

# Department for Transport consultation on speed limit exemptions

## Response by Brake, the road safety charity

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### About Brake

[Brake](#) is an independent charity working across the UK to make roads safer, prevent road death and injury, and care for victims. Brake carries out research into road users' attitudes and behaviour in relation to road safety, engages schools and communities to spread road safety education, disseminates international research, guidance and case studies to fleet and road safety professionals through its Fleet Safety Forum and Road Safety Forum, and supports communities campaigning for road safety. It is also a national, government-funded provider of specialist support for people bereaved and seriously injured in road crashes, running a national helpline and providing packs that are handed to bereaved families by police following every road death.

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### Summary

It is never acceptable for an innocent member of the public to be killed or maimed by an emergency service vehicle, whether they are responding to a call-out, in pursuit or simply on patrol. It is vital the government recognises this, and shows leadership by communicating this fundamental principle to emergency services, alongside creating requirements to better manage and minimise these risks to prevent casualties.

While there are some circumstances where it is critical for emergency service vehicles to arrive as quickly as possible, where lives are immediately at risk if they are delayed, there are many more circumstances where there is no need to break speed limits or drive too fast for conditions, and little to be gained from doing so, while the risk posed to the public from such driving is very significant. Even when responding to emergency call-outs where lives could be endangered if there are delays, the likely benefit to human life of a fast response must still be weighed against the likely dangers to human life of driving faster.

The fact that tens of people are killed and scores more seriously injured in crashes involving emergency services each year (precise statistics unavailable) demonstrates that more must be done to improve the safety of these vehicles and drivers. Fundamental to this is ensuring emergency services have robust road risk management processes in place, particularly around decisions on how fast drivers may go in different circumstances and different road environments. Brake argues this should include not only regulation around driver training (which should include a strong focus on minimising risk), but also requiring operators to follow a code for managing road risk and protecting the public, and ensuring accountability should breaches of this code lead to crashes and casualties.

As well as making these improvements, Brake strongly urges the government to halt its plans to extend speed limit exemptions to a wider range of drivers, until and unless it can demonstrate that the benefits to public safety of these proposals outweigh the disbenefits. Brake is deeply concerned that the government is proposing a measure that is likely to increase risks posed to the general public, and could therefore lead to more devastating and costly casualties, particularly among people on foot and bicycle, without having carried out a proper assessment of the safety implications. Indeed the consultation document makes an implicit assumption that this proposal will carry a benefit to the public, without setting out any evidence basis for this, while ignoring the very real potential for more deaths and injuries to be caused by more drivers being permitted to drive at high speeds.

## **Road safety implications of extending speed limit exemptions**

Every year, many innocent members of the public are killed or maimed in crashes involving emergency service vehicles. Police pursuits accounted for 11 deaths in 2011/12 in England and Wales<sup>1</sup>, and a further seven people were killed and 78 suffered serious injury by emergency service vehicles on a call out in Great Britain in 2011<sup>2</sup>. A further five deaths happened when police were engaged in other driving activities, such as being on patrol (serious injury data not available)<sup>3</sup>. Being violent, sudden and man-made, these casualties cause acute and lasting trauma, suffering and practical difficulties to bereaved families, serious injury victims, and others involved, as Brake bears witness through its work supporting road crash victims. These crashes and casualties are also a drain on public resources and damaging to public confidence in the police and other public services.

Given the government's estimate that the economic value of preventing a road death is £1.7m<sup>4</sup>, the value of preventing the 23 deaths that occurred in emergency service crashes in 2011-12 alone is £39 million. This does not include (the potentially very significant) costs incurred through less serious incidents, including those involving serious and minor injuries and damage to police and public property, which could be reduced through improved policies and practices.

It is deeply concerning there is no reference to these victims and consequences within this consultation, and no analysis of the impact that increasing access to speed limit exemptions may have on numbers killed or injured, or the costs to families, communities and the economy. Given the extensive evidence that increases in speed mean increases in crashes and casualties<sup>5</sup>, and the simple fact that driving faster means much longer stopping distances and therefore heightened risks (especially to vulnerable road users), it is fair to assume that this proposal of widening

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<sup>1</sup> Civilian fatalities following police related road traffic incidents - England & Wales 2011/12, The Independent Police Complaints Commission, see [www.ipcc.gov.uk/en/Pages/reports\\_rti.aspx](http://www.ipcc.gov.uk/en/Pages/reports_rti.aspx)

<sup>2</sup> Reported road casualties Great Britain 2011, Department for Transport, 2012

<sup>3</sup> Civilian fatalities following police related road traffic incidents - England & Wales 2011/12, The Independent Police Complaints Commission, see [www.ipcc.gov.uk/en/Pages/reports\\_rti.aspx](http://www.ipcc.gov.uk/en/Pages/reports_rti.aspx)

<sup>4</sup> Reported road casualties Great Britain 2011, Department for Transport, 2012

<sup>5</sup> The effects of drivers' speed on the frequency of road accidents, Transport Research Laboratory, 2011

access to speed limit exemptions may well lead to heightened risks and more crashes and casualties. A clear and open assessment of this should be central to government policy on this issue, juxtaposed with the potential safety benefits of enabling more emergency service drivers to speed, which also must be assessed academically rather than assumed.

While advanced driver training, flashing lights and sirens may help to reduce the risks from breaking speed limits, they cannot fully compensate. Whatever training or safeguards are put in place, increased speeds still mean much-increased stopping distances, inflating the likelihood of a crash by reducing the time in which a driver can react and stop in time, and increasing the severity of any crashes that do occur. At the same time, there cannot be an expectation that people will be able to detect and respond to lights and sirens and get out of the way, when there are many groups for whom this is difficult or impossible, such as people with impaired hearing; people who might not understand sirens, such as children or those with learning disabilities; and people who can't get out of the way quickly such as the elderly or those with reduced mobility.

