

Deliberating Police Enforcement of 20mph Speed Limits

On two consecutive Wednesday evenings, 26th September and 3rd October 2018, the Public Engagement Strand of the N8 PRP Catalyst Project brought together 17 Merseyside residents to deliberate on the question, “20mph speed limits in Merseyside - when and where should they be used and what role should the police play in enforcing them?”



Organisation and recruitment

The broad topic of road safety was chosen because the Merseyside Police and Crime Commissioner made ‘working in partnership to improve road safety’ a new priority for 2017-2021. More than 500 people are killed or seriously injured on Merseyside roads every year, a 12% increase since 2010. And over 89% of those who responded to the OPCC consultations supported the introduction of this new priority¹.

Initial meetings with the OPCC’s Community Engagement team produced an enthusiastic response, many useful contacts and an offer to conduct the recruitment of participants via social media channels. Three planning meetings hosted by the Merseyside Road Safety Partnership followed at which the specific topic of police enforcement of 20mph speed limits emerged as both prominent and controversial. This topic was therefore chosen to be the focus for the deliberation. Inspector Keith Kellett was identified as a suitable police speaker on this topic and he agreed to take part as did Paul Mountford, a former police officer now working for the Merseyside Road Safety Partnership.

Merseyside Police’s position on enforcing 20mph speed limits became clear during the early planning meetings; essentially this was that where a road does not ‘look or feel like a 20mph road’ the speed limit would not be routinely enforced. It is essential for deliberative events to allow participants to explore arguments from different perspectives and positions. We therefore needed at least one speaker who would offer a different view to that of the police. Our initial efforts to find such a speaker identified a local road safety campaigner who had conducted significant analysis of local road safety issues. He would have been an ideal ‘critical voice’ for the event. However, after many years of campaigning (still ongoing) he said he was tired of not being listened to. However, following further inquiries both Rod King from 20sPlenty² and Pauline Fielding from Road Peace³ agreed to speak at the event. We also engaged with two (non-N8) academic road policing experts, Prof John Whitelegg and Dr Helen Wells, who commented on draft programmes and provided some resources.

¹ <https://www.merseysidepcc.info/home/about-us/janes-priorities.aspx#Priority5>

² www.20splenty.org

³ www.roadpeace.org

Organising a previous deliberative event (on police use of restorative justice) had indicated to us that relying on a single organisation to handle recruitment was inadvisable. Therefore, in addition to the publicity provided by the OPCC, we also publicised this event via our road safety campaigning speakers (from RoadPeace and 20s Plenty) and distributed posters and flyers in shops, cafes and community venues in the South Liverpool area (mostly concentrated in the L8 and L17 postcode areas). These additional recruitment approaches were important to the success of the event as only one participant had responded to the initial OPCC publicity materials distributed via social media. As previously, we offered participants a £50 shopping voucher to incentivise participation.

The more proactive approach to recruitment adopted for this event provided us with a group of participants who were much more personally involved with the subject for discussion than had been the case at the previous event we had organised. Ten of our participants had either been seriously injured on the road or knew someone close who had been seriously injured or killed and nine identified as campaigners either now or previously. Perhaps as a result of this personal involvement, all 18 who confirmed attendance did in fact come to the first evening event and only one was unable to return the following week (and sent apologies).

Design and structure of the event

The structure of the event was determined through a series of collaborative meetings which also ensured that everyone fully understood its ethos and purpose and their own roles. This was important to ensure that 'expert' inputs would be relevant and delivered appropriately and that issues likely to be particularly contentious or sensitive could be anticipated as far as possible.

In designing the event some key principles were: it should be as inclusive as possible (e.g. people should not feel intimidated by the process); participants' pre-existing experience and knowledge should be respected; participants should be compensated for their time (shopping vouchers were provided to all who took part in both sessions); and the process should be as varied and enjoyable as possible. Whole group and small group discussions and activities were included; PowerPoint presentations were straightforward and used mostly images. With the informed consent of the participants all sessions were audio recorded and some photos taken.

Again learning from our previous experience we employed two PhD students to assist with registration and small group facilitation. This enabled us to run three small discussion groups simultaneously and to manage the practicalities more comfortably. The facilitator role was understood to be substantively different from that of the expert speakers. It was acknowledged that facilitators could not be completely neutral. Like anyone else, they would have relevant experience and opinions, but they would make efforts not to share these. It was stressed to participants that the facilitators' role was to help participants process, question and discuss the input provided by the speakers.

