

Saving Money by Saving Lives

**Note to
Lorry fleet operators, Drivers and
Customers of the freight industry**

by

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RoadPeace Chair

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**The UK's charity for
road traffic victims**

What does a road death cost?

‘Health and Safety’ is not just about doing the basic minimum required by law. It is about ‘doing the right thing’. The right thing is to accept the fact that our roads are shared public space. All road users – lorry drivers, car drivers, pedestrians, cyclists, buses – all have the same right to be there as everyone else, and everybody is responsible for ensuring both their own and every other road user’s safety.

We are asking the freight industry to ‘do the right thing’ by

- accepting that they have a duty of care to other road users, especially those who are vulnerable such as cyclists and pedestrians
- fulfilling this duty of care by ensuring they have effective risk management arrangements and that they comply with their duties under road traffic laws and health and safety laws
- fitting voluntarily the latest vision aids and safety equipment, such as mirrors, sensors, and cameras, while also offering safety training such as cycle awareness training, and establishing an overall safety culture in the depot or employing organisation.

Yes, this will require investment on your part, but if you think saving lives is expensive, you need to know what it will cost to kill someone, and who pays.

From our experience of helping many bereaved families to cope with the consequences of the death of their loved one, and from the statistics on road deaths, we know that most road collisions are not ‘accidents’; they are avoidable and preventable and do not need to happen.

Do you have systems in place to learn from incidents, not just about the behaviour of the driver but also from underlying management contributory factors?

Bereaved families want to know that the death of their loved one has been taken seriously, that it is being properly investigated, that lessons are being learned, and that appropriate action is being taken to prevent similar incidents in the future.

Who pays?

The bereaved family

The ripple effect, in terms of the consequences for the bereaved family and their relations, friends and colleagues, is massive and unending.

As if the pain, loss and grief are not enough to cope with, the bereaved family will also pay a heavy financial cost. We have a criminal justice system based on two sides : the state and the offender. If a driver has committed a criminal offence and is charged, he will be entitled to copies of all documents, police reports, witness statements, CCTV, court transcripts, free legal advice through legal aid, and his rights will be enforceable through various procedures and charters for offenders.

The ‘victim’ has no rights at all in the justice process. If someone has been killed, and the bereaved family feel that, in order to come to their own understanding of what happened, they want to see copies of witness statements, police reports etc, they will not be allowed to do this until after the case is over, and then they will have to argue for, and pay for, everything themselves. They will not be entitled to any help with legal costs, and if the person who was killed is over 18, they will not be entitled to any bereavement damages.

The Commissioner for Victims and Witnesses in the Ministry of Justice has carried out a survey of the financial costs to families following a ‘traumatic death’; this includes funeral costs, legal advice, copies of documents, travel to the trial etc. The average cost to the bereaved families was over £37,000. In many cases the families had gone into debt, or re-mortgaged their home to pay for this.

So your decision to save, for example, £400 by not fitting motion sensors, and then being involved in a fatal collision, could end up costing the bereaved family £37,000.

Does that seem fair to you?

The taxpayer

The Department for Transport calculates each year the cost of fatal road collisions, looking at such issues as lost economic output, medical and healthcare costs, material damage, police and fire service costs, insurance administration, legal and court costs etc. Currently, the cost of each road death is £1.87 million.

The official figures reckon the overall cost to the economy of each year's total of collisions is £18 billion every year. And that's just for those which are notified to the police. Taking account of under-reporting, when people are involved in a collision and take themselves to a hospital without reporting it to the police, the estimated cost is £30 billion each year.

The Government estimates that motorway closures following serious crashes cost the economy £1 billion a year, as freight traffic and work commuters are caught in the huge tailbacks which ensue. Last year there were over 18,000 full or partial motorway closures lasting a total of more than 20,000 hours at a cost of £50,000 per hour.

The European Parliament says that in 2009, more than 35,000 people were killed and more than 1,500,000 were injured in road crashes in the European Union and estimated the "social cost of road accidents" at 130 billion euros per year.