## **Training**

Brake agrees that codifying centralised standards for high speed driver training courses is a sensible proposal that could help to improve consistency and standards across services, and therefore have a positive impact on the safety of emergency service drivers. It agrees it is sensible to identify core competences specified in the existing Code of Practice, and codify them, as well as seeking quality assurance for trainers through the DSA.

However, Brake recommends this new Code for emergency service drivers should not simply be skills based, as is currently the case. While advanced driver skills are important, especially for drivers who may be engaged in driving at higher speeds, this does not make driving at high speed safe and will not equip them to make life-and-death decisions on road risk nor educate them about the risks involved in speeding (which exist no matter how much training is given). In fact, providing training that is entirely skills based could potentially create over-confidence in these drivers and a sense that they can get away with driving at high speed without heightened risk to the public<sup>6</sup>. Brake therefore urges the government to ensure training has a strong focus on risk awareness and stresses that the priority must always be minimising risk to the public, covering assessing risk in different situations, making appropriate judgements about speed, and emphasising that breaking limits is a high-risk activity that should be seen as a last resort. Brake recommends these steps are taken even if speed limit exemptions are not extended to other drivers.

## **Road risk policies**

Brake's extensive experience of sharing research, guidance and best practice within the fleet sector has demonstrated that good driver training is important but only one element of managing and reducing road risk among vehicle fleets. Indeed, Brake has access to a library of examples of fleet operators implementing a broad range of policies and procedures resulting in reduced

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<sup>6</sup> Advanced blindness: Advanced driver training produces safer drivers, right? Maybe, maybe not, say the experts, Lord, P., Wheels Magazine, 2000, pp. 21-23., and Traffic safety in the Telecommunications Administration. in VTI Annual Report 1989/90, VTI - Swedish Road and Traffic Research Institute, 1990

crashes, casualties and costs, and using this Brake has built up a catalogue of guidance on best practice fleet safety policies and procedures. Brake advises that training should be accompanied by robust policies and procedures, including systems to monitor incidents and drivers and ensure policies are adhered to, and ongoing development of a safety culture to ensure drivers are clear that safety should always be prioritised.

It is vital that emergency services with the power to break speed limits have clear and consistent policies in place outlining in what circumstances it is appropriate to do this, prioritising minimising risks to the public. Exceeding the speed limit will in many cases make little difference to journey times, but will significantly increase the danger posed to any members of the public in the vicinity due to increased stopping distances. It should therefore be made clear to drivers that in many cases it is not worth the risk. Brake recommends these drivers are instructed to avoiding speeding unless the nature of the emergency means a fast response is critical, because lives are at stake if there are delays, *and* the risk to the public of speeding in that road environment is judged to be low. Brake would assume these circumstances would be relatively rare and therefore such a policy would ensure the risky activity of speeding is minimised.

In the past few years, Brake worked with ACPO and the IPCC towards codification of guidance on police pursuits, ensuring that forces are working to the same rulebook and high standards, and providing accountability should the worst happen. When investigating serious and fatal crashes involving the police in 2007 the IPCC found significant gaps in the application of ACPO guidance by police<sup>7</sup>, which led ACPO to revise the guidance and the Home Office to turn it into a statutory code.

Brake recommends emergency service policies and procedures on emergency response driving need to be similarly improved and codified to prevent road deaths and injuries involving emergency service vehicles and to ensure operators are held to account for breaches that lead to dangerous incidents and crashes. sub-categories be introduced for types of emergency call-outs, with policies on how each type should be responded to, similar to the standards already in place for non-emergency police calls, and in line with sub-categories introduced by some forces.

While ACPO has guidance on exceeding speed limits, Brake believes the government should be taking appropriate action to ensure this is improved and codified and there is a statutory code in place for *all* emergency vehicles that are permitted to exceed speed limits. This should be considered as part of this consultation, in addition to a code for training emergency service drivers able to use speed limit exemptions. Again, Brake recommends these steps should be taken regardless of whether speed limit exemptions are extended, although they will be particularly important if more emergency service drivers are permitted to speed.

## **Conclusion**

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<sup>7</sup> Police Road Traffic Incidents: a study of cases involving serious and fatal injuries, IPCC 2007

Brake strongly urges the government not to increase access to speed limit exemptions until it can demonstrate this proposal will not needlessly cause increased deaths and injuries. It urges the government to conduct a proper assessment of the costs and benefits of extending speed limit exemptions, including the likely increased risk to members of the public and potential benefits to human life of more drivers being permitted to speed. It is wrong to assume there will be a net benefit in saving lives without evidence to prove this, particularly given the high stakes involved.

It is also impossible to gauge the likely safety implications of the government's proposals given that the consultation document does not include an explanation of the scale of the increase of speed limit exempt vehicles, which is vital to understanding the potential risks. Given that these proposals could impact on whether innocent members of the public live or die, or suffer horrendous injuries, it is vital the government conduct this full assessment before making any decision about speed limit exemptions.

Brake argues it is never acceptable that members of the public are be killed or maimed by emergency services, and when this occurs it is a failure of these services' responsibility towards the public. As such Brake expects the government to show leadership by stating all services with speed limit exemptions must aim for zero road deaths and serious injuries, and put in place stringent policies, procedures and training with the aim of achieving this.

The government can help emergency services reduce their risk, and ensure proper accountability in the event of a crash, by: creating a statutory code, in partnership with emergency services, outlining policies and procedures to minimise risk to the public; and by including a strong focus on assessing and minimising risk as well as advance driving skills in the proposed code for training emergency service drivers.