By running the two sessions one week apart it was possible to fine tune the agenda for the second evening in light of what happened on the first one. It was decided, for example, to have only one speaker and so allow more time for small group discussion. Once again the concluding activity was left unresolved, the precise question to be determined following that evening's discussions.

Content of the presentations and deliberative discussions

After welcoming participants and conducting a warm-up name learning activity, Dr Liz Turner outlined the purpose and structure of the event and ran through the information sheet participants had been given. This provided a few statistics about harm on the roads both nationally and in Merseyside as well as some facts about 20mph which all speakers had agreed. Then Pauline Fielding from RoadPeace, the national charity for road crash victims, set the scene with her reflections on the impact of fatalities and the barriers she has encountered in her long campaigning history. In the discussion that followed it became clear that charging and sentencing for

dangerous driving was a key issue for some participants and the facilitator's attempts to steer the conversation back to 20mph limits were largely unsuccessful.

After a short food break, Rod King of 20sPlenty gave an overview of action on 20mph limits in several countries. He challenged some of the assertions the police make about the impossibility or undesirability of enforcing some 20mph limits and some of the ways they interpret official guidance. He emphasised the need for creative collaboration between police and local authorities to overcome any conflict between the local authority's responsibilities to set appropriate limits and the police's capacity for enforcement. Rod concluded with some examples of police forces (Avon and Somerset, West Midlands) which are strongly supportive of enforcing 20mph limits and do so very visibly. In the following Q&A session Rod clarified that it was the local authority's responsibility to set speed limits, the police may advise but have no veto. Rod's view was that when councillors lived in the area and really understood 'the mechanics of getting around by walking or cycling' they tended to be more positive about 20mph limits.

In three small groups participants were asked first to reflect on what they considered to be the most important points raised by each of the presentations and then to identify any further questions they would like to raise.

"What I would say we're all sitting round here discussing it because we care about this. But you've got a very small minority of people who don't give a damn... And they never will."

"But I'm really annoyed with the... the disregard of the speed limit on my road. It is not taken seriously."

The facilitators recorded the following questions participants identified as ones they would like to have answered:

- *How did Germany achieve making their drivers drive slower? What really affects behaviour / compliance / forms habit?*
- *If someone causes death or serious injuries on the roads why can't we automatically suspend the privilege of driving?*
- *Why not all take Avon and Somerset approach? How can Avon and Somerset afford it? Have Avon and Somerset and West Midlands seen reductions [in road crash injuries / deaths]?*
- *Do police make money from fines?*
- *Could reducing collisions save money e.g. NHS?*
- *Could strict enforcement alienate law abiding / good drivers?*
- *How accurately can speed be estimated from injuries / evidence? How routinely / rigorously are police trained to estimate speed from injuries / evidence?*
- *How can the public get involved with encouraging enforcement of 20mph?*
- *How can victim / family support be improved – a more holistic approach?*
- *How can victims / injured persons / families have more say in criminal proceedings / outcomes?*
- *Are priorities evidence-based? (via post it note)*

Facilitators then collected ideas about how police and partners should approach 20mph speed limits:

- *Traffic lights systems need adjusting*
- *More consistency, More visibility, More comprehensive [use of speed limits]*
- *Constant red for all arms of junctions, only changing to green if drivers approach at 20mph or the speed limit (via post it note)*
- *Kids court – but not for repeat offenders [NOTE: The Kids court initiative was described in more detail by a speaker later in the evening. The fact that at least one of the participants was already aware of this initiative before attending is perhaps indicative of the level of prior knowledge of the topic of road safety of some participants]*
- *Education, Culture change, Licence a privilege*

- *Technology – in car info*
- *Currently used in areas near schools, why not A roads / residential areas?*
- *Can cost cutting really be used as a justification for not using 20mph – cost of accidents?*
- *Scepticism re volunteers enforcing 20mph in local area*

Observations by participants on 20mph limits included:

“The 20mph roads appear so random. It’s quite easy to forget or not notice and break the law by accident. And also, there’s a sort of norm is 30 most of the places, and it [20mph] feels slow. And even my partner said to me it could be dangerous to drive at 20 to 25... because someone will be impatient and overtake you.”