During these difficult economic times when people are worried about their income, and the amount of tax they have to pay, why are we spending this amount of money on the consequences of killing and maiming people, when it would only cost a fraction of that to prevent such casualties.

Wouldn't it be better, and more economical, to just stop these things happening in the first place?

The firm employing the driver

There will be a cost to the firm in terms of damage to the vehicle involved in a crash, *plus* lost time and lost business while the vehicle is off the road, *plus* lost time for the driver, *plus* lost time exchanging insurance details, *plus* temporary hire of replacement vehicles, *plus* delays for other traffic while the incident is investigated, *plus*

Incidents cost more than you think. The HSE reckons that the actual cost to a firm of a serious or fatal collision is between 8 and 36 times the value of the insured losses. Why? Because....

- Fatal and serious injury collisions cannot be kept secret any more. There are several active cycling blogs, and cyclists are increasingly wearing helmets fitted with cameras. Very soon after a serious collision there will be photographs and comments up on a website. It won't do the firm's brand and reputation much good, particularly if their name is associated with multiple incidents.
- It is much more common now for firms pitching for work to be asked for their insurance/incident record.
- Insurance costs will increase, once you are perceived as a risk. You may even be refused insurance or have severe conditions imposed.
- Potential of a corporate manslaughter charge if the firm has not properly managed 'risk'. If you think proximity sensors are expensive, try finding out what a specialist lawyer will cost you per hour.
- Impact on staff morale and staff turnover
- Fuel costs – safer drivers are also more economical drivers
- Stress on the driver : at a recent inquest a tipper driver involved in a fatal collision said that he had asked his firm to retrofit a Class 6 mirror, but they hadn't done this, and after the fatal incident he felt he was no longer able to drive that size of vehicle
- Driver morale : there have been cases where a driver has been seriously emotionally affected by a collision and, when this has raised questions about the safety culture of the firm, other drivers have given evidence to the police against the firm to show support for their colleague

Wouldn't it be better and cheaper to prevent fatal and serious collisions?

Who's responsible?

This is not about finding someone to blame, it is about acknowledging **that the road user who poses the most risk is the one best placed to manage that risk.**

In the cases of collisions involving HGVs and vulnerable road users it usually the vulnerable road user, either cyclist or pedestrian who is killed. It is very rarely the driver.

During the years 2002-2009 in London, there were 189 fatalities involving HGVs; 5% (9) of these were HGV occupants, the remaining 180 deaths were other road users. 42% (79) of these were pedestrians, 28% (52) cyclists, and 26% (49) other road users such as motorcyclists.

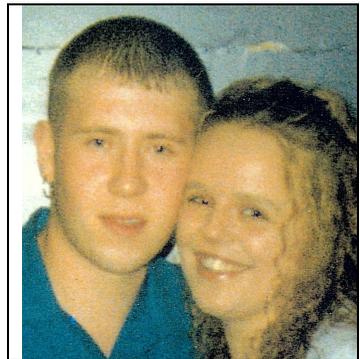
HGVs over 7.5 tonnes account for around 2% of journeys in London, but 12% of the fatalities.

What you can do to save lives

Consideration needs to be given to all of the risk elements: the vehicle, the driver, the journey, the time, place, road conditions, attitudes....

Obstructive Sleep Apnoea (OSA)

Barry and Sylvia's son Stephen was in a car with his girlfriend Sheila on a dual carriageway, when the driver of a lorry on the opposite side of the road fell asleep at the wheel and crashed head on into their car. Both their son and his girlfriend sustained horrific injuries and were killed immediately. It emerged that the driver had already been diagnosed with OSA and told not to drive, but went ahead anyway, with fatal consequences. Not only that, when Barry found out that the driver had been released from prison after a very short time, the stress of this led to his suffering a massive stroke.



This family has lost everything, all because of OSA, a diagnosable, treatable medical condition. Lorry drivers are known to be prone to OSA because of the

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nature of their work; they are static in the cab for long periods, potentially eating unhealthy motorway service station fast food, leading to weight gain and OSA.

