stopping distances and the aggravating factor. The speeding review group did not seem to put much or any emphasis on the fact that speed would be an aggravating factor in RTCs. Could that be because it was not quite highlighted enough in this and it was at the back and not at the top? It is a difficult question, but I mean, you see, our puzzle is that the speed limits review group did not seem to put any emphasis on the effect of speed on the severity of accidents and the effect of speed on the number of accidents. It just did not seem to take that on board at all, and in your document it is sort of at the back but there is not actually the evidence for that -- is not there in what is submitted to them, but it is in what is submitted to us

**Head of Planning and Research:**

It was in the document with them and clearly we had a -- I cannot remember the details of the discussion with them, because it was 18 months ago or so that we met with them.

**Deputy D. Wimberley:**

You met them as well?

**Head of Planning and Research:**

Yes. So there was a dialogue with them. But I think one of the points we were making was that we accept the point that if you are driving slow, it is less likely to have a crash. There is almost an assumption that speeding is the big issue for Jersey, whereas, if you look at some of the information we have, actually, carelessness at junctions and those sorts of issues are some of the main contributory factors to road traffic collisions. That may be aggravated by the fact that if you are driving up to a junction and someone pulls out straight in front of you without looking to see your coming, if you were doing 25 instead of 35, then you might have stopped quicker. So there is that factor. But, actually, it is the driver who has pulled out without looking that is sometimes what is causing it.

**Deputy D. Wimberley:**

Contributory, versus main contributory

**Head of Planning and Research:**

Yes

**Deputy S. Power:**

I think weather is a very significant factor. It is the most significant factor if you look at your statistics for 2008 and 2009 and 2010.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

But that is driver error. It is not weather. If it is black ice, you drive a lot slower. It is driver error if you hit someone because you are not driving at the appropriate speed for the prevailing conditions.

**Deputy S. Power:**

Are those statistics primarily related to freezing conditions? Or are they all weather conditions?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

No, all weather.

**Deputy S. Power:**

Wind and rain and leaves?

**Head of Planning and Research:**

So it is motorcyclists losing control on a wet road. We are not saying they are speeding. We are saying they have hit a wet drain cover and the bike has gone from underneath them in the wet conditions.

**Deputy D. Wimberley**

Just to clarify what the **Acting Superintendent just** said, which I had missed before. You are saying that if someone was on black ice at the speed, or ice, or bad snow conditions, at a speed that was faster than the conditions warrant, that would be noted down as an inappropriate speed and driver error and it would not be noted down as speed

**Head of Planning and Research:**

It would go as inappropriate speed for the prevailing conditions. You have -- there is weather conditions. There is inappropriate speeds. Sometimes it is a balance as to

how you use that information

**Deputy P. Rondel (Chairman):**

Right. Okay. Thank you. Minister, do you have anything else you would like to tell us before I will close the meeting?

**Senator I. Le Marquand.**

I did have, but I have now forgotten what it was

**Deputy P. Rondel (Chairman),**

I will come back to you. Road Safety Officer. Do you have anything you would like to add before? No. Superintendent?

**Acting Superintendent, Head of Operations, States of Jersey Police:**

I think we have covered everything

**Head of Planning and Research:**

I will get a revised copy of that and I will go and sort out those figures

**Deputy P. Rondel (Chairman):**

If the Minister has anything, I would like to have it on record, with his experience.

**Senator I. Le Marquand:**

There is a tension in relation to the role of the Road Safety Officer in the police force because we have this odd situation where the DVS used to be part of Home Affairs but is no longer, so we are not responsible within Home Affairs for the law, either the



road traffic law, or for the speed limits, or for any of these things, but we are solely responsible for enforcement. There is an issue as to whether the Road Safety Officer should actually be part of the police or should be part of TTS.

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Or part of education

**Senator I. Le Marquand:**

This actually does create some internal debate which is as yet not totally resolved, but it may be more logical that it should be part of TTS

**Senator A. Breckon:**

You are not just saying that, are you, because the budget --

**Senator I. Le Marquand:**

No, we play fair.

**Deputy P. Rondel (Chairman),**

Minister, a final question before I call this meeting to a close, if this speed limit revised policy was adopted, could your officers, i.e., through the police and the like, work within this, or would this create a lot more difficulties for yourselves?

**Senator I. Le Marquand:**

I think what we are saying is that there would be difficulties in relation to the proposal for the white line up the middle. Would you say that was the principal difficulty? The rest, really, is just different speed limits

**Acting Superintendent, Head of Operations, States of Jersey Police:**

Well, from 40 to 30 would be very difficult to enforce. I have to say that

**Senator I. Le Marquand:**

Yes

**Deputy P. Rondel (Chairman):**

Thank you very much indeed, Minister. I will declare this part of the meeting closed at 13.35. Thank you.

[13.35]