It was still clear at this stage that some participants were more concerned about the charging and sentencing of offenders following serious collisions. For example:

“I was knocked down 20 months ago, life changing injuries, critical nearly dying. The person that knocked me down took full responsibility. And it was careless driving. And it didn’t go to court because the police made a decision to go on a driving awareness course. And I had no say on the matter.”

Paul Mountford from Merseyside Road Safety Partnership, then talked about how he involves communities in speedwatch initiatives, where local people are given training in using speed measurement equipment to identify people breaking the speed limit. He explained that as well as having to sell this activity to local police inspectors already juggling many different priorities, recruiting, vetting and training volunteers is time consuming. In the long term he would like to see communities taking ownership. Increased partnership working also means more contact from local authorities alerting him to speeding problems. Sometimes hi-vis patrolling can be coordinated with officers pursuing other priorities such as burglary reduction. Paul described a ‘Kids’ Court’ initiative where drivers caught speeding only slightly over the limit were offered what they perceived as a soft option – to come into a primary school and ‘spend a few minutes talking to some nice children’. In fact they had to sit in front of a panel of schoolchildren who asked them distressing questions such as how would you feel if you knocked me over and killed me.

A Q&A session followed in which participants raised fears about speedwatch volunteers facing abuse from drivers. Paul agreed that volunteer initiatives would not be suitable every location. When asked about mobile phone use he described a recent ‘close pass’ exercise with PCSOs in uniform on bicycles. During this not only had much dangerous overtaking of cyclists been observed and challenged but also seven drivers had been caught and ticketed for using mobile phones.

The first session then concluded with participants discussing, in small groups, the types of activities Paul had highlighted and any ideas they now had in relation to the use of 20mph speed limits on Merseyside.

“I think the Kids’ Court is a fantastic idea... I think the impact of that... you’re going to walk into that room with those kids and when you walk out, I don’t care what anyone says, you’re going to be a different person. You’re going to drive differently, you’re going to drive more carefully.”

“I have to say... the signage is really very poor and the only time I notice the signs is when they’ve got ones that have been created by the children in school and then, you know, ‘Kill your speed, not me’.”

“I like the idea that everyone when it first comes in; if you’re caught by these community people, you’ll just get a warning... I like the idea that you get a warning first time, because that was sort of reminding you there’s a 20mph limit.”

“What you find when you’re complaining about roads is you get passed from pillar to post. So the council will say, ‘Well that’s not me, that’s the police’. And the police will say, ‘Well that’s not me, it’s the council.’”

“We used to operate with councillors but unfortunately the council is now a cabinet system rather than a council, so whatever your local ward councillors try to get passed, has to go through the cabinet and they have the authority to do things in camera...”

“... on a lighter note... a grandmother was so concerned with the speed and the traffic in the road that she came out with an hair dryer and it worked... honestly. She just stood at the gate and done that and all the traffic slowed down. That was in Liverpool Echo.”

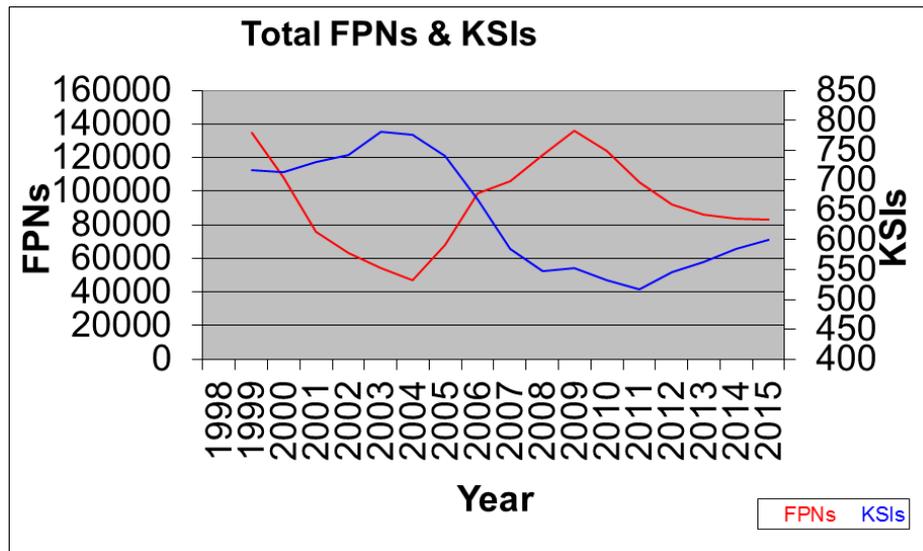
Questions for the following week’s event and the Merseyside Police speaker were then collected by the facilitators and recorded as follows:

- *What is the economic case for and against 20mph speed limits?*
- *What’s different about enforcing a 30mph limit than a 20mph limit?*
- *Do Merseyside Police work in conjunction with other agencies (in regards to the infrastructure on the roads)?*
- *What do they see themselves as the barriers to enforcing 20mph speed limits?*
- *Why does Merseyside have such high numbers of incidents compared to other areas? (via post it note)*
- *How do police respond to / address the high rates of road traffic incidents in Merseyside?*
- *Does practice match policy? How do police ensure that investigations are all done in line with / consistent with policies?*
- *Do they have the resources needed? What impact have cuts had on road policy? Stats? Pre and post?*
- *Relative resourcing of road safety policing – where does it fit in terms of priorities? Are priorities evidence-based?*
- *Do they use unmarked vehicles? How much?*
- *How importantly do you take victim support?*
- *What hope do we have for technology in future to help enforce 20mph speed limits? E.g. GPS, self-driving, self-braking cars?*

In the week between the two sessions Sarah and Liz researched the answers to some of these questions and the second session began with Liz taking participants through an information sheet providing responses to as many of the questions as possible. This included where fines money goes (to central government), estimated costs to the NHS and economy of road crashes, political decision making about 20mph limits, some arguments for and against 20mph, some recent data about compliance with different speed limits and the impact on collisions of the introduction of 20mph limits in different places.

Liz then introduced Inspector Keith Kellett of Merseyside Police who gave a police perspective on the enforcement of 20mph limits. Inspector Kellett began by emphasising his commitment to road safety and stating unequivocally that enforcement works. He displayed the graph below which dramatically shows how the number of people killed or seriously injured on the roads (KSIs) relates to the number of fixed penalty notices (FPNs) issued. As he said, “The thing that works for collisions isn’t telling people you get really bad injuries, it’s the fear of being caught”.

Keith also stressed that dangerous driving is not just about speeding, it’s jumping red lights, it’s an attitude of mind that says your journey is more important than everyone else’s. He pointed out the power of the motoring lobby and that people generally believe they have a right to drive and react badly to criticism of their driving. Keith also asserted that in Merseyside risk is not associated with 20mph zones. Instead he referred to the issue of adult pedestrians in the city centre taking too many risks when crossing roads.



However Keith’s main point was that when roads do not ‘look and feel like 20’ (as illustrated by the picture below) and there is no indication that a 20mph limit applies except for a 20mph sign, it does not feel fair to enforce the law. Keith questioned how he could justify enforcing 20mph in such streets where, as he put it, any effect lasts only for the time he is there. He indicated that police resources may be better looking for drunk drivers - they arrest about 100 every month.



After his presentation Keith left the room and the participants discussed what he had said and compiled questions for him. In response to his comment about risky road crossing behaviour one participant commented:

“... another thing is when you see pedestrians pressing traffic lights to stop the traffic... you’re frustrated yourself when you do it sometimes, you press the button and nothing happens.”

Questions included:

- Do police influence where engineering is done? Signage? Signal phasing being made more favourable to pedestrians?
- “No collision issue in 20mph areas” so does 20mph work?
- What % of car/bike collisions are cyclists’ fault?
- Would it help if police could explain (to stopped drivers) why it’s 20mph?

- *When investigating collision injury how do they estimate speed?*
- *In what % of collisions is speed an issue?*
- *Can police seize dash cams? How do they use helmet cam footage?*
- *Does speed awareness make a difference? Could more frequent driving tests help?*
- *What are the guidelines for choosing 20mph roads?*
- *How advanced is tech today?*
- *Is it true (evidence) that people overtake dangerously?*
- *How do deaths/injuries on roads compare to other causes of death police deal with?*

Responding to participants' questions, Keith confirmed the police have only an advisory role in relation to engineering 20mph limits and that signage specifications, such as size and distance apart, is decided at national level. Also, the police can only influence traffic light phasing for specific large events, in general they have no power to change signalling. Neither do they have the power to seize dash cams though drivers can volunteer to share footage. Keith argued that where there was a collision problem 20mph zones should / would include engineering of roads to make it physically difficult for drivers to exceed 20mph; where there was no problem 20mph signs made no difference. Deciding where to make the limit 20mph is a political decision, not one for the police. Sometimes councils do it without any consultation with the police. He had no evidence of 20mph limits increasing collisions because of dangerous overtaking. He provided some information about how forensic collision investigation is conducted and confirmed that people are more likely to die on the roads in Merseyside than to be murdered.