Regular testing for OSA can be arranged.

Drink driving

Catriona Patel was killed by a tipper driver who was over the drink-drive limit and on his mobile phone at the time.

Find out how long it takes for the body to deal with alcohol drunk the night before and start drink and drug testing. If you haven't got policies for **drink and drugs and mobile phone use**, get them. You don't need to start with a blank page, many firms already have these policies. Check the Crossrail website www.crossrail.co.uk.



Eyesight

Eilidh Cairns, a cyclist, was killed by a tipper lorry in Notting Hill; she was in front of the lorry. The driver was subsequently given an eyesight test, which he failed. Because the test was not done at the time of the collision the driver could not be prosecuted for an offence in relation to the death, but he was prosecuted for failing the eyesight test and fined £200.



Regular eyesight testing should be standard.

Drivers' hours

An estimated 300 people every year are killed when a driver has fallen asleep at the wheel.

Get a proper night's sleep and make time for breaks.

Vehicle checks

A pedestrian was killed by a lorry which was missing one of its legally required mirrors. It had fallen off the week before.

Before each journey check the setting of mirrors, and the cleanliness and visibility of all the signs and indicators.

Cameras

A cyclist complained to a firm about the aggressive and dangerous driving behaviour of one of its drivers. The firm checked the on-board CCTV and the allegations were found to be true. The driver was dismissed.

But it works both ways, and can help the driver too. Many lorry operators are now looking at the use of cameras, both forward facing and inward facing, not just so that the driver's own behaviour can be monitored, but also so that vital evidence can be obtained to assist the driver in the case of crimes such as staged collisions and insurance frauds.

Extra training

It is now increasingly common for drivers of lorries operating in cities to receive additional training in cyclist- and pedestrian-awareness.

Take part in local Exchanging Places events, when cyclists get in a lorry cab and drivers get on a bike, so that both have a better understanding of the other's perspective. Encourage schoolchildren to get into a driver's cab and see for themselves the visibility issues (Volvo already does this in Denmark).

Speeding

Mandy was driving home at the end of the working day with her partner and her three children in her car. A young man, who had just finished a 15-hour shift at work, decided he was tired and wanted to get home quickly. He was speeding and lost control of his car. The car crashed into Mandy's car, killing her partner and two of her three children.

Speed is a factor in about 40% of road deaths. Speed limits are there for good reasons. If you can't trust yourself not to speed, try fitting speed limiters on your vehicle. (And by the way, speeding is very expensive in fuel costs... and in carbon emissions. More than half of all drivers on motorways break the

speed limit. The Government's Committee on Climate Change calculates that forcing them to slow down and stick to the speed limit would lead to a reduction in emissions equivalent to taking more than 350,000 cars off the road...speed reduction is cheaper than the cost to the whole planet of not reducing carbon emissions)

Vehicle standards

The Met Police recently carried out a vehicle condition check. They examined 2932 HGVs and, of these, only 598 were **not** committing an offence.

More work is being done on this now by the Police, with more and better links between the DVLA/VOSA, the Traffic Commissioner and the Police.

Surely it can't be too much to expect that lorries which plan on using the public roads are in fact 'roadworthy'.

Visibility from lorry cabs

Analyse all incidents in which your vehicles are involved, including near misses, in order to understand how visibility can be improved. A **technology trial**, carried out by Transport for London on gadgets such as motion sensors, was amazed to discover the number of people in the freight industry who weren't aware of the technology now available.

TfL and the Department for Transport will shortly be publishing reports on this. You don't need to do your own technology trial to assess the effectiveness of the new gadgets on the market. They are not expensive, and are even cheaper with discounts for members of TfL's Freight Operator Recognition Scheme.

Safety Culture

Encourage your workforce to get involved in the development of a safety culture, including schemes which reward good driving, both individual bonuses to drivers and group fundraising for charity. See Suckling Transport 1mKm scheme

Think about yourself AND your family.

There is always publicity in the newspapers about knife and gun crime but did you know that the most common cause of death of young men aged between 15 and 24 is road death? About a third of the pedestrians killed by lorries are pensioners over 70.

