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To: All Branches

Dear Colleagues,

House of Commons Transport Select Committee Road Safety Report – ‘Driving While Using a Mobile Phone’ Published:

In March 2019 the House of Commons Transport Select Committee of MPs launched an inquiry into road safety, looking at the Government’s current approach and considering what interventions would be most effective at reducing the number and severity of road traffic collisions in the UK. During the inquiry, the issue of driving while using a mobile phone was highlighted as a major area of concern. The Committee therefore focused part of its wider inquiry on the specific issue of road safety and mobile phones.

The Committee’s inquiry considered:-

- Use of mobile phones by drivers and the risks this poses.
- The adequacy of legislation relating to mobile phone use by motorists.
- How enforcement and education around mobile phone use can be improved.

Key facts and statistics are:-

- Driving while using a mobile phone impairs the ability to drive safely and increases the risk of a collision.
- Using a hand-held mobile phone or other device while driving has been illegal since 2003, but the practice is still widespread and can have catastrophic consequences.
- In 2017 there were 773 casualties, including 43 fatalities and 135 serious injuries, in road traffic collisions where a driver using a mobile phone was a contributory factor in the crash.

The Select Committee identified three key areas where the Government needed to take action:-

- How the offence is defined in law and the penalties associated with it;
- How the offence can be better enforced; and
- How the public can be made aware of the risks and consequences of driving while using a mobile phone.

The central messages from the inquiry were that:-

- If an offence is to be effective, it has to be well-defined and publicised so that motorists know what is and is not against the law.
- Drivers need to understand the serious safety risk that driving while using a mobile phone poses to them and others.
- The offence must be backed up with a high enough penalty for motorists to take it seriously.
- There must be a serious prospect of offenders being caught.

Conclusions and Recommendations Summary:

The risks of using a mobile phone

Using a mobile phone or other device while driving impairs a person's ability to drive safely and makes a road traffic collision more likely. This is true whether a device is hand-held or being used hands-free. The Government plans to publish an analysis of mobile phone use while driving, in order to help it decide what more needs to be done to tackle this activity. (Paragraph 13).

Legislative reform

The legislation defining the offence of using a hand-held mobile phone or other device while driving was drafted in 2003 and excludes activities that are known to create precisely the same risks as those covered by the legislation. The Committee recommend that the Government redefine the offence of driving while using a mobile phone or other device so that it covers all hand-held usage, irrespective of whether this involves sending or receiving data, whether for a communicative purpose or not as it's just as dangerous, and it therefore does not make sense for legislation to distinguish between these things. (Paragraph 18).

The law currently only proscribes using a hand-held mobile phone or other device while driving. A hands-free device can be used lawfully, creating the misleading impression that hands-free use is safe. The evidence shows that using a hands-free device creates the same risks of a collision as using a hand-held device, and it is therefore inappropriate for the law to condone it by omission. The Committee recommend that the Government explore options for extending the ban on driving while using a hand-held mobile phone or other device to hands-free devices. (Paragraph 19).

Increasing the penalties for driving while using a mobile phone in 2017 appears to have changed behaviour in the short-term, but there is already evidence that bad habits are creeping back in. The Committee recommend that the Government should review the current penalties that apply to this offence and consider whether they should be increased to better reflect the serious risks created by drivers committing this offence and make clear to offenders that there are serious consequences to being caught. (Paragraph 22).

Enforcement

If motorists do not believe there will be consequences from breaking the law then many of them will continue to do so. Enforcing the law is essential to ensuring that motorists do not illegally use their mobile phone while driving. There must be a credible threat of offenders being caught. It is concerning that the number of offences resulting in Fixed Penalty Notices, driver retraining or court action have fallen by more than two thirds since 2011, while the number of people killed or seriously injured in collisions where mobile phone use is a factor in the collision has risen. The Committee recommend that the Government engage with Police forces and Police and Crime Commissioners to explore options for improving the enforcement of this offence including the use of technology alongside public awareness campaigns. (Paragraph 28).

Public Awareness

If using a mobile phone while driving is to become as socially unacceptable as drink driving, there needs to be a step change in the Government's approach to public education. The Committee recommend that the Government set out a plan for devising and implementing a public education campaign about the risks of using a mobile phone while driving, and the penalties for being caught doing so. (Paragraph 34).

Government and public sector drivers

As well as setting policy and enacting legislation the Government can lead by example and encourage behaviour change across the public sector and Government supply chain. The Committee recommend that the Government demonstrate its recognition of the risks of using a mobile phone while driving whether hand-held or hands-free by producing guidance on the dangers of driving while using a mobile phone and instructing drivers directly in its employ not to use a mobile phone or other device whether hand-held or hands-free while driving, and explore the possibility of making this a requirement for the wider public sector and Government contractors. (Paragraph 37).

The Select Committee's Report sets out its findings and recommendations in the above areas, for consideration by Ministers. A copy is attached for the information of Branches, Regions and Health and Safety Representatives.

Yours sincerely



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National Health, Safety & Environment Officer