After a food break, the participants brainstormed in three small groups what it would be like if all 30mph roads became 20mph. Positive aspects identified included:

- better environment and physical health;
- more people cycling and walking;
- enhanced sense of community and interaction on the streets;
- more kids playing out;
- less noise pollution;
- less traffic;
- would be less confusing for drivers than speed limits constantly changing;
- around 20% drop in casualties.

Negative aspects included:

- difficulties in the transition period including expense;
- need for publicity and education and taking a long time to adjust especially for older drivers;
- a minority might ignore rules;
- more speed bumps could mean increased CO² emissions and road surface damage;
- may alienate some people;
- could create false sense of security;
- possible impact on public transport journey times.

Reaching conclusions

The final session involved small group discussions on the Merseyside police position on 20mph enforcement followed by a report back from each group. The police position was summarised by the facilitator as, "The Merseyside Police position is that enforcement works. But when there is a 20mph speed limit on roads that don't look or feel like driving twenty miles an hour is natural, the police don't routinely enforce. Because to penalize speeding drivers on these roads is not proportionate; instead they want habitual compliance encouraged by the road conditions."

More detailed transcript analysis should provide more insight into how participants argued and used different types of evidence, at this stage we can identify some key issues and illustrative quotes.

“It’s one thing to say... getting caught is what’s going to stop you from doing it, another thing to then publicly announce but it’s okay because you’re not going to get caught.”

“I guess my problem with that statement... the reason that it could be challenged is that it seems to be disregarding the whole safety aspect of the reason behind the 20mph speed limit... it’s not just about how do cars get to their place the most efficiently and what’s fair on the drivers, it’s what’s fair on the people.”

“[T]he contradiction is not within the police, it’s between how the local authority, the councillors, and the police see the same issue. The local authority say, “Yes, we have a problem.” The police say, “We’ve got no evidence for that problem.” So the council then say, “Well, we’ve got the authority to impose these limits and we will.” And they stamp their foot. And the police say, “Well, you can do what you like but don’t expect us to spend 20% of our time knocking off drivers for doing 21 mph.”

“I think that technology is a great thing that is going to enforce a lot of this.”

“I think the ideal situation is where people don’t speed, not because they’re afraid of being caught but because they don’t want to inflict harm on others.”

Event impact and participant feedback

All participants completed pre and post event questionnaires. The pre event questionnaire asked whether they had been injured in a road traffic collision or had anyone close injured or killed and whether they had been involved in road safety campaigning. Further comments on 20mph limits and police enforcement were sought. Several mentioned that 20mph limits are not enforced, an anecdote suggested police oppose 20mph limits, some thought 20mph should be universal in residential areas, others did not. On a five point scale, participants were asked how much they agreed or disagreed with a) the use of 20mph speed limits on roads in built-up areas and b) wherever 20mph speed limits have been put in place the police carrying out regular speed checks and taking action through the criminal justice system against road-users who exceed the speed limits. These two questions were repeated in the post event questionnaire so any change in views could be captured. Support for 20mph speed limits increased after the event with all except 1 participant saying they were supportive, and 10 saying they were strongly supportive (see Table 1). Furthermore, the number of participants who agreed that police should carry out regular speed checks on 20mph roads and take enforcement action through the criminal justice system against drivers exceeding limits increased from 12 to 15 following the event, although there was a decrease from 9 to 5 in the number of participants who strongly agreed with this (see Table 2).

Table 1

“Which of the following options most closely matches with how you currently feel about the use of 20mph speed limits on roads in built-up areas?”