We can stop this if we all do our bit.

Environmental costs and Climate Change

There are many health problems in the community related to road use, such as asthma where there is pollution, and childhood obesity where children are no longer walking to school.

It is official government policy to encourage more cycling and walking and it is already happening. Be ready for it!

YOU CAN SAVE LIVES

List of useful websites:

RoadPeace	http://www.roadpeace.org
Cemex	http://www.cemex.co.uk/hs/hs_lp.asp
Crossrail	http://www.crossrail.co.uk/
CTC	http://www.ctc.org.uk/
FORS	http://www.tfl.gov.uk/microsites/fors/
FTA	http://www.fta.co.uk/
Keltbray	http://www.keltbray.com/
LCC	http://lcc.org.uk/
Living Streets	http://www.livingstreets.org.uk/
Mineral Products Association Cycle	http://www.mineralproducts.org/feature_cycle_safe.htm
Safe campaign	
Roadskills	http://www.roadskills.biz/
Suckling Transport	http://www.sucklingtransport.co.uk/

Appendix 1 Guide to Good Practice

Increasingly, when large construction projects are asking firms to bid for work, they will ask to see the firm's transport risk management policies. These are likely to include:

Safer systems - operators (including sub-contractors)

- Minimum Bronze membership of Transport for London's Freight Operators Recognition Scheme
- Drivers not paid by the load or for piece work, or in any ways which could encourage speeding or other unsafe driving.
- Agency drivers only from accredited agencies
- Regular driver checks: licence, criminal record, health, eyesight etc, at the start of employment, including questions to ascertain driver history in the previous three years, and regularly thereafter.
- A formal drugs and alcohol policy in place.
- On road and on-site management policy to ensure a clear and robust safety management culture, monitored by a named director or senior manager
- Route planning and management policy to ensure awareness of, and recommend avoidance of, Cycle Superhighways, cycle routes and residential roads during peak travel periods and ensure avoidance of roads with weight limits. Use of a modern route planning tool.
- Membership of "How's my driving?" Complaints procedure to deal with allegations of bad driving
- Disciplinary policy to deal with dangerous, aggressive or anti-social driving
- Policies on mobile phone use, including hands-free, and on use of satnav, computers, in-vehicle entertainment systems and other potential distractions. This to apply when driving and when stationary in traffic.
- Ensuring the reporting of all driving offences, including incidents where people have been killed or seriously injured, and also those involving minor injuries and near-misses, in order to identify any driving patterns which require further consideration, training, or other action by the company.
- Ensuring that there is a thorough collision investigation of any incident involving a fatality or serious injury, and also ensuring that the same

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standard of investigation of potentially criminal offences should apply to incidents involving sub-contractors

- Regular communication with drivers on safety issues, including developments in safety technology
- Driver training courses to be available and delivered, highlighting behaviour at road junctions and in manoeuvres which are known to present the most dangers to vulnerable road users, particularly in congested urban traffic and in poor weather. Training should also be made available to sub-contractors and occasional/agency drivers.

Safer drivers

- Attend an accredited CPC training course, from FORS or equivalent, on urban driving (at least 35 hours over 5 years).
- Practical cycle-awareness training and pedestrian-aware walk-about
- Drivers should conduct a vehicle check before each journey and implement a daily routine of checking the positioning and adjustment of all mirrors, cameras and lights on the vehicle, and the visibility to vulnerable road users of all signs and indicators
- Drivers should be subject to and willing to undertake regular licence checks, pertinent criminal record checks, and health and eyesight checks

Safer vehicles

- Mirrors – to be fitted/retro-fitted to the required European standard
- Use of Fresnel lenses
- Sensors and alarms
- In-cab cameras for reverse, side view and/or forward-facing (which will help in the resolution of collision incidents and/or disputed behaviour).
- Consider use of sideguards on lorries which are currently exempt
- Intelligent speed adaptation (ISA) control should be used to prevent breaking speed limits
- Warning signs on the rear and side

RoadPeace

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