Response	Pre-event	Post-event
Strongly supportive	8 (47%)	10 (59%)
Somewhat supportive	6 (35%)	6 (35%)
Unsure	3 (18%)	1 (6%)
Somewhat opposed	0 (0%)	0 (0%)
Strongly opposed	0 (0%)	0 (0%)

Table 2

“Wherever 20mph speed limits have been put in place the police should carry out regular speed checks and take action through the criminal justice system against road-users who exceed the speed limits.”

	Pre-event	Post-event
Strongly agree	9 (53%)	5 (29%)
Tend to agree	3 (18%)	10 (59%)
Neither agree nor disagree	5 (29%)	1 (6%)
Tend to disagree	0 (0%)	1 (6%)
Strongly disagree	0 (0%)	0 (0%)

Twenty minutes was allowed for completion of the post event questionnaire which also asked: what participants would like to see happen as a result of this event; to what extent (five point scales) taking part had been a) worthwhile and b) changed their views; whether there was anything they particularly liked or disliked about the event and whether there was anything that should have been done differently. 100% of the participants who answered the question (16 out of 17) agreed that the event had been worthwhile, and 65% agreed their views had changed as a result of taking part.

Views expressed in the free text part of the questionnaire included:

“The public’s views should be taken into account in order for widespread adoption and adherence to 20mph to take place. So these discussions should be fed back to those who make policy.”

“I’d like to see greater awareness of the benefits of lower speeds. It’s not about slowing people down – it’s about safer streets, active travel and more welcoming communities.”

“There is a serious need for the police to apply proportionality to resource and the crime, after they acknowledged the likelihood of death on the road is significant.”

“I think they need to do some [20mph enforcement] otherwise people will realise it is not enforced and the speed limit will be worthless. But non-police interventions that make a road look and feel like a 20mph zone are probably more important.”

“I do not agree with 20mph on all roads. I think the police should carry out regular checks if there is an issue in that area but I appreciate that their numbers have been drastically reduced and I appreciate that they have to prioritise.”

“I feel that 20mph should be the standard for all residential roads. These should be enforced...”

“I... felt that it was rushed a bit and more time should’ve been given to get a clear understanding of what people have to say”

What we learned

Every deliberative event is necessarily different, shaped by the particular dynamics of the cross institutional planning and collaboration involved. A flexible organising team is therefore essential, ready to fill in gaps and solve problems as they manifest themselves. Judgements about what will and will not be a controversial issue are hard to make when, as is often the case, the organisers are not subject experts. This event was organised

without the direct involvement of academic subject experts (although some useful advice was provided). The event organising team (Liz and Sarah) had to shoulder most of the responsibility for researching the topic and identifying relevant and appropriate information and evidence to support a meaningful deliberative process. Ideally subject experts would play a much more active role in the planning process as part of a larger organising team, identifying controversies, acknowledging where there are differences of perspective and opinion from their own, and bringing to the table pre-existing knowledge and understanding of the types of evidence available and where to find them. From organising this event we also found that even once an issue for deliberation has been identified, where it is particularly controversial and emotive, key players who could make a significant contribution may be reluctant to get involved, anxious either about being portrayed as ‘the bad guys’, weary of the battle or sceptical of any positive result. These individuals are likely to have a lot to offer events such as this and it is important to make efforts to include insights into their perspectives so that they are not left out of the debate.

It was not possible given the timescale we were working to for our participants to come to an agreed position. (And indeed it might not have been possible on any timescale.) There was considerable support for the enforcement of 20mph limits although not everyone felt that 20mph should be the default limit in residential areas. The lack of effective collaboration between the police and local authorities came up several times as did the difficulty of making one’s voice heard within the local authorities. While some people questioned the logic of Inspector Kellett’s position of enforcement works but we’re not going to enforce – with particular concern expressed about the wisdom of making this position public knowledge - others accepted his reasoning for it not being a priority. Although participants did discuss what motivates ‘behaviour change’, it was interesting that the idea of speed limits feeling ‘natural’ was not really questioned. Was individual change easier to engage with than broader social change? As we analyse the transcripts of the discussions in more detail we will gain a deeper understanding of the reasoning underpinning the opinions expressed. This analysis will be shared during 2019.

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As always, we welcome feedback and comments on this document. You can join in with discussions by accessing the members’ area of the N8 Policing Research Partnership website and using the North of England Police Community Engagement Network discussion board. If you require a log-in for the website please contact the Project Manager [Steph Abraham](#).